



# Rules of the Boston City Council

## Municipal Year 2010

(adopted January 27, 2010)

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### *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, 5<sup>th</sup> Floor, Boston, unless otherwise determined by the council president. Special meetings may be called at the council president's discretion, upon a forty-eight (48) hour notice from the time the notices are mailed or dispatched by special messenger to the clerk and members of the council, 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. No city council president shall be eligible to serve more than two (2) consecutive terms. A member, after serving two (2) consecutive terms as president, may again serve as president after one (1) year has 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. The original and seventeen (17) copies of any message, ordinance, resolution, vote, or other measure submitted by the mayor shall be delivered to the office of the clerk before twelve o'clock noon one (1) business day preceding 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.

The original and two (2) copies 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 before twelve o'clock noon one (1) business day preceding the scheduled meeting of the council. Fifteen (15) copies are to be delivered to the city messenger by the councilor's office submitting the matter. All documents submitted by the mayor and city councilors for consideration on the agenda shall be transmitted to the office of the clerk via email in PDF/MS Word format before twelve o'clock noon one (1) business day preceding the scheduled meeting of the council. Such submission is a prerequisite to any item's consideration at such meeting.

NOTE: The change from strictly paper submissions to paper and electronic submissions will continue to be implemented during 2010. Until the system, including the appropriate technology is in place, submissions and distribution of documents will continue to be done as it was in the past.

#### ***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 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 four o'clock P.M., 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 on the business day 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 (including interim committee and committee chair reports).
6. Reports of committees and committee chairs.
7. Motions, orders, and resolutions.
8. Personnel Orders.
9. Pending council matters (“green sheets”).
10. Consent agenda.
11. 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 thirty (30) days after a matter is referred to a committee, it shall not be voted upon without the consent of the committee chair.

If after thirty (30) 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 forty-five (45) 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 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.

## **Committees**

### ***Forty-Eight Hour Notice Required***

Rule 34. No meeting, 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 mailed or 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, working session, or hearing or reserve time on the council's calendar for a hearing to be scheduled. Notice of all scheduled meetings, 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. Written and 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, 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, working session, or 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 the meeting, working session, or hearing is scheduled. No committee meeting, 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, working session, or hearing on the same day and time as a previously scheduled meeting of another committee.

No committee will hold any hearing, 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, and meetings 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), date, time of the call of the meeting, start time, end time, location, subject, committee/council members present and absent, a summary of the issues discussed, any decisions made, next steps to be taken, or votes taken, a list of all documents or exhibits presented at the hearing. 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. All reports of the committee chair or the committee must contain the following information: docket number, title, date referred, sponsor, date(s) of hearings, date(s) of working sessions (where applicable), a discussion of the provisions of

the legislation, summary of information received at the hearing, 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 and the status of the issue. The interim report of the committee chair will not dispose of the docket. The original interim report and two copies shall be submitted to the clerk and seventeen copies (17) delivered to the city messenger.

### ***Working Sessions***

Rule 35A. 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. Public participation and draft materials at working sessions shall be limited to councilors and chair invitees.

### ***Committee Appointment, Structure, and Role***

Rule 36. The president of the council shall appoint all standing committees, appoint all special committees, and fill any vacancy and designate the rank of the members of each committee. All standing committees shall consist of between three and nine members.

The role of each committee shall be to provide a forum for in-depth review and analysis of all 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, and (3) 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, Film, Humanities, and Tourism***, which shall concern itself with the encouragement of the arts and humanities, including cultural development, museums, performing arts, film and filmmaking, public art, art education, the support and funding of private art and cultural amenities, and opportunities to display and/or present art

works. The committee shall also concern itself with the promotion of visits by individuals and convention groups, development of programs where city agencies encourage tourism and best display city assets to visitors, and development of recommended legislation and/or other actions to make the city a welcoming place for visitors. The committee shall exercise oversight with respect to the Boston Art Commission, Boston Arts Lottery Council, Boston Film Bureau, or its successors, Midtown Cultural District, and Office of Arts, Tourism, and Special Events.

