

Charter Commission Meeting

March 29, 2017, 7p.m., Council Chambers

Present: Josh Krintzman, Chair, Rhanna Kidwell, Vice Chair, Bryan Barash, Jane Frantz, Howard Haywood, Anne Larner, Karen Manning, Chris Steele. Brooke Lispitt arrives 5 minutes late.

Approval of March 15, 2016 minutes

Chris moves approval of the Mar. 15 minutes. Anne seconds. The minutes are approved 8-0.

Public Comment:

Councilor Lisle Baker (Ward Councilor Ward 7) wishes to make three points which reflect his concern about the proposal. 1) The current council is fair, efficient and effective. It is fair in terms of geographic representation and diversity of opinion. Its efficiency is reflected in 8 person committees dividing up work. Many issues are resolved at the committee level. Leadership does not control the council because it is a large body - but deliberate well as a legislative body serving all the citizens of the city. Please retain what's valuable in what we have that is fair, efficient, and effective.

Councilor Baker provides a copy of the council rules.

Bill Humphrey, 712 Chestnut St., Waban -100% of the Council should be elected city wide regardless of the details of the methodology. It should be instantly clear to voters how the councilors are elected and how they vote to elect them. The pool of 4 without the residency requirement is not his top choice though it does reasonably satisfy the principles. He has confidence in the research and deliberations and would support this. He recognizes unanimous support of that model and probably would have reached the same conclusion had he been part of the process all along. He hopes this concept won't be too difficult to explain and those who have a special focus, i.e. environmental interests can bring the emphasis to the council without needing to run against someone specific. (The individuals may agree on most things, but the second would have the specific interest). The proposal is an improvement over the current structure and will improve democratic representation and unite the city. He appreciates the updates to state law reflected in the proposal.

Charlie Shapiro, Walnut Hill Road, Newton Centre, is among those opposed to the charter. He understands many spoke against it at the public hearing. He does not object to reviewing how the city government is structured - we all want Newton to be the best it can be. He was at a community meeting in Chelsea where there was discussion that there needs to be unanimous support for a charter proposal to pass. Otherwise there will be no confidence [in the proposal] and the Commission has done that. This is good marketing advice, but marketing only works when there is a good or improved product. The document he has seen is not an improvement. It violates the rules first year medical students learn: "Do no harm". This proposal does harm to the fundamentals of our city, village and ward structure, and the basic structures of Newton democracy, i.e. the right to vote for your ward elected ward councilor.

Consolidation of power is a bad thing that reduces voter input, removes the checks and balances that keep special interests at bay. When signatures were gathered to put this on the ballot, no one hinted that removal of ward councilors would be the path to the reduced council. The objection wasn't to the concept of reduction. If a city-wide study were conducted, he does not believe people would want to lose their ward councilors. Newton voters are very smart and also busy, so can't follow all of this. They also know it's never good when voting power is reduced, which this proposal will do, though there is some support in this room. A lot of people do not know about it. How did it get so off track? It's going to help consolidate power, those already entrenched, and those with tons of money to run for office city wide. Independent thinkers like Emily Norton and Dick Blazar who are not part of the system will have a harder time becoming part of the system. That's anti-democratic.

People should read the proposal carefully and there may be some good things. Undercutting or gutting the ward system will lead to people voting against this. He is dead set against it and intends to do everything he can to stop it from passing.

Virginia Yule, West Newton likes the character of the villages and does not want to lose the representative of her village. Living in a village does not mean you represent it. The representatives should not be voted on at-large. Losing the voice from her village is her sole issue.

Priscilla Leith is upset about the removal of the ward councilor whom she relies upon. It does not take a lot of money to run for ward councilor and it is easy to get the signatures by going door to door. Her reasons for supporting ward councilors are not sentimental - they are valid reasons. They know more about traffic/pedestrian issues and the business leaders impacted by council proposals. They listen to and are responsive to those who contact them. Electing ward councilors by ward is parallel to what happens in the state and federal governments with constitutions. It takes effort to amend those. This has been a major project. Ward councilors are the most democratic way to participate in government. The current proposal allows councilors to be elected from a cluster and all from one area, like Newton Centre or Waban. They will likely be from higher income areas of the city. Lowell changed to all elected at-large as this group is proposing, and there are now no minority councilors in Lowell, even with a 40% minority population in Lowell. There's no diversity and the minority does not have a person who represents them specifically. Salaries and staff will go up and too few members to accomplish the work, so costs will be incurred. She would not want to pay for that and will probably vote "no".

Jay Walter, 83 Pembroke St. supports the current proposal. It provides for ward representation, but also culpability city wide. This should help advance city-wide goals such as the Comprehensive Plan and deter parochialism, and he does reject that the structure would not be representative. It also simplifies the ballot structure which will encourage voter participation and would streamline legislative process, i.e. special permitting. He applauds the Commission for thoughtful, thorough, transparent deliberations.

Liz Hiser thanks the Commission. Her comment regarding the draft charter is "You got it right". She supports how the Commission analyzed, discussed, made decisions etc. using data. By data she does not just mean numbers, but "qualitative and live living and breathing experiences" - information shared by people as well...qualitative data, testimony from past and present elected officials, comparative data, model city charter, interviews and testimony from those in nearby communities. There were also infinite opportunities for Newton residents to share their views. Not all the straw votes were unanimous and some had other preferences (i.e. 5 vs. 4 in the at-large pool) but the discussions were really robust, especially around Council Composition decision points in April, August, and November. The unanimously approved proposal filed with the AG's office was backed by sound reasons and reflected the Commission's overarching goals. Even as some are encouraging examination of other scenarios - trust your decisions and your reasoning. It's human nature to want to go back and edit but keep [all the work and discussions] as your North Star. She's read the minutes, especially from the meetings when the Commission reached those decision points. She hopes the group still understands this as the composition that will bring about the most citizen engagement, participation, and accountability - with every councilor accountable to each resident in Newton. You got it right.

Nancy Zollers, 154 Oliver Rd., Newton - You got it right. She's grateful for how the Commission got here, with the data, deliberations, testimony, etc. She received pamphlets from charter opponents, putting forward that rejection of the proposal preserves local democracy. She does not agree with that. The Commission's work is the "real democracy". She reads from the preliminary report introduction - "Voters have more influence over the action of their councilors when they can vote for all councilors", would create a more effective and responsive government, greater participation, community understanding. This is the "real d" in democracy. She will work hard for the proposal's passage. It must be scary at this juncture that it won't pass. That's not a good reason to go back, and she'll help get it passed because it's the right thing.

Sue Flicop, 145 Florence St. on behalf of LWVN. She clarifies statement from the March 15 hearing. The statement was intended to thank commissioners and explain that the League would need time to evaluate the proposal bearing in mind its own charter study, rules and procedures. Education of its members has begun but they must wait for the proposal to be finalized. The vote on whether to support the proposal will take place at the April 30th

membership meeting. This is standard process when not in their annual program plan and [an item] does not line up completely with League positions. Because this is an up or down vote for Newton voters, parsing out parts of the proposal for discussion is not constructive, so they will wait. All League members are encouraged to attend the 4/30 meeting.

