



Rules of the Boston City Council

Municipal Years 2020-2021

Revised June 9, 2021

General Rules

Meeting Time

Rule 1. Unless otherwise ordered from time to time, and except on holidays, the regular meeting of the city council shall be on Wednesdays at twelve o'clock noon in the Christopher A. Iannella council chamber, One City Hall Square, 5th Floor, Boston, unless otherwise determined by the council president. Regular meetings of the city council may also be held in the neighborhood that each of the district councilors' represent at least once during their two-year term. Such regular city council meetings that are held in the districts shall be on Wednesdays at six o'clock PM at locations determined by the district councilor, the council president, and clerk upon a forty-eight (48) hours notice in compliance with the open meeting law. Special meetings may be called at the council president's discretion, upon a forty-eight (48) hour notice from the time the notices are posted by the Clerk, or relayed to each councilor's office in compliance with the open meeting law. Special meetings of the council may be called by the council president upon less than forty-eight (48) hours notice in the case of an emergency, in compliance with the open meeting law, and with the consent of two-thirds (2/3) of all members. A roll call vote will be taken at the beginning of a meeting called on less than forty-eight (48) hours notice to re-affirm that two-thirds (2/3) agreement to hold the special meeting.

Quorum

Rule 2. A quorum of the council shall consist of seven (7) members and any member may call for a roll call on the question of the presence of a quorum. If at any time, any meeting is called to order, or if during a meeting, a roll call shows less than a quorum, the presiding officer shall call a recess of not more than ten (10) minutes, after which time, if a quorum is not present, the meeting may be adjourned by the presiding officer.

Presiding Officer

Rule 3. The council president shall serve as presiding officer and shall assume the chair at the hour set by the previous adjournment, call the members to order after a roll call showing a quorum present, and proceed with the regular order of business. The council president shall select a president pro tempore to act in his or her absence and serve as vice chair of the committee of the whole. In the event of the absence of both the council president and the president pro tempore, the senior member by age shall preside. The term of the City Council President shall be two (2) years, co-terminus with the term of the City Council, except that by a vote of two-thirds of the members present, but in no case by less than a simple majority of the membership, the Council may declare the role vacant and conduct a new election for Council President. A member, after serving a term as President, may again serve as President after two (2) years have passed.

Appealing a Decision of the Chair

Rule 4. The presiding officer may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal from the decision of the chair, but no appeal shall be considered unless properly seconded. No other business except a motion to adjourn or to lie on the table shall be in order until the question on appeal has been decided. The question shall be put as follows:

"Shall the decision of the chair stand as the judgment of the council?"

The vote shall be by a roll call, and it shall be decided in the affirmative unless a majority of the votes is to the contrary.

Matters Properly Before Council

Rule 5. No motion or proposition of a subject different from the one under consideration shall be admitted under the color of an amendment. Any motion, order, or resolution which has been previously debated and acted upon in the current municipal year, or which conflicts with the city charter, federal, or state constitution or with rules prescribed by existing city ordinance, federal law or state law, or which in the opinion of the presiding officer does not have a direct bearing on the business of the council shall be referred to the committee of the whole, and shall not be further considered by the council except upon report by that committee. The decision of the chair may be appealed, but no appeal shall be considered unless properly seconded. No other business except a motion to adjourn or to lie on the table shall be in order until the question on appeal has been decided. Prior to the vote, the proponent of the motion, order or resolution shall have three (3) minutes to explain the issue and the need for the City Council to take action on the matter. Afterward, a recess of no more than two (2) minutes shall be called so that those members who share the opposite view, should they choose to, shall have the opportunity to select one of its members to speak for no more than two (2) minutes on the opposing view. After the debate, a vote on the matter shall be taken. The question shall be put as follows:

"Shall the decision of the chair stand as the judgment of the council?"

The vote shall be by a roll call, and it shall be decided in the affirmative unless a two-thirds (2/3) majority of all the members of the council is to the contrary.

The committee of the whole may report that any motion, order, or resolution, so referred to it, is out of order for the reasons contained in Rule 5, and its report shall be a final disposition of the matter, subject to an appeal. The same provisions as those governing appeals from rulings of the presiding officer shall govern such appeal.

Recess

Rule 6. The presiding officer may at any time, during debate or otherwise, declare a recess for not more than twenty (20) minutes, unless the presiding officer declares that the council will return to public session at a time certain. Such action shall not be subject to appeal, nor shall any motions apply thereto.

Propounding Motions

Rule 7. The presiding officer shall propound all motions in the order in which they are moved unless the subsequent motion shall be previous in its nature, provided that in naming sums and fixing time, the largest sum and longest term shall be put first.

Deciding Questions

Rule 8. Subject to the provisions of these rules, the presiding officer, without debate, shall decide all questions relating to priority of business.

Dividing a Question

Rule 9. The presiding officer, at the request of any member, shall make a division of a question when the sense will admit of it.

Doubting the Vote

Rule 10. The presiding officer shall declare all votes. If any member doubts a vote, the presiding officer shall cause the vote to be taken by a roll call.

Vacating the Chair

Rule 11. When the presiding officer wants to vacate the chair, he or she shall call on the president pro tempore to take the chair. In the absence of the president pro tempore, any member can be asked to assume the chair. The presiding officer may resume the chair at will.

Agenda

Rule 12. Any message, ordinance, resolution, vote, or other measure submitted for consideration by the council shall be filed with the clerk electronically with one (1) hard copy delivered to the clerk's office by ten o'clock AM two (2) days preceding the council meeting. The clerk shall publish the agenda online no later than forty-eight (48) hours prior to the council meeting. With the exception of consent agenda items, all new councilor-sponsored filings shall be submitted by no more than two councilors. Other councilors may sign on to the legislation during the scheduled council meeting. Such submission is a prerequisite to any item's consideration at such meeting.

One copy of any order, ordinance, resolution or committee report (including consent agenda items, but not reports of the committee of the whole voted during a recess of a council meeting), provided that Rule 35 has been complied with in the case of reports of the committee chair, submitted by a councilor shall also be delivered to the clerk's office by ten o'clock AM two (2) days preceding the Council meeting.

Duties of the Clerk

Rule 13. It shall be the duty of the clerk, acting as clerk and parliamentarian of the council, to prepare and cause to be printed for each meeting a listing of all matters submitted for consideration to the council, including the minutes of the previous meeting, in accordance with Rule 12; such listing shall be known as the agenda, and it shall be divided into two sections, the latter of which shall be known as the consent agenda.