***Committee on City, Neighborhood Services and Veterans Affairs***, 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, including the activities of and provision of services to residents by communication, energy and water service providers. The committee shall also concern itself with the city's programs for veterans and family-based initiatives. The committee shall concern itself with the infrastructure that facilitates wireless voice and data communications as well as the surface, air and water transportation policies of the city, including public transportation, operations at Logan International Airport, hackney and jitney licenses, traffic calming, highway connections, resident parking program, parking freeze, imposition of tolls, and the Central Artery/Tunnel project, including surface restoration and corridor master planning, including the planning for the Rose Kennedy Greenway. The committee shall also concern itself with the various inspectional, regulatory, and licensing activities used to implement city transportation policies. 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 exercise oversight with respect to Inspectional Services Department, Library Department, Office of Neighborhood Services, Parks and Recreation Department, Public Works Department, Registry Division, the Edward Ingersoll Browne Fund and the George Robert White Fund, the Boston Water and Sewer Commission, the Office of Cable Communications, Central Artery Environmental Compliance Team, Office of the Parking Clerk, Public Improvement Commission, Transportation Department, Veterans' Services Department, and the Veterans' Graves Division of the Parks Department.

***Committee on Economic Development and Planning***, which shall concern itself with the physical and economic development of the city, including financing, planning, zoning, licensing, land use policy, labor and workforce development and the effects of development on the city. The committee shall exercise exclusive oversight with respect to all commercial, medical, research, educational and large scale residential development and building projects, as well as historic preservation programs. The committee shall work to ensure community participation in the 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 Main Streets Program, Boston Industrial Development Finance Authority, Boston Licensing Board, Boston Redevelopment Authority, Consumer Affairs and

Licensing Department, Department of Neighborhood Development, Economic Development and Industrial Corporation, Empowerment Zones, Inspectional Services Department, Licensing Board, Office of Business Development, 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, Office of Business Development, Boston Resident Jobs Policy, Boston Medical Center.

***Committee on Education***, which shall concern itself with the quality of educational services provided to all school-aged residents by the Boston Public Schools. The committee shall monitor educational policy, in particular special education, bilingual education, and technical education. 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.

***Committee on Environment and Health***, which shall concern itself with environmental and public health 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, and open space conservation as well as recycling and other resource recovery efforts issues related to waste disposal and land reclamation. The committee shall provide a forum for residents to express their concerns about a variety of diseases and conditions, especially those exacerbated by factors associated with urban living. The committee shall have oversight of the Boston Public Health Commission, Neighborhood and Community Health Centers, the Air Pollution Control Commission, Boston Conservation Commission, and the Environment Department.

***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. 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, Graphic Arts Department, Health Benefits and Insurance Program, Human Resources Department, Law Department, Management Information Services, 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***, 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 residents in the city. The committee shall exercise oversight with respect to the Department of Neighborhood Development, the Fair Housing Commission, Boston Housing Authority, and the Rental Housing Resource Center.

***Committee on Labor, Youth Affairs, and Human Rights***, which shall concern itself with policy issues affecting organized labor and members of public and private collective bargaining units, including wages and hours, standards and statistics, and occupational health and safety, and the development employment opportunities and training programs. 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 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 also ensure that findings may be determined with respect to compliance with the Boston Residents Jobs Policy program. The committee shall have oversight with respect to the Office of Labor Relations, Boston Centers for Youth & Families, Boston Youth Fund, Boston Employment Commission, Commission for Persons with Disabilities, Fair Housing Commission, Human Rights Commission, Boston Redevelopment Authority Contract Compliance Office, Small and Local Business Enterprise Office, Office of Boston Residents Job Policy.

***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 Safety***, which shall concern itself with the adequate delivery of police and fire protection to all neighborhoods. The committee shall also concern itself with evaluating, encouraging, and facilitating existing resident-driven efforts to prevent crime, including arson, vandalism, hate crimes, and home invasion. 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 share oversight of public safety issues related to women with the committee on women and healthy communities. 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 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 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, and the Treasury Department.