The rest of the comments (those signed up already and others who would like to sign up) will be heard after the meeting.

The group discusses the draft charter and topics members wanted to revisit. The first is Council Composition.

Jane aligns herself with Susan Albright's comments at the public hearing, describing herself as "agnostic" about the composition of the council. She sees several models that would work very well but has concerns about our proposal for two main reasons. She is hearing out in the community serious and growing concerns about the at-large pool. People have told her specifically that wards 5 and 6 will dominate the council, ward 2 dominate the council, developers will own the council, and the at-large pool will be "super councilors" or "mini mayors". She does not share those concerns. However, having deeper conversations especially over the last month when people's concerns are growing, she hears an underlying message that concerns her greatly - that people don't trust the at-large pool. She considers trust in the proposal for the government structure to be very central in our mission. We have not taken this into account, whether people trust the model. When she hears the possibilities that don't relate to each other, she is concerned about trust. We have reached the right number of councilors for a variety of reasons but is concerned about the composition. Everyone in the chambers has likes and dislikes about decisions that have been made, but this is about trust. She is having more and more people say to her I really wish you had gone with this or that model - but she can live with the district model. It may not be what some like the best but it is the model they trust and can work fairly for all residents. This leads her to her second large concern. With what's going on at the federal level, she has had little faith in the concept of equal representation. Maintaining a geographic requirement does not prevent any resident from going to any councilor for any discussion or to influence the councilor. But removing a geographic requirement could mean that some parts of the city would not have equal representation for long periods of time, which is troubling. She's proposing revisiting the composition of the council, specifically that we consider the district model.

Josh - Are you making a motion?

Jane - Would you like me to make a motion?

Josh - Up to you.

Jane - I would make a motion that we adopt the district model where the four extra councilors are divided up equally across the city so that each individual resident has equal representation.

Josh - So essentially to take the four at-large seats and move them into four districts?

Jane - At-large would be my preference

Josh - So the four would be in districts but elected by the whole city.

Jane - Yes

Josh - [Clarifies the motion] to have the 4 truly at-large seats to four residency restricted seats by four districts, but the four seats would be elected by the whole city.

Jane moves, Brooke seconds.

Brooke is agnostic on the issue. She seconded because it's an important discussion. All of us have had more discussions with members of the public than we have over the last year and a half which is pretty typical near the decision making moment. What makes her want to revisit the district model is the substantial amount of input we

have from people who really prefer retaining the ward model. These people may be energized by the flyer Ms. Zollers held up, by Councilor Baker who [both] have praise for the ward councilors. Or, they know a particularly responsive ward councilor. She stresses that the data [Rhanna] collected reflects disproportionate number of comments/emails in support of ward councilors. The supporters were well organized and turned out. We are naive not to consider this a potential problem for passing the charter we unanimously approved in the preliminary report. She has not heard anyone on the commission speak in favor of retaining ward councilors as they exist today, elected by ward only. She is not in favor of this either and does not doubt that no matter what we do, we'll support all councilors being elected at-large. The proposal on the floor at least partially addresses having somebody who feels local, having someone who represents two wards or at least lives in one of two wards. The problem from her is that the nature of our communication with the public is one-sided. We can't say to people who want the ward councilors: "We know that's what you want but can't give it to you. Would a district councilor elected at-large be more satisfactory than four totally at-large?" Because we have not had that communication, we'll need to make our best judgment about whether that is a meaningful change.

She does not personally know - whether that will make more people comfortable than having four councilors totally at-large.

One factor appeals to her about the district model that she understands is not as easy to understand as the original proposal. The one advantage it does have is providing all head to head races, which she believes are desirable. Some on the commission have said they would not want to run against a sitting member. Her theory is that if you're not tough enough to run against a sitting member, you shouldn't be running for office. She says that as someone who ran against someone who ran against and defeated a Bof A incumbent. She hasn't reached a conclusion but those are her thoughts.

Bryan is happy with the process we've followed. We've heard a lot of feedback, including "we should stick to our guns" but he views this as an opportunity to make sure we've got the exact right mix and language throughout the charter, to fiddle along the edges to make sure this is the best proposal it can be. He's open to taking a look at this. Hearing feedback and concerns, he found himself thinking through the same things and he tried to take a fresh look at things from their perspective. He's not weighing this in terms of the charter passing at this point, but the substantive issues of the at-large pool and what it might look like to have the district model elected at-large.

He's intrigued by the idea Brooke shared about head-to-head contests, and that being elected requires 50% of the votes +1. People come from a specific area - it's a knowable seat and head-to-head match up, but the majority of the city approves of the work of everyone on the Council. That's a good feature to have. The city gets the representation it wants with every seat. You'd have different perspectives but not minority viewpoints shared by minority of the city that can create problems in workings of government. That can happen in cities that have the pool feature. Someone can get a 3rd of 4th seat with much less than a 50% vote, and they can hold up an incredible amount of work. He's probably leaning toward voting for a district model.

Rhanna put together the feedback data and has been able to review. This commission has had unanimous agreement since Day 1 that the whole council should be elected at-large. Now that we've floated the proposal, there have been 2 major categories of objections - those who wanted to keep 24 councilors, and those who wanted to keep ward councilors. 29% want to keep ward councilors. The comments reflect people want someone accountable to their area who does not need to run city-wide, because of the time, effort, etc. The district councilors elected at large do not satisfy those people. If we want to talk about compromise to pick up votes, we'd need to discuss electing district councilors only by district, which no one seems to support. We can't compromise without giving up anything [keeping at large and not giving what the 30% have asked for]. This is not a compromise anyone wants. Another concern about making a change at this point is that we have one month left to get this decided and and revise the final report. She has huge concerns about making a change this big so late in the game. We can't get a feedback loop, As far as Brooke's point, would someone who wanted a ward councilor even be appeased by having a district councilor answering to two wards merged together? We don't have any way to get feedback on what the districts might look like, how we might make the districts, etc. So, absent any clear imperative that what we have proposed wouldn't pass, would be very concerned about making a change at this stage.

Chris - will role play Steve Linsky “on one hand, but on the other hand”. The proposal in front of us is similar to the one proposed about 90 days ago. He argued as best he could at that point in favor of the district model on the grounds that Brooke raised - that each race for the very important role of city legislator was determined by one-on-one/head-to-head races. We would have clear choice as far as the vision of one candidate over another. After the election, there would be a clear mandate from the city regarding vision and goals. On the other hand, he agrees with Rhanna that we are late in the process and he has grave concerns about making significant changes to the proposal at this point. We’ve already seen a large group of the populous absorb and become comfortable with the current proposal and understand many of its advantages. He’s not certain how he would vote, if and when this comes to a vote, just yet - but wanted to share those two thoughts.

