

Charter and Rules Committee

Monday, December 11, 2023

Video of meeting can be found at <https://youtu.be/gETGejmUYTQ?feature=shared>

Members present: Chair Jose Maldonado Velez, Vice Chair Tessa Murphy-Romboletti, Todd McGee

Other councilors present: Kevin Jourdain, Linda Vacon, Kocayne Givner, Israel Rivera, Will Puello

Chair Maldonado Velez called the meeting to order at 6:31 PM

Councilor McGee made a motion to suspend the necessary rules to remove items 7 and 8 from the table out of order as a package. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 7: 4-4-23 RIVERA_I, GIVNER, MALDONADO VELEZ, MURPHY-ROMBOLETTI, RIVERA_J — Ordered, that Section 34 of the Holyoke City Charter be amended to establish a Police Commission by virtue of a Special Act in Accordance with the provisions of Articles of Amendment, Article II, Section 8 of the Massachusetts Constitution.

*Tabled 4-19-23, 7-17-23

--->Tabled, look for examples from other communities and have a councilmember attend a coming advisory committee meeting prior to this item being taken up again, 3-0.

Item 8: 8-1-23 From City Solicitor letter re: Provisions of charter impacted by implementation of a Police Commission

---> Tabled, look for examples from other communities and have a councilmember attend a coming advisory committee meeting prior to this item being taken up again, 3-0.

DISCUSSION:

Chair Maldonado Velez recalled that the order was tabled at the July 17th meeting in order to request a list from the Solicitor's office outlining the parts of the Charter impacted by the creation of a Police Commission, which is what communication of item 8 was. He then suggested that this was still in the information gathering stage so that those in the next term would have the information to create language for the Council to vote on. He then asked Atty Bissonnette if he would be speaking on behalf of Atty Mantolesky on this topic.

Atty Bissonnette stated that he had not yet discussed this topic with Atty Mantolesky.

Chair Maldonado Velez read from the letter, available [here](#). He then suggested that the next committee chair would need to look at those sections in proposing any changes to create the Police Commission. He then asked Mayor Garcia if he had anything to add.

Mayor Garcia stated that he spoke with the citizens advisory group on this matter. He then explained that they had been meeting regularly and offering guidance and perspective on a variety of related matters. He then stated that creating a Police Commission would be up to the preferences of the City Council in how it could be created. He then stated that while he liked the idea, more discussions needed to take place to review each of the sections that would be impacted.

Maldondo Velez stated that while he understood that committee was just advisory, he was interested in their thoughts about the potential of a commission.

Kilana Rivera, 369 Jarvie Ave, stated that she had been part of the Police Community Relations Board since it was created by former Acting Mayor Murphy. She then stated that they had a lot of good conversations, adding that the commission idea had come as a result of the recent audit of the department. She added that the process had been enriching to both the Police Department as well as their board.

Councilor Murphy-Romboletti asked how often they were meeting.

K. Rivera stated that they were meeting monthly, usually the first Wednesday.

Councilor Murphy-Romboletti asked if their committee had given thought to what a Police Commission would look like, or the pros and cons of the idea.

K. Rivera stated that it hadn't been discussed in detail, but an overview was discussed. She added that it would be similar to what they were doing but would have more capacity to make decisions and provide input to the Police Department. She then explained that one of their first focuses had been seeking more transparency within the Police Department, noting that they were often hearing more from social media community pages than from the department.

Councilor Murphy-Romboletti asked if there was a way for citizens to file reports against members of the Police Department.

Mayor Garcia stated that there was a way discussed prior to the audit that may not have been best practice. He then explained that there had since been some improvements but the topic would have to be revisited.

Councilor Murphy-Romboletti stated that had been a big reason why she had been a part of filing this order. She then stated that there was a way to do it through the state but there should be a way to do it locally. She then suggested that it needed to be discussed more. She then asked him to discuss his thoughts on the pros and cons of this idea.

Mayor Garcia stated that he was in favor of the idea. He then observed that a lot of assumptions were being made on what people thought was going on, on decisions that were made on internal concern as well as external perceptions. He then suggested that many of those assumptions were often misguided or misunderstood. He then explained that all decisions of such a board would have to be done openly, including the hiring or promoting of candidates. He then suggested that it would be a level of transparency that didn't exist with the current model. He added that there would be oversight of goals and objectives of the department, allowing a different level of accountability through a more public process. He added that it could lead to a higher level of trust when people see why decisions are made.

