

## **CITY CHARTER REVIEW COMMITTEE**

The Charter Review Committee reviews all provisions of the charter and makes recommendations for changes which the committee may deem necessary. The Charter Review Committee was appointed by the City Council President on March 9, 2020. The review committee is composed of five Chelsea residents, five city councilors, and three school committee members.

### **The Charter Review Committee Members are:**

1. Judith Garcia, Chair
2. Leo Robinson, City Councilor
3. Calvin Brown, City Councilor
4. Todd Taylor, City Councilor
5. Melinda Vega-Maldonado, City Councilor
6. Rosemarie Carlisle, School Committee Member
7. Yessenia Alfaro, School Committee Member
8. Henry Wilson, School Committee Member
9. Alex Balcarcel, Chelsea resident
10. Mary Bourque, Chelsea resident
11. Jason Stocker, Chelsea resident
12. Sharlene McLean, Chelsea resident
13. Miriam Rancantore, Chelsea resident

Attached you will find all the recommendations presented by the Charter Review Committee and other residents, leaders, and stakeholders.

According to the rules established by all members of the City Charter Review Committee any recommendation that received the majority votes of those present passes. The recommendations officially before you are the ones labeled as “*ACCEPTED*.”

Lastly, attached you will also find an Addendum with attendance sheets and voting records.

On behalf of all members of the City Charter Review Committee we look forward to discussing further upon the City Council’s request.

Sincerely,

Judith Garcia

Chair

**SECTION 1: INCORPORATION, SHORT TITLE, POWERS**

**To: Judith Garcia**

**From: Jason Stocker**

**Re: Section 1**

**Date Received: July 8, 2020**

Recommendation of having a Table of Contents present in the Charter.

**RECOMMENDATION ACCEPTED/DENIED: ACCEPTED.**

**FAVOR: 11**

**OPPOSE: 0**

**ABSENT: 2**

**To: Judith Garcia, Chair**

**From: Mary Bourque**

**Re: Comment on Section 1 preamble**

**Date Received: June 23, 2020**

**Preface the preamble with the following opening remarks:**

*The City of Chelsea is a 1.8-mile, gateway city, located directly north of Boston and bordering the Mystic River. Chelsea proudly stands as one of only a few sanctuary cities in the State of Massachusetts. For almost 200 years, our collective identity and character as the community of Chelsea has been to welcome and educate, ALL—thereby helping families build a foundation upon which generations begin their personal journey toward the American dream. Our city’s identity and collective character is to accept and respect, and to be there for our neighbor no matter turbulent times, the obstacles, or the global crisis.*

**RECOMMENDATION ACCEPTED/DENIED: ACCEPTED.**

**FAVOR: 7**

**OPPOSE: 4**

**ABSENT: 2**

**To: Judith Garcia**  
**From: Sharlene McLean**  
**Re: Section 1, Preamble**  
**Date Received: June 24, 2020**

**Add “therefore, in a manner consistent with the City’s history of fostering a diverse community” after the word “government” in the first sentence of Preamble. Also add the word “operating” before the word “according.”**

*The people of the City of Chelsea, desiring to manage their own affairs and conduct their local government, in a manner consistent with the City’s history of fostering a diverse community, so that it is accountable, stable, fiscally responsible and efficient, honest, fair, representative, and operating according to a code of ethics, and wishing to participate fully in exercising the rights and responsibilities of local government, do adhere to this Charter.*

**RECOMMENDATION ACCEPTED/DENIED: ACCEPTED.**

**FAVOR: 11**

**OPPOSE: 1**

**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Mary Bourque**  
**Re: Section 1, Editor’s note**  
**Date Received: June 24, 2020**

**Change catchlines to catch lines.**

**Editor's note**— Published in this part is the Charter of the City of Chelsea, Massachusetts, being chapter 103 of the Massachusetts Acts of 1994. The absence of a history note to an amendment indicates that the provision remains unchanged from the original. Obvious misspellings have been corrected without notation. For stylistic purposes, headings and ~~catchlines~~ catch lines have been made uniform and the same style of expression of numbers in text as appears in the Code of Ordinances has been used. A consistent scheme of capitalization has also been used. At the request of the city, gender specific pronouns have been removed and replaced with gender neutral language. Additions for clarity are indicated by brackets.