Anne wishes to speak about the pool after hearing pool vs. district, and to address feedback and fears about the pool. She has done some research - what has been the practice elsewhere, the reality of our contests, what is the value of exclusive one on one contests versus having some people in a pool. Looking back at current ward councilors and former ward alderman for the last 30 years, very few are challenged after they are elected. Practically every election year, 5-7 are not challenged. So you have a one-on-one to start, and then have the seat until you want to give it up, “or you go out with your boots on”. The pool ensures a high chance of a challenge. So, there are tradeoffs. This is something else to think about. She ran at-large, sometimes without opposition so does not fear one-on-one contests. It’s not the only way to do it, and it doesn’t mean someone is “chicken” and can’t stand up to opposition. Some contests in our city’s history have been pretty personally destructive which could give potentially good councilors pause about putting in the effort. The pool takes some of the edge of jumping in, and you still have plenty of time to defend yourself and stand up against opposition.

We also have a basic dilemma about “what is democracy”. Some associate it with local representation - being able to elect someone from a ward. But others in support of the proposal define it as being able to vote for everyone in the city. Neither is necessarily right or wrong. She looked at planning department census tracks data about ethnicity, median family income, etc. and our diversity is scattered. It’s not all in one area. Ethnicity reflected in census track reveals some groups may be better represented in a pool. So there are balances - it’s not all this or that. What speaks to people based on their own experience makes them more comfortable with one or the other. She served 16 years on School Committee - voted in at-large but representing a ward and believes people were comfortable she represented them. She believes her ward at-large councilors represent her, not just ward councilors. Her personal experience plays a part in that. At this point, she’s prepared to stay with the current proposal. She’s comfortable with it and sees nothing we gain by change. It’s a change that will make some people feel more comfortable and others less, but wouldn’t have a major impact [on voters’ support for our charter changes].

Karen will speak more from the heart and not refer as much to data, though what Anne and Rhanna have provided and public input have been so helpful. It’s going to be difficult to disappoint anyone who doesn’t support the proposal. There were going to be some inevitable divides, even within the commission. She did not join this commission as someone with political experience and first felt enthusiasm for the proposal listening to the panels about a year ago, and thinking about the School Committee and its balance. It’s a body that operates well within the city which would be very different if members were not elected at-large. There’s a balance in members looking after their own schools, but always thinking about the system. If there’s an issue at Cabot school, the Ward 2 councilor will play a special role. It makes a lot of sense, even though it’s an unusual composition. She understands people understand are very attached to their ward councilors, but [hopefully] the new system would attract high quality candidates. We can’t define exactly how it would evolve. Perhaps the ward councilor elected at large would grow into this kind of a [ward councilor] role, or perhaps the 4 at-large would prove to be especially responsive, the kind of people to lean on. You work hard to recommend a composition but cannot predict it all. Susan Albright had made some comments at the public hearing how a range of models work.

She has tried to hone in on the issue of slates. At the public hearing, George Mansfield read an excerpt from a memo she had written [to the Collins Center]. Though the memo did state they could form, they do not arise in communities with at-large pools as a large concern. Also, slates can form no matter what a council’s composition. The Charter Commission did not run as a slate, but emerged as one in some cases. Some people had to fight for every vote, and all viewed each other as opponents. There’s so much that goes into it. Her neighbor Brooke’s views are often opposite hers, and they were interviewed in the Tab for opposing views of term limits, and also

bring different skills to the table. She believes the Commission would have suffered not to have both included due to a geography restriction.

It's not a good idea to change the proposal at this juncture. People have had many months to sit with the main parts of this proposal and provide feedback that we wouldn't receive if we "throw out" a totally new model "at the last hour". Though gaining the enthusiasm of some supporters, we could lose the enthusiastic support of others, and some will never approve of the proposal. The district proposal would give more of what we already have but not satisfy those who treasure their ward councilors. Hopefully their needs will be met by high quality candidates that stricter competition, etc. would bring to the council.

Jane - We will not be voting for the best in the pool - it will be the four top vote getters. There's no guarantee there will be the four best of any pool. She has spent 20 years north of the pike. There's a sense of disenfranchisement in that part of the city she's described in the past as perception but today wants to discuss as reality. It is a reality. On the school side, playgrounds are paid for by PTOs. Some schools have their playgrounds paid for - others may take two to three years. Equity is a constant battle re: technology in schools. They have just now developed an equity policy that everyone will get the same technology? It happened ten years ago and fell apart. Each school gets the same resources despite variations in needs. There was a school in the north side of the city that went three days without heat in January. The children sat in those classrooms for three days and were not moved anywhere. Whether it's a reality or a perception, people from that district/school community believe that would not have happened in other parts of the city. And she can't be sure. The same is true for people in Oak Hill Park and parts of Upper Falls - they want to know they will have the same representation as everyone else in the city and she doesn't think that's asking too much. Was it a councilor who came from Worcester who described the results of their elections, and when pressed on it he admitted the at-large councilors came from the wealthier parts of the city? That concerns her. This has been her life. She lives one place but her heart lives somewhere else. She hears from those people - they are extremely concerned that they won't get the representation they now have, that they will lose it and have nowhere to turn, and they hold onto their councilor more dearly than people in other parts of the city. She personally does not rely on her councilor for anything—gets feedback when an issue comes up, but doesn't turn to them to help her out. She hears from people in certain parts of the city that they rely on their councilors in ways she does not. Her heart is in another place, and the concept of equal representation no matter where you live is very important. Fact is, we do have diversity in this city -maybe not ethnic or racial in terms of clusters of where people live but there is localized economic diversity. Those people risk losing representation with a pool. That's a concern to her.

Howard - in response to Jane: We currently have ward councilors. If concerns went to the ward councilors, the conditions described should not have occurred. What's happening is [not] a good argument to keep what's not working. I think we're so into the process that trying to change now is not a good idea. How do we decide what the districts are. Dividing into 1,2,3,4,5,6,7,8 - are you telling me that doesn't split the city? That's 4 north side and 4 south side - same conflict. There's a myth about how much people value the ward aldermen. He looked at the 2015 elections data. 7 out of 8 ward councilor races were uncontested. In ward 2: There were 731 votes cast for the ward alderman. Guess who won? Blanks. There were 851 blanks. They really love the ward aldermen. The whole list is like that. In ward three, 651 for the winner, 815 blanks. We really love our ward aldermen. In ward 4, the winner won by a couple of hundred votes. The two at-large people ran unopposed but got more votes than the ward alderman. In ward 2, there were 4 candidates. In a race that was so opposed, you'd expect the ward alderman to top the ticket. 3 out of the 4 got more votes than the ward alderman.

The people who are elected from the city whether in West Newton, etc. have an obligation to look out for the entire city. If people don't do that, then you don't get elected because you're not looking out for the welfare of the city. Electing ward aldermen does not assure this. The blanks show people don't care - even those who did vote, did not make it a priority within their wards. If ward aldermen are so critical to democracy in our city, that alderman should be the top vote getter within the ward, and that doesn't happen in this city. Lisle Baker, Ward 7 got 565 votes - 329 blanks out of 897.

