

December 15, 2009

**REPORT OF THE COMMITTEE**  
**ON LEGISLATIVE MATTERS**

The Committee on Legislative Matters convened on December 15, 2009 with Chairman Thomas Taylor presiding and Committee Members Aldermen Rebekah Gewirtz, John Connolly and Walter Pero also present and voting. Also present were Alderman William White, Administrative Assistant Matt Dias, Jackie Rossetti from Communications, Stephen Mackey from the Chamber of Commerce and interested members of the public.

**188371 – curb cuts:**

Chairman Taylor presented his views on the matters and asked that the ordinance governing curb cuts be amended to allow only one cut per property, rather than one cut per street line. There was a discussion as to whether the proposed amendment would differentiate between residential and commercial properties. Mr. Gannon explained that the current ordinance allows for one cut per street line for Residence A & B but noted that 2 cuts are allowed in other parts of the city. Chairman Taylor requested that the committee have a formal discussion on this matter and he also recommended that a review process be imposed.

Alderman Connolly's motion *that a communication be sent to the Director of Planning to ascertain the number of curb cuts that could potentially exist on residential corner lots, assuming that a curb cut was allowed on each street line, and to report the information to the Committee on Legislative Matters,* was approved. Alderman Connolly requested that the Director of Planning advise the committee of any problems pertinent to the task.

**188396 – City Charter:**

Mr. Gannon reviewed the proposed changes to the city charter, as recommended by the Mayor's Charter Advisory Committee (CAC), (chaired by Mr. Howard Horton). Somerville's charter has not been systematically updated since 1899, therefore, the mayor established the Charter Advisory Committee and charged it with reviewing the current charter and making recommendations relative to the governmental structure, methods of election, powers and duties of Somerville's executive, legislative branch and School Committee. Additionally, the committee was asked to review the city's various boards and commissions, budgeting, financial forecasting, capital planning and other financial procedures. The CAC met several times, held one public meeting and solicited written testimony from numerous individuals. Advice was sought from consultant Stephen McGoldrick, the Executive Director of the Collins Center at UMass Boston and from Marilyn Contreras of the Executive Office of Housing and Urban Development.

The CAC maintained its own site on the City's website to allow for public review of meeting minutes, testimony and other data. The following recommendations were presented by the CAC:

1. Executive Branch:

- Maintain mayoral form of government;
- Extend mayoral term to four years;
- Create or reclassify a senior level management position, such as Chief Administrative Officer, under Mayor.

2. Legislative Branch:
  - Keep Board of Aldermen as legislative body;
  - Change name of BOA to City Council;
  - Maintain existing 2-year terms; and
  - Provide the City Council appointment power over any position that serves only City Council, while following City personnel regulations.
  
3. School Committee:
  - Maintain current ward-based system, but add appointed members;
  - Appointed members selected on educational expertise and diversity;
  - Remove Mayor and BOA President as members of the School Committee.
  
4. Elections:
  - To allow for the filling of vacancies in elected positions with the candidate receiving the next highest number of votes in the previous election, given a high minimum vote threshold and specific time period.
  
5. Annual Report:
  - To require the executive branch to issue an annual City report and to require the legislative branch to hold a public hearing to discuss the report.
  
6. Administrative Code:
  - To create such a code to allow for increased flexibility in the structure, operations, and management of City government; and
  - Allows certain changes to be made by ordinance, rather than through Home Rule Amendment.
  
7. Boards and Commissions:
  - To require that the annual report include the membership and terms of all Board and Commission members; and
  - To segregate certain Board and Commissions as charter entities when mandated by state statute and to outline remaining Boards and Commissions in the administrative code.
  
8. Finance and Fiscal Procedures:
  - To require the Mayor to call joint meeting of the BOA and School Committee before the commencement of the budget process;
  - To require the Mayor to submit and operating budget to the BOA within a reasonable period of time for the BOA to act on the budget before the start of the fiscal year;
  - To require the BOA to hold a public hearing on the budget;
  - To require the Mayor to submit an annual Capital Improvement Program to the BOA within a reasonable time period before the start of the fiscal year;
  - To require the Mayor to annually prepare a long-term financial forecast of city revenue, expenditures and the general financial condition of the City; and
  - To require the Mayor to annually provide for an outside audit of the books and accounts of the City.
  
9. Obsolete and Outdated Provisions:

- To remove any outdated, obsolete or other provisions from the existing Charter including those contrary to law.

10. Public Participation:

- To include a Free Petition mechanism with a threshold of 50 initial participants; and
- To include initiative and referendum mechanisms with a threshold that is not so low as to generate frivolous use, but not so high as to create an undue burden.

Mr. Gannon told the members that both he and Mr. Horton would be available to answer any questions. Chairman Taylor said that there would be a Committee of the Whole meeting with the Mayor and the consultants and a public hearing on this issue.

**188424 – snow, slush and ice on sidewalks:**

Discussion continued on when the snowfall is determined to have stopped in order to commence the time period for clearing sidewalks. The members requested that the Law and Inspectional Services Departments recommend a fine structure based on the square footage properties.

No papers were acted on.

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Alderman Thomas F. Taylor, Chairman  
Committee on Legislative Matters