**RECOMMENDATION ACCEPTED/DENIED: ACCEPTED.**

**IN FAVOR: 12**

**OPPOSE: 0**

**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Alex Balcarcel**  
**Re: Section 1 Preamble**  
**Date Received: October 28, 2020**

**My proposal is the inclusion of the word “we” in the beginning of the preamble and the words “our” after the word manage, and “our” after the word conduct. To read as follows:**

*“We the people of the city of Chelsea, desiring to manage **our** own affairs and conduct **our** local government so that it is accountable, stable, fiscally responsible, efficient, honest, fair, representative, and according to a code of ethics, and wishing to participate fully in exercising the rights and responsibilities of local government, do adhere to this Charter.”*

**RECOMMENDATION ACCEPTED/DENIED: ACCEPTED.**

**FAVOR: 12**

**OPPOSE: 0**

**ABSENT: 1**

**AMMENDMENT PROPOSED:** *Lower capitalization of the letter “c” in “City” to read as follows “city” in the entire document.*

**RECOMMENDATION ACCEPTED/DENIED: DENIED.**

**FAVOR: 2**

**OPPOSE: 10**

**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Alex Balcarcel**  
**Re: Section 1, Preamble**  
**Date Received: October 28, 2020**

**Mi propuesta es la inclusión de la palabra "nosotros" en el principio del preámbulo:**

*“Nosotros, la gente de la ciudad de Chelsea, deseamos a administrar **nuestros** propios asuntos y dirigir **nuestro** gobierno local de manera responsable, estable, fiscalmente responsable, eficiente, honesto, justo, representativo, y de acuerdo al código ético, deseando participar en el pleno ejercicio de los derechos y responsabilidades del gobierno local, nos adherimos a esta Carta.”*

**RECOMMENDATION ACCEPTED/DENIED: WITHDRAWN** BY AUTHOR OF  
RECOMMENDATION BECAUSE THE REQUEST IS FOR THIS TO BE CONSIDERED IN THE SPANISH CHARTER  
TRANSLATION. THE COMMISSION AGREES THAT ONCE THE CHARTER IS VOTED/ACCEPTED BY THE COUNCIL  
THE SPANISH TRANSLATION OF THE CHARTER BE REVISED ACCORDINGLY.

## SECTION 2: CITY COUNCIL ORGANIZATION

**To: Judith Garcia, Chair**

**From: Mary Bourque**

**Re: Section 2.1**

**Date Received: July 8, 2020**

**Section 2-1. Should remain as written:**

*Sec. 2-1. - Composition; eligibility; election and term.*

*a. Composition. There shall be a city council composed of 11 members which shall exercise the legislative powers of the city. Three members, to be known as councilors-at-large, shall be nominated and elected by and from the voters at large. Eight members, to be known as district councilors, shall be nominated and elected by and from the voters of each district, one such district councilor to be elected from each of the eight council districts into which the city is divided in accordance with section 7-4.*

**RECOMMENDATION ACCEPTED/DENIED: TIE VOTE. AUTOMATICALLY LEAVES THE SECTION AS WRITTEN.**

**FAVOR: 6**

**OPPOSE:6**

**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Leo Robinson**  
**Re: Section 2-1**  
**Date Received: July 8, 2020**

**Decrease the number of city council members from eleven to nine members and replace the word “district” for “ward” in the rest of section 2.**

*Section 2-1 (a) Composition. There shall be a city council composed of 9 ~~11~~ members which shall exercise the legislative powers of the city. Four ~~Three~~ members, to be known as councillors-at-large, shall be nominated and elected by and from the voters at large. Five ~~Eight~~ members, to be known as ward ~~district~~ councillors, shall be nominated and elected by and from the voters of each ward ~~district~~, one such ward ~~district~~-councillor to be elected from each of the five ~~eight~~ council wards ~~districts~~ into which the city is divided in accordance to section 7-4.*

**RECOMMENDATION ACCEPTED/DENIED: TIE VOTE.** WITH THE TIE VOTE NOTHING WAS APPROVED SO THE COMPOSITION REMAINS AS WRITTEN. THE CITY SOLICITOR CONFIRMED THAT DUE TO OUR RULE OF THE MAJORITY OF THOSE PRESENT PASSES A RECOMMENDATION AND ON THIS VOTE A MAJORITY OF THOSE PRESENT DID NOT VOTE IN FAVOR OF THE MEASURE TO CHANGE THE COMPOSITION.