The basis that ward aldermen provide better democracy or representation is a myth. There's no data to authenticate that. You have concerns and he does too. He'll look at my aldermen, where they stand on things, and vote for those who best meet my needs. It has nothing to do with whether they're my alderman or not. Wherever they live, they should have my concerns. At the beginning of this process, Karen spoke about how we were elected. He didn't know half and they didn't know him. There wasn't lobbying - it wasn't a political game. You just ran. People voted for us because they thought we had the interests of the city at heart. He didn't get voted for because he lives in Newtonville, people probably didn't know where he lives, or because he is a Democrat or Republican. People heard about him and know he cares about the city. That's how it should be with everyone entrusted to get votes. Some of the articles written about why this is wrong are harmful. It sounds a little like a national election. If every councilor comes was elected from Waban and Newton Centre, he wouldn't care if they were looking out for the needs of the city. It's not where they live that matters and it shouldn't matter - it's how they perform their duties.

It's gotten to the point where the villages are not good for us, it's starting to tear us apart. It's not 13 villages and one city. It's one city of 13 villages. When we put the villages ahead of the entire city, we're doing a disservice. At these meetings he heard a word used a lot, "outlier". But he's an outlier here and almost every meeting he goes to in Newton, with the Council on Aging or wherever he serves. But that doesn't matter does it? What matters is how he does the job that he was appointed or elected to do. And that's what we should be concerned with. Not where [councilors] come from but whether they represent you. The data does not show a ward alderman is more valued than an at-large. It does not show it because you would vote for them.

Jane agrees with 90% of what Howard said. The data about ward aldermen does not hold up. We've been told it's easier to run for a ward alderman seat. However, if you look at data from the last election cycles, 87% of the ward aldermen ran unopposed vs. 62 % of at-large. In the last 9 elections, 5 of the ward aldermen elections have been unopposed since 1999. She's not talking about ward aldermen. She's talking about a part of the city that doesn't always feel embraced by the rest. They see and feel comfortable with a councilor they know who lives near them who has a sense of their particular issues. That doesn't always mean they vote with them. One at-large councilors came to one of our panels and said that he wasn't a ward councilor but looked upon the city as a whole city and she believes him. She's talking about the people, not the councilors, who live in the parts of the city that are not as wealthy. And how they feel and what makes them feel like part of the city. She thinks having equal representation does that, and would not be ok with all councilors coming from Wards 5 and 6. It's very alienating to many parts of the city. She absolutely agrees with him about ward councilor election data. [But] she hears from people and has a lot of contacts in those parts of those cities. She spent many hours there and talked with large swaths of people as a teacher over many years. They feel disenfranchised, and say "this wouldn't happen at "x" school, that those people are getting more than we're getting". That's just the school side. To take away their representation does not serve those people well. The councilors are on their own.

Josh addresses concerns about timing of proposal introduction by recapping the charter review timeline (state law). It includes a first public hearing, preliminary report, and a second public hearing prior to publication of the final report. We're supposed to give the public an opportunity to respond to what we have proposed, and we should respond the best we can. He disagrees with the notion that it's too late in the game to respond or it would weaken the proposal. We should address concerns the best we can without compromising our values or integrity. So given that, some of the feedback he's heard:

- 1) Retain the ward councilors. Anne said it very nicely that it's like the School Committee member who comes from your ward but is elected at large. He agrees the ward councilor elected by ward would be responsive just as a school committee member is responsive.
- 2) Having all seats at-large makes it difficult to challenge someone for a new seat. Like Jane did, he went back and looked at the data. Since 2001, people have challenged at-large vs. ward seats at a 2 to one ratio for the Council. Also, School Committee races are challenged more than the ward councilor races. The data doesn't show someone is less inclined to challenge an at-large seat. Also, the proposal to have a reduced council would do more to have more contested seats.

- 3) The last topic is the fear of the at-large pool and the notion of preserving geographic diversity. That's what Jane's proposal gets at. Can we accommodate that without giving up what we value in our proposal. He likes the preliminary report proposal a lot but feels an obligation to hear what the residents want and see if he can accommodate any of what they want, especially if it doesn't compromise the values found in the city council (?). He thinks Jane's proposal does that. It preserves that geographic diversity that wasn't his main concern but he's heard it over and over again from residents and it seems to be highly valued. Our current council has 100% geographic diversity by the wards, and to the extent that we can accommodate that without giving up electing all councilors at large, we should. It's false it would weaken our proposal this late in the game. It shows we were responsive to concerns. He likes the proposal and intends to support it.

Rhanna - Jane and I talked about this a while back. We both share the concern that people who feel marginalized in the city should be well represented and want a structure best for those people. We have different ideas about how to get there. We've all repeated the wisdom those testifying that the job of a councilor should look the same if elected by ward or city wide. The job should be the same, city comes first, and it doesn't mean you're more responsive if elected by ward. The same would be true for the at large pool and at large by ward. The job should not look any different. If I feel marginalized and go to my at large by ward and at large by district~ perhaps neither has had an opponent for years, haven't had opponents etc. This is one of the most frustrating things about the current city council. The alternative would be to have someone at large from the ward (again who may or may not have been opposed) and 4 people always challenged each election, who would need to defend positions and be responsive to voters to retain their seats. The concerns about 5 councilors coming from one ward is an optics issue, not a real governance issue or a risk. Even if 5 were elected, 7/8 of voters would not be from their ward. If those 5 were too focused on their own ward, I don't believe they would stay in office. As far as the state time line, she would actually like to propose revisions. We're at risk trying to make major changes at this stage. The public hearing, if intention is to incorporate major changes, should have been mandated to be held this late in the game if we are going to try to make changes.

Karen - As for whether it's too late to make a major change, a district proposal is pretty complicated. Susan Albright gave an example of a possible district (1 and 8), and you've proposed N, S, E, W or 1,2 and 3,4, contiguous, by population, etc. I don't think it's accurate if you believe

people are not going to want to weigh in on that. They would have many opinions and we wouldn't have time to get them. There would be a lot of disagreement and everyone would have the "best idea" of how it should be done. So, this really would need a lot of time. Some of us had that instinct, also about its being an extra layer. How would the city staff react, people who would be impacted by that change, i.e legal and the elections office? She doesn't think it's a small thing.

Brooke - I know this is a strange timetable we're operating under with the state statute. But it is the timetable we're operating under. It's irresponsible for us to say because the mandated hearing after the preliminary report is after the preliminary report and we've done all that work, we're forced to stay in the original position. If that logic holds, why did we bring all those people out to participate in the hearing two weeks ago if we're not going to pay any attention to what they said? Although we only have a month, we still have a month, and I'm willing to do whatever work it would take to complete our final report by the deadline. We have all put in more hours than we care to count and can put in more to get to the finish line. We're up to the task. I refuse to be persuaded or dissuaded by the clock and I do to continue to feel that there are perceptions at least of group-think for the four at-large councilors. I don't think that's a serious problem - we are anything but a group-think group. But I do think we have the opportunity to make a modification and not a major change here and consider going to what I mentioned earlier and others have to all head-to-head races. I don't think a system where we end up with 4 all at-large councilors constantly challenged and turn over regularly and another 8 who turn over much less frequently. She's not sure that's an advantageous system that works better. As she sits here, she's becoming more inclined toward the district model.