The agenda shall include a section on "Matters Recently Heard – For Possible Action", which shall be a list of all actionable matters scheduled for public hearing between 9:00AM Monday and the beginning of the meeting that could reasonably be called for action at the meeting that week. Items not acted upon at that week's meeting will not be included in the minutes of the meeting and remain in committee for action at a later time through the regular committee report process. Committee chairs wanting to take action on matters included in this portion of the agenda shall call for the item during that portion of the meeting and ask for action and present a committee chair report recommending action at the meeting. The committee report will be entered into the record of the meeting. The agenda shall include a list of all pending council matters, such listing being also known as the "green sheets." The green sheets shall include a list of all thirty (30) and sixty (60) day orders, matters assigned for further action, matters on the table, unanswered 17F orders, home rule petitions not responded to by the mayor, and a listing of all matters currently assigned to committees. Said matters shall be listed in accordance with the order of business as described in Rule 17. Said agenda shall be delivered to the city messenger and it shall be the duty of the city messenger to compile the agenda, all matters listed on said agenda, the legislative calendar, and any other documents appropriate to the scheduled meeting. Such compilation shall be known as "the packet", and it shall be promptly delivered to the office of each council member and individuals or organizations identified by the council president. If for any reason "the packet" is not ready for distribution by noon two (2) days preceding the council meeting, the office of each council member shall be notified of such delay by the city messenger.

It shall be the duty of the clerk to post the agenda and the documents corresponding to the specific docket numbers listed on the agenda on the city's web page no later two business days (forty-eight (48) hours) preceding the scheduled meeting. Revised or amended dockets and late file matters shall be posted with the minutes within 48 hours of the conclusion of the meeting.

Corrections as to Form

Rule 14. The clerk with the assistance of the corporation counsel if necessary, may make changes to correct the form of an ordinance once passed, but prior to its presentation to the mayor, provided however that its substance is not affected.

Items of the Same Matter

Rule 15. In the event that resolutions or orders concerning the same or similar subjects are filed with the clerk for consideration by the council, the clerk shall cause to have entered on the agenda only that resolution or order which was first filed and the name of the sponsor(s) to the similar resolution or order shall be added as a sponsoring member to the resolution or order which is placed on the agenda. Such action, however, shall not preclude any member from offering an amendment to the resolution or order.

Removal from the Consent Agenda

Rule 16. Resolutions of condolences and congratulations filed in accordance with Rule 37 shall be listed upon the consent agenda. Any member of the council may object to the clerk upon such a filing. The matter being objected to shall be removed from the consent agenda and placed on the agenda of the regular council business. No such resolution shall bear the name of any councilor not indicating consent to sponsorship.

All matters contained on the consent agenda shall be read as one and the question of adoption and passage of all said matters shall be by a single motion. The question shall be put as follows:

"The question now comes on approval of the various matters contained within the consent agenda."

Order of Business and Debate

Rule 17. At every regular meeting of the council, the order of business shall be as follows:

1. Council Accolades (See Rule 37)
2. Approval of Minutes
3. Communications from the mayor.
4. Petitions, memorials, and remonstrances.
5. Reports of public officers and others
6. Reports of committees and committee chairs.
7. Matters recently heard - for possible action.
8. Motions, orders, and resolutions.
9. Personnel Orders.
10. Pending council matters ("green sheets").
11. Consent agenda.
12. Remembrances (see Rule 37)

Motions and Orders

Rule 18. When a question is under debate, the following motions shall be entertained and shall have precedence in the order in which they are arranged:

1. To adjourn.
2. To lay on the table.
3. To move the previous question.
4. To close debate at a specified time.
5. To postpone to a day certain.
6. To commit.
7. To amend.
8. To postpone indefinitely.

Strike and Insert

Rule 19. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost shall not preclude amendment, or a motion to strike out and insert.

At the call of the president, motion(s) to amend shall be reduced to writing and copies given to members. Three copies shall be given to the clerk.

Adjourn

Rule 20. A motion to adjourn shall be in order at any time except on an immediate repetition or pending a verification of a vote; and that motion, the motion to lie on the table, the motion to take from the table, and the motion for the previous question shall be decided without debate.

Remanding Matters to the Mayor

Rule 21. Any order, ordinance, resolution, vote, or other measure submitted by the mayor shall be rejected without prejudice, unless when it is filed with the clerk, it bears the certificate of the corporation counsel that, if adopted or passed in the form submitted by the mayor, it will be in accordance with the law. The council, at the discretion of the president, may remand a response from the mayor to a Section 17F request, if in the determination of the president the response does not comply with the request. A subsequent response shall be due within seven (7) days.

Withdrawal of Motions

Rule 22. After the presiding officer has put a motion on the floor, the presiding officer may withdraw it on the request of the sponsor, providing no objection.

Committee Assignment and Action

Rule 23. When a petition, order, or resolution relates to a subject that may properly be examined and reported upon by an existing committee of the council, such petition, order, or resolution, upon presentation, shall be referred to such committee by the president in consultation with the clerk. Any member offering a motion, order, or resolution referred to a committee may request that the chair of the committee set, within thirty days, a mutually agreeable date for a hearing. No hearing may be scheduled or conducted without the consent and the presence of the chair or his or her designee.

Calling of Matters in Committee

Rule 24. Within sixty (60) days after a matter is referred to a committee, it shall not be voted upon without the consent of the committee chair.

If after sixty (60) days after a matter is referred to a committee (unless referred under Rule 5), it may be called by nine (9) members of the council.

If after ninety (90) days after a matter is referred to a committee (unless referred under Rule 5), it may be called by seven (7) members of the council.

If after one hundred twenty (120) days after a matter is referred to a committee (unless referred under Rule 5), it may be called by five (5) members of the council.

As a part of the council meeting agenda, committee chairs may issue formal reports on dockets referred to his or her committee. When the meeting moves to the docket(s) that are the subject of the committee chair report, the clerk will read the docket(s) and the presiding officer will state:

“Absent objection, the report of the committee chair is accepted and the docket(s) is (are) properly before the body.”

If there is an objection, the clerk will conduct a roll call vote of the committee members to ascertain that a majority of the committee members support the call of the committee chair to remove the docket from committee for discussion and action by the full council.

