



Power Sharing and Municipal Accountability: Building Democratic Infrastructure

CRC re:Cap #7

February 16, 2021 and March 2, 2021

THE TAKEAWAY: As the clock keeps ticking on the charter review process, CRC members continue to plow their way through possible revisions to Watertown’s current Home Rule Charter. Among those mentioned are designating Watertown a “city” (which it is) rather than a town; forging a Preamble; beefing up resources available to the Town Council and Town Manager to enhance decision quality and public participation; strengthening the Council’s rule- and policy-making role; upgrading how certain evaluations are designed and conducted; and holding annual general meetings, public forums, and other opportunities for public collaboration. Meanwhile, the idea, mentioned previously on multiple occasions, of holding another charter review process before 2030 was presented, thus splitting the review process into two parts: one short-term, consistent with the current timeline; the other more in-depth, to be held within the next five years. This would require modification of Article 8, Section 8–1(b).

When the demands of industrial society required still greater speed, flexibility, continuity, and uniformity than legislative procedures could maintain, more and more discretion was conferred on administrative bureaus; in modern states, more legislation and adjudicative decisions (although kept within boundaries defined by legislatures and courts) emanate from administrative bodies than from the legislatures and the courts.

—[Herbert Kaufman](#), “Why Change is Damped” in [The Limits of Organizational Change](#) (1971)

“If we assume the role of the Council–Manager, I think everyone would agree that the responsibility for setting policy, as well as vision, is for the Council, and for the manager to carry out. That leads me to wonder, if we stick with a Council-Manager form of government, that we use some language that explicitly elevates the responsibility of the Council to that policy. I think we would also need some mirroring provision in the next paragraph for the manager to carry out that policy.”

—Jonathan Hecht, CRC resident member and former Watertown State Rep. (2/16/2021)

“If the CRC decides to keep the current form, we can discuss whether it’s a ‘City Manager’ or ‘Town Manager’ and so forth. I don’t know if the committee wants to entertain this, but this would be the time, if folks wanted to, to entertain the idea to changing it to the ‘City of Watertown’ . . .

"[[Article 8](#)] is sort of the catch-all chapter for issues that cut across the local government and can be a little bit of a buffet of topics. On [\[Section\] 8-1\(a\)](#), I just want to iterate it again: *This charter committee process is not the only process for changing the charter. . .*

"I was trying to find a way to ensure that this Committee is able to accomplish — [despite] whatever direction it goes — *something* in the time frame it has, but also allow the larger long-term public discussion that clearly there's a hunger for to continue. So using [\[Section\] 8-1\(b\)](#) as a tool for separate pathways is an idea I came up with."

—Mike Ward, Collins Center adviser to CRC (2/16 and 3/02/2021)

Power sharing, and checks and balances, are built into the DNA of this ongoing experiment in self-governance. In every jurisdiction, it's something on which to keep reflecting, to assure that the "checks" don't fray and the "balances" become lopsided. Such is the nature of human nature and humans organizing, replete with the passions and convictions that go with it. Not only that, it's hard to put things into little boxes, especially when so many of today's problems defy easy categories and definition. So what are residents and town officials to do?

Needed is a sense of the whole, the ability to think in terms of systems and an appreciation of multiple moving parts. But where entrenched power is involved, achieving "adaptive resilience" to keep up with the times become especially hard. Ossification sets in as the "status quo" freezes. That's unnatural, even as it may benefit those who remain in charge. For incumbents, what works in early stages can become cumbersome in later ones, particularly when the operating context changes dramatically. Unless there are mechanisms for continued assessment and fine-tuning, organizations, like humans, run the risk of lapsing into "arrested development," a self-perpetuating state that's propped up by taxpayers' money and numerous traditions that have evolved over the years.

Put another way, when organizational policies, procedures, and personnel aren't as fit as they once might have been, everyone loses — or pays. In the private sector, you don't last very long if you don't remain competitive or "fit for purpose." You need to know how to change to stay in the game. In the public sector — well, that's another story. It's tough, for a host of reasons. Things can easily get pulled off track.

As Watertown continues its charter review, the issue of power sharing and government accountability — and staying on track — dominated the last two meetings (March 2 and February 16; agendas [here](#) and [here](#). WCA-TV recordings [here](#) and [here](#)) of the Charter Review Committee (CRC).

Meanwhile, the question what *form* of government — Council-Manager or Council-Mayor — Watertown warrants remained unresolved. (More about that later.) In both sessions, the primary focus was on how to strengthen the *capacity* of the existing form to be responsive and accountable to the 21st century expectations of residents and taxpayers. After spending previous sessions hearing regional town officials discuss

Did You Know?