Anne wishes to speak up more about the pool model and the issue of time. If it's compelling to make a change, I think we should, and as Brooke says we can figure out how to deal with the time. It would be inconvenient but that does not keep her from making a change. What keeps her from making a change is revisiting this for a fourth

time and getting no new information. Looking at other places, it is [her belief] that the product (preliminary report proposal) we have on the table is the better product. She does not see issues in other communities with the pool turning over all the time. There would be constant challenging. Incumbency still rules but being challenged helps people to be held accountable without being turned out. The challenge is an important tool in and of itself, and that happens much more often.

Rhanna - Brooke, I agree -in the [presence] of compelling feedback, we absolutely need to make the change. That's why I really wanted to be precise going through comments - email and public comments. The only compelling opposition has been from people who want aldermen. They want someone who will answer to the neighborhood who does not have to run citywide. So changing to a district model where people are elected city wide does not pick up the single vote of majority opposing us. Unless that model is better - we shouldn't change at this point, because it doesn't answer to the negative feedback we've gotten. With respect to districts at large versus the at large pool, of course there are tradeoffs. The district model allows for head to head races, for those who favor that. The at-large pool allows for more contest races, so seats more accountable. We can choose those we want, not those heading off against each other, while someone in the next district is unopposed. It also offers an entry point if there is a strong councilor serving, and someone wants to offer his/her talents.

Bryan - This discussion has been helpful. It's made me feel confident that whatever we decide, the make-up of the council will be strong. There are a lot of good points being made for both.

As far as our election, if it was just the top vote-getters in each ward elected in this pool, we would have lost out on two of the women and our only person of color on the Commission. Anecdotally, it's interesting.

Jane - I'd like to remind people that the motion on the table is district at-large. We are not talking about electing people by district. We've talked about ward aldermen which is important helping to explain why we did not continue with that model. However, the motion on the table is to make what I consider to be a relatively minor modification to district at large. If you look at the data, in moving from ward to at-large, the number of contested election increases significantly.

In turning to our election, no one on this Commission was elected by close to 50% of the vote. That is my other concern about the Council. We were elected by a plurality. To have 4 members of the City Council potentially by a plurality vs. a majority is a concern. I spend a lot of time in Maine. We have a strong, independent group and a governor elected by 38% of the vote. He's extraordinarily unpopular. He does not have enough support in the state. I question if it is a good idea to have four members of the council who may have fewer than 50% of the vote making decisions for the whole city. I'd thought about this during last discussions and it came back to me at this point.

Josh would like to respond to one thing very quickly. With the notion of drawing districts. If we were to go with this, just like the city council is tasked with drawing the wards, the City Council should be tasked with drawing the districts. If this were approved, I'd be open to a transition/provision section that laid out temporary districts until the City Council acted. I don't think it would be appropriate for the charter to actually lay out what the districts would be.

Anne - I would think it would be most appropriate for the Election Commission to draw the districts.

Rhanna - I would agree with that but would like to speak about something else. We've all agreed on the 8 at-large by ward. How do we best supplement that? By having the 4 at large pool, we add some diversity, something different, another method of getting elected that may result in slightly different characteristics. People are challenged more often, they may turn over more often and are not geographically restricted which can certainly have benefits. Adding 4 representatives only from districts elected at-large, we've only doubled down on what we already have, they'll just represent a slightly different geography. We've just gotten our number up to 12 without adding any diversity or anything new. We don't need 12 of exactly the same thing, and it would be nice to have something different. Newton and Barnstable are the only 2 cities in MA who don't have any councilors elected truly at large. It's a popular mechanism for a reason.

Jane - I had already talked about a major concern that we'd have less vs. more diversity. I do not see how an at-large pool would add more diversity. We have no idea who they'll be or where the top vote getters will come from.

Rhanna - I wasn't talking about racial or ethnic diversity. I was talking about diversity in terms of the structure of the council.

Josh - Does anyone else want to weigh in or should we move to a vote?

Jane - This is a significant move from the ward councilor configuration because the district model - the district councilors would be voted on at-large. So it is not a major change from the proposal we have now, as it would be if we moved to district elected by district, which would be an extreme change.

Josh - The motion is altering the city council composition from 4 truly at-large seats to 4 councilors from 4 districts but voted on by the entire city. All those in favor from making the switch~

5 are in favor (Frantz, Barash, Krintzman, Lipsitt, Steele). 4 opposed. (Manning, Larner, Haywood, Kidwell). The motion prevails. Onto term limits.

Brooke - Before we leave this topic, I think it's important to address the question the Chairman alluded to a few minutes ago about how this commission would like to weigh in re: the selection or allocation of those districts. We may have to handle it in the transition section, but we should figure out what we would like to do.

Tanya- We are seeing this with Framingham right now. Something like this usually would go in the transition provision with those specific districts outlined there, and that would be for the first election after the charter takes effect... but probably in the body of the charter you would make mention of how those districts would be formed in the future. You would have to have a specific plan in mind for the first election.

Brooke - I think it's the future piece we need to discuss.

Rhanna - In the Worcester charter, they leave it up to the election commission, similar to the ward boundaries and they set parameters around it, i.e. contiguous, etc. If we put in the charter that the city council will draw these boundaries, we will have a minority opinion because I will not support a charter that lets the city council sets its own boundaries.

Brooke - Let me point out that under the current charter, the City Council draws the ward lines, not the election commission.

Josh - If I'm not mistaken, the charter says the city will be divided into 8 wards, laid out by ordinance.

Brooke: It has been done after every decennial/decade- a committee of aldermen (appointed by the president) generally made up of ward aldermen has drawn the line. I'm sure it's been blessed by the Election Committee, but it's been drawn up by the Council. That's why I raise the issue. I'm perfectly happy having the election commission do it, but if we're proposing something different from current practice, we need to make a decision and get it into the charter.

Josh - We can entertain motions now or discuss at the next meeting how we want to constitute the districts.

Anne - When I mentioned the election commission, I was well aware that the council draws ward lines. I think this is a different piece which has some implications. It's nice to have a neutral body do it, and it's likely dependent on ward lines. I'll say nicely I've witnessed some redrawing of ward lines, and don't necessarily like the way it's been done. An independent body is a better body to do this.

Brooke - Should we make it the job of the election commission to draw ward lines also? The reason in practice that the ward councilors have done it, is that historically ward lines have been drawn to protect the residences of

incumbents. I am one of the beneficiaries of that. I lived a block in each direction from the border of my ward. With population changes over time...I don't think it was like that when I was first elected, but when there was redistricting during my tenure, the ward line was drawn by who was then my ward alderman so that my house remained in my ward, and it was considered a courtesy. I can't (?) imagine that it probably in practice it would be handled very much differently but the question is who we charge with that task.

Josh - If I'm not mistaken there's a legal requirement that wards be as equal in population as possible. You'd have to draw 8 equal districts, now where those specific lines are...

Brooke - The question is who draws them.

Josh - Exactly. I would think it would be inconsistent for us to have different bodies drawing different districts, whether it be wards or the districts [most of sentence inaudible]. I'm agnostic as to who that body would be. I would stick with whomever has been doing it.

