

# **Second Presentation to the Cambridge City Council on Charters and Charter Processes**

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# Summary of Process To Date

- Met with the council in September
- Submitted scope for charter readiness assessment project, which would provide two memos
  - Memo 1: Overview of current charter, other forms of government, and potential changes
  - Memo 2: Summary of areas of potential interest for a potential charter review, and pathways to proceed
- Project approved and agreement signed (February)
- Memo 1 delivered (March)
- Memo 2 delivered (April)
- Final presentation (today)

# Key Points from Memo 1 (slide 1 of 2)

- Cambridge was a town for over two centuries
- Then had three different city charters providing different strong mayor forms of government over about a century
- Adopted current “Plan E” council-manager form in 1940
- The state provided plan charters to cities from roughly 1915 to 1968, after which they could no longer be adopted
- The plan forms are minimalist and antiquated in their text
- Only 12 cities still have plan forms, and only two have Plan E
- Cambridge’s charter has remained nearly unchanged, and mostly unreviewed, for 80 years

# Key Points from Memo 1 (slide 2 of 2)

- Five types of reasons for charter review:
  1. Ensure the government is current with modern best practices
  2. Ensure the government is responsive to the needs and preferences of the current population
  3. Ensure charter is consistent with changes in law
  4. Ensure charter is consistent with changes in values
  5. Clarify text that has caused confusion or disputes
- Home Rule Charter Route to a New Charter
  - Spelled out in detail MGL Chapter 43B
  - Creates elected charter commission
- Special Act Charter Route to a New Charter
  - Same pathway as a home rule petition
  - Flexible process
- Charter Revisions Process
  - Same pathway as a home rule petition (Special Act charter) 4

# Key Points from Memo 2 (slide 1 of 5)

- General findings from councilor meetings:
  - Strong interest on council for some kind of charter review
  - Also strong interest for protecting city's strengths and for not damaging the next city manager recruitment
  - No majority on current council for considering strong mayor *at this point in time* (let alone super-majority that would increase likelihood of success)
  - The possibility of future consideration of strong mayor seems more open

# Key Points from Memo 2 (slide 2 of 5)

- Areas of agreement or near agreement from councilor meetings:
  - Do no harm to the City's financial strength
  - Provide the council stronger voice in appointments
  - Ensure the council has adequate resources to perform its duties
  - Increase accountability in City government
  - Strengthen mechanisms for council to convey goals and priorities to the manager
  - Provide council with more access to legal advice
  - Review the current council composition
  - Make future charter reviews automatic

# Key Points from Memo 2 (slide 3 of 5)

- Two options provided
- Principles behind these options:
  - Do no harm to the City’s existing strengths, particularly its financial management;
  - Do no harm to city manager search process;
  - Construct processes in a way that enables the opportunity for public input, while being mindful of the pandemic, the upcoming council election, and the current financial challenges facing many residents and businesses; and
  - Ensure that, regardless of whatever else happens, a periodic charter review is mandated.
- Plus charter commission path as a third “option C,” which would not involve council directly

# Key Points from Memo 2 (slide 4 of 5)

- Option A: New Charter on the November 2023 Ballot
  - Create charter advisory committee
  - Include two items in the charter advisory committee's mandate:
    1. Change to strong mayor is *not* under consideration during immediate charter work, but consideration publicly encouraged during 1st review
    2. The new charter should have a mandated review included and that this review should probably occur in the 2027-29 range
  - Pros: Aligns with city manager recruitment timeline; Provides opportunity for current council to begin the work; Allows the charter work to include public engagement, without pushing the potential new charter out too far; Keeps alive the opportunity to consider changing to a strong mayor
  - Cons: Rests the success of the whole project on single vote in Nov 2023; A significant education effort will likely be necessary to inform the public



# Key Points from Memo 2 (slide 5 of 5)

- Option B: Some Charter Changes Now, with a Full Review Slated for (Approximately) 2026
  - Make some changes to the charter this year and leave others for a more significant charter review in a few years
  - Changes to be made this year should have near universal council support
  - For example, these changes could include:
    - Mandating charter review every 10 years starting in 2026
    - Providing for the council to approve or reject appointments
    - Providing for an annual review of the city manager by the council
  - Pros: Provides for near consensus items to be in place before new manager begins; Locks in place future charter reviews; Allows the charter work to include public engagement, without pushing the potential new charter out too far; Keeps alive the opportunity to consider changing to a strong mayor
  - Cons: Pushes significant change further than Option A; Potentially rushes changes made in 2021; May have “dampening” effect on more comprehensive charter change

Thank you for your time.

Questions?