**FAVOR: 6**

**OPPOSE: 6**

**ABSENT: 1**

**To: Judith Garcia**  
**From: Todd Taylor**  
**Re: Section 2-1 (a)**  
**Date Received: July 8, 2020**

**Reduce the total number of city council members from eleven to seven. Replace eight district council members with four members.**

*Section 2-1 (a) Composition. There shall be a city council composed of 7 ~~11~~ members which shall exercise the legislative powers of the city. Three members, to be known as councillors-at-large, shall be nominated and elected by and from the voters at large. Four ~~Eight~~ members, to be known as district councillors, shall be nominated and elected by and from the voters of each district, one such district councillor to be elected from each of the four ~~eight~~ council districts into which the city is divided in accordance to section 7-4.*

**RECOMMENDATION ACCEPTED/DENIED: WITHDRAWN** BY AUTHOR OF RECOMMENDATION IN FAVOR OF LEO ROBINSON’S PROPOSAL.

**To: Judith Garcia, Chair**  
**From: Miriam Rancantore**  
**Re: Section 2-1 (c)**  
**Date Received: July 8, 2020**

**Change city council term limit from two years to four years.**

*Sec 2-1 (c) Election and term. The term of office of city council members shall be for four ~~two~~ years beginning on the first city business day of January in the year following election and continuing until their successors are qualified.*

**RECOMMENDATION ACCEPTED/DENIED: DENIED.**

**FAVOR: 1**

**OPPOSE: 11**

**ABSENT: 1**

**To: Judith Garcia**  
**From: Sarah Neville**  
**Home Address: 40 Eleanor Street, Chelsea, MA**  
**Re: Section 2.1**  
**Date Received: August 19, 2020**

**Add ranked choice voting to Sec. 2-1. - Composition; eligibility; election and term.**

*Notwithstanding any general or special law to the contrary, elections for the office of district city councilor shall be conducted using ranked choice voting.*

**RECOMMENDATION ACCEPTED/DENIED: DENIED.**

**FAVOR: 3**

**OPPOSE: 9**

**ABSENT: 1**



**To: Judith Garcia, Chair**  
**From: Mary Bourque**  
**Re: Section 2.1(a), 2.1 (b), 2.2, 2.9, 2.10**  
**Date Received: June 24, 2020**

**Change spelling of “councillors” to *councilors* and “councillor” to councilor, respectively in sections 2.1(a), 2.1 (b), 2.2, 2.9, and 2.10.**

Proposed amendment by Jason Stocker to apply the recommendation to ALL sections of the charter. All members present agreed with the amendment.

**RECOMMENDATION ACCEPTED/DENIED: ACCEPTED.**

**FAVOR: 12**

**OPPOSE:0**

**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Leo Robinson**  
**Re: Section 2.2**  
**Date Received: July 8, 2020**

**Section 2-2 city council organization replace the word city with council before clerk.**

*After the councillors-elect have taken the oath of office, the city council shall be called together by the council ~~city~~ clerk for the purpose of conduct in an election among city council members for the office of city council president and vice-president to serve at the pleasure of the city council.*

**RECOMMENDATION ACCEPTED/DENIED: ACCEPTED.**

**FAVOR: 12**

**OPPOSE:0**

**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Section 2.10**  
**Date Received: July 8, 2020**

**First sentence of section 2-10, add language that limits compensation to available appropriations like we do for compensation to city manager in section 4.4.**

*Compensation – The City Council shall by ordinance, establish an annual salary for its members, but such compensation shall be within the limits of available appropriations.*

**RECOMMENDATION ACCEPTED/DENIED: DENIED.**

**FAVOR: 2**

**OPPOSE: 10**

**ABSENT: 1**

### **SECTION 3 – SCHOOL COMMITTEE**

**To: Judith Garcia, Chair**  
**From: Mary Bourque**  
**Re: Section 3.1**  
**Date Received: July 8, 2020**

**Section 3-1. Should remain as written:**

Sec. 3-1. - Composition; eligibility: election and term; powers and duties.

(a) *Composition.* There shall be a school committee composed of nine members. One member, to be known as the at-large school committee member, shall be nominated and elected by and from the voters at large. Eight members, to be known as district school committee members, shall be nominated and elected by and from the voters of each district, one such member to be elected from each of the eight districts into which the city is divided in accordance with section 7-4.

**RECOMMENDATION ACCEPTED/DENIED: ACCEPTED.** AFTER WITHDRAWN MOTION BY JASON STOCKER REQUESTING CHANGE IN COMPOSITION. DID NOT REQUIRE A VOTE.