The professional field of public administration began as a subfield of politics with the publication of Woodrow Wilson's [The Study of Public Administration](#) (1886).

the pros and cons of the mayor or manager form, CRC members got down to brass tacks.

They were aided by **Mike Ward**, a Watertown resident and current director of UMass Boston's [Edward J. Collins Center for Public Management](#), which was retained to advise the CRC. In both meetings, Ward presented his thoughts — appearing in yellow “comment” sections resembling digital sticky notes attached to the text of Watertown’s current charter — regarding possible modifications. (His marked-up draft copy appears on the town [Charter Review Committee page](#) and can be accessed [here](#).)

Follow the yellow-sticky road. After a bumpy start due to concern by CRC members and public attendees that the process was moving too fast, the February 16 session covered items related to

Articles 1 and 2, affecting the cluster of incorporation issues (seven altogether) and the legislative branch (nine sections in all, with multiple subsections). At the March 2 meeting, the items Ward flagged for discussion were sprinkled throughout **Articles 3, 4, 5, 6, 7, and 8**, each replete with multiple sections and subsections. (While not actively discussed at Tuesday’s meeting, Ward declared **Article 9** a

UPCOMING MEETINGS: The CRC meets at 6:00 p.m. on the first and third Tuesday of each month. For more, go to the CRC page [here](#). You also can view them on [WCA-TV](#). The next two meetings are slated for **March 16** and **March 30, 2021**. Agendas will be available within 48 hours of each meeting. Sign up for notifications [here](#).

candidate for the proverbial dustbin. “This Article was critical for the initial implementation of the charter but is now not relevant,” Ward wrote in a linked comment dated February 10.)

In each comment, Ward identified the specific theme to which it related, drawing upon the “emerging themes” set forth in a [Collins Center memo dated November 25, 2020](#). These themes (which Collins cautioned were “a starting point,” and “**not** intended to be an exhaustive list”) and their root questions included:

1. **Transparency/communications:** There were questions about whether the current form of government provides sufficient transparency and communicates effectively with the public.
2. **Responsiveness/accountability:** There were questions about whether the government is responsive and accountable to the public.
3. **Legislative capacity/balance of power between legislative and executive:** There were questions about whether the legislative branch as currently structured has the capacity to accomplish what it should be accomplishing and whether the legislative/executive balance of power is optimal.
4. **Vision:** There were questions surrounding what the Town’s vision is, how often it is updated, and whether/how it is being implemented.

As CRC members and public attendees listened and occasionally weighed in with questions and comments that were conveyed by **Mark Sideris**, CRC chair and Town Council President, the Article-by-Article process at both meetings was like reviewing the results of an MRI in a doctor’s office: You found yourself peering into the minutiae of skeletal form and tissue membranes, the fibril matter intended to keep the body politic healthy. But you weren’t sure what to do.

Ward’s suggestions were supplemented — particularly on procedural matters pertaining to evaluation, compensation, public participation, and budget making, and substantive matters of climate resilience and diversity — by members of the CRC and residents who provided commentary.

The overall objective: restore proper checks and balances, and bring Watertown’s governance up to 21st century good governance standards and practices.

All well and good. But at the end of Tuesday’s meeting, a new proposition was put forth, one that crystallized what had been mentioned occasionally throughout the last six months but never fully articulated. The charter review process was about to be reengineered.

***Note bene:** The author is constructing a matrix featuring **thematic indicators** — both those identified by Collins and residents participating in Watertown Forward’s Charter Chats — and **Charter Article Sections and Subsections**, as a way of mapping possible charter revisions. Stay tuned!*

PARADIGM, PRINCIPLES & PURPOSE

Forty years ago, in 1980, Watertown’s residents and officials knew its form of self-governance had to change so as better to meet the expectations and needs of a growing population. That was when Watertown’s first Charter Commission was established and [a new charter](#) — Watertown’s first, despite being founded in 1630 — approved on May 5, 1980. In their “Introduction,” members of the 1980 Charter Commission acknowledged the significance of the moment by beginning with a quote from the Old Testament Book of [Ecclesiastes 3:1, 6](#), one especially favored by President John F. Kennedy:

To every thing there is a season, and a time to every purpose under the heaven . . .
A time to get, and a time to lose; a time to keep, and a time to cast away . . .

