



CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

February 7, 2018
REPORT OF THE RULES SPECIAL COMMITTEE

| Attendee Name | Title | Status | Arrived |
|----------------------|-------------------|---------|---------|
| William A. White Jr. | Chair | Present | |
| Lance L. Davis | Vice Chair | Present | |
| Mary Jo Rossetti | Alderman at Large | Present | |

Others present: Alderman J. T. Scott, John Long - City Clerk, Frank Wright - Law, Denise Taylor - Communications, Annie Connor - Legislative Liaison, Rositha Durham - Clerk of Committees.

The meeting took place in the Committee Room and was called to order at 6:00 PM by Chairman White and adjourned at 7:10 PM.

Approval of the September 8, 2010 Minutes

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| RESULT: | ACCEPTED |
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Approval of the September 21, 2010 Minutes

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| RESULT: | ACCEPTED |
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Approval of the October 21, 2010 Minutes

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| RESULT: | ACCEPTED |
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204618: That this Board record all of its committee meetings by video or audio for the public record.

Mr. Long distributed a proposed rule and the committee discussed whether meetings shall be video recorded whenever video equipment is available and operable. The language of the proposed rule was amended, (allowing the City Solicitor to determine the appropriateness of recording Executive Sessions), as noted on the attached document. Members discussed the potential situation where a member of the public may not want to be recorded and holding meetings in various rooms in city hall and/or off site.

Ms. Taylor provided a document containing options of video and/or audio recording and resources. She noted that there are approximately 111 committee meetings per year with 34 of those meetings in the chambers, 66 in the committee room, 11 meetings in the subcommittee room and approximately 4 meetings off-site. The committee room would be a locked down shot and would not provide a complete picture of the room. The chair, however, could request from Ms. Taylor that a freelancer attend the committee meeting and operate the cameras. The subcommittee room presently would only be able to record audio, however, a camcorder could potentially be mounted to provide both audio and video as the room is too congested to allow for a freelancer, therefore, it was suggested to use audio only in this room, if the chair requests recording. If audio is being recorded, the chair will need to remind everyone to state their name so those listening to the recording will know who is speaking. The Communications Department would purchase high quality audio equipment to ensure that everything is heard. Chairman White would like the committee to review the equipment already installed in the committee room.

The committee supports zero cost solution to get the committee 80% of the way for the recordings for constituents. The options are as follows:

- **Aldermanic Chambers** - the first option was chosen with full video and the purchase of a better recorder for a one-time cost of \$900. Any meeting in the chambers will have full recordings.
- **Committee Room** - The camera already in place would have a fixed camera position. The communications team would set up the cameras and the clerk would be able to hit one button to the recording on and off. The chair could request a freelancer to operate the cameras in the room with notice to Ms. Taylor.
- **Subcommittee Room** - can only use a small hand held digital recorder that has already been purchased. The clerks will be responsible for making sure the recorders are used in this room. The committee members will try not to use the subcommittee room for meetings, if at all possible.
- **Off-site Locations** - if requested by the committee chair, these meetings will be recorded by freelancers.

Mr. Long and Ms. Taylor will meet to discuss the protocol of when to use which equipment and the need for committee chairs to notify Ms. Taylor in advance if the chair wishes to have a person to operate the cameras to video record or broadcast a meeting. Ms. Taylor will confer with the freelance manager to review how much advanced time is needed to request a freelancer for recordings.

The committee approved the following Order:

That each meeting of the Board of Aldermen or any of its committees shall be video recorded whenever video recording equipment is available and operable. In the absence of video recording equipment, an audio recording shall be made whenever audio recording equipment is available and operable. The City Clerk shall ensure that the recording is made available for public review on the Board of Aldermen's web portal. Subject to direction from the City Solicitor, Executive Session meetings shall not be recorded by video or audio, but minutes for such meetings shall be kept by the City Clerk.

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| RESULT: |
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| WORK COMPLETED |
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205056: That the City Solicitor provide an opinion with respect to the Open Meeting Law on a committee chairperson's authority to allow public discussion when the committee meeting is attended by greater than a quorum of the full Board.

Alderman Rossetti gave a brief summary of why she submitted this order. Mr. Wright told the committee that, in his opinion, it's the chair's prerogative to allow someone to speak at a committee meeting. If an alderman who is not part of the committee is allowed to speak, when a quorum is present, then others who are not part of the committee may be allowed to speak, as well. If the committee is soliciting information from someone who has specific knowledge about a matter, that person may speak without the consequence of allowing others who are not part of the committee to speak. A person may be allowed to speak by being sponsored by a committee member and receiving approval by a roll call vote. If a BOA member puts forth an Order, Resolution, etc., it is permissible for that member to speak on the matter at a committee meeting. If a quorum of the full BOA is not present at a committee meeting, then a BOA member who is not a member of the committee may take a seat at the (discussion) table.

The committee discussed the BOA's Rule 30, which reads as follows:

Rule 30. Pursuant to the Open Meeting Law, if less than a quorum of the full board attends a committee meeting, the visiting members may participate in full discussion. However, if a quorum of the full board is present at the committee meeting, the visiting members must sit in the audience and participate as members of the public and may not deliberate.

Mr. Wright will review this rule and report back to the committee.

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| RESULT: |
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| WORK COMPLETED |
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Handout:

- Proposed Rule (with 204618)
- Recording Options (with 204618)
- Opinion (with 205056)