From time to time, the committee chair may issue an interim report to provide to the members information received regarding the topic or the status of a docket. This interim committee report does not recommend a final disposition of the docket, but provides information. The report will be treated as a communication from the committee chair and added to the record. The docket remains in the assigned committee until final disposition.

The chair of a committee may call a docket out of his or her committee at any time and ask that a vote be taken on a matter (“calling from the green sheets”), provided that when such a call is made and before the discussion of the item, the presiding officer will state:

“Absent objection, the motion of the committee chair is accepted and the docket(s) is (are) properly before the body.”

If there is an objection, the clerk will conduct a roll call vote of the committee members to ascertain that a majority of the committee members support the call of the committee chair to remove the docket from committee for discussion and action by the full council.

Matters Placed on File at Year End

Rule 25. The clerk shall place on file any council-sponsored matter remaining in committee at the conclusion of the last meeting of the calendar year, including matters introduced and not voted upon at the last meeting of the calendar year. Sixty (60) day orders and mayoral filings shall be exempt from this rule. Items awaiting mayoral action, including unanswered 17F orders and Home Rule Petitions, that are more than two weeks old at the end of the municipal year will be removed from the green sheets.

Voting

Rule 26. In all votes the form of expression shall be "Ordered" for everything by way of command, and the form shall be "Resolved" for everything expressing opinions, principles, facts, or purposes.

Summons of Members

Rule 27. Upon request for a roll call vote, the presiding officer shall hold open the calling for a period of no longer than five (5) minutes during which time the city messenger shall summon all members who are absent from the Iannella Council Chamber. The clerk shall call the names of the members in alphabetical order without interruption. Each member shall respond to his or her name when called by the clerk. No member shall be recorded after the name of the next member has been called in the prescribed manner, except by unanimous consent of all members present.

Majority Vote

Rule 28. Every member present when a question is put, unless he or she is excluded by interest, shall vote in the affirmative or negative or shall respond, "present," unless the council has for special reason excused that member from voting. Unless otherwise provided, seven (7) members of the council shall constitute a majority vote at a meeting of the council. For a hearing of the council, a majority of members present and voting shall constitute a majority.

Absence of Sponsoring Member

Rule 29. In the event that the sponsoring member of any order, resolution, or other matter, except the contents of the consent agenda, is not present when the clerk reads the matter, the presiding officer shall instruct the clerk to withdraw the matter from consideration at that meeting. The clerk will automatically re-file the document as a part of the regular agenda for the next council meeting.

Reconsideration

Rule 30. Once a vote or action has been taken, any member may only move reconsideration of the vote at the same meeting. Debate on motions to reconsider shall be limited to thirty minutes, and no member shall occupy more than five minutes. On a vote upon any subsidiary or incidental question, debate shall be limited to ten minutes, and no member shall occupy more than two minutes.

Limits on Reconsideration

Rule 31. When a motion to reconsider has been decided, that decision shall not be reconsidered, and no question shall be twice reconsidered unless it has been amended after the reconsideration; nor shall any reconsideration be had upon the following motions:

1. To adjourn.
2. The previous question.
3. To lay on the table.
4. To take from the table.
5. To close debate at a specified time.

A motion to reconsider may be laid on the table or postponed indefinitely, and the effect of such action in either case shall be to defeat the motion to reconsider.

Two-Thirds Majority Required and Second Readings

Rule 32. All orders releasing rights, easements, or restrictions on land, all orders for the sale of land, all appropriations for the purchase of land, all loans, voted by the council shall require a vote of two-thirds (2/3) of all members of the council, and shall be passed only after two separate readings and by two separate votes, the second of said readings and votes to be had not less than fourteen (14) days after the first, except in cases in which a shorter period is authorized by law. Any order rescinding an order for any of the foregoing purposes shall require the same number of readings and votes as was required for the passage of the original order. All matters failing to receive a two-thirds (2/3) affirmative vote on the first vote shall be deemed to have been rejected without prejudice and removed from further consideration, unless reconsideration of the initial vote prevails.

Adoption of Matters on Day Introduced

Rule 33. No ordinance, substitution of an ordinance, order, or resolution may be adopted at the meeting at which it is submitted. This rule may only be suspended with unanimous consent. This rule applies only to matters not previously filed for council consideration and assigned to committee, and any related amendments or substitutions and does not apply to reports of committee chairs or personnel orders.

Committees

Forty-Eight Hour Notice Required

Rule 34. No meeting, policy briefing, working session, or hearing of any committee, except the committee on ways and means, in accordance with the limitations of the state's open meeting law, shall be called upon less than forty-eight (48) hours notice (exclusive of legal holidays, Saturdays, and Sundays), unless otherwise allowed by the president in accord with the limitations of the state's open meeting law, from the time the council staff shall have electronically transmitted the notices and invitation letters or dispatched them by special messenger; provided that meetings of the committee of the whole may be held for a specific purpose(s) at the call of the president, at the completion of council business and prior to final adjournment of any meeting of the council without such notice. Only that specific item(s) for which a committee of the whole meeting, working session, or hearing has been called shall be in order at such meeting, working session, or hearing.

Only a committee chair may schedule a meeting, policy briefing, working session, or hearing or reserve time on the council's calendar for a meeting, policy briefing, working session, or hearing to be scheduled. Notice of all scheduled meetings, policy briefings, hearings, working sessions shall be posted by the clerk indicating the date, time and place in accordance with the requirements of the open meeting law. In addition, the notice shall include the item(s) or subject(s) to be discussed. Electronic notice shall be delivered to each councilor and other interested parties by council staff. The chair and members of any committee shall speak and question witnesses for not more than ten minutes at a time.

The conduct of members of the public at council meetings, and committee meetings, policy briefings, working sessions, and hearings, including those present to testify, shall be governed by Rules 41, 42 and 43 and shall be enforced by the council staff assigned to the meeting, policy briefing, working session, or hearing.

In the event a hearing is expected to last three or more hours, the chair shall allow members of the public, in the order in which they sign in, to offer testimony at the beginning, middle and end of the hearing. It shall be at the discretion of the chair to determine the appropriate time and how many individuals shall testify at the beginning and during the hearing with the remaining individuals being allowed to testify at the end of the hearing.

