



AGENDA PACKET

RECEIVED
CITY CLERKS OFFICE
EVERETT, MA
1 2025 JAN 28 P 12:18


**CHARTER REVIEW COMMITTEE MEETING
THURSDAY, JANUARY 30, 2025 6:30 PM**

**EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR
EVERETT, MA 02149**

**Posted in accordance with the
provisions of Mass. General Laws
Chapter 30A- Sections 18-25**

on 1/28/2025 at 12:18 P

Attest:


Assistant City Clerk



AGENDA

CHARTER REVIEW COMMITTEE MEETING THURSDAY, JANUARY 30, 2025 6:30 PM

EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR
EVERETT, MA 02149

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Minutes of the Charter Review Committee Meeting of July 18, 2024

Minutes of the Charter Review Committee (Public Hearing) of September 5, 2024

UNFINISHED BUSINESS

1. Continue Review of Charter – Review Articles 6, 7 & 8

NEW BUSINESS

2. Set date, time and agenda for the committee's next meeting

ADJOURNMENT

(All agendas and reports can be obtained on City of Everett Website)

Respectfully submitted:

David R. Flood

Charter Review Committee Recording Secretary
Everett City Council Office



MEETING MINUTES

CHARTER REVIEW COMMITTEE MEETING THURSDAY, JULY 18, 2024 6:00 PM

EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR
EVERETT, MA 02149

CALL TO ORDER

Chairman Van Campen called the meeting to order at 6:00 PM

ROLL CALL

Members Present

Guerline Alcy Jabouin, Fred Capone, Darren M. Costa, Rosa DiFlorio, James Mastrocola, Kathleen Parker, David Pretti, David Senatillaka, Robert J. Van Campen

As instructed by Chairman Van Campen, Mr. Flood called the roll. All members were present. A quorum was established.

PLEDGE OF ALLEGIANCE

Chairman Van Campen led the committee and the members of the audience in the Pledge of Allegiance.

NEW BUSINESS

1. Lauren Goldberg of KP Law and City Clerk Sergio Cornelio to explain the charter review and change process

Attorney Lauren Goldberg of KP Law and Sergio Cornelio, City Clerk were invited to appear before the Committee.

Attorney Goldberg first spoke about how home rule charters adopted under MGL Chapter 43B, Section 10 may be amended.

If the charter review committee determines that there are changes to the current city charter that they want to recommend, an order containing those changes will be created and placed before the city council.

The city council will consider this order as they would any other order, accept as written or amend as they see fit. Approval of this order will require a two-thirds vote of the city council members present and voting and the concurrence of the mayor.

Attorney Goldberg warned the committee member that these are certain changes to a home rule charter that only a duly elected charter committee is authorized to propose. These include any change relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body or the mayor.

If a charter amendment is approved by the city council and the mayor, there are two different ways to move the amendment forward. One method is to submit the amendments to the State Legislature as a home rule petition; the other option is to place the amendments on the ballot as one or more ballot questions.

Each option has its own pluses and minuses. A good practice may be to submit more mundane changes that are not of general interest to voters in a home rule petition and changes that are of interest to voters as individual questions so that they can be voted on separately.

Whenever proposing a charter amendment to the voters is approved by the city council and the mayor, the approved order shall be immediately submitted to the state attorney general's office and the order cannot take effect until four weeks after the date of such submission.

Within four weeks, the attorney general office shall furnish the city council with a written opinion if there are any conflicts with the proposed amendment and the state constitution and the laws of the commonwealth. As long as there are not any conflicts reported, the order will become effective at the end of the four weeks.

Since the city controls the ballot for city elections, adding questions to the ballot in a city election year is not an issue. In a state election year, as the state provides the city with ballots, the state has to approve of adding local questions to that year's ballot.

The committee made no decision on whether or not ballot questions would be used for any of the changes that the committee might recommend for the charter. It was determined that it would make more sense to wait until the changes to be proposed have been identified.

2. Lauren Goldberg of KP Law and City Clerk Sergio Cornelio to present previously identified charter issues and recommended solutions

Attorney Goldberg and City Clerk Cornelio presented a series of proposed changes to the charter that they had previously discussed.

A redline compare of all changes they proposed was provided to the committee. They did not review all of the changes they proposed as the committee would be doing that in subsequent meetings; however, they did review the following highlights.

:
They made a recommendation to adopt a new format for the charter which makes it more readable.

.
The format for numbers in the charter was changed from "text number (numeric value)" to "numeric value". The Massachusetts State Legislature recommends this change as they want to avoid situations where the text number and the numeric value do not match.

All references to gender in the charter were changed to be gender neutral.

Changes were made to the Mayor's Term of Office language to bring it in line with previous changes made to the Term of Office language in the City Council and School Committee

sections of the charter. These changes allow the City Clerk flexibility to set the date of the taking of the oath of office for elected positions rather than the date being fixed. This change also included eliminating Term of Office language from the Oath of Office section of the charter (Section 9-11).

Item Number (Item number)

It was recommended that the felony conviction language that was included in the City Council, Mayor and School Committee articles of the charter be removed from the individual articles and be consolidated into a single section of the charter under the General Provisions article (Article 9). Consolidating this language makes it easier to modify it as it would only need to be changed in one place rather than three.

A recommendation was made to change a felony conviction from a permanent prohibition to serving in an elected or appointed city office to only being restricted for a number of years, depending on the type of felony. The committee made no recommendation on this matter and will address it further during its detailed review of the proposed changes.

3. Charter Committee to discuss and decide upon a date to hold an initial public hearing

The Charter Committee decided to hold its initial public hearing on September 5, 2024 at 6:30 PM.

A notice alerting the public of the public hearing will be held will be published in one local newspaper at least two weeks prior to the date of the public hearing.

4. Chairman Van Campen to explain the process that he would prefer members to use when submitting items for the meeting agendas

Chairman Van Campen informed the members that for other than simple changes that could be easily understood by the members in conversation, any changes to the charter that members wished to propose be submitted in writing to the recording secretary for inclusion on the agenda.

If the proposed changes are submitted with enacting language, the change could be evaluated and voted upon at that meeting. If enacting language needs to be drafted to implement the change, a member of the committee will be assigned to draft such language for evaluation at a subsequent meeting.