**FAVOR: N/A**

**OPPOSE: N/A**

**ABSENT: N/A**

**To: Judith Garcia, Chair**

**From: Jason Stocker**

**Re: Section 3.1**

**Date Received: July 8, 2020**

**3.1: If we reduce the council members, I assume we need to consider reducing school committee to match city council.**

**RECOMMENDATION ACCEPTED/DENIED: WITHDRAWN BY REQUEST OF AUTHOR.**

**To: Judith Garcia, Chair**

**From: Jason Stocker**

**Re: Section 3.1**

**Date Received: July 8, 2020**

**Section 3.1: Cross reference to 2.2 where we state that that city councilor sits on the school committee as a non-voting member.**

*The school committee shall elect from among its members one school committee member to sit as a nonvoting member of the city council; this member shall serve at the pleasure of the school committee.*

**RECOMMENDATION ACCEPTED/DENIED: ACCEPTED.**

**FAVOR: 12**

**OPPOSE: 0**

**ABSENT: 1**

**To: Judith Garcia**  
**From: Miriam Rancatore**  
**Re: Section 3.1 (a) Composition**  
**Date Received: July 8, 2020**

**On section 3.1 (a) composition, add “The school committee shall also have teacher as a nonvoting member” after the last sentence.**

*Sec. 3-1. - Composition; eligibility; election and term; powers and duties. (a) Composition. There shall be a school committee composed of nine members. One member, to be known as the at-large school committee member, shall be nominated and elected by and from the voters at large. Eight members, to be known as district school committee members, shall be nominated and elected by and from the voters of each district, one such member to be elected from each of the eight districts into which the city is divided in accordance with section 7-4. The school committee shall also have teacher as a nonvoting member.*

**RECOMMENDATION ACCEPTED/DENIED: WITHDRAWN BY AUTHOR.**

**To: Judith Garcia**  
**From: Sarah Neville**  
**Home Address: 40 Eleanor Street, Chelsea, MA**  
**Re: Section 3.1**  
**Date Received: August 19, 2020**

**Add ranked choice voting to Sec. 3-1. - Composition; eligibility; election and term, powers and duties.**  
*Notwithstanding any general or special law to the contrary, elections for the office of school committee shall be conducted using ranked choice voting.*

**RECOMMENDATION ACCEPTED/DENIED: DENIED.**

**FAVOR: 3**

**OPPOSE: 9**

**ABSENT: 1**

**To: Judith Garcia**  
**From: Miriam Rancatore**  
**Re: Section 3.4**  
**Date Received: July 8, 2020**

**Last paragraph of section 3.4, change “elected” to “approved by the city council during budget hearing.”**

*No vote increasing such salary shall be effective however, unless it shall have been adopted by a two-thirds vote of the full school committee during the first 18 months of the term for which school committee members are elected, and the revised salary schedule INSERT “AS APPROVED” is to be effective upon the commencement of the terms of office of the next school committee to be approved by the city council during budget hearing ~~elected~~.*

**AMENDMENT PROPOSED BY JASON AND SHARLENE TO KEEP THE WORD “ELECTED” AND INSERT THE WORD “AS APPROVED” AFTER THE WORD “SCHEDULE”. TO READ AS FOLLOWS:** *No vote increasing such salary shall be effective however, unless it shall have been adopted by a two-thirds vote of the full school committee during the first 18 months of the term for which school committee members are elected, and the revised salary schedule INSERT “AS APPROVED” is to be effective upon the commencement of the terms of office of the next school committee to be elected.*

**RECOMMENDATION ACCEPTED/DENIED: ACCEPTED.**

**FAVOR: 12**

**OPPOSE: 0**

**ABSENT: 1**

**To: Judith Garcia, Chair**

**From: Sharlene McLean**

**Re: Section 3-4**

**Date Received: July 8, 2020**

**Section 3-4 add in language that the school committee's annual salary requires a vote of approval by the City Council.**

*The school committee shall by vote establish an annual salary for its members requiring a vote of approval by the city council.*

**RECOMMENDATION ACCEPTED OR DENIED: WITHDRAWN BY AUTHOR.**

**To: Judith Garcia, Chair**

**From: Jason Stocker**

**Re: Section 3.4**

**Date Received: July 8, 2020**

**3.4: Compensation to school committee. We should consider adding language that limits compensation to available appropriations like we do for compensation to city manager in section 4.4.**

