



City of Somerville, Massachusetts

City Council Charter Review Special Committee

Meeting Minutes

Tuesday, October 29, 2024

6:00 PM

Committee of the Whole

This meeting was called to order by Chair Scott at 6:05 pm and adjourned at 7:53 pm on a Roll Call Vote of 9 in favor (Councilors McLaughlin, Davis, Wilson, Sait, Mbah, Burnley, Clingan, Strezo, Scott), 0 opposed, 2 absent (Pineda Neufeld, Ewen-Campen).

Others present: Cindy Amara – City Solicitor; Ed Bean – Finance Director; Anne Gill – HR Director; Neha Singh – Director of Intergovernmental Affairs; Michael Mastrobuoni – Budget Director; Brendan Salisbury – Legislative and Policy Analyst; Kimberly Wells – City Clerk; Marilyn Contreas - Edward J. Collins Center for Public Management; Steve McGoldrick – Edward J. Collins Center for Public Management

Roll Call

Present: Ward Two City Councilor Jefferson Thomas (J.T.) Scott, City Councilor At Large Jake Wilson, Ward One City Councilor Matthew McLaughlin, Lance L. Davis, Naima Sait, Wilfred N. Mbah, Willie Burnley Jr., Jesse Clingan and Kristen Strezo

Absent: Ben Ewen-Campen and Judy Pineda Neufeld

1. Committee Minutes
(ID # [23-0843](#))

Approval of the Minutes of the Charter Review Special Committee of the Whole Meeting of May 24, 2023.

RESULT: **ACCEPTED**

AYE: Ward Two City Councilor Scott, City Councilor At Large Wilson, Ward One City Councilor McLaughlin, Davis, Sait, Mbah, Burnley Jr., Clingan and Strezo

ABSENT: Ewen-Campen and Pineda Neufeld

2. Resolution
(ID # [24-0061](#))

By Councilor McLaughlin

That the Administration update this City Council on the status of Charter reform.

RESULT: **RECOMMENDED TO BE MARKED WORK COMPLETED**

3. Mayor's Communication
(ID # [24-1308](#))

Conveying recommendations on Charter reform.

Chair Scott referred the Committee to several handouts attached to the

agenda, submitted by both the administration and the Council's Legislative and Policy Analyst.

Chair Scott moved to accept the document titled "Charter Review - 2024-10-29 Mayor charter recommendations comparison" as the working document. The motion was approved on a Roll Call Vote of 9 in favor (Councilors McLaughlin, Davis, Wilson, Sait, Mbah, Burnley, Clingan, Strezo, Scott), 0 opposed, 2 absent (Pineda Neufeld, Ewen-Campen).

The document titled "Charter Review - 2024-10-29 Mayor charter recommendations comparison" was placed before the Committee for review. Councilor Davis clarified that any changes that Councilors would like to make will now be in relation to this document. Chair Scott asked to hear from colleagues, noting that some colleagues were not serving on the Council at the time that the Council transmitted its proposed Charter to the Mayor. The Chair emphasized that the goal is to get to a compromise with the Mayor.

Councilor Wilson noted that this is now a negotiation, and there are some things in the administration's proposal that he is fine with and some that he is not, and he has some ideas about additional changes that might provide a compromise. Councilor Davis also commented that he has some concerns, many (though not all) of which are reflected in the Legislative & Policy Analyst's memo. Councilor Mbah also reflected that he has some concerns and is ready to discuss individual recommendations. Councilor McLaughlin added that while some changes are fine, he has questions and would like to revisit some item, in particular the 4-year term, the Chief Administrative Officer (CAO) appointment process, and the City Solicitor appointment process, and suggested reviewing by topic area.