ADJOURNMENT

The meeting was adjourned at 7:15 PM.

www.cityofeverett.com

(All agendas and reports can be obtained on City of Everett Website)

Respectfully submitted:

David R. Flood

Charter Review Committee Recording Secretary
Everett City Council Office



MEETING MINUTES

CHARTER REVIEW COMMITTEE MEETING THURSDAY, SEPTEMBER 05, 2024 6:30 PM

EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR
EVERETT, MA 02149

CALL TO ORDER

Chairman Van Campen called the meeting to order at 6:00 PM.

ROLL CALL

Members Present

Guerline Alcy Jabouin, Fred Capone, Darren M. Costa, Rosa DiFlorio, Kathleen Parker, David Pretti, David Senatillaka, Robert J. Van Campen

PLEDGE OF ALLEGIANCE

Chairman Van Campen led the committee and the members of the audience in the Pledge of Allegiance.

PUBLIC HEARINGS

A public hearing seeking input from members of the Everett community regarding proposed amendments to the city's Charter

Chairman Van Campen reviewed the rules for the public hearing which were published in the legal notice for the public hearing.

The legal notice for this public hearing ran in the Everett Independent on August 14, 2024 and August 21, 2024.

The rules for the public hearing allow each member of the public wishing to address the committee to speak for up to 3 minutes on any charter item, issue or amendment that they would like the committee to consider during their review process.

Chairman Van Campen reminded the members that this was a traditional public hearing and not a dialog between the committee members and the public speakers. The public's input will be reviewed by the committee members at future sessions of the committee.

The first speaker was Paula Sterite. Ms. Sterite spoke on the following topics.

- 1) All future charter changes should have a public hearing with public comment up to 5 minutes and changes placed on the ballot for city-wide voter approval.
- 2) The recall process for the mayor, city council members and school committee members should be based on the percentage of actual voters rather than the number of registered voters and the number of days to collect signatures for a recall petition be increased from 28 to 90 calendar days.
- 3) The mayor should be removed as voting member of the school committee for the following reasons:
 - a. The change was made without the required public hearing;
 - b. Voters should approve major changes to the charter; and
 - c. The change required an additional member to be added to the school committee as a body is required to have an odd number of members.
- 4) All city appointees should be approved by the city council prior to being hired assuming their role. Once an appointee's term is up, they should be required to resign at the end of the month.
- 5) No elected official can have a job with the city or the school department.
- 6) Elected officials must resign and be out-of-office for 12 months before they can apply for a city or a school department job or 6 months for an appointment.
- 7) No city or school employee should hold an elected office or appointment at the same time.
- 8) Eliminate all special exemption status for all elected bodies and appointed positions.
- 9) Restrict the hiring and appointment of family members of elected officials to one immediate family member.
- 10) Payments to school committee and city council members should be reduced for missing meetings or leaving them early.
- 11) Stipends should be eliminated for all appointed positions, to be replaced with 1099's to eliminate additional pension liability.
- 12) Multi-member bodies should hold meetings once a month. If meetings are not held or members do not attend, their salaries should be reduced.
- 13) City council and school committee meetings should be held at least once a month in the summer.
- 14) Public participation speaking time limits should be standardized to 3 minutes for both

the city council and the school committee. Time limits for speaking at budget hearings, Item Number {{item.number}} should be 5 minutes.

15) Public speaking should be allowed at each budget hearing instead of at the end of the hearing process.

16) The city council and the school committee should be required to answer questions raised during public participation at their next meeting.

17) Eliminate TDM (Transit Demand Management).

18) The zoning recodification should have a public hearing and should be voted on city-wide.

19) Modify the indemnity clause so that residents are not liable for lawsuits caused by elected officials or city workers. The parties responsible should assume all legal costs and settlement.

20) Any resident requiring legal counsel due to a city, school, police or city employee action against a resident, the city or said parties should be held responsible for the repayment of the resident's legal expenses.

21) Require annual proof for residential exemption eligibility.

22) Highlighting or promoting any not-for-profit should be done fairly and equitably, either alphabetically or by lottery, with no group being repeated before all groups are mentioned.

23) Public notices should be spread across all three newspapers.

24) Agendas should be required to be posted on the city calendar, not just with agendas and minutes.

25) Term limits for all elected officials.

26) The mayor to be returned to a two-year term.

The next speaker was Mary Fortin. Mrs. Fortin spoke on the following topics:

1) Mrs. Fortin agreed with Ms. Sterite that the mayor should be removed as a voting member of the school committee.

2) She also agreed that agendas should be required to be posted on the city calendar, not just with agendas and minutes.

3) She also recommended term limits for all elected officials and that the mayor's term be reduced to two years.

4) She also wanted all firefighters and police to live in the city for at least five years after being appointed.

5) Code of Conduct

a. City employees voting in the city and are not actual residents of the city should be terminated immediately.

b. City vendors and contractors voting in the city and are not actual residents of the city should be prohibited from doing business with the city for two years.

6) The mayor should be required to attend all meetings of the city council.

7) The mayor's salary should be reduced to in line with other communities with similar demographics (size, median income).

8) The mayor should be required to notify the city council if traveling out of state or the country. In such cases, the president of the city council should assume the office of mayor with all associated powers and authority of the office.

9) Department heads should be required to give a monthly status report. All earmarks received by department heads should be reported quarterly.

10) Police should be back on patrol.

11) Citizens should be told ahead of time when something is going to be done instead of after the fact. There should be some consideration given to letting the voters weigh in on the larger issues as it is their money that will fund them.

The next speaker was Francis Parker.

Mr. Parker stated that he was only going to speak on the charter issues as they related to the school committee.

Mr. Parker reminded the charter review committee he was long-time member of the school committee, with multiple times serving as chairman and vice-chairman of the body.

Mr. Parker also said that, at the time the mayor was added as voting member of the school committee, Parker was a member of the school committee and was against the change. However, he stated his main reason for being against the change was the city council did not allow the school committee an opportunity to have any input into the charter change process.

Mr. Parker shared his research that 32 of 34 Massachusetts communities with populations greater than 40,000 and elected school committees had the mayor as a voting member of their school committee.

Mr. Parker also shared that he did not believe that it was necessary to add an extra member to the school committee as there were at least 3 other communities in his research that had 10-member school committees. He also added that in the four years that the change has been made to the city charter, the number of members has not been

an issue.