*The school committee shall by vote establish an annual salary for its members, but such compensation shall be within the limits of available appropriations.*

**RECOMMENDATION ACCEPTED OR DENIED: WITHDRAWN BY AUTHOR.**

**SECTION 4 – CITY MANAGER**

**To: Judith Garcia, Chair**  
**From: Miriam Rancatore**  
**Re: Section 4.1**  
**Date Received: July 22, 2020**

**In section 4.1 under qualifications, last paragraph, replace residence requirement with bilingual requirement.**

*The city manager need not be a resident of the city or of the commonwealth at the time of appointment, but shall meet bilingual requirements. ~~establish residence within the city within 12 months following appointment, unless the city council shall waive such requirement.~~*

PROPOSED AMENDMENT BY ORIGINAL AUTHOR. REMOVE THE BILINGUAL REQUIREMENT AND TO READ AS FOLLOWS: *The city manager need not be a resident of the city or of the commonwealth at the time of appointment.*

**RECOMMENDATION ACCEPTED OR DENIED: ACCEPTED.**

**FAVOR: 6**  
**OPPOSE: 5**  
**ABSENT: 2**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Section 4.3 (f)**  
**Date Received: July 22, 2020**

**4.3(f). The sentence should have OR REQUESTED added to the end of it.**

*(f) To ensure that complete and full records of the financial and administrative activity of the city are maintained and to render reports to the city council as may be required or requested.*

**RECOMMENDATION ACCEPTED OR DENIED: ACCEPTED.**

**FAVOR: 9**  
**OPPOSE: 3**  
**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Section 4.3 (o)**  
**Date Received: July 22, 2020**

**4.3(o). Suggest changing ANY to ALL.**

*(o) To inquire into the affairs of ALL ~~any~~ city department, agency or office;*

**RECOMMENDATION ACCEPTED OR DENIED: ACCEPTED.**

**FAVOR: 12**  
**OPPOSE: 0**  
**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Comment on Section 4.8**  
**Date Received: Wednesday, July 22, 2020**

**4.8. Add to 2nd paragraph that date of city manager review must be made on the internet and not just the newspaper.**

*Sec. 4-8. - Annual review of the city manager.*

*Annually the city council shall prepare and deliver to the city manager a written evaluation of the city manager's performance. The President of the Chelsea City Council shall annually appoint a committee to perform the city manager's evaluation.*

*The city council shall publish on the internet and at least one newspaper of general circulation in the city a notice stating the date and time of the city council meeting when the city manager's annual review shall be scheduled. Such notice shall appear at least 14 days before said meeting.*

**RECOMMENDATION ACCEPTED OR DENIED: ACCEPTED.**

**FAVOR: 12**  
**OPPOSE: 0**  
**ABSENT: 1**



**To: Judith Garcia, Chair**

**From: Miriam Rancantore**

**Re: Section 4.8**

**Date Received: July 22, 2020**

**Besides the newspaper, add other outlets. It should state online to include social media, calendar, and general email.**

*Sec. 4-8. - Annual review of the city manager. Annually the city council shall prepare and deliver to the city manager a written evaluation of the city manager's performance. The President of the Chelsea City Council shall annually appoint a committee to perform the city manager's evaluation. The city council shall publish online to include social media, calendar, general email and in at least one newspaper of general circulation in the city a notice stating the date and time of the city council meeting when the city manager's annual review shall be scheduled. Such notice shall appear at least 14 days before said meeting.*

**RECOMMENDATION ACCEPTED OR DENIED: WITHDRAWN BY AUTHOR.**

## SECTION 5: FINANCIAL PROCEDURES

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Comment on Section 5.3 (a)**  
**Date Received: August 5, 2020**

**Sections 5.3(a): Add reference to publish information via internet.**

*Sec. 5-3. - Action on the operating budget.*

*(a) Public hearing. The city council shall publish on the internet and in at least one newspaper of general circulation in the city a summary of the proposed operating budget as submitted by the city manager by a notice stating:*

*(1) The times and places where copies of the entire proposed operating budget are available for inspection by the public; and*

*(2) The date, time and place not less than 14 days after such publication when a public hearing on said proposed operating budget will be held by the city council. For the purpose of this section the summary of the proposed operating budget that is required to be published shall contain proposed appropriations, funding sources and any narrative summary deemed necessary by the city council.*