Chair Scott asked Councilors to identify the topics that they would like to discuss further. Councilor McLaughlin emphasized that his main concerns are the appointment processes for CAO and City Solicitor, and the 4-year term. Councilor Davis echoed terms and confirmations, and added legal advisory counsel, and filling of vacancies. Councilor Wilson also shared concerns about term length, filling vacancies, and appointment processes. Councilor Sait agreed regarding the City Solicitor appointment, term length, and filling Council and School Committee vacancies. Councilor Mbah emphasized the need for 16- and 17-year old voting in municipal elections, and shared concerns about the independent audit, filling vacancies, legal counsel for the City Council, the 4-year term, and access to information. Councilor Burnley highlighted concerns that every deadline identified in the Charter has an extension. He echoed concern about the 4-year Mayoral term, and identified that he has questions about the recommendations related to the School Committee, and shared that one of the most substantial places he would like to see change is to the CAO and Solicitor confirmation process. Councilor Clingan noted some similar issues such as Mayoral term and CAO and Solicitor appointments. Councilor Strezo agreed that terms should

be discussed, and she is also interested in a conversation about the CAO appointment. Chair Scott identified and several Councilor agreed, that the Mayoral term is not the most important item for the City Council, though it seems to be for the Mayor. The Chair shared other concerns shared by fellow Councilors, and added that he would be interested in hearing from the School Committee on items related to that body.

Councilor Davis emphasized that the most consistent thing that he heard from constituents and has felt himself through his work in this role, is that the primary need for a revision to the Charter is to address imbalances in the governing branches. A point of frustration is that the recourse that exists for addressing some of the identified problems and challenges with various administrations is elections. To then dilute this rather than providing clearly articulated ways that the legislative branch can carry out its duties, informs the view of other issues. While the term is not the most important issue as a standalone topic, it informs all of the other items in the Charter. Even an extended term for Councilors presents 50% fewer opportunities for the voters to exercise their voices in terms of oversight.

Chair Scott noted that the 4-year term was handled early in the charter review process and was raised repeatedly, and now re-raised, and is not a settled question. The Chair encouraged keeping the discussion to new information. Intergovernmental Affairs Director Neha Singh clarified that the arguments in the memo provided by the Mayor are a comprehensive discussion of the argument for a 4-year term, and that the administration and the Charter Review Advisory Committee have been consistent that a 4-year term is what is best for the city. She added that 57% of the cities in Massachusetts have a 4-year Mayoral term, and the others are largely operating under old charters. The administration's intent is the policy that is best for the city, and as such as suggested an effective date of 2028, so it does not impact the current officeholder.

Director Singh noted that she is prepared to negotiate on behalf of the Mayor, and is well versed in the Mayor's positions on the items in the Council's proposed Charter as well as the Mayor's recommended changes.

Councilor Wilson elaborated that the items that support a 4-year term for Mayor also support a 4-year term for City Council, as they apply both.

Chair Scott asked what redline items proposed by the Mayor are not open to modification. Director Singh was unable to provide a list, but added that the memo reflects the administration's position and what is feasible. She added that the Director of Human Resources feels strongly that changes to the appointment of the City Solicitor and CAO would inhibit the city's ability to attract qualified candidates. All recommendations were submitted following extensive internal conversations and research on best practices. Chair Scott asked for a list of non-negotiables. The Committee entered into recess to give the Director time to prepare that list.

Director Singh presented the list of edits proposed by the administration that the administration is not firmly attached to if the Council is not amenable to

those edits: Section 2-7(d), regarding City Council staff; 2-8(a), regarding department head confirmation; 2-8(c), regarding constables; 2-12, regarding City Council vacancies; 3-10, regarding communications and special meetings; 4-6, regarding School Committee vacancies; and 8-6, regarding periodic review of multi-member bodies. The remaining edits are items that the administration believes should be retained, but they are willing to discuss with the Council if there are ways that they can come to agreement. Councilor Burnley noted that these are all items within the Council's purview, so the Council should be able to determine the language. Chair Scott noted that the process involves a Home Rule Petition, submitted by the City Council for the Mayor's signature, to be approved by the state legislature. It is the Council's responsibility to produce that language. Chair Scott suggested that Councilors prepare for the next meeting on November 20 by preparing counterproposals and ideas.

RESULT: KEPT IN COMMITTEE

Referenced Documents:

- Charter Review - 2024-10-29 Non-Substantive Changes (with 24-1308)
- Charter Review - 2024-10-29 Mayor charter recommendations comparison (with 24-1308)
- Charter Review - 2024-10-29 Legislative and Policy Analyst Recommendations Red Line (with 24-1308)
- Charter Review - 2024-10-29 Memorandum - Legislative and Policy Analyst Recommendations (with 24-1308)