



Rules Subcommittee Report

City of Newton In City Council

Wednesday, October 7, 2020

Present: Councilors Baker (Chair), Humphrey, and Krintzman

Absent: Councilor Noel

Also Present: Councilor Albright

City Staff: David Olson, City Clerk; Nathan Giacalone, Committee Clerk

Chair Baker provided an overview of the current Council Rules and their history. He said that the Council calendar was set up to deliberately load the majority of work early in the Council's two-week cycle in order to allow time for report writing. Recently, the number of committees was consolidated from nine to seven. The suggestions received by Councilors for potential Rules changes were added to a copy of the current Council Rules and Chair Baker said that the meeting goal would be to review these suggestions.

C: As the subcommittee moves through the Rules, outdated and unused rules should be flagged and removed.

The Councilor suggestions were provided to the Subcommittee via email and are attached to this report. The Rules suggestions and subcommittee comments associated with each suggestion are listed below.

Councilors Albright and Lipof requesting a review of the composition of committees, including reviewing whether transportation should be separated into its own committee, should a committee address housing policy, how should climate change/sustainability issues be addressed, is anything important missing?

Councilors Albright and Lipof asking if there needs to be one member from each Ward on a committee

C: Historically there has been one member per ward on Committee, but this is not a law and can be changed.

Councilors Albright and Lipof asking if the President should appoint the chair and vice-chair.

C: The Rules allow for the President to appoint the Chair and the Chair then appoints a Vice Chair, historic practice however is that the Council President appoints both.

Councilor Bowman requesting review of how items are assigned to committee. Also requesting more defined oversight of Climate matters. Also, whether the Clerk, rather than the President should make a Committee referral.

C: For future discussion, should the City Clerk make the referral of an item to its appropriate committee? How should climate and sustainability issues be assigned to Committee?

The City Clerk requesting a clarification on what committee affordable housing funds should be referred to, as well as an automatic Committee of the Whole for any item referred to three or more committees.

C: Though most housing issues are referred to Programs & Services, all of the housing staff is in the Planning Department.

Councilor Bowman requesting improvements to communication with residents regarding particular petitions.

Councilors Albright and Lipof requesting review of why IT reports to Finance.

Councilors Albright and Lipof requesting whether meetings can be scheduled to avoid overlapping and allow greater participation.

C: When Councilors docket items, they are often unable to attend the meeting on it when it is referred to a different committee than the one they sit on. Chair Baker said that this schedule was put into place in order to promote fairness and spread opportunity around in committee assignments.

C: The conflict with Zoning and Finance has been prominent this term because due to Zoning Redesign there is a high amount of interest to attend both meetings and Finance meetings conflict with this. Chair Baker said that the Clerk's Office releases the reports to summarize the key points of meetings. The meeting schedule could be rearranged, but Mr. Olson reminded that staff scheduling needs to be considered.

Councilors Albright and Lipof asking if any two members should be able to call a meeting, and if so, whether they would also set the agenda.

C: Four councilors in attendance is the minimum to vote on an item, while three in attendance can only recommend approval. It is unknown why the committee quorum is four while typically in most elected bodies it is half plus one of the members. Mr. Olson noted that with the shift to Zoom meetings attendance has been consistently high.

Councilors Albright and Lipof requesting clarification on whether items need to be seconded in Committee.

C: Seconding motions before a vote has never been required, but there are many new councilors this term who assume seconding needs to be done so this rule should be clarified.

Councilors Albright and Lipof requesting clarification on public hearing guidelines.

C: There should be a clarification between the rules established through state law and those by the Newton charter.

Councilors Albright and Lipof requesting possible modernization to the rule requiring items to be acted upon within one year of docketing.

C: This is the rule, but in practice the Council has not followed this so it should be clarified.

Councilors Albright and Lipof requesting what committees must do with docket items and who signs off on reports as well.

Councilors Albright and Lipof requesting to update/remove gender in "appointments by the Mayor."

Councilor Humphrey requesting that the operation of Council meetings be more efficient and easier for the public to follow along on. Also requesting what features of remote participation adopted under the period of emergency legislation should be codified and preserved as beneficial to the public.

C: Some of the routine items addressed at the start of a full Council meeting, such as docketed items and the reports docket could be done at a different time in order to streamline the meeting and leave more time for the more substantive discussions. This would include other items that the Council is required to approve because of state law. It was answered that the practice of First Call is a 30-year-old innovation that has made the meeting process easier.

C: This is a good topic to address, and there have been other innovations as well such as new projector screens in the main Council chamber.

Councilor Albright requesting that if a councilor places an item on second call, then they should inform the Clerk and email the committee chair, or that the Clerk should inform the committee chair.

C: Emailing the committee chair after an item from their committee was referred to second call is a courtesy that would make Council meetings run smoother.

Councilors Albright and Lipof requesting clarification that Councilors need not “rise” to be recognized, but rather when speaking. Also requesting possible codification of conventional rules on appropriate dress code.

C: If a Councilor in a wheelchair or with another disability was elected, rising could be a problem for them.

C: This has come from a tradition of formality as well as making it easier for the presiding officer to see them. It also makes it easier for NewTV to view the Councilor while filming.

C: Regarding the dress code, there has been a tradition of jackets and ties during formal session. Multiple councilors have spoken out against a formal dress code. There is already a spectrum of what is being worn in the chamber and some felt that the Council should not police this. Since the chamber is a formal space, a better alternative would be to just emphasize a respect for the environment.

Councilors Albright and Lipof requesting review of the process for the election of officers.

C: A review of this process could determine if it needs to be improved or not. The current process is set in the Charter, and the prior method which required a 13 vote threshold allowed one term to progress for several months without a president as the vote was locked at 12-12. The current process ensures that a Council President is promptly elected with majority support at the start of the term.

The City Clerk requesting clarification that the Committee of the Whole is a caucus and the elimination of the term “ballot” in the officer election process.

C: This would clarify that the Special Committee of the Whole which elects the new officers is a caucus because it has no legal standing since it has not been sworn in yet. Ballots should be eliminated from this section because there are no paper ballots used, only votes cast.

The Subcommittee clarified that it would plan to meet on a regular monthly basis before the Programs and Services meeting to ensure a productive use of time.

The meeting adjourned at 6:55 pm.

Respectfully Submitted,

R. Lisle Baker, Chair