Item Number {{item.number}}

As Mr. Parker was the last person to sign in to speak, Chairman Van Campen offered anyone else in the audience who wished to address the charter review commission an opportunity to do so.

J.P. Beckta wished to offer a clarification about the mayor being a member of the school committee. She wanted to state that people who say that the mayor was not a member of the school committee until the charter was changed 2021 were not correct. The mayor has been a member of the school committee since 2014; the charter change in 2021 only made the mayor a voting member of the school committee.

As there were no other members of the public who wished to speak, the public hearing was closed.

ADJOURNMENT

The meeting was adjourned at 6:45 PM.

(All agendas and reports can be obtained on City of Everett Website)

Respectfully submitted:

David R. Flood

Charter Review Committee Recording Secretary
Everett City Council Office

City of Everett Home Rule Charter

ARTICLE 6

FINANCE AND FISCAL PROCEDURES

SECTION 6-1: FISCAL YEAR

The fiscal year of the city shall begin on the first day of July and shall end on the last day of June, unless another period is required by general law.

SECTION 6-2: ANNUAL BUDGET POLICY

The mayor shall call a joint meeting of the city council and school committee, to include the superintendent of schools, before the commencement of the budget process to review the financial condition of the city, revenue and expenditure forecasts, and other relevant information prepared by the mayor in order to develop a coordinated budget.

SECTION 6-3: SUBMISSION OF OPERATING BUDGET; BUDGET MESSAGE

- (a) At least forty-five (45) days before the beginning of the fiscal year, the mayor shall submit to the city council a proposed operating budget for all city agencies, which shall include the school department, for the ensuing fiscal year with an accompanying budget message and supporting documents.
- (b) The budget message submitted by the mayor shall:
 - (1) Explain the operating budget in fiscal terms and in terms of work programs for all city agencies;
 - (2) ~~It shall~~ Outline the proposed fiscal policies of the city for the ensuing fiscal year;
 - (3) Describe important features of the proposed operating budget; and
 - (4) Include any major variations from the current operating budget, fiscal policies, revenues and expenditures together with reasons for these changes.
- (c) The proposed operating budget shall provide a complete fiscal plan of all city funds and activities and shall be in the form the mayor deems desirable.
- (d) The school budget, as adopted by the school committee shall be submitted to the mayor at least thirty-(30) days before the submission of the proposed operating budget to the city council.
- (e) The mayor shall notify the school committee of the date by which the proposed budget of the school committee shall be submitted to the mayor.
- (f) The mayor and the superintendent of schools shall coordinate the dates and times of the school committee's budget process under the General Laws.

SECTION 6-4: ACTION ON THE OPERATING BUDGET

(a) Public Hearing

The city council shall provide notice of the availability of the entire proposed operating budget no less than 14 days prior to the hearing thereon by posting on the official website the time, date and place of the hearing and the full text of the proposed operating budget and a summary thereof, and, at the discretion of the council, publishing notice in a local newspaper of the time, date and place of the hearing with information about how to receive a copy of the

City of Everett Home Rule Charter

~~full proposed operating budget publish in at least one (1) newspaper of general circulation in the city a notice of the proposed operating budget as submitted by the mayor. The notice shall state:~~

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

Formatted: Indent: Left: 0.5", No bullets or numbering

~~The date, time and place not less than fourteen (14) days after its publication, when a public hearing on the proposed operating budget will be held by the city council.~~

~~(2)~~

Formatted: No bullets or numbering

(b) Adoption of the Budget

- (1) The city council shall adopt the proposed operating budget, with or without amendments, within ~~forty-five (45)~~ days following the date the proposed budget is filed with the city clerk.
- (2) In amending the proposed operating budget, the city council may delete or decrease any amounts except expenditures required by law, but except on the recommendation of the mayor, the city council shall not increase any item in or the total of the proposed operating budget, unless otherwise authorized by the general laws.
- (3) If the city council fails to take action on any item in the proposed operating budget within ~~forty-five (45)~~ days after its receipt, that amount shall, without any action by the city council, become a part of the appropriations for the year, and be available for the purposes specified.

SECTION 6-5: CAPITAL IMPROVEMENT PROGRAM

(a) Submission

The mayor shall submit a capital improvement program to the city council no later than the date the proposed operating budget is submitted, which at least one hundred twenty (120) days before the start of each fiscal year. The capital improvement program shall include:

- (1) A clear and concise general summary of its contents;
- (2) A list of all capital improvements proposed to be undertaken during the next ensuing five (5) years, with supporting information as to the need for each capital improvement;
- (3) Cost estimates, methods of financing and recommended time schedules for each improvement; and,
- (4) The estimated annual cost of operating and maintaining each facility and piece of major equipment involved. This information is to be annually revised by the mayor with regard to the capital improvements still pending or in the process of being acquired, improved or constructed.

(b) Public Hearing

Formatted: No underline

The city council shall provide notice of the availability of the capital improvement budget no less than 14 days prior to the hearing thereon by posting on the official website the time, date and place of the hearing and the full text of the proposed capital improvement program and a summary thereof, and, at the discretion of the council, publishing notice in a local newspaper of the time, date and place of the hearing with information about how to receive a copy of the

City of Everett Home Rule Charter

full proposed capital improvement program. Such hearing may, but need not, be scheduled simultaneously with the council hearing on the proposed operating budget.

Formatted: Underline

~~(e)~~ Public hearing

~~The city council shall publish in at least one (1) newspaper of general circulation in the city 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 fourteen (14) days after such publication, when a public hearing on said plan will be held by the city council.~~

~~(f)(c)~~ Adoption

At any time after the public hearing, but before the first day of the last month of the current fiscal year, the city council shall, by order, adopt the capital improvements program, with or without amendment, provided that:

- (1) Each amendment must be voted separately; and
- (2) That any increase in the capital improvements program as submitted must clearly identify the method of financing proposed to accomplish such increase.