Maldondo Velez suggested that there was enough information to start drafting changes to the section, but it would be up to the next Council.

Councilor I. Rivera expressed agreement with a lot of the points made by Mayor Garcia. He then suggested that there needed to be collaboration with the advisory committee to work on the structure, including looking at what other communities had done. He noted that the members of the commission were voted in by the community in some places while others were appointed by the mayor and/or the City Council.

Councilor Murphy-Romboletti stated that this needed to be done well, done right, and informed by the feedback of those who had been discussing this for a long time. She suggested that while the Law Department could start drafting language, it made sense for a member of the City Council to attend meetings of the advisory board. She then asked if there was Council representation on the board.

Mayor Garcia stated that it was a working group put together by the mayor's office as a sounding board. He then stated that he would welcome attendance by a member of the City Council.

Councilor Murphy-Romboletti suggested tabling for now.

Councilor McGee asked if there should be a request to get more information from other communities.

Mayor Garcia stated that there were consultants that could help evaluate different systems.

Chair Maldonado Velez stated that it appeared everyone was on the same page with establishing a committee but there needed to be more work on what it looked like.

Councilor McGee made a motion to lay item 7 and 8 on the table, with a request for samples from other communities.

Councilor Murphy-Romboletti asked who the request would go to.

Chair Maldonado Velez suggested that the request be made to the Law Department.

Councilor Murphy-Romboletti seconded the motion. Motion passed 3-0.

(27:05)

Councilor Murphy-Romboletti made a motion to remove item 1 from the table. Councilor McGee seconded the motion. Motion passed.

Item 1: 1-17-23 MCGEE — Ordered that City Council Rule 9H be amended and re-worded in order to make the process of changing or updating an ordinance a smoother process.
*Tabled 2-27-23

--->Tabled, with a request to the Law Department to provide suggestions on updated language 3-0.

DISCUSSION:

Councilor McGee stated that the Law Department suggested filing an order to make some changes to the rule.

Chair Maldonado Velez stated that he had to read it a few times because of the style of the language. He then stated that he had suggestions to put it into more plain, modern language. He noted that the rule allowed for the City Solicitor to either approve or not approve of language but that the City Council could still vote on ordinances regardless. He also suggested that rules 9J and 9K needed to be updated.

Atty Bissonnette emphasized that certain parts of the rules were likely drafted in the 1930's and 1940's and should be revised. He suggested that a revision could be considered when the rules get adopted at the beginning of the new term in January. He recalled there was some confusion with a recent situation where the Law Department did not approve of the language the Ordinance Committee recommended and that a strict reading of the rule would require that the language and disapproval go back to the Ordinance Committee and then be sent to the City Clerk for consideration by the full Council. He then

expressed intent to continue to build on the work started by Chair Maldonado Velez during this term.

Chair Maldonado Velez stated that this situation was the first time he had seen the City Solicitor not approve of the language the Ordinance Committee recommended, and that this rule should be clarified more to address that situation. He then reiterated that the whole of section 9 needed to be reviewed.

Councilor Vacon suggested that the initiation of a draft of a legal form comes from the committee to the Law Department. She noted that there had been variations of opinion in the committee on whether the Law Department should be drafting legal form or if the committee should be doing. She then noted that the Law Department had sometimes drafted legal forms without it being requested. She then stated that the rule should clarify that the committee needed to request legal form before they would draft it. She also suggested that in the wording of the rule, the sections where there is agreement be kept together and then explain what to do if there is disagreement at the end to avoid confusion. She also suggested that the rule allow both a majority and a minority of the committee to request legal form for consideration of the Council.

Chair Maldonado Velez suggested tabling the order and request revised language for 9H, as well as suggestions for revisions of any other rules that should be updated.

Councilor McGee agreed that the Law Department should come back with suggestions on section 9 as a whole.

Councilor McGee made a motion to lay item 1 on the table. Councilor Murphy-Romboletti seconded the motion. Motion passed, 3-0.