**RECOMMENDATION ACCEPTED OR DENIED: ACCEPTED.**

**FAVOR: 12**  
**OPPOSE: 0**  
**ABSENT: 1**

**To: Judith Garcia, Chair**

**From: Miriam Rancatore**

**Re: Section 5.3 (2)**

**Date Received: August 5, 2020**

**On section 5.3 item 2, change the dates to July 1 to June 30, same as the state budget.**

*Sec. 5-3. - Action on the operating budget.*

*(a) Public hearing. The city council shall publish in at least one newspaper of general circulation in the city a summary of the proposed operating budget as submitted by the city manager by a notice stating: (1) The times and places where copies of the entire proposed operating budget are available for inspection by the public; and*

*(2) The date, time and place not less than 14 days after such publication when a public hearing on said proposed operating budget will be held by the city council. For the purpose of this section the summary of the proposed operating budget that is required to be published shall contain proposed appropriations, funding sources and any narrative summary deemed necessary by the city council.*

**RECOMMENDATION ACCEPTED OR DENIED: WITHDRAWN BY AUTHOR.**

**To: Judith Garcia, Chair**

**From: Jason Stocker**

**Re: Section 5.4(c)**

**Date Received: August 5, 2020**

**Section 5.4(c): Add reference to publish information via internet.**

*Sec. 5-4 Capital Improvement program (c) Public hearing. The city council shall publish on the internet and at least one newspaper of general circulation in the city a summary of the capital improvements program and a notice stating: (1) The times and places where entire copies of the capital improvements program are available for inspection by the public; and (2) The date, time and place not less than 14 days after such publication, when a public hearing on said plan will be held by the city council.*

**RECOMMENDATION ACCEPTED OR DENIED: ACCEPTED.**

**FAVOR: 12**

**OPPOSE: 0**

**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Section 5.4 d**  
**Date Received: August 5, 2020**

**Section 5.4(d): It might be easier to state “At any time after the public hearing but at least 30 days before the end of fiscal year end...”**

*Sec. 5-4 Capital Improvement Plan (d) Adoption. At any time after the public hearing but at least 30 days before the end of fiscal year end ~~before the first day of the last month of the current fiscal year~~, the city council shall by resolution adopt the capital improvements program with or without amendment, provided that each amendment must be voted separately and that any increase in the capital improvements program as submitted must clearly identify the method of financing proposed to accomplish such increase.*

**RECOMMENDATION ACCEPTED OR DENIED: DENIED.**

**FAVOR: 4**  
**OPPOSE: 8**  
**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Section 5.5**  
**Date Received: August 5, 2020**

**Section 5.5: In the second sentence, add HAVE following will. Sentence will read:  
The forecast shall include...factors which will [have] impact on...**

*Sec. 5-5. - Long-term financial forecast. The city manager shall annually prepare a long-term financial forecast of city revenue, expenditures and the general financial condition of the city. The forecast shall include, but not be limited to, an identification of factors which will have impact on the financial condition of the city, revenue and expenditure trends, potential sources of new or expanded revenues and any long or short term actions that may be taken to enhance the financial condition of the city. The forecast shall be submitted to the city council and shall be available to the public for inspection.*

**RECOMMENDATION ACCEPTED OR DENIED: WITHDRAWN BY AUTHOR.**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Section 5.6**  
**Date Received: August 5, 2020**

**Section 5.6: Add reference to publish information via internet.**

*Sec. 5-6. - Annual audit.*

*The city council shall provide for an annual audit of the books and accounts of the city to be made by a certified public accountant, or firm of certified public accountants, who have no personal interest, direct or indirect, in the fiscal affairs of the city government or any of its agencies. The city council shall publish on the internet and in at least one newspaper of general circulation in the City a notice stating the availability of the final audit report for public inspection.*

**RECOMMENDATION ACCEPTED OR DENIED: ACCEPTED.**

**FAVOR: 11**  
**OPPOSE: 0**  
**ABSENT: 2**

**SECTION 6: ADMINISTRATIVE ORGANIZATION**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Section 6.2**  
**Date Received: August 19, 2020**

**Section 6-2: the director listed is of INSPECTIONAL services not of inspection services.**

*(a) Establishment; composition of commission. Until such time as provided by paragraph (a) of section 6-1, there shall be a licensing commission which shall consist of four residents of the city and the director of inspectional ~~inspection~~ services. One resident member shall serve as chair. The four resident members shall be appointed in accordance with section 4-2.*

