OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: Tom Last Name: Stohlman

Address: 19 Channing Street

City: Cambridge State: MA Zip Code: 02138

Phone Number: +1 (617) 547-5246 Ext.

Email: tstohlman@alum.mit.edu

Organization or Media Affiliation (if any): None

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

☒ City/Town ☐ County ☐ Regional/District ☐ State

Name of Public Body (including city/ town, county or region, if applicable): Cambridge City Council

Specific person(s), if any, you allege committed the violation: Cambridge City Council

Date of alleged violation: 11/29/2012

2012 DEC 4 AM 10 33
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

I do not believe the Cambridge City Council intentionally violated the OML. They were following a well-established procedure which has been practiced for many years.

A Councillor or group of Councillors crafts a policy order, complete with arguments and reasons for the order. This order is then passed among the Council by the City Clerk. Other councillors may sign on to the order as co-sponsors. The order is then placed on the agenda prior to the meeting, complete with the list of Councillors who have sponsored it.

On November 29, 2012, this procedure was followed when four Councillors crafted an order to appoint a new City Manager (Policy Order O-6). They included in the order their reasons for supporting their preferred candidate. The order was then given to the City Clerk, who forwarded it to all of the five remaining Councillors. These Councillors could then inform the City Clerk of their desire to co-sponsor the order. The order, complete with the names of six councillors who chose to co-sponsor, then appeared on the City Council agenda for the December 3, 2012 meeting.

This procedure amounts to a serial deliberation under the Open Meeting Law and should not be allowed. The appointment of a new City Manager was, effectively, discussed and decided before being affirmed at the actual meeting by an 8-1 vote.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

Acknowledge that the procedure described above is a violation of the Open Meeting Law and change the practice to avoid serial deliberation in the future.

Re-vote a properly submitted policy order to appoint a new City Manager.

Review, sign, and submit your complaint

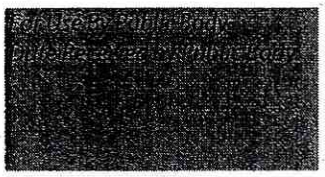
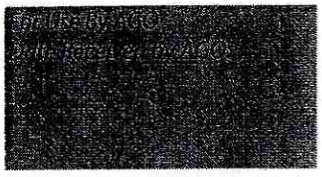
Read this important notice and sign your complaint.

Under most circumstances your complaint will be considered a public record and be available to any member of the public upon request.

I understand that when I submit this complaint the Attorney General's Office cannot give me legal advice and cannot act as my personal lawyer.

I certify that the information contained on this form is true to the best of my knowledge.

Signed: [signature] **Date:** 4 DEC 2012

A TRUE COPY

[signature] 4 DEC 2012