(36:40)

Councilor McGee made a motion to remove item 2 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 2: 8-1-23 GIVNER — With community support, order that city council meetings be regulated to 2.5 hours or 150 minutes. AND that a majority vote be required to continue meetings beyond 150 minutes, adding an additional 15 minutes no more than twice, capping meetings at 180 minutes. This with the intention of encouraging a broader participation of Holyoke's public through meeting efficiency and limited repetition of comments. The most common critique by Holyoke residents regarding City Council meetings is that they are too long, continue too late, and are dominated by lengthy repetitive commentary.

--->Complied with 2-1.

DISCUSSION:

Councilor Givner explained that this was filed in an effort to bring new attention to an ongoing concern that didn't make government accessible to the public. She then expressed a hope that this could help the City Council be more efficient, noting that some Council meetings were regularly over 3 hours, sometimes lasting beyond 11 p.m. after starting at 7 p.m. She noted that neighboring larger cities such as Springfield were able to have meetings lasting closer to 2 hours. She added that subcommittee meetings were the place where the in depth conversations and debates should happen. She added that the same conversations happening in subcommittee meetings did not need to be repeated in full Council meetings.

Councilor Murphy-Romboletti noted that a similar discussion took place to place time limits on city councilors speaking, and that it was brought up that this would be stifling free speech. She then stated that while this was an understandable position, meetings that go beyond 4 hours were a disservice to the public. She also suggested that late meetings could discourage people from getting involved and running for office if they are concerned about how long meetings run. She then suggested that this was not about taking away anyone's ability to speak but about whether or not someone needed to speak several times on the same matter. She noted that she did not speak as often in meetings because others may already have said what she wanted to say and she did not feel the need to repeat things. She also noted that councilors who served in the past had remarked to her that meetings used to be much shorter than they are now. She then read the relevant rule from the Springfield City Council:

"No meeting of the City Council shall go beyond 10 p.m. Eastern Standard Time unless upon a motion of any city councilor, the meeting is extended for a period of time stated in the motion, and so long as the motion is unanimously approved by all members present. If a motion to extend the meeting past 10 p.m. Eastern Standard Time is not approved, all remaining items shall be continued until the next regularly scheduled City Council meeting. If items are continued to the next meeting pursuant to this rule, those items shall appear at the beginning of the next agenda."

She then suggested that Holyoke should do something similar.

Councilor Givner expressed her understanding that Springfield also started their meetings at 7:30, making their meetings even shorter. She also emphasized that Springfield was a much larger city which would make one think their meetings would take more time.

Maldonado Valez expressed agreement with this idea. He suggested that time commitment was a big barrier to more public participation. He then suggested that this would fit into section 2 of the rules and could be added when the new Council adopts its rules at the beginning of the next term.

Councilor Jourdain expressed his perspective that meetings were not currently any longer or shorter than they were over the 30 years he'd been involved. He noted that a rule already existed that prevented any member from speaking more than twice without permission of the body. He then stated that he was open to the idea of ending meetings at 10:30 p.m., but mostly disagreed with a lot of the assumptions being presented. He then suggested that the public had the opportunity to vote out any member if they believed anyone was talking too much. He then expressed disagreement that the public

was looking for this change, but conversely had heard from many members of the public that they appreciated what he had to say. He then expressed concern about the potential of limiting what councilors can say, adding that this could border on censorship. He also emphasized that a lot of people watch meetings, and they had a right to hear different perspectives. He also noted that much of what the government does happens behind closed doors, while City Council meetings take place in the open. He added that a 30 minute discussion of a topic in a Council meeting may be happening after weeks of closed door meetings between the mayor and department heads without the same public scrutiny. He then suggested that this order was a solution looking for a problem. He also suggested that people weren't turned off from public office because of lengthy meetings but because it was a tough job with a lot of public scrutiny. He noted that all offices but one were challenged in the recent election and that there was no shortage of people looking to run for office. He also suggested that people needed to come more prepared for the discussions and that more councilors should be attending subcommittee meetings.

Councilor Givner stated that she believed those were a lot of valid points. She then suggested it may be disingenuous to say the public was not invited to meetings, noting that was what subcommittee meetings were for, forums where the public could see discussions with department heads as well as various organizations who give presentations. She further suggested that the full Council meetings were the place for a recap of what happened in the subcommittee meetings. She then explained that adding "with community support" to some of her orders was based on gauging the calls and emails she received from people in her ward. She also expressed disagreement that the public could always take part in the meetings, emphasizing that many people don't have the same schedule or time to watch. She also questioned the suggestion that this was about censorship, noting that people did not need to repeat the same points in Council that they did in subcommittee meetings.