SECTION 6-6: INDEPENDENT AUDIT

- (a) The city council shall annually provide for an outside audit of the books and accounts of the city to be conducted by a certified public accountant, or a firm of certified public accountants, which has no personal interest, direct or indirect, in the fiscal affairs of the city or any of its officers.
- (b) The mayor shall annually provide to the city council a sum of money sufficient to satisfy the estimated cost of conducting the audit as presented to the mayor, in writing, by the city council.
- (c) The award of a contract to audit shall be made by the city council on or before September 15 of each year.
- (d) The chief financial officer shall notify the clerk of committees shall coordinate as to the anticipated scope and timeline for the work of the individual or firm selected, and, as may be reasonably requested by the council, shall provide periodic reports on the status of the work.
- (e) The report of the audit shall be filed in final form with the city council not later than March 1 in the year following its award.

SECTION 6-7: EXPENDITURES IN EXCESS OF APPROPRIATIONS

- (a) Except as otherwise may be provided by law, no official of the city of Everett shall knowingly and intentionally:
 - (1) Expend, in any fiscal year, any sums in excess of the appropriations, awards, grants or gifts, duly made in accordance with law, or
 - (2) Involve the city in any contract for the future payment of money in excess of these appropriations, awards, grants or gifts.
- (b) It is the intention of this section that section 31 of chapter 44 of the General Laws shall be

City of Everett Home Rule Charter

strictly enforced.

- (c) Any official who violates this section shall be personally liable to the city for any amounts so expended to the extent that the city does not recover these amounts from the person to whom the sums were paid.

City of Everett Home Rule Charter

ARTICLE 7 ELECTIONS

SECTION 7-1: PRELIMINARY ELECTION FOR MAYOR

A preliminary election for the purpose of nominating candidates for mayor ~~at the biennial city election~~ shall be held on the third Tuesday in September in each odd-numbered year in which a mayor is to be elected, but the city clerk may, with the approval of the city council, reschedule this election to the fourth Tuesday to avoid a conflict with any civil or religious holiday.

~~(a) Whenever a special election to fill a vacancy in the office of mayor is to be held, a preliminary election shall be conducted, if necessary, twenty-eight (28) days before the date established for the special election.~~

SECTION 7-2: PRELIMINARY ELECTION FOR CITY COUNCIL AND SCHOOL COMMITTEE

A preliminary election for the purpose of nominating candidates for city councilors and school committee members who are to be elected shall be held ~~on a Tuesday in September, on the third Tuesday in September~~ such date as the board of election commissioners shall determine, in each odd-numbered year in which a city councilor or school committee member is to be elected, but the city clerk may, with the approval of the city council, reschedule this election to the fourth Tuesday to avoid a conflict with any civil or religious holiday.

SECTION 7-3: PRELIMINARY ELECTION PROCEDURES

(a) Ballot Preparation and Signature Requirements
(C0005-1-20/Acts of 2021, Chapter 14)

(1) The board of election commissioners and city clerk shall prepare separate ~~nomination~~ papers for nomination to ~~mayor and~~ at-large and ward ~~city council and school committee~~ positions; and shall make the ~~same papers~~ available not earlier than April 2 in each preliminary election year.

(C0114-18/Acts of 2018, Chapter 316)

(2) Said papers shall be submitted to the city clerk on or before 4 p.m. on the forty-fifth day prior to the declared date of such preliminary election.

(3) An individual may appear on the ballot for only ~~one (1)~~ office at any preliminary, regular or special election.

(4) Nomination papers shall be ~~created by the Board of Election Commissioners for each of the following offices, to be available no earlier than April 2 in each preliminary election year, which papers shall include the signed by the following number of certified signatures of voters as specified for each office:~~

a. Mayor, no fewer than ~~five hundred (500)~~ signatures, with no fewer than ~~twenty-five (25)~~ signatures certified from each ward;

b. Councilor at large or school committee member at large, no fewer than ~~two hundred fifty (250)~~ signatures; and

City of Everett Home Rule Charter

- c. Ward councilor or ward school committee member, no fewer than ~~one hundred~~ (100) signatures from the ward in which election is sought.
- (5) The number of signatures for nomination may be changed from time to time by an affirmative vote of no fewer than ~~seven~~ (7) councilors; provided, however, that such vote shall take place no later than March 15 in any preliminary election year and, further, that a certified copy of such vote shall be posted in the city clerk's office and on the official city website.
- (6) Any candidate taking out papers shall be advised of the number of signatures required for nomination to the office sought.
- (b) Ballot Position
The order in which names of candidates for each office appear on the ballot shall be determined by a drawing, by lot, conducted by the city clerk at least ~~forty~~ (40) days before the preliminary election. Such drawing shall be open to the public.
- (c) Determination of Candidates
- (1) The ~~two~~ (2) persons receiving at a preliminary election the highest number of votes for nomination for an office shall, except as provided by subsection (d) of this section, be the sole candidates for that office whose names shall be printed on the official ballot to be used at the regular or special election at which such office is to be voted upon, and no acceptance of a nomination shall be necessary to its validity.
- (2) If ~~two~~ (2) or more persons are to be elected to the same office at such regular or special city election, the several persons equal in number to twice the number so to be elected receiving at such preliminary election the highest number of votes for nomination for that office shall, except as provided by subsection (d) of this section, be the sole candidates for that office whose names shall be printed on the official ballot.
- (3) If the preliminary election results in a tie vote among candidates for nomination receiving the lowest number of votes which, but for said tie vote, would entitle a person receiving the same to have their name printed on the official ballot for the election, all candidates participating in said tie vote shall have their names printed on the official ballots, although in consequence thereof there shall be printed on such ballots the names of candidates exceeding twice the number to be elected.
- (d) Condition Making Preliminary Unnecessary
- (1) If, at the expiration of the time for filing statements of candidates to be voted for at any preliminary election at which the office of mayor appears on the ballot, not more than twice as many such statements have been filed with the city clerk ~~for for an office as are to be elected~~ election to such office or offices:
- The candidates whose statements have thus been filed shall be deemed to have been nominated to said office; and
 - Their names shall be voted on for such office at the succeeding regular ~~or special election as the case may be~~; and
 - The city clerk shall not print said names upon the ballot to be used at said preliminary election and no other nomination to said office shall be made.

City of Everett Home Rule Charter

(2) If, in consequence, it shall appear that no names are to be printed upon the official ballot to be used at any preliminary election in any ward or wards of the city, no preliminary election shall be held in any such ward or wards.