Anne - I would say one person's courtesy is another person's injury. I've seen that happen - I would say it's worth putting both in the hands of the Election Commission if it makes sense to have one body do both.

Josh raises whether we should make a motion.

Brooke is happy to propose that those lines following the decennial census be drawn by the election commission.

Josh - I believe that state law requires the redrawing of the wards after the decennial census.

Brooke - that they be drawn by the election commission.

Josh - Brooke moves that the wards and the districts be drawn by the election commission.

Bryan seconds.

All in favor of wards and districts being drawn by the election commission: Barash, Frantz, Steele, Lipsitt, Krintzman, Larner. Those opposed - Haywood. 1 abstains - Karen. Rhanna joins and votes yes. The motion passes.

Term limits

Bryan raises that he has heard in the community that there are concerns that the term limits decided on are too far apart. He would like to get us closer together and is open to how that would be done.

Anne reminds the group that the last discussion took many hours and involved many votes.

Rhanna - we do not need to restate our arguments and should vote on scenarios of all 3 bodies at once.

Josh asks Bryan if he has a proposal.

Bryan proposes 8 (SC), 12(Mayor), 12 (City Council). Jane seconds.

Rhanna suggests Bryan withdraw the motion and the group considers scenarios, such as:

Anne - 12, 12, 16 or 10, 12, 16. Brooke supports this.

Jane - 8, 12, 14.

Rhanna - 10, 12, 12

Jane - at 10 years you become vested, so she is concerned about the financial implications for the city of vesting people at a fairly young age?

Rhanna/Anne - They are under \$4500 a year. [so would not be eligible for those benefits].

Josh recaps the 5 options.

Brooke - 8, 12, 16 [is the current]. She recommends a show of hands to eliminate scenarios with no support.

For all these proposals, the Mayoral limit is 12 years. The straw votes are as follows:

12 (CC), SC (8) - 3 (Jane, Bryan, Josh)

16 (CC), SC (12) - Anne, Brooke

16 (CC), SC (10) - Anne, Brooke, Chris

14 (CC), 8 (SC) - Jane

12 (CC), 10 (SC) - Rhanna, Jane, Bryan

16(CC) , 8 (SC) - Brooke, Jane, Josh, Howard, Chris, Karen, Anne.

The term limits remain “as is”.

Attorney General Comments:

The group responds to a comment the Attorney General made in response to the preliminary report, Sec. 2-4(a) and Sec., 4-5.

Bryan proposes discussing how districts should be handled in transition before covering these items.

Josh assures him the next agenda items should be quick and the group proceeds.

There is brief discussion to ensure agreement on the intent of the sentence, i.e. Brooke suggests we use “same position” instead of “same duties” and Jane suggests “comparable” instead of same. Anne underscores this was about being able to return to a previously held position.

Brooke moves a change to the word “position” instead of “duties”. Chris second. The group agrees 8-0 (Bryan opposes) to the following edit :

This provision shall not prohibit a former city employee or city officer from resuming the *same position* of a city officer or city employee at the conclusion of such service as a council member.

Sec. 2-7: Removal of the Clerk. As recommended by the legal dept., the group agrees to “roll call” instead of “ballot” in the first paragraph. This parallels Sec. 11-12(c).

Sec. 2-9(c) and (d): Charter Objection. There is discussion of the following [taken from a Chris Steele memo]: The concern raised is that charter objection has been used to postpone the vote on a city budget beyond the deadline, at which time the mayor’s submitted budget was automatically enacted by board inaction. The same type of objection could also be used to deny a special permit application if taken beyond the term of the sitting council.

Chris reads 2-9(c).

He suggests an edit to end of 2-9(c) - "This procedure shall not be used on any item with a deadline for passage where failure to vote has a legally binding effect, unless there is, at the time the procedure would be used, an already scheduled regular meeting before the deadline."

Chris notes the law department's comment about reconsideration- that a member "who is entitled to make such a motion" must be on the prevailing side of the vote in order to move to reconsider.

Brooke - In reconsideration, someone who is on the minority side will often change his/her vote to the majority side in order to be eligible to file for reconsideration. That is controlled by Robert's Rules, parliamentary procedures.

As for the other questions re: charter objections being used as far as the budget passing & special permits going into effect, or to kill a zoning change (a negative effect - it fails if no action after 90 days): She has seen members of the council (multiple person charter) to have this effect- to get the budget passed but in fact the Council has a fixed and well known timetable by which it must act. One could argue that if they can't get their work done by the deadline and the charter is enough to put it past the timetable, maybe that's ok. The council could address this problem with the charter objection within its own rules. She thinks she's seen (in latest version) a provision to address the issue with the special permit. It's an obvious issue and the question is whether we control this or leave it to them.

Bryan and Brooke discuss whether the rules of the Council can override the charter.

Chris - The way the charter reads now, 1/6 of the Council can have the budget pass without majority vote.

Bryan - With us moving to 12, 2 people could hold people up.

Brooke - But it they don't get around to voting on it, it will go into effect with no votes.

The group verifies the number of members - 1 for a charter, 2 or more others will join a member. 3 can have a charter to delay to the next meeting - a third of the council which is bigger than it was. From 1/6 to 1/4.

Josh is in agreement with the sentiment which does not prescribe council rules. Were it not in there before, I'd think it doesn't belong in there at all.

Bryan - would it be useful to clarify that council rules can limit the use of the charter objection?

Chris - good points, except we're trying to address the use of the tool in a situation of an "end around".

Brooke moves that we add a statement that the city council may limit the opportunity for the use of charter within its rules, in ways not inconsistent with this charter". Bryan seconds.

Josh and Bryan clarify, and change with Brooke's approval to: "The city council may, by rule, limit the application of the charter objection procedure."

6 in favor (Anne, Brooke, Jane, Howard, Josh, Bryan). Those opposed: Chris, Karen. Rhanna left room. The motion passes, 6-2.

City employees on boards/commissions [Sec. 3-3 (f)]. Bryan agrees with a comment was emailed to us that in most instances where it's appropriate to have a staff person on a board, it should be specified in the language setting up that board, and not be an appointment of a city worker to a board or commission that would otherwise normally go to a regular citizen.

Brooke - Do you mean city employees can be included to the extent specified in the enabling legislation?

Bryan - Essentially yes.

Tanya raises factoring in city employees serving ex officio.

Bryan is trying to ensure they are not filling a seat that should belong to a citizen.

He motions before semicolon in 3-3(f): “if allowed by the board, commission, or agency’s enabling language”.
Jane seconds.

Anne confirm the intent is to keep employees off city committee’s unless it’s specified.

Bryan - It helps ensure citizen seats aren’t taken when it doesn’t make sense.

Anne - What about employees sitting on non job- related commissions?

Bryan - That’s a good counterpoint.

Josh - if this prevails, then the clause about the 1/3 membership.

Rhanna - They could have a conflict of interest even if not related to the job.

Bryan - Therefore the 1/3 limit still makes sense.

2:32 audio

There is further discussion of exceptions and scenarios, i.e. hiring committees.

Josh restates the motion, factoring in Tanya’s suggested use of “multiple member bodies”.