Councilor Vacon expressed concern about setting a time limit on meetings, noting that new orders being referred to committees are taken up at the end of Council meetings. She suggested that cutting meetings short could run the danger of extending the timeline on items that need to be taken up. She also stated that in contrast to subcommittee meetings where only discussion and recommendations take place, the City Council was the deciding body, and the debate was important. She then suggested that with the rule requiring the Council to give permission for someone to speak a third time, the body could occasionally say no. She also emphasized that the debate can often lead to someone having new thoughts they want to add to the discussion. She also suggested that it creates voter apathy when the Council doesn't allow people to vote on matters they want to be heard on, such as the CPA ballot question.

Councilor Murphy-Romboletti suggested that everyone appeared to want similar things but did not agree on how to get there. She then suggested that points could be made with more brevity. She then stated that the purpose of this kind of rule was not about stifling anyone from making points or about censorship but was about being more efficient. She then questioned the suggestion that any one councilor hearing what their constituents wanted was any less valid than what another councilor was hearing. She also emphasized the importance of understanding that getting things done does not always

mean getting everything you want. She then noted that the City Council was the same size as much larger cities such as Springfield and Boston.

Councilor Puello stated that he did not agree with this idea and suggested that this was running counter to the stated intent. He then stated that instead of asking people to watch two meetings a month, this was asking people to watch all of the other meetings throughout the entire month, taking more time out of their busy schedules. He also suggested that if there was a controversial issue people wanted to hear about, those items could be taken up out of order.

Councilor Givner stated that she believed Councilor Vacon made a good point with regard to new orders being at the end of the agenda. She then suggested that those items could be moved to the front of the meeting, noting that was the part the Council usually got through the quickest.

Councilor Jourdain suggested that one person's efficiency was another person's censorship. He then stated that someone may have thoughtful and on-point remarks on behalf of their constituents. He reiterated that he did not believe there was a problem. He then suggested that one of the issues was that there was no full time local coverage of Council meetings so meetings were the only time the public could hear all of the points being made. He also emphasized that there were often times when he had changed his own mind when he heard someone make a good point at a full Council meeting. He then observed that it was rare to have a majority of the Council at subcommittee meetings and if there was only one meeting where the public hears all of the points, they should be able to listen to them. He then recalled that the public was given an opportunity to make the City Council smaller several years back and they chose to do so. He then reiterated his point that the public did not have access to the day to day decisions that happen long before a half hour discussion at a City Council meeting.

Councilor Givner clarified that this was not a major issue that was to be solved by this idea but was about trying to make meetings a little better and a little more accessible to the public. She added that limiting time could encourage people to be a little more concise.

Councilor Jourdain clarified that he was not suggesting that councilors were meeting behind closed doors but that the long deliberative process of how decisions were made included the administration and department heads meeting for hours over several months without the public seeing those discussions.

Councilor Givner clarified that she was not intending to ask the public to watch every subcommittee meeting but that the Council could do better to inform the public when there would be robust debate in a subcommittee meeting if they are really interested in a topic.

Chair Maldonado Velez suggested that following Springfield's example may be a rule worth pursuing. He also emphasized that everyone's perspective on behalf of their constituents was valid and should be respected. He then suggested that the order could be tabled for the new committee to take up, or someone could propose a new rule when the rules get adopted in January, or this could be complied with.

Councilor McGee made a motion that item 2 was complied with. Councilor Murphy-Romboletti seconded the motion. Motion passed 2-1.

(1:30:00)

Councilor McGee made a motion to remove item 3 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 3: 8-1-23 GIVNER — With community support, order that a 30min public comment period be added to City Council meetings, in an effort to give the public a true platform in person, written, and/or remote as long as a remote option for council meetings exists. Consideration should be given to having meetings begin earlier in an effort to accommodate Holyoke residents and inspire participation.

--->Tabled

DISCUSSION:

Councilor Givner stated that this was filed alongside the intent of the previous order and was intended to give the public more commentary and limit Council commentary to make space for the public. She suggested that it was discouraging to only give people 90 seconds to speak.

