



Memorandum

To: City Council
From: Karyn Dean
Re: Charter Subcommittee – Updated materials
Date: February 8, 2019

At the February 6th Programs & Services Committee meeting, the Charter Subcommittee reported some clarifications on the proposed language relating to voter turnout for citizen sponsored initiatives and referenda in Article 10, as well as edits to the transition provisions in Article 12.

Attached, please find the updated redlined and clean versions of these two sections.

Please let me know if you have any questions.

SECTION 10-5. Required Voter Participation

For any measure to be effective under initiative, or for any measure or part of a measure to be declared null and void under a referendum procedure, at least 20 per cent of the total number of registered voters as of the ~~most recent regular city election~~ date of the election shall have participated in the election ~~to adopt~~ in which the measure proposed under the initiative or to rescind the measure protested by the referendum is on the ballot.

SECTION 10-5. Required Voter Participation

For any measure to be effective under initiative, or for any measure or part of a measure to be declared null and void under a referendum procedure, at least 20 per cent of the total number of registered voters as of the date of the election shall have participated in the election in which the measure proposed under the initiative or to rescind the measure protested by the referendum is on the ballot.

SECTION 12-7 Time of Taking Effect

The charter amendments shall be effective when approved by the general court and signed by the governor as a special act except as follows:

~~(a) Section 2-5 relative to vacancies on the council shall take effect on January 1, 2022~~

~~(b) Section 2-6 relative to the adoption and revision of council rules shall take effect as follows:~~

~~(1) Within 20 days of its election, the council elect elected in the November 2021 municipal election shall meet for the purpose of examining the current rules and determining the need for any revisions to adhere to the provisions of Section 2-6. The meeting shall be called by the city clerk. The councilor elect with the highest number of years of service on the council shall preside. If 2 or more councilors have served the same number of years on the council, the member oldest in age shall preside at such meeting.~~

~~(c) The mayor shall file the initial required listing of all vacancies on boards and commissions under Section 3-3(g) by June 30, 2020.~~

~~(a)~~ (d) Section 3-7(a) shall be in effect as of the close of FY2019, with the mayor submitting the close of fiscal year report within 6 weeks after the close of FY2020.

~~(e) The first forecast submitted to the city council by the mayor under section 5-1 shall be submitted no later November 1, 2020.~~

~~(b)~~ (f) The third paragraph of section 5-2 shall take effect upon the mayor's submission of the FY2021 budget; the amount appropriated for legal assistance to the city council in the FY2021 budget shall be 2 per cent of the proposed budget for the city law department.

~~(g) The city council shall adopt an ordinance establishing the requirements and deadline for the first submission of the capital asset description required under section 5-4(b) no later than June 30, 2020. The first capital asset description shall be submitted to the council within 6 months of the adoption of such ordinance or by November 1, 2020, whichever shall occur sooner.~~

~~(h) The city council shall by ordinance establish the procedures for oversight and administration of the audit required under section 5-6 no later than June 30, 2020.~~

(c) ~~(i)~~ (1) Until such time as ordinances are adopted pursuant to (2) below, Neighborhood Area Councils shall continue to operate under their existing resolutions.

(2) To implement Article 9, the city council shall adopt ordinances under sections 9-2, 9-4 and 9-6 and the guidelines required by section 9-3.

(d) Any petitions for initiative and referendum pursuant to section 10-4 and 10-10 of the charter adopted in 1971, as amended, filed with the city clerk prior to adoption of ~~this~~ these charter amendments shall proceed and be completed as provided in the charter adopted in 1971, as

amended; provided, however, that the requirement for voter participation appearing in section 10-5 shall be in effect for such initiative or referendum elections scheduled to be held after adoption of ~~this~~ these charter amendments.

SECTION 12-7 Time of Taking Effect

The charter amendments shall be effective when approved by the general court and signed by the governor as a special act except as follows:

- (a) Section 3-7(a) shall be in effect as of the close of FY2019, with the mayor submitting the close of fiscal year report within 6 weeks after the close of FY2020.
- (b) The third paragraph of section 5-2 shall take effect upon the mayor's submission of the FY2021 budget; the amount appropriated for legal assistance to the city council in the FY2021 budget shall be 2 per cent of the proposed budget for the city law department.
- (c) (1) Until such time as ordinances are adopted pursuant to (2) below, Neighborhood Area Councils shall continue to operate under their existing resolutions.
(2) To implement Article 9, the city council shall adopt ordinances under sections 9-2, 9-4 and 9-6 and the guidelines required by section 9-3.
- (d) Any petitions for initiative and referendum pursuant to section 10-4 and 10-10 of the charter adopted in 1971, as amended, filed with the city clerk prior to adoption of these charter amendments shall proceed and be completed as provided in the charter adopted in 1971, as amended; provided, however, that the requirement for voter participation appearing in section 10-5 shall be in effect for such initiative or referendum elections scheduled to be held after adoption of these charter amendments.