“Appointments to multiple member bodies may include city employees only where allowed by the multiple-member bodies’ enabling language” - etc. (keeping reference to 1/3 limitation).

Final comments are made and the vote is taken.

Those in favor: 8. Those opposed - Josh. The motion passes.

School Building Review Committee [Sec. 4-4 / Sec. 11-7]:

Karen - The legal department raised point about second sentence which refers to a “committee to evaluate and oversee the planning and construction of the new building or major renovation, which shall have at least one member of the school committee...”.

It could be problematic to establish another committee when there is another framework in place though there is full support for the idea that School Committee members are important stakeholders and their involvement should be assured.

The question is whether a sentence could be added to 11-7, Construction of Public Facilities to ensure school committee members will be voting members of whatever committees are formed involving school building projects.

Anne confirms that this is a complex topic. She emphasizes that the city has tried to make the city process parallel to the state’s/MSBA. She agrees 11-7 would be an appropriate place for a modification, perhaps with reference to the relevant city council ordinance.

Jane and Anne discuss the role of the designer review committee school projects, which is also complicated; also what constitutes a “major renovation” and how it is defined.

Jane would like to clarify that the reference to the committee in the second sentence doesn't refer to existing committees (i.e. the Cabot School Building or Zervas School Building Committee).

Karen will consult with Ouida and suggested language will be discussed at the next meeting.

Jane explains to Brooke the goal of city projects aligning with the best practices of the Commonwealth.

Special Elections blackout [Sec. 8-4]: Legal raised the possibility that special elections should not be held during July and August, but emails were still being sent on the topic. Anne points out that Former Mayor David Cohen raised that elections complications can arise during "off-seasons", i.e. when Mayor Mann passed away. Brooke recalls how the state legislature was involved in changing the summer special election date to a fall date after Mayor Mann passed. It was "touch and go" about whether the plan could work. Karen affirms working with the state legislature was very difficult as she understood from Legal. Rhanna points out political machinations could occur around summer elections. Karen will continue working with legal.

Citizen / Resident [Preamble / Sec. 9-1 / Art. 10]: Bryan refers to a public comment highlighting that "citizen" or "citizenry" might be changed.

Preamble: "Citizenry" should be changed to "population", also address "Citizen" in the Titles of 10-2 and 10-3.

Sec. 9-1: He recommends changing citizen engagement to "engagement".

10-2 and 10-3 would become "Initiative Measures" and "Referendum Procedures".

Brooke supports the changes to 9 and 10. However, in the preamble, we are talking about engaging the citizenry. Bryan points out that you need to be a citizen to vote, but not to be involved, i.e. sanctuary city debate.

The group agrees to "populace" in the preamble and the other suggested changes.

Conflict of Interest [Sec. 11-2] - The legal department expressed concern. State law is carefully written and [they] cautioned against adding the provision.

Bryan - The AG did not raise any flags so I am comfortable.

Rhanna - No other points were raised that we had not discussed.

Karen - The AAG did not flag it but they do not often see it and do not necessarily agree with it. Nothing in the section was supported, and I left the conversation feeling like it didn't belong there. Even with the good intent, it looks like it could cause confusion to the legal department.

Josh - if there is a conflict issue, would go to state law for enforcement.

Karen - In light of the feedback from the legal department, I would move to remove the section (11-2). Josh seconds.

Bryan - like other parts of the charter, this will be open to interpretation. The point is to set out general principles. If this is something important, I would hate at this late date to remove the section on Conflict of Interest.

Chris strongly opposes the motion.

2 in favor (Karen and Josh). 5 opposed (Rhanna, Bryan, Chris, Brooke, Jane). 2 abstain (Anne and Howard). The motion fails.

Karen will see if Legal would like to submit modified 11-2 language for consideration.

Liability - 11-5: The same point was made that this was not identified as non-compliant, but this is not needed and that the issues are best handled under statute. If there were concerns, they would be addressed under state law and not in the charter. The recommendation was not to include.

Jane - In some cases, we include sections because state law is so incredibly difficult and people need the information.

Brooke - If someone were going to make a claim against the city, they would use an attorney who would turn to the statute not the charter?

Bryan confirms this hasn't been modified with the review and doesn't understand why we are changing it.

Josh - The legal department's point is that it is superfluous because state statute will prevail but views the section as a safeguard that does no harm.

There is no change.

Josh: We can have more discussion of districts or public comments. If public comment, we can look next time at proposals for how to handle districts.

Bryan would like to have an initial discussion about what happens in the transition section to ensure this can be wrapped up potentially in two weeks.

Rhanna - The Worcester charter says districts have to be contiguous and comprised of existing precincts. Nothing about compact. In terms of the transition, they don't need to be in place/decided upon until election of 2019. We can put in a provision that allows the election commission to figure it out in time for the next election.

Bryan- For me, I worry a little bit about the uncertainty of not having a starting point, and people not knowing...

Rhanna - Yes, and people might not like that and we might get tons of negative feedback that they don't want to have to actually vote on districts when they don't know what they look like?

Bryan - We should decide what they look like to start in the transition document. I do think state law would also control whether they would need to be done by precinct and how they are done. There are really complex laws around redistricting that I wouldn't want to get anywhere near how we draw districts.

Tanya - Precincts are the building blocks for wards or districts. There are wards and precincts, so this would be a matter of building on that as well. Contiguous is basic but charters can be even more specific. Framingham has language she can provide - might be more than we might need in this case.

Brooke - I do think we should have language in there that says each district should be comprised of two contiguous wards. We should not consider that we would take half of one ward and half of another ward. If we're trying to make life understandable for people - people may know what ward they are in but probably not precincts. We should probably have language that specifies wards. I think Rhanna may be right - we can leave this to the election commission.

Jane - I question whether our inclusion of how the districts are formed is charter level. The charter says there will be eight wards, there will be four districts, and then it lays out the process...

Brooke - I'm just saying each district shall be comprised of two contiguous wards, that's all.

Rhanna - We haven't looked at voter turnout and contiguous wards—my biggest concern is that if I live in Ward 1, I don't want to be combined with Ward 2 because the voter turnout there tends to be double. It would just feel different. In order for us to have a hard fast proposal, we need to look at voter turnout and come up with combina-

tions [factoring in voter turnout]. I think that kind of thing is better left to the election commission instead of us trying to do in a limited amount of time.

Brooke - Do you agree we should specify they should be wards?

Rhanna - I agree with you about the complexity. I think districts are complicated anyway, will be tough for people, and it may make sense to leave it as flexible as possible in order to try to end up with groups with similar voter turnout.

Bryan - I agree with Brooke that contiguous wards makes sense because it is more knowable. I've been thinking about how it might be referenced on the ballot. It might even say "District X, Wards Y and Z". Wards are something more people understand. It would be nice to restrict that to the building blocks.

Josh - Do you want to make a proposal right now?

Brooke - I would like to make a proposal that our language describing districts explains that each district will be comprised of 2 contiguous wards to be selected by the Election Commission.