Councilor Murphy-Romboletti stated that while she did not fully understand what a 30 minute public comment period would look like, it was worth thinking about how much time the public was allowed to speak. She suggested that the window for people to show up and speak could be extended. She noted that while full Council meetings started at 7 p.m., subcommittee meetings tended to start at 6:30 p.m. or even at 6 p.m.

Councilor Jourdain stated that he appreciated the spirit of the order in trying to encourage more public participation, adding that the Council could do better to inform the public that this was available to them. He then questioned if there was a need to expand the current 15 minutes, emphasizing that it was wildly underused. He also noted that the Council had often suspended the rules if there was a hot topic that a lot of people wanted to talk about. He also observed that it tended to be the same people speaking at almost every meeting, often saying the same thing.

Councilor Givner noted that other parts of the order were about accessibility, adding that it was a disservice to not allow public comment in other forms such as through email. She also emphasized that public comment was for people to speak on any topic they wanted to, even if they had spoken on the same thing at previous meetings.

Councilor McGee read from rule 7B:

There will be a public comment agenda item at each regular council meeting. This shall

be a time where citizens may speak freely about issues both on and off the meeting's agenda. The City Council will allow up to 10 speakers and each speaker is allowed to speak for 1 and a half minutes (90 seconds)."

He then noted that an amendment had been proposed to allow response time from councilors. He stated that while he was not a fan of limiting it to 90 seconds, there was a difficult balance to determine how much is too much. He also stated that while the Council could suspend the rules, this rule could be cleaned up or extend it to be less discouraging to the potential speakers.

Chair Maldonado Velez questioned if it would be acceptable to allow one person to speak for 15 minutes if they were the only person who came in to speak.

Councilor Givner noted that the Council did not currently hold public comment open for 15 minutes if only a couple speakers come in. She then stated that extending it to 30 minutes was a roundabout way of trying to give people more time to speak. She then asked if there was a limit on email communications.

Councilor McGee stated that during COVID, the Council allowed emails to be read, but then as people started returning to attending in chambers or on Zoom, the decision was made to get away from reading emails. He added that when emails were read, they were considered part of the 10 speakers and still limited to 90 seconds even if they were very long emails.

Councilor Givner questioned if there was a word count limit.

Councilor McGee stated that it was still limited to a minute and a half.

Councilor Jourdain suggested that people could be encouraged to send in emails and that the administrative assistant could send those out as a packet to councilors.

Chair Maldonado Velez suggested that they could be accepted as a communication. He then suggested that this order remain in committee for more discussion.

Councilor Givner made a motion to lay item 3 on the table. Councilor McGee seconded the motion. Motion passed, 3-0.

(1:45:00)

Councilor McGee made a motion to remove item 4 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 4: 5-3-22 RIVERA_I – Order that committee chairs limit the amount of public hearings added to an agenda, It is not fair and undemocratic to have the public wait until 10:30 -

11:00 pm so they can be heard.
*Tabled 6-14-22, 2-27-23

--->Approved 3-0.

DISCUSSION:

Chair Maldonado Velez proposed adding a rule 9Q: "Public Hearings should be the first item(s) on the agenda. Committee chairs are required to share email and virtual access details at the opening of each public hearing. If a public hearing begins after 9 pm, it must be continued to a future date unless prohibited by law."

Councilor Murphy-Romboletti stated that the point about public hearings appearing first on an agenda was the top priority, noting that as chair of DGR, she understood that matters requiring public hearings had a certain time they had to be taken up by. She then questioned if limiting the number of public hearings was the answer, but to ensure they were the first things to get discussed.

Chair Maldonado Velez repeated the proposed language.

Councilor Murphy-Romboletti asked if the email access was to ensure that someone wanting to contribute could participate.

Chair Maldonado Velez confirmed that was correct.

Councilor Vacon stated that while she agreed with putting the public hearings first, she emphasized that public hearings often go longer than expected. She suggested that language could be included to give deference to an applicant. She expressed concern if an applicant is waiting for their hearing because there are additional hearings before theirs, and what would happen if it hits 9 p.m. before there is opened.