(2)

(3) A preliminary election shall not be held prior to any election at which the full term of office of mayor does not appear on the ballot.

Formatted: Font: Verdana

Formatted: Default, No bullets or numbering

Commented [A13]: This would mean that a preliminary election would be held in connection with the biennial city election ONLY when the office of Mayor appears on the ballot

SECTION 7-4: REGULAR ELECTION

The regular city election shall be held on the first Tuesday following the first Monday in November in each odd-numbered year.

SECTION 7-5: BALLOT POSITION, REGULAR ELECTION

The order in which names of candidates for each office appear on the ballot for each office shall be determined by a drawing, by lot, conducted by the city clerk no later than 7 days after the certification of the preliminary election results, or, if no preliminary election is held, no later than 34 days prior to the election. Notice of the time and date of such the drawing shall be posted no later than 48 weekday hours prior in the office of the city clerk and on the official webpage, and such drawing shall be open to the public.

SECTION 7-6: NON-PARTISAN ELECTIONS

All elections for city offices shall be non-partisan, and election ballots shall be printed without any party mark, emblem, or other political designation.

SECTION 7-7: WARDS

- (a) The territory of the city shall be divided into ~~six~~ (6) wards by the city clerk so established as to consist of as nearly an equal number of inhabitants as it is possible to achieve based on compact and contiguous territory, bounded as far as possible by the center line of known streets or ways or by other well-defined limits.
- (b) Each such ward shall be composed of voting precincts established in accordance with general laws.
- (c) The city council shall from time to time, but at least once in each ~~ten~~ (10) years, review these wards to insure their uniformity in number of inhabitants.

SECTION 7-8: APPLICATION OF STATE GENERAL LAWS

Except as otherwise expressly provided in this charter and authorized by law, all city elections shall be governed by the laws of the Commonwealth relating to the right to vote, the registration of voters, the nomination of candidates, voting places, the conduct of preliminary, regular and special elections, the submission of charters, charter amendments and other propositions to the voters, the counting of votes, the recounting of votes, and the determination of results.

City of Everett Home Rule Charter

ARTICLE 8

CITIZEN PARTICIPATION MECHANISMS

SECTION 8-1: FREE PETITION

- (a) The city council or the school committee shall hold a public hearing and act with respect to every petition which is filed with the city clerk and addressed to it, ~~which is signed by one hundred (100) or more voters, and which seeks the passage of a measure.~~
- (b) The hearing shall be held by the city council or the school committee and the action by the city council or the school committee shall be taken not later than ~~six (6)~~ weeks after the petition is filed with the city clerk or the secretary of the school committee.
- (c) Hearings on ~~two (2)~~ or more petitions filed under this section may be held at the same time and place.
- (d) ~~The city clerk or the secretary of the school committee shall by electronic or first-class mail provide notice of the hearing to the person ten (10) persons whose names is listed appear first on the petition notice of the time, date and place of the hearing at least seven (7) days before the hearing.~~
- (e) Notice of the hearing generally shall be provided by posting on the official website no later than 7 days prior thereto the time, date and place of the hearing and the full text of the proposed measure and, at the discretion of the city clerk or city council, posted or published by any other means appropriate to inform the general public. ~~Notice by publication of all such hearings shall be at public expense.~~

SECTION 8-2: CITIZEN INITIATIVE MEASURES

- (a) Commencement
 - (1) Initiative procedures shall be started by the filing of a proposed initiative petition ("originating petition") with the city clerk ~~or the secretary of the school committee.~~
 - (2) The petition shall be addressed to the city council or to the school committee, shall contain a request for the passage of a particular measure which shall be set forth in full in the petition, and shall be signed by at least ~~two hundred fifty (250)~~ voters. At least ~~twenty-five (25)~~ signatures must be certified from each ward.
 - (3) The originating petition shall be accompanied by an affidavit signed by ~~ten (10)~~ voters and containing their residential address identifying the lead petitioner and stating that they will constitute the petitioners committee and be responsible for circulating the petition and filing it in proper form.
- (b) Referral to City Solicitor
 - (1) The city clerk ~~or the secretary of the school committee~~ shall, immediately following receipt of ~~a proposed~~ the originating petition, deliver a copy of the petition to the city solicitor.
 - (2) The city solicitor shall, within ~~fifteen (15)~~ days following receipt of a copy of the originating petition, in writing, advise the city council or the school committee whether the measure as proposed may lawfully be proposed by the initiative process and whether, in its present form it may be lawfully adopted by the city council or the

City of Everett Home Rule Charter

school committee.

- (3) If the opinion of the city solicitor is that the measure is not in proper form, the reply shall state the reasons for this opinion, in full.
- (4) A copy of the opinion of the city solicitor shall also be ~~mailed~~ provided to the person designated as clerk of the petitioners committee.

(c) Submission to City Clerk

- (1) If the opinion of the city solicitor is that the originating petition is in a proper form, the city clerk shall provide blank petition forms for the use of subsequent signers, and shall print at the top of each blank form a fair, concise summary of the proposed measure, as determined by the city solicitor, together with the names and addresses of the first ~~ten~~ (10) voters who signed the originating petition.
- (2) Within ~~thirty~~ (30) days following the date the blank forms are issued by the city clerk, the petitions shall be returned and filed with the city clerk signed by at least ~~ten percent~~ (10%) of the total number of registered voters as of the date of the most recent biennial city election.
- (3) Signatures to an initiative petition need not all be on ~~one~~ (1) paper, but all papers pertaining to any ~~one~~ (1) measure shall be fastened together and shall be filed as a single instrument, with the endorsement on it of the name and residence address of the person designated as filing the same. With each signature on the petition there shall also appear the street and number of the residence of each signer.
- (4) Within ~~ten~~ (10) days following the filing of the petition, the board of election commissioners shall ascertain by what number of voters the petition has been signed, and what percentage that number is of the total number of voters as of the date of the most recent regular city election.
(C0114-18/Acts of 2018, Chapter 316)
- (5) The board of election commissioners shall attach to the petition a certificate showing the results of its examination and shall return the petition to the city clerk, or the secretary of the school committee, depending on how the petition is addressed.
(C0114-18/Acts of 2018, Chapter 316)
- (6) A copy of the board of election commissioners' certificate shall also be mailed to the person designated as clerk of the petitioners committee.
(C0114-18/Acts of 2018, Chapter 316)

(d) Action on Petitions

- (1) Within ~~thirty~~ (30) days following the date a petition has been returned to the city clerk or the secretary of the school committee, and after publication under subsection (f), the city council or the school committee shall act with respect to each initiative petition by passing it without change, by passing a measure which is stated to be in lieu of the initiative measure, or by rejecting it. The passage of a measure which is in lieu of an initiative measure shall be deemed to be a rejection of the initiative measure.
- (2) If the city council or the school committee fails to act with respect to any initiative measure which is presented to it within ~~thirty~~ (30) days following the date the measure is returned to it, the measure shall be deemed to have been rejected on the ~~thirtieth~~ 30th day.