No committee, unless authorized by an order of the council, shall incur any expense, including, but not limited to, advertising and stenographic costs. Committee chairs requesting interpreter services will work with the staff director, recognizing there are budgetary limitations, to arrange for such services at the time of the meeting, policy briefing, working session, or hearing is scheduled. No committee meeting, policy briefing, working session, or hearing, except the committee of the whole, the committee on rules and administration, and the committee on ways and means, shall be conducted on the day of any regular meeting of the council. No committee, except the committee of the whole, committee on ways and means, or committee on rules and administration shall be allowed to schedule or conduct a meeting, policy briefing, working session, or hearing on the same day and time as a previously scheduled meeting, policy briefing, working session, or hearing of another committee.

No committee will hold any hearing, policy briefing, working session, or meeting after the last regular council meeting of the municipal year.

Committee Action

Rule 35. Each item listed on the weekly agenda that is to be reported out of committee must be accompanied by a report. The committee chair shall draft the report with the assistance of central staff committee liaisons. Committee liaisons will be responsible for keeping minutes of committee hearings,

working sessions, meetings, and policy briefings in accordance with open meeting and public records requirements. Minutes shall include the following information: name of the committee, title of the event (meeting, working session, hearing, policy briefing), date, time of the call of the event, start time, end time, location, subject, committee/council members present, a summary of the discussion held, any decisions made, next steps to be taken, or votes taken, a list of all correspondence, documents or exhibits presented at the event, and items requested by councilors. The minutes are to be prepared by the committee liaison and presented to the chair for review and signature and filed within 48 hours of the conclusion of the hearing, meeting, policy briefing or working session. Reports of the committee chair or the committee must contain the following information: docket number, title, date referred, sponsor, date(s) of hearing, meeting, policy briefing, or working session (where applicable), a discussion of the provisions of the legislation, summary of information received at the hearing, meeting, policy briefing, or working session, and in the case of amended or substituted language, a discussion of the changes and the impacts on the original legislation, and the rationale for the recommended action.

The committee chair may issue an informational interim report as a communication to the council relaying information gleaned from committee hearings, meetings, policy briefings, or working sessions and the status of the issue. The interim report of the committee chair will not dispose of the docket. The interim report will be filed in the same manner as all other documents and be part of the Reports of Public Officers and Others portion of the agenda.

Committee Hearings, Meetings, Policy Briefings, and Working Sessions

Rule 35A. Committee hearings refer to formal sessions of a committee at which representatives from the Administration, experts, or others from the public are invited to discuss and answer questions regarding a particular docket or subject matter as articulated in the hearing order assigned to that committee. A public comment period is required and subject to Rule 34.

Committee chairs or a quorum of committee members may schedule a meeting for the purpose of discussing ideas related to committee work, particular dockets, or other topics within the subject matter of that committee. For committee meetings, public testimony is at the discretion of the Chair of the committee.

Committee policy briefings refer to less formal sessions in which a Chair(s) of a committee(s) invites representatives from the Administration, experts and others from the public to participate in an open discussion about a particular policy issue. While there is no formal public comment period, members of the public are encouraged to attend policy briefings, and participate in the discussion.

Committee chairs may schedule working sessions for the purpose of revising legislation in committee, reviewing a proposed committee report, or to discuss with the committee the content of the legislation. The chair may issue a report of the committee recommending that the legislation be brought to the full council for consideration, provided that a quorum of the committee is present and a vote is taken in a public meeting, hearing or working session. The committee chair may schedule a working session under the requirements of the open meeting law and process established in Rule 34. The purpose of the working session will be to discuss and deliberate on proposed changes to the legislation before the committee. The changes outlined at that working session would then be incorporated into the legislation, and included in the committee report regarding the legislation. More than one working session may be held on the same legislation and working sessions may be scheduled to review more than one piece of legislation at the same time. Subject to the will of the chair, working sessions may be scheduled to occur at times separate from the hearings, or directly afterward. While members of the public may attend working sessions, there will be no public comment period. Public participation and draft materials at working sessions shall be limited to councilors and chair invitees.

Committee Appointment, Structure, and Role

Rule 36. All councilors shall be considered as members of each standing committee. The president of the council shall name those members of each committee, including its chair and vice-chair, who are authorized to vote on matters in the committee. All other members of each committee are not authorized to vote on such matters in the committee. A quorum of the committee shall be determined on the basis of voting members only.

The role of each committee shall be to provide a forum for in-depth review and analysis of all matters that come before city departments, boards, and agencies, and to provide a means for residents to address their concerns with regard to services provided by the city.

Committees shall focus upon: (1) public policy, (2) efficiency of service delivery, (3) equity with respect to that service delivery, (4) equity with respect to outcome and impact in order to address disparities, (5) cost containment, it being the goal of the city government to provide appropriate services while ensuring that public monies, which derive from our citizenry, are appropriated wisely and cautiously.

Committees of the Council

There shall be the following committees:

Committee on Arts, Culture and Special Events, which shall concern itself with the encouragement of arts, culture and the creative economy, including cultural development, humanities, performing arts, visual arts, film and filmmaking, music, public art, museums, arts education, arts organizations, creative-based companies, the support and funding of art and cultural amenities, opportunities to display and/or present works, and special events. The committee shall also concern itself with fostering the creative environment and reputation of the city, including support for public art, arts events, and festivals, development of programs to empower arts organizations and arts supporters, retaining creative talent and ideas, and other actions to make the city a cultural and creative hub. The committee shall exercise oversight with respect to the Boston Art Commission, Boston Arts Lottery Council, Boston Film Bureau, or its successors, all Cultural Districts, the Office of Arts and Culture, the Office of Tourism, Sports, and Entertainment, and all agencies, departments, and programs related to arts, culture, tourism, and special events.

Committee on Boston's COVID-19 Recovery, which shall exercise general oversight over and make recommendations on the City of Boston's distribution of state and federal COVID-19 relief funding and programs. The committee shall provide a forum and opportunity for the council to receive input from the community on the city's implementation and use of state and federal COVID-19 funding.

Committee on Census and Redistricting, which shall concern itself with issues relevant to the United States census and local census, as well as the resulting impact on city, state and federal redistricting of Boston, and voter participation. The committee shall concern itself with increasing the participation in the United States and local census. The committee shall exercise oversight with respect to efforts to increase the level of voter participation in municipal, state and federal elections, and shall review the plans for the city's participation in the federal census, results of the federal census figures, and the subsequent impact on Boston's revenues and redistricting. The committee shall concern itself with the redistricting for city council districts, including creating and facilitating process for community outreach; as well as assessing and selecting technology to be used to support city council redistricting efforts.