Chair Maldonado Velez stated that the intent wasn't to prevent a public hearing from opening after 9 p.m. but that the hearing would be continued and be picked up first at the next meeting, unless some law doesn't allow for that. He then explained that this was to ensure that if someone from the public couldn't stay on that late, they would still have the opportunity to speak.

Admin Asst Anderson-Burgos stated that when had notices published in the paper and mailed out to abutters, those notices included instruction that the public could contact him for a copy of an application or to provide comments for a public hearing.

Chair Maldonado Velez asked if that was being put in all public hearing notices.

Admin Asst Anderson-Burgos stated that it was for all of the notices he was putting out, but it may still be worth codifying in a rule.

Councilor McGee made a motion to approve the proposed language. Councilor Murphy-Romboletti seconded the motion. Motion passed, 3-0.

(1:53:20)

Councilor McGee made a motion to suspend the necessary rules to remove items 5 and 6 from the table as a package. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 5: 10-3-23 GIVNER, TALLMAN — With community support, order that all ordinances and charter rules reflecting city council and city council subcommittee meeting notices be updated to reflect acceptance of email as sufficient method of notice, and city website posting as sufficient method of public notice.

--->Tabled 3-0.

Item 6: 10-3-23 GIVNER — With community support, order that the following section of our Codes of Ordinances and charter be updated to reflect use of email as sufficient for special meeting notice:

Sec. 12. – Special meetings of city council.

The mayor may at any time call a special meeting of the city council by public posting through the city website along with written notifications thereof, together with a statement of the subjects to be considered thereat, to be deposited in the post office, postpaid and addressed to the persons to be notified, at least forty-eight hours before the time appointed for such meeting, or to be left at the usual place of residence of each member of the council, by email at least forty-eight hours before the time appointed for such meeting.

(Acts 1965, c. 187; Acts 1992, c. 189)

--->Tabled 3-0.

DISCUSSION:

Councilor Givner stated that while these were likely self-explanatory, she noted that the charter currently required councilors to receive these notices via snail mail. She noted that councilors usually receive email notices well before notices arrive in the mail. She added that they also received Google calendar invites. She added that it should be email and city website posting, not either/or.

Councilor Murphy-Romboletti stated that this appeared to be straightforward.

Councilor Vacon asked what needed to be done with the charter if this change was made.

Chair Maldonado Velez expressed his understanding that Section 12 would need to be changed but was not sure if there were other sections. He noted that this was specifically motivated by the special meeting that was held in September.

Councilor Vacon asked if Atty Bissonnette could weigh in.

Atty Bissonnette stated that this would require an update of the charter which made snail mail the preferred method of communication. He also noted that they were planning to provide the Council with a list of minor charter amendments that were not substantive but would provide corrective language as a package of changes for a home rule petition. He emphasized that there may still be situations where a councilor still prefers home mail to be their preferred method of notice. He then noted that because mail was now going to Hartford to be sorted, a mailing that may have taken 48 hours in the past was now closer to 72 or 96 hours.

Chair Maldonado Velez asked to clarify if a home rule petition was needed to make this change.

Atty Bissonnette confirmed that was correct.

Chair Maldonado Velez noted that while this was looking at email versus postal mail, he recognized that there may be newer methods of communication in the future. He then suggested trying to get away from specific methods in the language to account for that.

Councilor Jourdain asked if there was any requirement that notices had to be mailed or was it strictly the choice of the Council. He suggested that "and/or" language could allow for someone to only receive notices by email if that was their preference.

Atty Bissonnette expressed concern about getting out abutters notices if the city did not have someone's email. He then stated that he would have to look into the recent guidances from the state to determine if they had eliminated the requirement to put out notices by first class mail. He then stated that the Council could allow changes to its own internal communications.

Councilor Jourdain asked if meeting notices could be done exclusively by email.

Atty Bissonnette stated that it would be within the governing body, but it would be different when reaching outside the governmental unit.

Councilor Jourdain expressed concern that the Council would be limited in taking certain things up such as land transfers or special permits if notice was done exclusively by email. He suggested that email be added but also keep regular mail notice. He suggested that the nuance of this topic could continue to be looked at as time progresses over the next 10 years.

Councilor Vacon emphasized that the Council had different levels of technology and use among its members.

Chair Maldonado Velez suggested that these be tabled, observing that there appeared to be open questions yet to be addressed and home rule petition language that would have to be considered. He also suggested that the Law Department could come back with language suggestions and guidance on what parts of the charter needed to be changed.

