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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Rick Snedeker
107 Clifton St.
Cambridge, MA 02140

June 19, 2014

Donna Lopez, City Clerk
City Clerk's Office
Cambridge City Hall
795 Massachusetts Ave.
Cambridge, MA 02139

Dear Ms. Lopez,

Please forward the attached communication to the city council regarding my request for a Special Act Charter for Cambridge that does not include Proportional Representation.

Regards,



Rick Snedeker

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107 Clifton St.
Cambridge, MA 02140

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City Council, Cambridge City Hall
795 Massachusetts Ave.
Cambridge, MA 02139

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Subject: Special Act Charter for Cambridge that does not Include Proportional Representation

Dear Councilors,

In August of 1965, President Johnson signed the Voting Rights Act into law. The Voting Rights Act of 1965 was created to regulate the administration of elections and to make sure that votes are appropriately attributed in elections.

Section 14 (c) (1) of the Act says:

The terms "vote" or "voting" shall include all action necessary to make a vote effective in any primary, special, or general election, including, but not limited to, registration, listing pursuant to this Act, or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election.

Since 1965, the city of Cambridge has been in violation of Section 14 (c) (1). The guarantee that every vote will count, that is, be "included in the appropriate totals of votes cast with respect to candidates" has been reduced under the Proportional Representation (PR) election method to only making sure that every vote "is counted". This materially lower standard is accomplished by nothing more than indexing or numbering the ballots/votes cast, and is insufficient to make them effective under the terms of the Voting Rights Act.

However, Cambridge PR elections do guarantee that a definite percentage of voters will always be disenfranchised. This feat is accomplished by assigning to their votes a status of "exhausted", the equivalent of being credited to no-one, thereby rendering them intentionally ineffective in violation of the Voting Rights Act.

In each and every city council contest, the PR method disenfranchises 10 percent of the voters; between 1965 and 2013, 56,998 Cambridge voters have been disenfranchised. In each and every school committee contest, the PR method disenfranchises 14 percent of the voters; between 1965 and 2013, 74,819 Cambridge voters have been disenfranchised.

To redress these violations I request the city council to move as quickly as possible to petition the state legislature to approve a Special Act Charter municipal plan for Cambridge government that does not include PR elections. Attachment A to this letter outlines suggestions for such a plan prohibiting PR. It also incorporates checks and balances necessary for democratic accountability that are lacking in the current charter plan.

Regards,



Rick Snedeker

Attachment A: Suggestions for Plan of Municipal Government for the City of Cambridge

Mayor as Chief Executive Officer; Election; Tenure

There shall be a mayor, elected by and from the qualified voters of the city, who shall be the chief executive officer of the city. He shall hold office for the term of two years from the first Monday in January following his election and until his successor is qualified.

Appointments by Mayor Subject to Confirmation; Exceptions

Upon the adoption of this plan, all heads of departments and members of municipal boards, except the school committee, officials appointed by the governor, and assessors if elected by the people, as their terms of office expire, shall be appointed by the mayor, subject to confirmation by the city council; but the city solicitor shall be appointed, and may be removed, by the mayor, without confirmation by the city council. This section shall apply to the city solicitor in office when the plan becomes operative.

Removals from Office by Mayor

The mayor may, with the approval of a majority of the members of the city council, remove the head of a department or member of a board before the expiration of his term of office, except members of the school committee, officials appointed by the governor, and assessors if elected by the people. The person so removed shall receive a copy of the reasons for his removal, and he may, if he desires, contest the same before the city council. He may be represented by counsel at the hearing.

Approval and Veto Offer of Mayor

Every order, ordinance, resolution and vote relative to the affairs of the city, adopted or passed by the city council, shall be presented to the mayor for his approval. If he approves it he shall sign it; if he disapproves it he shall return it, with his written objections, to the city council, which shall enter the objections at large on its records, and again consider it. If the city council, notwithstanding such disapproval of the mayor, shall again pass such order, ordinance, resolution or vote by a two-thirds vote of all its members, it shall then be in force, but such vote shall not be taken for seven days after its return to the city council. Every such order, ordinance, resolution and vote shall be in force if not returned by the mayor within ten days after it has been presented to him. This section shall not apply to budgets submitted under section 32 of chapter 44 or to appropriations by a city council under section thirty-three of said chapter.

City Council; Number; Election; Tenure

The legislative powers of the city shall be vested in a city council. One of its members shall be elected by the council annually as its president. The city council shall be composed of fifteen members, of whom one shall be elected from each of the city's eleven wards by and from the qualified voters of that ward, and the remaining four members shall be elected by and from the qualified voters of the city, i.e., at large.

At the first regular municipal election held in the city after adopting this plan, and at each election thereafter, all councilors, whether elected by wards or at large, shall be elected to serve for two years, from the first Monday in January following their election and until their successors are qualified.

School Committee; Membership; Tenure

The school committee shall consist of the mayor, who shall be the chairman, and six members elected at large. At the first regular municipal election held in the city after adopting this plan, and at each election thereafter, all school committee members shall be elected to serve for two years, from the first Monday in January following their election and until their successors are qualified.

School Committee; Other

As specified in MGL Part I Title VII Chapter 43, to the extent that it does not conflict with or contradict the suggestions for a plan of government in Attachment A.

Method of Electing Mayor, City Council, and School Committee

No municipal elective body in Cambridge shall be elected by proportional representation or preferential or ranked choice voting methods, or any methods that include quotas or transferable votes.

The mayor shall be elected by plurality by and from the qualified voters of the city.

Each ward councilor shall be elected by plurality by and from the qualified voters of that ward.

At large councilors shall be the top four vote-getters elected by and from the qualified voters of the city.

At large school committee members shall be the top six vote-getters elected by and from the qualified voters of the city.

Vacancies in Office of Mayor, Council, and School Committee; Procedure for Filling

If a vacancy occurs in the office of mayor by death, removal or resignation at any time during the first year of the term ending December thirty-first, the city clerk shall forthwith order an election to fill such vacancy for the remainder of the unexpired term.

If a vacancy occurs during the second year of the term beginning January first, a meeting of the city council shall be called by the city clerk and the city council shall elect by majority vote one of its members as mayor for the remainder of the unexpired term. If the city council fails so to elect at said meeting or within thirty days thereafter, the president of the city council shall become acting mayor, shall exercise all the rights and powers of mayor and shall be sworn to the faithful discharge of his duties.

If a vacancy occurs at any time in the office of a councilor elected by and from the qualified voters of the city, such vacancy shall be filled forthwith by a majority vote of all the remaining members of the city council for the remainder of the unexpired term.

If a vacancy occurs, before the last six months of the term, in the office of a councilor elected by and from the voters of a ward, the city council shall forthwith order an election to fill such vacancy for the remainder of the unexpired term.

If a vacancy occurs at any time in the office of a school committee member, such vacancy shall be filled forthwith by a majority vote of all the remaining members of the school committee for the remainder of the unexpired term.

Term Limits

The mayor shall be limited to a maximum of three consecutive terms.

At large councilors shall be limited to a maximum of three consecutive terms.

Ward councilors shall be limited to a maximum of three consecutive terms.

At large school committee members shall be limited to a maximum of three consecutive terms.