I do recognize the issue Rhanna raises about turnout. I ran from Ward 7 for many years. Ward 7 has a large population of students and therefore low turnout, as do other wards. That too may change over time.

Bryan - That's also true of precincts, and true no matter how you break it down.

Rhanna - It's about flexibility, if contiguous. The tradeoff is simplicity to the voter and flexibility creating districts that are more equal. Not population wise but equal by whatever measure you come up with. Maybe balanced is better.

Howard - If you look at the 2015 elections data and were to go 1/2, 3/4, etc., wards 7 and 8 has half the voter turnout of other areas. Wards 1 and 2 would be enormous. I don't know what that indicates, but...

Josh - I'm failing to understand the significance of voter turnout because we're still talking about city-wide elections....

Brooke is trying to make a motion to add into our requirement that our city be divided into four districts, each comprised of 2 contiguous wards. Bryan seconds.

Further discussion.

Howard - I can't vote on this. In one night, three or four hours, we've changed everything. We've changed the most important component of the charter. And we're trying to push the rest of it because of the vote. I need more time. When I came tonight I was not sure I could vote on districts - you can't convince me, not even close. You say people called you. Well nobody called me. And when I ask about districts they say "What are you talking about"? How are you going to pick them? We have answered none of those questions. What you're doing now is a knee jerk reaction to a vote we never should have taken and it makes me reluctant, like many other people, to support this charter. Tell me who are the people who called you? Tell me who called you and told you we need districts. Are they elected officials? I have talked to many important elected officials who support [the original proposal]. And I called them and asked them - they didn't call me. You haven't demonstrated we have the grounds for wanting districts. Nothing you have said tonight backs up what you're saying. You say people told you - who do they represent? And then all of the sudden we have to figure out how we make up those districts and make it sound like it's not going to be that important. It is. I know the north/south stuff Jane was talking about better than most. What you came up with tonight about the contiguous districts is going to make that north/south stuff even worse. And Jane, you're talking about some parts of the city don't have as much? I grew up in West Newton in a working class neighborhood. Cherry St., Allen St., and Oak Avenue have houses that sold for over \$1000,000 last week. This north/south issue is over-rated. We need to stop talking about it and start working together to eliminate that kind of thinking. I don't feel comfortable with this. People are saying we don't have time?

From the very first meeting I questioned time and now we're there and time is an issue. You think we're just going to rush through these important issues at the end? I would have to say that I would not vote for this whole charter after all the work we have done but I'm close to that right now. Not one thing you have said tonight has convinced me that we should go with districts. Not one.

Jane - It's 10:20, we do our worst work at 10:20. Things get frayed. I look at the agenda, and we have not thrown everything out. We changed the composition of the council, and as far as I'm concerned we made a modification. All the councilors are still voted at-large, we made sure everyone has equal representation, and that was my point. Nothing else of significance has changed, Howard. To my way of thinking, the best way to deal with this tonight is to say we have eight wards, four districts, and however it is the wards are decided is how districts should be decided.

Josh repeats the motion on the table.

Bryan - To your point, Howard, I do think you're right - and we're going to have two weeks to talk about this and come back with fresh eyes. I don't think anyone, I would not support voting on a final proposal tonight. I hope you'll feel more comfortable and prepared to have the conversation in two weeks.

Josh repeats the motion.

Rhanna prefers not to vote on this and agrees with Howard that we need more time.

Brooke withdraws the motion and thinks we should reintroduce at the next meeting.

Public Comment

Theresa Fitzpatrick, 1935 Beacon St. She thanks the Charter Commission for due diligence and commitment is appreciated. Some of her prepared remarks not relevant now. She has learned from the research from other communities and analysis, and strongly supports the reduction of the council. She believes ward councilors should be voted on by the whole city—so can look out for his/her ward but also the city as a whole, not putting the needs of one village above another. Having an at-large pool from anywhere in the city will help the city be more democratic. Candidates can run without running against an incumbent or a neighbor, giving options to get involved, and helping to ensure councilors do not sit unopposed. It also makes for a less arduous voting process. I support the structures as it was in the report before all these changes. I don't support the districts. The government should be structured to join us together as one city made up all villages and wards, ensuring our city is more modernized and effective, efficient and transparent, no matter what village someone lives in. We all work together for the common goal of Newton.

Ann Dorfman thanks the group for their work. She was sorry to see us vote so quickly today about changing the role of the four at-large, but that is water under the dam. Further discussion may have led you to think about the districts first and then vote on the whole package, and may have led to a different decision - she doesn't know. It seems abrupt to make what she considers a knee jerk change.

She is still concerned about the conflict of interest and is still confused about the language. Her experience as a Newton resident and city employee of the City of Needham is that there really is no place for a town or city employee on a volunteer citizen body. If you're being appointed as a volunteer resident citizen, you shouldn't be a city employee. If there's a need to have a city employee on the body, that should be decided when it is formed if you need city staff to help support it. She describes work on a committee in a role as a city employee - much important work was done but those who worked for the city could not vote in any decision that was made. She sees no reason why that should be allowed and is not sure the language crafted protects against the experience she had as a member of the Newton Solid Waste Commission when 3 DPW members happened to be Newton citizens and were appointed, not as staff but as citizens. No way were they there as citizens but only as a voice of the DPW and the mayor. We were never a citizen body having discussions -they were beholden to the city. That never should been allowed and people were unresponsive when she raised her points. She's not clear with the language and we should go back and figure it out. A volunteer citizen committee is not staff people.

Sallee Lipshutz: I simply have to say I sat through this evening listening to your voting on something that is no better than what you already have. I wasn't in favor of it when I entered, and I'm not in favor of it as I leave. I don't think you improved much of anything tonight. I appreciate your hard work and good service to the city but think you have been misadvised.

Jen Kohl, Eliot St., on the issue of councilors being elected at-large by districts. I would not feel better represented by a councilor because they happen to live near me. There's already provision for that with the ward councilors elected at large. I would feel better as a voter having more choice and more contested elections which I feel the at-large pool would provided. So I don't think that was the right decision.

Frieda Dweck, Burr Rd: Jane's discussing the equity in the schools resonated with me because I was one of the PTO Council co-presidents when the effort was made to change the equity policy to make it fair for all the schools in Newton. It was a very difficult process because it brought up divisive feelings among the PTOs and there was a lot to talk about "haves and have nots". In going with a district model, you're going to get involved with that same conversation, and it's not going to be a good conversation. I agree with what Howard said that this will create more divisiveness in Newton. I respectfully ask you to reconsider the idea of the districts. It's not addressing the issues you think it is, and it's going to make it worse for the people you think you're protecting.

Sue Flicop, 145 Florence St. raises questions about the process tonight that raises some questions. Looking through the documents, I didn't realize you'd be voting (real vs. straw vote) on a district model without even finishing public comment of people who were here who have left. The process has raised concerns that you have made a substantial change without going through getting all the input on that particular change, like you have done for almost 16 months so far.

Meeting adjourns 10:40p.m.

1. Agenda
2. Minutes (3/15)
3. Draft of Charter
4. MA AG Response to Preliminary Report
5. Council Public Comment Tally
6. Council Comments Email Tally