Committee on City and Neighborhood Services, which shall concern itself with the delivery of municipal services to the city's residents and neighborhoods in order to promote improved service delivery and cost reductions with a focus on accessibility, including the activities of and provision of services to residents by communication, energy and water service providers. The committee shall work to ensure equal and fair access to city services for all residents, regardless of race, color, national origin, national ancestry,

language background, creed, sex, sexual orientation, gender identity and expression, age or disability. The committee shall concern itself with the infrastructure that facilitates wireless voice and data communications. The committee shall be responsible for monitoring issues arising from utility facilities and operations, and including facility siting, in order to ensure that consumers are provided with the most reliable service, at the lowest possible cost, and that ratepayers' rights are protected under federal, state and local regulations. The committee shall concern itself with hackney and jitney licenses. The committee shall further concern itself with matters relating to motor vehicle parking, including the residential parking program and parking meters and other matters related to parking. The committee shall exercise oversight with respect to the Inspectional Services Department, Library Department, Office of Neighborhood Services, Public Works Department operations and programming, Transportation Department operations and enforcement, the Edward Ingersoll Browne Fund and the George Robert White Fund, the Boston Water and Sewer Commission, the Office of Cable Communications, Office of the Parking Clerk, Public Improvement Commission, the Commission for Persons with Disabilities, Office of New Urban Mechanics, and the Department of Innovation and Technology.

Committee on Civil Rights, which shall concern itself with matters relating to equal access to education, housing, employment and health care services. The committee shall have jurisdiction over matters relating to city, state, and federal laws prohibiting discrimination. The committee shall concern itself with exploring the development of programs and/or legislation to ensure that all are able to safely and fully participate in the civic life of our city and our economy. The committee shall explore opportunities for city agencies, non-governmental organizations, and individuals to work together to protect the civil rights and civil liberties of all Bostonians. The committee shall concern itself with promoting equal and fair access to public and private services and facilities for all residents, regardless of race, color, national origin, national ancestry, creed, sex, sexual orientation, gender identity and expression, age or disability. The committee shall have oversight with respect to the Office of Immigrant Advancement, the Office of Civil Rights, and the Human Rights Commission.

Committee on the Community Preservation Act, which shall concern itself with nominating members to the Community Preservation Committee (CPC) for consideration by the Boston City Council, including developing an open and transparent application process for interested candidates; providing a public forum to review and discuss the activities of the CPC; serving as liaison between the Boston City Council, CPC members, and the Director of the CPC, and providing additional input and transparency for the allocation of Community Preservation Act funds by the Community Preservation Committee.

Committee on Education, which shall concern itself with the quality of equitable educational services provided to all school-aged residents by the Boston Public Schools. The committee shall concern itself with examining the availability of services and programs for families of school-aged children. Further, the committee shall explore developing programs to provide assistance with academics and extracurricular activities for families. The committee shall monitor educational policy, in particular special education, bilingual education, and technical education, with the goal of eliminating opportunity and achievement gaps for students of color, English Language Learners, students with disabilities, and children living in poverty. The committee shall work to strengthen cooperation among city and state government, private enterprise, and institutions of higher learning, to provide students with the necessary education, training, and skills for further education and future career opportunities in the new economy. The committee shall exercise oversight with respect to the Boston School Department, educational based programs and all other city programs related to education.

Committee on Environment, Resiliency, and Parks, which shall concern itself with environmental issues of residents, including the impact of industry on quality of life. The committee shall concern itself with

the natural resources of the city, issues of air, land, and water pollution, as well as recycling and other resource recovery efforts issues related to waste disposal and land reclamation, and examine technologies and innovations regarding energy savings and efficiency. The committee shall also concern itself with open space conservation, access to recreational facilities and opportunities, and the administration and oversight of the Rose Kennedy Greenway. The committee shall have oversight of public parks, playgrounds, recreational facilities and matters generally impacting the Parks Department including but not limited to accessibility, maintenance, design and construction of new and existing public parks in the city, as well as the Office of Environment, Energy, and Open Space, and trash collection and recycling operations within Public Works.

Committee on Government Operations, which shall concern itself with the organization and structure of city government, including departmental fees and charges. The committee shall have referred to it all proposed ordinances and special laws affecting the structure, duties and responsibilities of city departments, agencies and commissions. The committee shall also concern itself with the review of the city's policy regarding residency for city employees. The committee shall concern itself with encouraging cooperation between the city and other levels of government to reduce duplicative programs, coordinate efforts to provide services, and present the council's views on matters that have a direct bearing on the council's business. The committee shall also concern itself with evaluating the efficiency and effectiveness of city operations and programs, and administrative compliance with legislative intent, including administrative regulations of departments, agencies, and programs. In scheduling hearings and working sessions, the committee will coordinate with the chair of the committee whose jurisdiction covers the policy area discussed in the ordinance or special law. The committee shall exercise oversight with respect to the Boston Retirement Board, City Clerk, Election Department, Execution of Courts, Purchasing Department, Health Benefits and Insurance Program, Human Resources Department, Law Department, Medicare Payments, Office of the Mayor (except those components assigned to other committees), Pensions and Annuities, Purchasing Division, Residency Compliance Commission, and Workers Compensation Program, Office of Intergovernmental Relations.

Committee on Housing and Community Development, which shall concern itself with public policy involving the preservation, creation, and rehabilitation of housing in the city, including public housing programs. The committee is charged with evaluation of policies and programs of the city to ensure an adequate supply of affordable housing to advocate toward the goal of safe, decent, and affordable housing for all Boston residents. The committee shall also concern itself with promoting equal and fair access to housing for all residents, regardless of race, color, national origin, national ancestry, creed, sex, sexual orientation, gender identity and expression, age or disability. The committee shall concern itself with the care and well-being of residents experiencing homelessness and with issues relating to homeless shelters. The committee shall exercise oversight with respect to the housing policies and programs of the Boston Redevelopment Authority, the Department of Neighborhood Development, Boston Housing Authority, the Boston Housing Center, the Fair Housing Commission and the Emergency Shelter Commission.

Committee on PILOT Agreements, which shall concern itself with evaluating the payment in lieu of taxes (PILOT) agreements entered into by the City of Boston. The committee shall concern itself with how the community benefits as defined under such agreements are determined. The Committee shall also examine the methodology and process used by the city in determining the amount and the benefits that an institution is responsible for under a PILOT Agreement. The committee shall concern itself with ensuring that residents have input regarding the benefits to their community and developing community partnerships. The committee shall examine ways of enhancing transparency and consistency in articulating a PILOT payment by an institution and shall also monitor compliance with such agreements.

