



Programs & Services Committee Agenda

City of Newton In City Council

Wednesday, February 17, 2021

7:00 PM

The Programs & Services Committee will hold this meeting as a Zoom Meeting on Wednesday, February 17 at 7pm. To view this meeting using Zoom use this link: <https://us02web.zoom.us/j/83063179260> or call 1-646-558-8656 and use the Meeting ID: 830 6317 9260.

Items Scheduled for Discussion:

Referred to Programs & Services and Finance Committees

- #68-21** **Appropriate \$100,000 for the March 16, 2021 Special Municipal Election**
HER HONOR THE MAYOR requesting authorization to transfer the sum of one hundred thousand dollars (\$100,000) from Acct # 0110498-579000 to a project account to be managed by the City Clerk's Office to fund the city-wide special municipal election on March 16, 2021 to fill two City Council vacancies.
- #247-20** **Request for a review on the City Council rules**
COUNCILORS ALBRIGHT AND KRINTZMAN requesting a complete review and appropriate changes to the Rules and Orders of the City Council.
Programs and Services Held 8-0 on 05/13/2020

(continued on page 2)

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the City of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

Chair's Note: *The Programs & Services Committees will join the Public Facilities and Public Safety & Transportation Committees to discuss the following item. The discussion will be held in the Public Facilities meeting which can be accessed through this link:*

<https://us02web.zoom.us/j/86338150164>

Please refer to the 02/17/21 Public Facilities agenda for relevant backup information.

#60-20

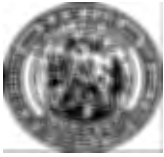
Update on the Climate Action Plan

PUBLIC FACILITIES COMMITTEE requesting updates on the status of the Climate Action Plan.

Public Facilities Held 6-0 on 02/05/20

Respectfully Submitted,

Josh Krintzman, Chair



RUTHANNE FULLER
MAYOR

City of Newton, Massachusetts
Office of the Mayor

68-21

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February 10, 2021

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Councilors:

I write to docket for your consideration a request to transfer the sum of \$100,000 from Acct # 0110498-579000 to a project account to be managed by the City Clerk's Office to fund the city-wide special municipal election that will be held on March 16, 2021.

As you know, there are currently two vacant city-wide City Council seats; the first resulting from the election of Jake Auchincloss to the U.S. Congress, and the second resulting from the sad, untimely death of Jay Ciccone.

We will track these expenditures carefully and will apply for CARES Act reimbursement for any costs that are attributable to COVID-19 safety precautions.

Thank you for your consideration of this matter.

Sincerely,

Ruthanne Fuller
Mayor

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CITY CLERK
NEWTON, MA. 02459

street lighting; public utility easements and poles, except for those related to specific land use developments or traffic improvements; and construction, repair, and maintenance of public buildings.

(5) To the Committee on Zoning and Planning.

- (a) Budget review and transfers, policy oversight and review, ordinance amendments, capital improvement programming, **community preservation** and other matters relating to the Inspectional Services Department, Planning Department, Conservation Commission, Community Preservation Committee, and Historical Commission.
- (b) Appointments to and policy oversight and review of the Planning Council, Economic Development Commission, Zoning Board of Appeals, Historical Commission, Historic District Commissions, Conservation Commission, and Fence Viewers.
- (c) Matters relating to the Community Development Block Grant Program, zoning map and ordinance amendments (except those related to specific individual parcels to Land Use Committee), Newton Community Development Authority, comprehensive planning, open space planning and maintenance of conservation land.

(6) To the Committee on Finance.

- (a) Budget review and transfers, policy oversight and review, ordinance amendments, capital improvement programming, and other matters relating to the Assessing Department, Parking Fine Administration, City Treasurer and Collector, City Comptroller and Accounting Department, Purchasing Department, Executive Office, Personnel Department, and Data Processing Department.
- (b) Matters relating to Kenrick Fund and other trust funds, appropriations, transfers of funds, authorization to spend funds, loans, options, pensions, salaries, audits, claims and settlements, taxes, revaluation, users' fees, betterment assessments, contracts, acceptance of grants, overall operating budget review, overall review of Capital Improvement Program, and other matters affecting the finances of the City.
- (c) Every Resolution and Order authorizing and including but not limited to a claim, appropriation, grant, salary, pension, loan, the levying of a tax, user charges, the assessment of a betterment, an option or contract, or the expenditure of money, unless the subject matter has been acted on by the Committee on Finance, shall be referred to the Committee on Finance whose duty it shall be to report on its relation to the finances of the City; but new provisions shall not be added to such Resolutions or Orders by said Committee, unless directly connected with the financial feature thereof. Said Resolution or Order, upon recommendation of another Committee having jurisdiction of the same, may be considered by the Committee on Finance in advance of the presentation thereof to the City Council.