Formatted: Superscript

City of Everett Home Rule Charter

- (3) If an initiative measure is rejected, the city clerk or the secretary of the school committee shall promptly give notice of that fact to the person designated as the clerk of the petitioners committee, by certified mail.

City of Everett Home Rule Charter

(e) Supplementary Petitions

- (1) Within ~~sixty~~(60) days following the date an initiative petition has been rejected, a supplemental initiative petition may be filed with the city clerk or the secretary of the school committee, but only by persons constituting the original petitioners committee.
- (2) The supplemental initiative petition shall be signed by a number of additional voters which is equal to at least ~~five~~(5) per cent of the total number of registered voters as of the date of the most recent biennial city election, and the signatures on the initial petition filed under subsection (c), and the signatures on the supplemental petition filed under this subsection, taken together, shall contain the signatures of at least ~~fifteen percent~~(15%) of the total number of registered voters ~~in the city as of the date of the most recent biennial city election.~~
- (3) If the number of signatures to this supplemental petition is found to be sufficient by the city clerk, the city council shall call a special election to be held on a date fixed by it not less than ~~thirty~~(35) nor more than ~~ninety~~(90) days following the date of the certificate of the city clerk that a sufficient number of voters have signed the supplemental initiative petition and shall submit the proposed measure, without alteration, to the voters for determination, but if any other city election is to be held within ~~one hundred twenty~~(120) days following the date of the certificate, the city council may omit the calling of such special election and cause the question to appear on the election ballot at the approaching election for determination by the voters.

(f) Publication

The full text of any initiative measure ~~which is~~ submitted to the voters shall be posted in full on the city website ~~published in at least one~~(1) newspaper of general circulation in the city not less than ~~seven~~(7) nor more than ~~fourteen~~(14) days preceding the date of the election at which the question is to be voted upon, copies of which shall be available in the office of the city clerk, and, further, at the discretion of the city council, notice of the availability and locations at which copies of the full text may be accessed shall be printed in a newspaper of local circulation.

(+)

- (2) ~~Additional copies of the full text shall be available for distribution to the public in the office of the city clerk.~~

(g) Form of Question

The ballots used when voting on a measure proposed by the voters under this section shall contain a question in substantially the following form:

Shall the following measure which was proposed by an initiative petition take effect?

(Here insert a fair, concise summary prepared by the petitioners, and approved by the city solicitor.)

- o YES
- o NO

(h) Time of Taking Effect

If a majority of the votes cast on the question is in the affirmative, the measure shall be deemed to be effective immediately, unless a later date is specified in the measure.

Formatted: Font: Verdana

Formatted: Default, Space After: 0 pt, No bullets or numbering

City of Everett Home Rule Charter

SECTION 8-3: CITIZEN REFERENDUM PROCEDURES

(a) Petition, Effect on Final Vote

- (1) If, within ~~twenty-one~~ (21) days following the date on which the city council or the school committee has voted finally to approve of any measure, a petition signed by a number of voters equal to at least ~~twelve~~ (12) per cent of the total number of registered voters as of the date of the most recent ~~regular~~-biennial city election and addressed to the city council or to the school committee as the case may be, protesting against the measure or any part of it is filed with the ~~secretary of the school committee or~~ city clerk, the effective date of such measure shall be temporarily suspended.
- (2) The school committee or the city council shall immediately reconsider its vote on the measure or part of it, and, if the measure is not rescinded, the city council shall provide for the submission of the question for a determination by the voters either at a special election which it may call at its convenience, or within such time as may be requested by the school committee, or at the next regular city election, but pending this submission and determination, the effect of the measure shall continue to be suspended.

(b) Certain Initiative Provisions to Apply

- (1) The petition described in this section shall be termed a referendum petition and the applicable provisions of section 8-2 as they relate to the filing and certification of signatures shall apply to such referendum petitions, except that the words "measure or part thereof protested against" shall be deemed to replace the word "measure" and the word "referendum" shall be deemed to replace the word "initiative".
- (2) The measure or part protested against shall be null and void ~~if~~ unless a majority of those voting on the question shall vote ~~in favor of~~ against the measure or part protested against at the election.

SECTION 8-4: INELIGIBLE MEASURES

None of the following shall be subject to the initiative or the referendum procedures:

- (a) Proceedings relating to the internal organization or operation of the city council or of the school committee;
- (b) An emergency measure adopted under the charter;
- (c) The city budget, ~~or the school department portion of the budget, or the school committee budget~~ as a whole;
- (d) Any appropriation for the payment of the city's debt or debt service;
- (e) An appropriation of funds to implement a collective bargaining agreement;
- (f) Proceedings relating to the appointment, removal, discharge, employment, promotion, transfer, demotion, or other personnel action;
- (g) Any proceedings repealing or rescinding a measure or part of it which is protested by referendum procedures;
- (h) Any proceedings providing for the submission or referral to the voters at an election; and
- (i) Resolutions and other votes constituting ordinary, routine matters not suitable as the subject of a referendum petition.

City of Everett Home Rule Charter

SECTION 8-5: RECALL

(a) Application

- (1) Any holder of an elected office in the city, with more than six (6) months remaining in the term of office for which the officer was elected, may be recalled therefrom by the voters of the city in the manner provided in this section.
- (2) No recall petition shall be filed against an officer within six (6) months after taking office.