Committee on Planning, Development and Transportation, which shall concern itself with the planning, physical development, and transportation access of the city, including financing, zoning, licensing, land use policy, the effects of development, and access to multimodal transportation and transit options throughout the city and its neighborhoods. The committee shall exercise oversight with respect to all commercial, medical, research, educational and large scale residential development and building projects, development without displacement, as well as historic preservation programs. The committee shall work to ensure community participation in the planning and development process, that residents and their institutional neighbors are both able to share in the city's benefits, and that the delivery of financial services are accessible, non-discriminatory and promote both small and large business and development throughout all neighborhoods. The committee shall exercise oversight with respect to the care, management, custody, and use of public lands and buildings, except parkland. The committee shall exercise additional oversight with respect to the Boston Industrial Development Finance Authority, the Boston Redevelopment Authority doing business as the Boston Planning and Development Authority, Department of Neighborhood Development, Economic Development and Industrial Corporation, Empowerment Zones, Public Facilities Commission, Property and Construction Management Department, Zoning Board of Appeals, Zoning Commission, Back Bay Architectural Commission, Beacon Hill Architectural Commission, Freedom Trail Commission, and Landmarks Commission, Empowerment Zone Board, Back Streets Program, and Boston Medical Center. The committee shall also concern itself with the planning, infrastructure, operational, and regulatory policies of Boston's surface, air, and water transportation modes. The committee shall concern itself with all transportation matters relating to bicycles, pedestrians, and motor vehicles. The committee shall further concern itself with matters relating to the Massachusetts Bay Transportation Authority and other agencies that furnish public transportation. The committee shall further concern itself with matters relating to the taxi industry and other transportation network companies. The committee shall further concern itself with matters relating to operations at Logan International Airport and the Port of Boston. To further its initiatives, the committee shall foster working relationships and collaborate with related state and local agencies, including the Massachusetts Department of Transportation, the Massachusetts Port Authority, the Massachusetts Convention Center Authority, and the Boston Planning and Development Agency doing business as the Boston Redevelopment Authority. The committee shall exercise oversight with respect to the Boston Parks Department, Boston Bikes, the Boston Transportation Department, the Transportation Capital Program planning and policies, and the Boston Public Works Department's transportation-related programs and operations.

Committee on Post Audit and Oversight, which shall concern itself with evaluating the efficiency and effectiveness of city operations and programs, and administrative compliance with legislative intent, including administrative regulations of departments, agencies, and programs. The committee shall select areas for review, establish goals and objectives, collect and analyze data, and report to the council with recommendations, including possible legislative and programmatic changes based on its review and analysis. The committee shall exercise oversight with respect to the Auditing Department and the Boston Finance Commission.

Committee on Public Health, which shall concern itself with the health and well-being of residents, eliminating disparities in health care services, as well as the equitable delivery of health services. The committee shall concern itself with all public health matters including, but not limited to, domestic and sexual violence, sexual harassment, child abuse and neglect, reproductive health, LGBTQ health, mentoring, trauma, hunger, human trafficking and social inequities in health. The committee shall concern itself with issues impacting community health centers. The committee shall concern itself with the care and well-being of individuals dealing with mental illness or seeking assistance with substance abuse and recovery. The committee shall concern itself with issues relating to public health nonprofits and

recovery programs. The committee shall share oversight of trauma issues related to girls and women with the Committee on Strong Women, Families and Communities. The committee shall work to enhance the quality and quantity of available programming financed by city, state and federal resources. The committee shall have oversight with respect to the Boston Public Health Commission, and the Office of Recovery Services.

Committee on Public Safety and Criminal Justice, which shall concern itself with the adequate delivery of police and fire protection to all neighborhoods. The committee shall be responsible for evaluating, encouraging, and facilitating resident-driven efforts to prevent crime. The committee also shall concern itself with criminal justice policies including matters related to the reintegration and reentry of residents formerly incarcerated. The committee shall coordinate and work with county, state and federal agencies and community organizations to evaluate, explore and develop strategies, policies, and recommendations aimed at lowering the recidivism rate and incarcerated population while ensuring the public's safety. The committee shall also be concerned with all matters related to homeland security and efforts to protect residents against terrorism in any form. The committee shall exercise oversight with respect to the Boston Fire Department, Boston Police Department, Office of Emergency Preparedness, Emergency Medical Services, Emergency Storm Center, Public Safety Commission, Safe Neighborhood Initiative, Suffolk County Jail, Suffolk County House of Correction, anti-crime and criminal justice reform efforts financed by state and federal government sources, and county correctional matters.

Committee on Rules and Administration, which shall concern itself with the rules and administrative functions of the council. The committee shall meet to discuss matters in accordance with M.G.L. c. 39, s. 23B (the state Open Meeting Law) and other issues internal to city council operations. The clerk, as clerk of the council, shall participate in committee meetings convened to address related rules or parliamentary issues at the request of the chair.

Committee on Small Business and Workforce Development, which shall concern itself with the economic empowerment of our neighborhoods through employment opportunities, fair working conditions, and workforce development. The committee shall concern itself with policy issues affecting Boston's workforce across all sectors. The committee shall also concern itself with issues related to organized labor and members of public and private collective bargaining units, including, but not limited to wages and hours, standards and statistics, job creation and retention, occupational health and safety, and the development of employment opportunities and training programs. The committee shall also concern itself with the creation and growth of small business, entrepreneurship, and the innovation economy. The committee shall work to support thriving neighborhood commercial districts, including streamlining permitting and licensing, increasing access to labor and workforce development, and fostering community economic development. The committee shall exercise oversight with respect to the Main Streets Program, Boston Employment Commission, Consumer Affairs & Licensing Department, Boston Licensing Board, Boston Redevelopment Authority, Boston Redevelopment Authority Contract Compliance Office, Boston Resident Jobs Policy, Consumer Affairs and Licensing Department, Department of Neighborhood Development, Office of Business Development, Office of Jobs and Community Services, Office of Workforce Development, Office of Labor Relations, and Small and Local Business Enterprise Office, Inspectional Services Department, Office of Food Initiatives, Food Truck Program, Small and Local Business Enterprise Office, Zoning Board of Appeals, and Boston Fire Department Fire Prevention Division.