(d) All budget transfers or appropriations of less than fifty thousand dollars (\$50,000) and all requests for changes to a funding source for previously discussed items shall be routinely referred only to the Finance Committee, except that if upon notification by the clerk's office the Chairperson of a corresponding substantive committee requests that the item be jointly referred, such requests shall be honored.

(7) To the Committee of the Whole: those items falling within the jurisdiction of three or more committees which would otherwise be separately referred.

B. All appointments requiring confirmation or rejection by this Council shall be referred to the committee to which such matters relate. All such appointments shall be confirmed or denied by the City Council within sixty (60) days following the publication of the Docket on which said appointment first appears.

C. Any other new business that does not fall within the jurisdiction of the six established standing committees as described above shall be referred by the President to such committees as he/she deems appropriate, including the Committee of the Whole; however, upon objection by a member of the council, such referral shall be subject to appeal to the Council who can vote to reassign such new business to an alternate committee or committees. In the event that the President wishes to refer new business that is within the jurisdiction of the six standing committees to a special committee or to the Committee of the Whole, the item shall be placed on second call by the Clerk of the Council and the decision on the referral shall be subject to a majority vote of the Council.

D. No petition addressed to the Council, the subject matter of which has been disposed of during the preceding 12-month period, shall be referred to any committee except by majority vote of the Council. Refusal to refer it to a committee shall constitute a denial of the petition on the ground that no further action by the Council is deemed necessary.

E. The President shall refer appeals from a Traffic Council decision to the Public Safety and Transportation Committee. At the discretion of the President, any such appeal may also be jointly referred to an additional committee or committees in the event such committee has, or committees have, substantive jurisdiction over the subject matter of the appeal.

F. The Chair of each committee may appoint sub-committees of the committee's members to consider specific matters and make recommendations to the committee.

G. Matters relating to the status of items previously passed by the City Council, excluding land use council orders, should first be discussed with the Chair of the substantive committee that originally heard the item to review the status of the item. If further discussion is warranted, the Chair of the substantive committee, in consultation with the President of the Council, will docket the request. The docket item will be heard in the committee within 60 days. Once the item has been taken up, the committee must complete their review within 90 days.

In order to facilitate the election of officers who command the support of a majority of the full Council, the Council shall entertain nominations and preliminary voting on candidates for office under the procedures hereinafter set forth in a Special Committee of the Whole, Temporary Presiding Officer presiding. No candidate shall be reported to the full Council for subsequent formal election who has not attained a majority of the full Council or thirteen (13) votes.

Section 3. Voting [Balloting] Procedure.

After nominations are closed, votes are cast repeatedly for the slate of nominees on the ballot until a candidate receives an absolute majority vote in favor of his or her election (13 or more votes). For the purposes of this Article, "absolute majority" shall mean a majority of the members of the full City Council, or at least thirteen (13) votes. Votes shall be cast in the manner provided in paragraph B until the field is narrowed to 2 candidates.

B) **Narrowing the Field to two candidates:** If more than two candidates remain in the race after votes are cast for the first slate of nominees, then the candidate receiving the fewest votes on that ballot is eliminated as a candidate and may not again become a candidate until such time as an inability to elect (deadlock) is declared. If two or more candidates tie for the lowest vote total and three or more candidates remain in contention, repeat **votes [ballots]** are cast until one of the tied candidates is eliminated from contention. After three rounds of votes to break a tie among nominees on a particular ballot, candidates who are tied for the fewest votes shall also be removed if the removal of all such candidates (who are tied) would leave at least two candidates remaining.

C) **Tie-breaking Votes [Ballots] for 2 Remaining Nominees:** If the field is narrowed to 2 candidates, neither of whom receives an absolute majority, then the possibility of opening the field to more candidates is disallowed until three ballots between the two candidates are cast. If no winner emerges during the course of those three **votes [ballots]**, then an inability to elect a candidate (deadlock) is declared and both candidates are eliminated from contention. In the event of an inability to elect a candidate (deadlock), then nominations are re-opened, provided, however, that the two candidates who were on the ballot that resulted in the inability to elect (deadlock) cannot be nominated again until such time as a second inability to elect (deadlock) is declared, in which case, the process begins again and any Council member may be nominated.

ARTICLE IX

ALTERATION, REPEAL, OR SUSPENSION OF RULES AND ORDERS

Section 1.

This article shall not be suspended if any member present objects, and no other standing Rule or Order of the Council shall be suspended unless three-fourths of the members present shall consent thereto. No standing Rule or Order of the Council shall be repealed or amended except upon written notice being given of the motion therefor delivered to the address of each member of the Council at least 48 hours prior to the meeting at which motion is to be presented and by a vote of the majority of all members of the Council.