



# City of Somerville, Massachusetts

## Legislation Text

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**File #:** 24-0415, **Version:** 1

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### Agenda Summary

City Clerk submitting an amendment to the Rules of the City Council to accommodate remote participation and facilitate accessibility.

### Official Text

To the Honorable City Council:

I hereby convey to this Council three proposed amendments to the Rules of the City Council, as adopted on February 10, 2022.

The open meeting law requires that a quorum of a public body be in attendance at all times during a meeting of that body. The allowances for remote participation provide for circumstances in which a quorum of the City Council may not be present in the council chamber. Under those circumstances it is important that members who are participating remotely be easily and immediately identifiable as present or absent to determine whether a recess is necessary to re-establish quorum or for the meeting to proceed. When a member is on camera, their presence is obvious to their colleagues, the City Clerk, committee clerks, and the public which eliminates uncertainty and allows meetings to proceed uninterrupted when the presence of a quorum might otherwise be in question if they were not on camera.

Additionally, the City Council has made great strides in accessibility by implementing closed captioning for its meetings. Members of the public watching the livestream of the proceedings, or reviewing the recorded video after the fact, should expect to have the same understanding of the outcome of a vote as those who are physically present in the council chamber. For the captioning to reflect a councilor's vote, it must be clearly voiced directly into a microphone, and for the video to capture a councilor while they are speaking, they must be in their assigned seat.

For these reasons, I submit the following amendments to maintain the City Council's commitment to transparency and accessibility, and adherence to the open meeting law.

Rule 5. A majority of the entire membership shall constitute a quorum for the transaction of business. A member participating remotely must be visible on camera to be recognized as present for the purpose of establishing quorum. The presiding officer shall take the chair at the hour fixed or to which the city council has recessed, and shall convene the meeting. If a quorum is not present at such time, then the presiding officer shall recess such meeting until a quorum is in attendance, but if a quorum fails to materialize within thirty minutes of the time originally set forth, then the presiding officer shall adjourn such meeting forthwith.

Rule 14. The presiding officer shall declare all votes, but if any member doubts the vote, the chair, without further debate, shall require the members to vote in the affirmative or negative by roll call, and shall declare the result only after all members present have voted. No member shall be recorded on any vote unless they are physically situated within the city council's chambers. visible on camera if participating remotely, or voicing

their vote into the microphone at their assigned seat if physically present.

Rule 27. A majority of a committee shall constitute a quorum for the transaction of business. A member participating remotely must be visible on camera to be recognized as present for the purpose of establishing quorum. The chair shall take the chair at the hour fixed or to which the committee has recessed, and shall convene the meeting. The chair shall preserve decorum and order. If a quorum is not present at such time, then the chair shall recess such meeting until a quorum is in attendance, but if a quorum fails to materialize within thirty minutes of the time originally set forth, then the chair shall adjourn such meeting forthwith, and shall prepare a report of the committee indicating such.

Appropriate staff will be available to answer any questions you may have.

Respectfully Submitted,  
Kimberly M. Wells  
City Clerk

#### CONDITION/AMENDMENT

Rule 5. A majority of the entire membership shall constitute a quorum for the transaction of business. A member participating remotely must be visible on camera, or, if video is not reasonably practicable, able to be clearly and identifiably heard to be recognized as present for the purpose of establishing quorum. The presiding officer shall take the chair at the hour fixed or to which the city council has recessed, and shall convene the meeting. If a quorum is not present at such time, then the presiding officer shall recess such meeting until a quorum is in attendance, but if a quorum fails to materialize within thirty minutes of the time originally set forth, then the presiding officer shall adjourn such meeting forthwith.

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