(b) Recall Petition

(C0005-1-20/Acts of 2021, Chapter 14)

- (1) A recall petition may be initiated by the filing of an affidavit containing the name of the officer sought to be recalled and a statement of the grounds for recall; provided, however, that the affidavit is signed by no fewer than ~~five hundred (500)~~ voters for any officer elected city-wide and no fewer than ~~three hundred (300)~~ voters for any officer elected by ward, which affidavit shall identify a lead petitioner for purposes of the recall.
- (2) The city clerk shall thereupon ~~deliver~~ make available to said voters making the affidavit, copies of petition blanks demanding such recall, copies of which printed forms the city clerk shall keep available.
 - a. Such blanks shall be issued by the city clerk, with signature and official seal attached thereto.
 - b. Such blanks shall be dated, addressed to the city council and contain the names of the first 10 signatories ~~all the persons to whom they are issued~~ to the petition, the number of blanks so issued, the name of the person whose recall is sought, the office from which removal is sought and the grounds of recall as stated in the affidavit.
- (3) A copy of the petition shall be entered in a record book to be kept in the office of the city clerk.
- (4) The recall petition shall be returned and filed with the city clerk within ~~twenty-eight (28)~~ 30 days after the filing of the affidavit, and shall have been signed for offices elected city-wide by no fewer than ~~twenty per cent (20%)~~ 1520% of the total number of the registered voters of the city as of the last biennial city election ~~for offices elected city-wide and for offices elected by ward~~ no fewer than ~~twenty per cent (20%)~~ 1520% of the total number of registered voters of the ward as of the last biennial city election for offices elected by ward. The city clerk shall immediately submit the petition to the election commissioners, and the commission shall, within ~~five (5)~~ working days, certify thereon the number of signatures that are names of voters.

(C0114-18/Acts of 2018, Chapter 316)

(c) Recall Election

- (1) If the petition shall be found and certified by the city clerk to be sufficient, the city clerk shall submit the same with such certificate to the city council within ~~five (5)~~ working days and provide written or actual notice of the certified petition ~~and the city~~

City of Everett Home Rule Charter

~~council shall forthwith give written notice of the receipt of the certificate to the officer sought to be recalled; and shall, if the officer does not resign within five (5) days thereafter, the city council, following consultation with the board of election commissioners, shall order a special recall election to be held on a date fixed by them [not less than sixty-four (64) days and not no more than ninety (90) days after the date of the city clerk's certificate that a sufficient petition has been filed; provided, however, that if any other city election is to occur within one hundred fifty (150) days after the date of the certificate the city council shall postpone the holding of the recall election to the date of such other election.~~

- (2) If a vacancy occurs in said office after a recall election has been ordered, the election shall not proceed as provided in this section.

(d) Office Holder

- (1) The incumbent shall continue to perform the duties of the office until the recall election.
- (2) If said incumbent is not recalled, the incumbent shall continue in office for the remainder of the unexpired term subject to recall as before.
- (3) If recalled, the officer shall be deemed removed and the office vacant.
- The vacancy created thereby shall be filled in accordance with the provisions of Articles 2, 3 and 4 of this charter for filling vacancies in such office.
 - A person chosen to fill the vacancy caused by such recall shall hold office until the next regular city election.
 - Should the person be a candidate in the subsequent election, ~~he or she they~~ will not be allowed to have "candidate for re-election" appear on the ballot at such election.

(e) Ballot Proposition

The form of the question to be voted upon shall be substantially as follows: "

Shall [here insert the name and title of the elective officer whose recall is sought] be recalled?"

- YES
 NO

If a majority of the votes cast upon the question of recall is in the affirmative, such elected officer shall be recalled.

(f) Repeat of Recall

In the case of an officer subjected to a recall election and not recalled thereby, no recall petition shall be filed against such officer until at least two hundred seventy (270) days after the election at which the officer's recall was submitted to the voters of the city.

(g) Office Holder Recalled

No person who has been recalled from an office or who has resigned from office while recall proceedings were pending against such person, shall be appointed to any city office or position of employment within ~~two (2)~~ years after such recall or such resignation.

City of Everett Home Rule Charter

SECTION 8-6: REQUIRED VOTER PARTICIPATION

(C0005-1-20/Acts of 2021, Chapter 14)

- (a) For any measure to be effective under any initiative procedure and for any measure to be declared null and void under any referendum procedure, no fewer than ~~twenty-per-cent (20%)~~ of the total number of voters as of the most recent ~~biennial regular~~ city election shall vote at an election that includes on the ballot submission of at least ~~one (1)~~ initiative or referendum questions to the voters.
- (b) For any recall election to be effective, ~~for those offices elected city-wide~~ no fewer than ~~twenty-per-cent (20%)~~ of the total number of voters as of the most recent regular city election ~~for those offices elected city-wide, and for those offices elected by ward~~ no fewer than ~~twenty-per-cent (20%)~~ of the total number of voters as of the most recent ~~regular biennial~~ city election in the ward ~~for those offices elected by ward~~, shall vote in such recall election.

SECTION 8-7: SUBMISSION OF OTHER ~~MEASURES AFFECTS TO~~ VOTERS

The city council may of its own motion, and shall, at the request of the school committee if a measure originates with that body and pertains to affairs under its jurisdiction, submit to the voters at any regular city election for adoption or rejection any measure in the same manner and with the same force and effect as are hereby provided for submission by petitions of voters.

SECTION 8-8: CONFLICTING PROVISIONS

If ~~two (2)~~ or more measures passed at the same election contain conflicting provisions, only the ~~one (1)~~ receiving the greatest number of affirmative votes shall take effect.

Article 6

Finance and Financial Procedures

Section 6-3(a)(2)

Current

It shall outline the proposed fiscal policies of the city for the ensuing fiscal year;

Proposed

Outline the proposed fiscal policies of the city for the ensuing fiscal year;

1. Section 6-4(a)

Action on the Operating Budget - Public Hearing

Current

The city council shall publish in at least one (1) newspaper of general circulation in the city a notice of the proposed operating budget as submitted by the mayor. The notice shall state:

- (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 fourteen (14) days after its publication, when a public hearing on the proposed operating budget will be held by the city council.

Proposed

The city council shall provide notice of the availability of the entire proposed operating budget no less than 14 days prior to the hearing thereon by posting on the official website the time, date and place of the hearing and the full text of the proposed operating budget and a summary thereof, and at the discretion of the council, publishing notice in a local newspaper of the time, date and place of the hearing with information about how to receive a copy of the full proposed operating budget.