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

***Committee on Women and Healthy Communities***, which shall concern itself with the adequate delivery of city services and programming for youth, families, seniors and New Bostonians, with particular focus on girls and women. The committee shall concern itself with issues including, but not limited to, domestic and sexual violence, child abuse and neglect, substance abuse, mentoring, hunger and homelessness. The committee shall review programs pertaining to efforts to stabilize communities and reduce violence. The committee shall share oversight of public safety issues related to women with the committee on public safety. The committee shall have oversight with respect to committee-related programs operated by the Boston Public Health Commission, Boston Centers for Youth and Families, and Neighborhood and Community Health Centers. The committee shall also have oversight with respect to the Office of Civil Rights, Women's Commission, and the Elderly Commission, Commission on Affairs of the Elderly, Emergency Shelter Commission, and the Office of New Bostonians.

***Special Committee on 2010 Census***, which shall concern itself with issues relevant to the 2010 Census as it is conducted this year, specifically what resources can be provided to increase individual responses, and guidance to census workers in accessing areas traditionally underreported, including immigrant communities, public housing developments, college students and the homeless.

***Special Committee on Charter Reform***, which shall concern itself with the review of the current governance structure in the City, as set forth the 1951 charter and various special acts.

***Special Committee on Federal Stimulus Oversight***, which shall exercise oversight of the portion of the Federal Stimulus Package Funds that the City applies for and/or receives, whether as general fund revenue, loans, grants, or revenue for capital projects. The Committee will focus on the best use of these one-time funds and how these funds will stimulate the economy, with the focus of creating and sustaining employment, with the ultimate goal of improving services for residents and businesses. The Special Committee shall share oversight with the specific standing committee that holds the responsibility for the programs or departments impacted by the funds received. The Special Committee will be required to conduct a hearing on all items referred to it within 21 days of submission to the Council.

***Special Committee on a Livable Boston***, which shall concern itself with the impact of the recession on Bostonians and Boston's ability to attract and retain people from all walks of life who will call Boston home for a lifetime.

***Presidential Committee on Council Centennial***, which shall concern itself with research on the history of the City Council from 1910 until present and the development of programming to promote and celebrate the activities and accomplishments on the occasion of its centennial year in 2009. The committee shall also report on the council's historical structure and operations and, by comparison with other major cities, make recommendations for a stronger and more effective body.

***Citizens' Committee on Boston's Future***, which shall concern itself with what Boston must do to compete effectively to be the best city in America, including attracting and retaining smart and skilled people, reducing impediments to business and development in 21<sup>st</sup> century growth sectors, promoting and sustaining neighborhood businesses, and fostering an environment for arts and culture. The Citizens Committee shall be an independent body which will include representatives from science, industry, arts and education as well as concerned citizens. The committee shall report its advisory findings to the council president periodically.

### ***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. Three 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 the morning of the meeting. The councilor shall provide the name, with correct spelling and pronunciation where appropriate.

### ***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 seated or away from his or her desk. In speaking, members shall refrain from mentioning other members by name, and shall refer to other members as either 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.

#### ***Use of Handheld Electronic Devices***

Rule 42. Electronic devices, including cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the Iannella chamber or any city council hearing location, and any person violating this rule shall be asked to leave the chamber by the city messenger. Some devices interfere with the council audio system.

#### ***Staff on Council Floor***

Rule 43. 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 44. Members of the press in attendance shall refrain from discussion within the Iannella Council Chamber with councilor 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 45. 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 stating the nature of his or her business. The clerk shall distribute a complete listing of individuals registered under this rule on the first day of the municipal year and on the first day of July to each councilor.

***Further Rules, Amendment, and Suspension***

Rule 46. 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 47. 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 48. The Rules of the City Council shall be adopted by a majority roll call vote no later than the first regular meeting of February of each year.