**RECOMMENDATION ACCEPTED OR DENIED: ACCEPTED.**

**FAVOR: 12**  
**OPPOSE: 0**  
**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Section 6-3**  
**Date Received: August 19, 2020**

**6-3(a): There is no director of community development. Change to the Director of Planning and Development or the Housing and Community Development Director.**

*(a) Establishment and composition of commission. Until such time as provided otherwise pursuant to paragraph (a) of section 6-1, there shall be a traffic and parking commission which shall consist of the police chief, who shall serve as chairperson, the fire chief, the director of public works, the ~~director of community development~~, or their designees, and 3 resident members appointed in accordance with section 4-2. The officer or employee appointed as parking clerk shall serve as clerk to the traffic and parking commission.*

**PROPOSED AMENDMENT TO CHANGE TO DIRECTOR OF HOUSING AND COMMUNITY DEVELOPMENT DIRECTOR WHICH IS THE CORRECT TITLE BASED ON RECENT CHANGES.**

**RECOMMENDATION ACCEPTED OR DENIED: ACCEPTED.**

**FAVOR: 12**

**OPPOSE: 0**

**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Comment on Section 6.3 (b)**  
**Date Received: Wednesday, August 19, 2020**

**6-3(b): The last sentence should state that the regulations need to also be posted via the internet.**

*All rules and regulations adopted after a public hearing shall be published on the internet and in a newspaper of general circulation in the city.*

**RECOMMENDATION ACCEPTED OR DENIED: ACCEPTED.**

**FAVOR: 12**

**OPPOSE: 0**

**ABSENT: 1**

**To: Judith Garcia, Chair**  
**From: Jason Stocker**  
**Re: Comment on Section 6**  
**Date Received: Wednesday, August 19, 2020**

**I would propose that this charter add in some existing commissions/boards that were created via administrative order that have an impact on decisions made within the city. In reviewing the list of about 16 on the city's website, I propose we add the following to the charter: Zoning Board of Appeals, Planning Board, Community Preservation Committee, and Economic Development Board.**

**RECOMMENDATION ACCEPTED OR DENIED: WITHDRAWN BY AUTHOR.**

**To: Judith Garcia, Chair**  
**From: Susan Backstrom**  
**Re: Section 6**  
**Date Received: August 19, 2020**

**Request to add the Chelsea Disability Commission to the Charter.**

**RECOMMENDATION ACCEPTED OR DENIED: DENIED.**

**FAVOR: 2**

**OPPOSE: 4**

**VOTED PRESENT: 2**

**ABSENT: 5**

**To: Judith Garcia, Chair**

**From: Roy Avellaneda**

**Re: Section 6.4**

**Date Received: August 19, 2020**

**Make Section 6.4 “personnel administration” the Zoning Board of Appeals section and create Section 6.5 as “personnel administration.” The new section 6.4 Zoning Board of Appeal should read as follows:**

Sec. 6-4. - Zoning Board of Appeal

(a) There shall be a zoning board of appeals consisting of five members, all of whom shall be residents of the City of Chelsea. The board shall annually choose a chair from among its members. The city manager may appoint an associate member to serve when a regular member is absent. The director of planning and development, or his/her designee, shall serve as administrative assistant to the board to provide advice and guidance to the board on all matters that require a board vote.

(b) The zoning board of appeals hears and decides individual cases brought by persons seeking relief from the requirements of the zoning ordinance, all as provided for by state legislation, and by the city zoning ordinance. Specifically, the board hears and decides cases which involve variances from the zoning ordinance. It also hears and decides applications for special permits and special permits for planned developments.

The zoning board of appeals is a regulatory multiple-member body of the city.

All Special Permits issued by the Zoning Board of Appeals shall become effective on the thirtieth day after the day on which notice of the special permit was filed with the city council, unless the city council votes within that period by super majority of the full city council to reject the issuance of the special permit or unless the city council sooner votes to affirm it. If the notice of the approved special permit is filed after the city council has recessed for longer than 30 days, then the special permit, if not acted upon, shall become effective the day after the next scheduled city council meeting.

Interrelationships: (a) City council. The zoning board of appeals interacts with the city council committee which addresses matters concerning planning and development policy in order to regularly apprise said committee on current activities and concerns of the zoning board of appeals.