2. Section 6-5 (a)

Capital Improvement Plan - Submission

Current

The mayor shall submit a capital improvement program to the city council at least one hundred twenty (120) days before the start of each fiscal year. The capital improvement program shall include:

Proposed

The mayor shall submit a capital improvement program to the city council no later than the date the proposed operating budget is submitted, which capital improvement program shall include:

3. Section 6-5(b)

Capital Improvement Plan – Public Hearing

Current

The city council shall publish in at least one (1) newspaper of general circulation in the city 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 fourteen (14) days after such publication, when a public hearing on said plan will be held by the city council.

Proposed The city council shall provide notice of the availability of the capital improvement budget no less than 14 days prior to the hearing thereon by posting on the official website the time, date and place of the hearing and the full text of the proposed capital improvement program and a summary thereof, and at the discretion of the council, publishing notice in a local newspaper of the time, date and place of the hearing with information about how to receive a copy of the full proposed capital improvement program. Such hearing may, but need not, be scheduled simultaneously with the council hearing on the proposed operating budget.

4. Section 6-6(d)

Independent Audit

Current

The clerk of committees shall coordinate the work of the individual or firm selected.

Proposed

The chief financial officer shall notify the clerk of committees as to the anticipated scope and timeline for the work of the individual or firm selected, and, as may be reasonably requested by the council shall provide periodic reports on the status of the work.

Article 7

Elections

1. Section 7-1(a)

Preliminary Election for Mayor (Biennial election) (KPL)

Current

(a) A preliminary election for the purpose of nominating candidates for mayor shall be held on the third Tuesday in September in each odd-numbered year in which a mayor is to be elected, but the city clerk may, with the approval of the city council, reschedule this election to the fourth Tuesday to avoid a conflict with any civil or religious holiday.

Proposed

(a) A preliminary election for the purpose of nominating candidates for mayor at the biennial city election shall be held on the third Tuesday in September in each odd-numbered year in which a mayor is to be elected, but the city clerk may, with the approval of the city council,

reschedule this election to the fourth Tuesday to avoid a conflict with any civil or religious holiday.

2. Section 7-1(b) Preliminary Election for Mayor (Special election) (KPL)
Current (b) Whenever a special election to fill a vacancy in the office of mayor is to be held, a preliminary election shall be conducted, if necessary, twenty-eight (28) days before the date established for the special election.

Proposed Delete

3. Section 7-2 Preliminary Election for City Council and School Committee) (KPL)

Current A preliminary election for the purpose of nominating candidates for city councilors and school committee members who are to be elected shall be held on the third Tuesday in September in each odd-numbered year in which a city councilor or school committee member is to be elected, but the city clerk may, with the approval of the city council, reschedule this election to the fourth Tuesday to avoid a conflict with any civil or religious holiday.

Proposed A preliminary election for the purpose of nominating candidates for city councilors and school committee members who are to be elected shall be held on a Tuesday in September, on such date as the board of election commissioners shall determine, in each odd-numbered year in which a city councilor or school committee member is to be elected.

4. Section 7-3(a)(1) Preliminary Election Procedures – Nomination Papers (KPL)

Current The board of election commissioners and city clerk shall prepare separate nomination papers for nomination to at-large and ward positions, and make the same available not earlier than April 2 in each preliminary election year.

Proposed The board of election commissioners and city clerk shall prepare separate papers for nomination to mayor and at-large and ward city council and school committee positions, and shall make the papers available not earlier than April 2 in each preliminary election year.

5. Section 7-3(a)(4) Preliminary Election Procedures – Nomination Papers Signatures Required (KPL)

Current Nomination papers shall be signed by the following number of voters for each office:

- a. Mayor, no fewer than five hundred (500) signatures, with no fewer than twenty-five (25) signatures certified from each ward;

Proposed Nomination papers shall be created by the board of election commissioners for each of the following offices, to be available no earlier than April 2 in each preliminary election year, which papers shall include the number of certified signatures of voter as specified for each office:

- a. Mayor, no fewer than 50 signatures, with no fewer than 25 signatures from each ward;

6. Section 7-3(a)(5) Preliminary Election Procedures – Changes to Signatures Required (KPL)

Current The number of signatures for nomination may be changed from time to time by an affirmative vote of no fewer than seven (7) councilors.

Proposed The number of signatures for nomination may be changed from time to time by an affirmative vote of no fewer than 7 councilors; provided however, that such vote shall take place no later than March 15 in any preliminary election year and, further that a certified copy of such vote shall be posted in the city clerk's office and of the city's official website.

6. Section 7-3(d)(1) Preliminary Election Procedures – Conditions Making Preliminary Unnecessary (KPL)

Current If, at the expiration of the time for filing statements of candidates to be voted for at any preliminary election, not more than twice as many such statements have been filed with the city clerk for an office as are to be elected to such office:

- a. The candidates whose statements have thus been filed shall be deemed to have been nominated to said office; and
- b. Their names shall be voted on for such office at the succeeding regular or special election, as the case may be; and

Proposed If, at the expiration of the time for filing statements of candidates to be voted for at any preliminary election at which the office of mayor appears on the ballot, not more than twice as many such statements have been filed with the city clerk for election to such office or offices:

- a. The candidates whose statements have thus been filed shall be deemed to have been nominated to said office; and
- b. Their names shall be voted on for such office at the succeeding regular election; and

7. Section 7-3(d)(3) Preliminary Election Procedures – Conditions Making Preliminary Unnecessary (KPL)

Proposed A preliminary election shall not be held prior to any election at which the full term of the office of mayor does not appear on the ballot.

8. Section 7-5 Regular Election – Ballots Positions (KPL)

Current The order in which names of candidates for each office appear on the ballot for each office shall be determined by a drawing, by lot, conducted by the city clerk no later than 7 days after the certification of the preliminary election results. Such drawing shall be open to the public.

Proposed The order in which names of candidates for each office appear on the ballot for each office shall be determined by a drawing, by lot, conducted by the city clerk no later than 7 days after the certification of the preliminary election results, or, if no preliminary election is held, no later than 34 days prior to the election. Notice of the time, date and location of the drawing shall be posted no later than 48 weekday hours prior in the office of the city clerk and on the city’s official website. Such drawing shall be open to the public.