Committee on Strong Women, Families, and Communities, which shall concern itself with stabilizing communities with particular focus on girls and women. The Committee shall concern itself with the equitable delivery of human services and city programming for youth, families, and seniors. The committee shall work to encourage non-profit youth agencies to work with the city to help youth develop into productive and healthy adults. The committee shall concern itself with issues related to youth,

including but not limited to summer jobs, youth activities, volunteerism, and youth violence. The committee shall have oversight with respect to Boston Centers of Youth and Families, the Boston Youth Fund, the Women's Commission, and the Age Strong Commission.

Committee on Veterans & Military Affairs, which shall concern itself with the city's programs for veterans, active military personnel and their families. The committee shall evaluate and examine the availability of programs for veterans and active military personnel. The committee shall evaluate the need for the implementation of new programs and services for veterans and active military personnel and their families. The committee shall have oversight with respect to the Veterans' Services Department, and the Veterans' Graves Division of the Parks Department.

Committee on Ways and Means, which shall exercise general oversight with respect to city revenues and expenditures and all other component units that comprise the government entity, as defined by the Governmental Accounting Standards Board. The committee may report to the council the cost of implementation of any order, ordinance, program, or other initiative pending before the body, and shall make such report whenever requested by another committee or directed to do so by the council. The committee shall have referred to it all matters concerning appropriations, the city budget, expenditures and loans. The committee shall review city policies and actions involving the purchase of financial services, deposits, borrowing, and investment. The committee shall concern itself with issues related to all city owned or leased facilities. The committee shall exercise oversight with respect to the Assessing Department, Auditing Department, the Office of Budget Management, the Treasury Department, and the Boston Finance Commission.

Committee of the Whole, which shall concern itself with any litigation involving the council and all other matters referred to it.

Council Accolades and Remembrances

Rule 37. The council, or any committee thereof, shall have the honor of recognizing persons, groups, and events of significant importance to the City of Boston. Any councilor wishing to honor such individuals or groups at the start of a council meeting shall notify the office of the council president in writing by four o'clock PM - one business day before the meeting. Councilors may honor individuals up to six (6) times per year. Two accolades will be allowed per meeting and each accolade should not exceed five minutes. Said notification shall include the names of the individuals or groups and the reason they are being honored. The council president, at the request of any councilor, shall ask the council to recognize and acknowledge a special guest or group of guests seated in the Council gallery.

Directly before the conclusion of a scheduled council meeting, councilors may request that the council adjourn in memory of persons with importance to the City of Boston. Any councilor wishing to do so shall notify the office of the council president in writing by 9:00AM the morning of the meeting. The councilor shall provide the name, with correct spelling and pronunciation where appropriate. The council president shall read the names of the councilor making the request and the people to be recognized.

Conduct in City Council

Rule 38. Every member about to speak shall signal the chair by electronic means provided and then wait until recognized by the chair. No member shall be recognized when away from his or her desk. In speaking, members shall address other members in one of the manners as follows: by the title Councilor and the member's surname, as the councilor from district (cite district number), or the at-large councilor from (neighborhood of residence) or as the chair of a particular committee, and shall confine themselves to the question, shall not use unbecoming, abusive, or non-parliamentary language and shall avoid personalities. Any member who, in debate or otherwise, indulges in personalities or makes charges reflecting upon the character of another member, shall make an apology in open session at the meeting at which the offense was committed or at the next succeeding regular meeting. If the member fails to

apologize, the president shall hold the member in contempt and suspend the member from further participation in debate and statement until an apology is made.

Order of and Time Limit on Speaking

Rule 39. No member shall speak more than once on a question when another member who has not spoken claims the floor and no member speaking shall, without consenting, be interrupted by another, except on a point of order. A member may speak upon a matter for no more than ten minutes, except as further limited by the provisions of this rule. A member who has not spoken on a matter shall have priority and recognition by the chair whenever said member shall rise.

Remarks by councilors at the time a petition, order, or resolution has been admitted, and assigned to a committee for review shall be limited to three minutes for the sponsor and two minutes for any other councilor. The appropriate time for questioning and debate is at public hearings and working sessions.

The clerk shall inform the president whenever a member has spoken longer than the allotted time under the prescribed time limits.

Conduct of Councilors - Generally

Rule 40. The Ethics Commission of the Commonwealth of Massachusetts enforces Chapter 268A of the Massachusetts General Laws -- The Conflict of Interest Law. The Conflict of Interest Law regulates the conduct of all councilors as municipal public officials and governs the conduct of municipal public officials. All councilors shall review and fully comply with each of the law's provisions. The clerk shall distribute a copy of said law at the start of each municipal year. The council president may arrange for trainings on conflict of interest laws, the open meeting law, and other topics as appropriate.

Rule 40A. Pursuant to the city charter and in accordance with the open meeting law, the council president may refer a matter to the council upon his/her determination that any member has engaged in conduct unbecoming a member of the Boston City Council or may be unqualified to sit on the body. A member may be unqualified by violating federal or state law, or any conditions imposed by the city's charter, which includes violating any provisions of the three oaths of office.

The council president shall automatically refer a matter to the council upon a felony conviction of any member by any state or federal court.

Any action by the council taken in response to any referral shall require a two-thirds (2/3) majority roll call vote and will be in accordance with local, state and federal law.

Members of the Public on Council Floor

Rule 41. No person except a member of the council at any time shall be permitted to occupy a seat in the Iannella council chamber or the seats designated for councilors at any city council hearing location of any member of the council. The city messenger shall strictly enforce this rule.

Staff on Council Floor

Rule 42. No person, except the staff of the clerk or council staff shall be allowed upon the council floor of the Iannella council chamber, the witness podium (microphone), or the doorways of the anteroom unless invited by the presiding officer. No person shall be permitted to speak, testify or otherwise participate in any council meeting, hearing, or working session unless permitted to do so by the presiding officer or committee chair. Authorized staff members shall be allowed on the floor of the council only to directly communicate with a councilor or the clerk and should not remain on the floor. At other times, council staff should take seat in the gallery or stand in the gallery. Members of the public are welcome in the gallery of the Iannella Council Chamber when the council is in session, but no one will be admitted to the gallery after all seats are occupied. Members of the public are welcome into other city council hearing

locations, but no one will be admitted unless seats or proper standing room exists in the interest of public safety. No demonstration of approval or disapproval from members of the public will be permitted (including, but not limited to signs, placards, banners, cheering, clapping, booing, etc.) and if such demonstrations are made, the gallery or public seating area will be cleared. The city messenger or council staff assigned to the hearing shall strictly enforce this rule. Any person, upon entering a council meeting or hearing for the purpose of viewing or testifying grants permission to the city council to record and televise their presence and testimony.