(b) City manager. The zoning board of appeals interacts with the city manager and the administrative organization primarily through the planning and development department, which provides administrative, technical and clerical staff support for the purpose to the board and coordinates interaction with the municipal inspections, public works, police and fire departments and the licensing and consumer affairs division.



(c) Other boards. The zoning board of appeals interacts with the planning board, the conservation commission, the board of health, the economic development board, the traffic and parking commission and the licensing commission in order to accomplish the board's responsibilities.

**1/6/2021: NEW MOTION PROPOSED BY LEO ROBINSON TO MOVE THIS RECOMMENDATION TO THE NEXT MEETING SO THE CITY SOLICITOR COULD DO MORE RESEARCH ON LEGALITY OF RECOMMENDATION.**

**1/13/2021:** CITY SOLICITOR EXPLAINED SOME CITIES AND TOWNS ARE THE GRANTING AUTHORITY IN FACT THEY ARE THE ZBA. That is different from what is being presented here. What is presented here is to have the city council reviewing a special permit granting authority's decision which is a violation of state law. Not only is it a violation of state law to have someone then review it but the timelines in this overextend the state law timelines to appeal any decision of the special permit granting authority. The city solicitor determined that as written in this particular document is in violation of state law, illegal, and can't be adopted.

**RECOMMENDATION ACCEPTED OR DENIED: WITHDRAWN BY AUTHOR.**

**SECTION 7 – NOMINATIONS & ELECTIONS**

**To: Judith Garcia**

**From: Roy Avellaneda**

**Re: Section 7-1**

**Date Received: June 22, 2020**

**That all local municipal elections including special elections be held on Saturdays. The Primary Election shall be held on a non-Labor Day weekend in September. The General Election shall be on the first Saturday of November.**

Sec. 7-1. City elections, preliminary and general. The regular city election shall be held on the first Saturday ~~Tuesday~~ following the first ~~Monday~~ in November of each odd-numbered year.

Notes: Commission determined decision may have negative impact on certain religious groups, concern of overtime costs, and lastly commission anticipates vote-by-mail remaining an option.

**RECOMMENDATION ACCEPTED OR DENIED: DENIED.**

**FAVOR: 0**

**OPPOSE: 11**

**ABSENT: 2**

**To: Judith Garcia, Chair**

**From: Manuel Teshe**

**Home Address: 3 Nichols Street, Chelsea, MA**

**Re: Section 7.5**

**Date Received: July 22, 2020**

Recommendation that the city allow non-citizens to vote in municipal elections by changing the language in section 7.5.

**RECOMMENDATION ACCEPTED OR DENIED: DENIED.**

**FAVOR: 2**

**OPPOSE: 8**

**ABSENT: 3**

## SECTION 9: GENERAL PROVISIONS

**To: Judith Garcia, Chair**

**From: Sarah Neville**

**Home Address: 40 Eleanor Street, Chelsea, MA**

**Re: Section 9.3 Definitions**

**Date Received: August 19, 2020**

**Add ranked choice voting to the definitions section 9.3 to read as follows:**

**Ranked Choice Voting** - the words “ranked choice voting” shall mean an election system in which voters rank the candidates for an office in order of preference; provided, however, that ranked choice voting shall only apply to a ballot on which there are not less than 2 candidates. Each voter shall cast a single vote by ranking candidates in order of preference, indicating the voter’s first choice, second choice, third choice and continuing until the voter has assigned a single numerical ranking to each candidate on the ballot or until the voter chooses to stop ranking. If 1 candidate receives at least 50 per cent of the first choice votes cast for the office in the election, that candidate shall be declared the winner. If no candidate receives at least 50 per cent of the first-choice votes cast in the first round, an instant runoff shall automatically occur. In an instant runoff, the candidate receiving the least number of votes in the prior round shall be deemed the withdrawn candidate and shall be withdrawn from the election. The highest ranked non-withdrawn candidate of each voter shall be the voter’s first choice vote and such first-choice vote shall be used in calculating the total number of votes for each remaining non-withdrawn candidate. The instant runoff process shall be repeated until a candidate shall have received at least 50 per cent of the total first choice votes cast for the office in the election, and, at such time, the winner shall be declared. A ranked choice voting ballot shall not interfere with a voter’s ability to rank at least 1 write-in candidate.

**RECOMMENDATION ACCEPTED OR DENIED: DENIED.**

**FAVOR: 0**

**OPPOSE: 11**

**ABSENT: 2**