Chair Maldonado Velez made a motion to lay items 5 and 6 on the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Admin Asst Anderson-Burgos noted that item 5 had a section that referred to the city website as sufficient method of public notice. Noting that the rest of the order was about how councilors get notified, he asked if this part was about how the public gets access to agendas.

Atty Bissonnette stated that was correct.

Admin Asst Anderson-Burgos emphasized that the Attorney General office allowed for websites to be the official place for agenda notices through a process that included the mayor's approval, and that Holyoke had done this a few years back.

Atty Bissonnette confirmed that the website was the proper place for meeting notices.

Admin Asst Anderson-Burgos clarified that he was asking the question with the intent to make the information known.

(2:09:05)

Councilor McGee made a motion to remove item 9 from the table. Councilor Murphy-Romboletti seconded the motion. Motion passed.

Item 9: 4-18-23 (sent to Ord. copy to Charter for potential home rule petition) MCGEE --
Ordered, that the position of Chief Administrative and Financial Officer be created and added to Schedule A.
*Tabled 7-17-23

--->Tabled 3-0.

DISCUSSION:

Chair Maldonado Velez asked Mayor Garcia if he has any updates on pursuing this. He noted that the bulk of the work needed to be done in the Ordinance Committee.

Mayor Garcia expressed his understanding that Ordinance was waiting on some additional information such as a job description.

Councilor Vacon stated that there was some confusion because there appeared to need to be a charter change because of the duties of some roles.

Chair Maldonado Velez asked Atty Bissonnette for suggestions on how to get this going. He noted that another step was needing to get a ballot question done to make the Treasurer an appointed position.

Atty Bissonnette stated that the CAFO would not be a charter position and could be created by ordinance and could be assigned duties previously assigned to other officers under the charter. He then explained that the charter change would be related to changes to the Treasurer's position. He noted that there were several different ways that things could be changed and structured, which all had different timelines.

Mayor Garcia stated that his intent was to address both short term and long term changes. He then explained that the long term was creating a structured finance department with each current department under that umbrella, while he was seeking to create the CAFO position in the short term. He then explained that as mayor, his role required him to be focused on day to day administrative oversight while also setting long term visions. He further explained that someone in the CAFO position would have more technical knowledge to be able to draft long term forecasts and facilitate internal controls.

Councilor Vacon recalled an earlier point from Councilor McGiverin that a charter change would be needed not because of the creation of a financial position but because the duties of the mayor would be changing. She questioned how a job could be created that changed other jobs without also addressing that in the charter.

Mayor Garcia recognized that the point did warrant further discussion and clarification. He then explained that the short term objective did not take away anyone's power, emphasizing that the mayor still had executive authority and other financial departments still had their authority. He added that the CAFO would facilitate complexities to help him as the mayor make better informed decisions by having someone with a higher level of knowledge and expertise, someone who can help the mayor manage and strengthen internal controls, navigate liability, and avoid harm.

Chair Maldonado Velez stated that this provided a lot of information for the next chair to go off of.

Councilor Murphy-Romboletti made a motion to lay items 9 on the table. Councilor McGee seconded the motion. Motion passed.

(2:20:20)

Councilor McGee made a motion to suspend the necessary rules to remove items 10, 11, and 12 from the table as a package. Councilor Murphy-Romboletti seconded the motion.
Motion passed.

Item 10: 8-1-23 From Lisa Ball, City Solicitor legal Opinion from Mark R. Reich, Esq. regarding City council voting requirements.

--->Received

Item 11: 4-4-23 Communication From Councilor Jourdain, regarding a legal opinion of June 1, 2021 regarding Rule 66.
*Tabled 4-10-23

--->Received

Item 12: 8-1-23 From Brenna Murphy McGee, MMC communication regarding ballot question deadlines.

--->Received

DISCUSSION:

Chair Maldonado Velez stated that he put these items on the agenda for the purposes of receiving and archiving them.

Councilor McGee made a motion to receive and archive items 10, 11, and 12. Councilor Murphy-Romboletti seconded the motion.

Councilor Jourdain stated that he agreed with the decision to archive these.

Motion passed, 3-0.

Meeting adjourned at 8:53 PM