Members of the Press on Council Floor

Rule 43. Members of the press in attendance shall refrain from discussion within the Iannella Council Chamber with council members during a council meeting. No member of the press shall be allowed on the council floor without the consent of the presiding officer. The city messenger shall strictly enforce this rule.

Lobbying Activities

Rule 44. No person, who for compensation or reward acts to promote, oppose, or influence a matter pending before the council, shall be admitted at any time to the Iannella council chamber or anterooms unless said person has registered with the clerk as required by the Lobbyist Registration and Regulation Ordinance of the Boston City Code, Chapter 2, Section 2-15. All registered Lobbyists, Lobbying Entities and Clients who have registered with the city are available on the city's website to promote transparency in government.

Further Rules, Amendment, and Suspension

Rule 45. Unless inconsistent with any provision of these rules, the proceedings of the council shall be governed by Robert's Rules of Order, current edition.

Suspension of Rules

Rule 46. With the exception of Rule 5, all portions of the council rules that require compliance with the open meeting law, and portions of the rules mandated by city charter, which may not be suspended, and Rules 12, 33 and 35, which may be suspended only by unanimous consent, the foregoing rules shall not be altered, amended, suspended, or repealed at any time, except by a vote of two-thirds (2/3) of all members of the council. Provided, however, that Rule 12 may be suspended only in the case of an order, ordinance, vote, committee report, or other measure submitted by the mayor or by a councilor calling for action by the council that is of any emergency nature, namely that which imposes an imminent threat to the peace, health, or safety of the people or their property.

Adoption of Rules

Rule 47. The Rules of the City Council shall be adopted for a two-year term and shall be adopted by a majority roll call vote no later than the first regular meeting in February.

Motion to Lay on the Table

Rule 48. The motion to *Lay on the Table* shall only be in order to place a pending question aside temporarily. This matter shall be taken up for consideration no later than the next regularly scheduled meeting of the City Council; unless, when tabled the matter is postponed to a date certain. The motion to lay on the table requires a majority vote. A motion to lay a question on the table shall not be debatable. A motion to take a question from the table may be made by any member of the body and such motion shall not be debatable.

Power to Summons

Rule 49. Pursuant to chapter 233, section 8 of the General Laws, the City Council has the authority to summons witnesses to attend and testify and to produce books and papers at a hearing before the City Council. See also Section 17I of the Boston City Charter. An Order for Summons shall be filed by the Chair of the City Council Committee invoking the summons power or shall be filed by the Sponsor of the docket invoking the summons power. An Order for Summons shall state the reason for issuing the summons and the subject matter jurisdiction. The order shall be referred to the Committee of the Whole. Such order shall be taken up for consideration at the next City Council meeting or subsequent City Council meetings where the Council President shall bring the matter before the City Council for consideration. The chairperson of the standing committee shall sign a summons requiring a person to appear before a committee to be examined in reference to any matter within the scope of the inquiry being conducted by such committee.

Electronic Records

Rule 50. It is the policy of the city council to promote transparent governance and provide clear and easily accessible records of council actions. The city council shall, in consultation with the clerk, committee staff, and information technology employees of the city, seek to provide the following information, clearly enumerated independent of and separate from records of the council agenda and minutes: text of filed ordinances and resolutions, which shall include final copies of ordinances as adopted by the city council and/or mayor; amendments offered to proposed ordinances; and voting records of the councilors on resolutions, ordinances, amendments, acceptances and authorizations, collective bargaining agreements, and budgetary actions.

Separation of Powers in Event of Mayoral Vacancy

Rule 51. In the event that a mayoral vacancy should occur and require the City Council President to perform the duties of the Acting Mayor as specified in Section 11B of the Boston City Charter, the President Pro Tempore shall perform the duties of the Council President. In addition to presiding over Council meetings, the President Pro Tempore shall assume all powers of the Council President as dictated by these rules, for so long as the mayoral vacancy exists and the Council President is performing the duties of the Acting Mayor. These powers assumed by the President Pro Tempore shall include the power to call regular and special meetings, to authorize remembrances and accolades, to speak on behalf of the Council in a ceremonial capacity, to sign documents on behalf of the Council, to bring Orders for Summons before the Council, to remand a response to a 17F request, to assign matters to committees, to file personnel orders on behalf of other members and the Council as a whole, to enforce standards of Councilor conduct, to arrange trainings, to oversee and direct Council staff, to close or open the Council's central offices, to propose and manage the Council's operating budget, and to make determinations in regard to Council rules, protocols, operations, and personnel matters, in appropriate consultation with the Committee on Rules and Administration on changes to codified procedures and contractual obligations. The President Pro Tempore who is performing the duties of the Council President during a mayoral vacancy shall chair the Committee of the Whole and shall assume the Chair of the Committee on Rules and Administration in place of the Council President. The President Pro Tempore performing the duties of the Council President in these circumstances may use the style of 'President', and may designate another Councilor to preside in the President Pro Tempore's absence over meetings of the Council and of the Committee of the Whole. In the event that a vacancy should occur in the office of President Pro Tempore, whether by resignation, departure, or Council vote, the Council shall elect by simple majority another member to serve in the role of President Pro Tempore.

For so long as the mayoral vacancy exists, the Council President who is performing the duties of the Acting Mayor shall not vote or participate in Council meetings, hearings, or other sessions, shall make no committee chair, vice-chair, or membership assignments, and shall introduce matters to the Council docket only in the capacity of Acting Mayor. As the Council President remains a member of the Council, however, a quorum of the Council shall remain seven (7) members and a two-thirds majority of the Council shall remain nine (9) members. The Council President who is performing the duties of the Acting Mayor shall retain the physical office associated with the office of the Council President. In the event that a vacancy should occur in the office of Council President, whether by resignation, departure, or Council vote, a new Council President shall be elected by the procedure described in Section 17 of the Boston City Charter, to possess all powers of the office and to perform the duties of the Acting Mayor when a mayoral vacancy should exist.