In that [1980 Charter](#), a provision for “**Periodic Review**” was set forth in **Article 8, Section 8–1(b)** calling for a closer look every ten years, so as to discern what might need to change. Back then, 8–1(b) stated:

The town Council shall provide, in every year ending in a zero, for a review of the charter **by a special or standing committee of the council and four additional persons** to be appointed by the council president. [Emphasis added] The said committee shall file a report within the said year recommending any changes in the charter which it may deem to be necessary or desirable.

Forty years later, that same Section 8–1(b) of the current [Home Rule Charter](#) — amended in 2001 through had been modified. among other things expanding both the number of Town Councilors and “persons” involved, dubbing the latter “voters,” [an amendment made in 2010](#).) Specifically, 8–1(b) now stipulates that:

The town council shall provide, in every year ending in a zero, for a **complete** review of the charter by the **entire council**, and **six additional voters** to be appointed by the council president. The said committee shall file a report within the said year recommending any changes in the charter which it may deem to be necessary or desirable, **unless an extension is authorized by vote of the town council**. [Emphasis added]

Since 1980, that ten-year review pledge has been kept: in 1990, 2000, [2010](#), and now, in 2021 — slightly delayed due to Covid-19, which threw everyone’s schedule off-course and caused us to do public business over Zoom rather than face-to-face in civic spaces.

POLICY, PROGRAM & PRIORITIES

Heretofore living in obscurity, Section 8–1(b) took center stage at the end of the CRC’s March 2nd meeting when an unexpected proposal was made to splice the charter review process into two tracks. If approved, the first track would continue charter revisions currently under scrutiny in accordance with the timeline. Its focus: proposed updates and improvements to various charter Articles, Sections, and Subsections so as better to align town values and government policy, programs, and priorities with the changing expectations and demands of an increasingly diverse populace.

Mike Ward put the rationale plainly: “Very clearly, all along there’s been a divide here between those who have a desire to work on improvements to the existing charter and form of government, and those who want to take more time and want the community to have more involvement and think more deeply over a longer timeframe about what’s going to be best for Watertown in the long term,” he said. “I think that tension has been pretty obvious over the past couple of months.

The second track, involving a more extensive review carried out over the next several years, involves two modifications to Section 8–1(b). More importantly, it would enable fuller consideration of changes to governance *form* — e.g., keeping the current Town Manager structure or moving to a Council–Mayor form. That would give Watertown residents and other community members more time for dialogue and deliberation.

Ward again: “Given where we are timeline-wise, and the need to figure out some sort of a solution regardless of which direction this Committee goes, you need to have time to accomplish in the timeframe what you need to accomplish. So, the unusual idea I will throw out there is that I would make two changes to this section.

The first is to change the zero in every year to, say, four. You’ll keep the period of the review at 10 years, but you’ll bring forward the next one from ten years from now, or nine years from now, to, say, three year from now.

The second change is to get the Council off the next CRC. . . . Randolph is the only other municipality we could find where the entire council is on the [charter review] committee. Given that the role of Committee is to make recommendations to the council, it is both counter intuitive, and counterproductive in some ways, to have the entire Council on the Committee. . . . So have an appointed group of residents or voters, appointed by the Council president, or whatever — we can figure out the details later.

From there, this current Charter Review Committee would focus its energy on the short-term improvements to the existing charter that would solve some of the problems we’ve discussed over the past couple of months. At the same time, the Council would stand up some other mechanism — what that could be, I’m not sure. I know there are other groups independently out there, working on this topic, so you could figure out how to integrate them.

That would allow for those who are interested in a longer, slower process of more community input to really take that time over the next couple years and figure out what they believe is best for the town, in

advance of that now-brought-forward Charter Review. It doesn't have to be four years — I think four years makes the most sense, but it could be two, three or five — but a much sooner Charter Review.

Echoing timeline: Ironically, the idea of holding another charter review in five years or so echoes previous statements Mark Sideris has made on a number of occasions. Asking for more time isn't a new concept and pragmatically addresses critical changes — from demography (including new census data) to economic development to rising inequality — that are remaking Watertown. Indeed, Ward acknowledged as much in his yellow-sticky comment attached to Section 8–1(b) back in early February. Writing on February 9, he said:

There was some mention during one of the discussions of increasing the tempo of the review. The project team does not recommend that. However, if the Committee thought that it would be useful to revisit the changes enacted as a result of this particular review sooner than 10 years, the Committee could recommend changing “zero” to something sooner. That would leave the review generally at 10 years but bring forward a next review a bit. Again, this really only makes sense if there are changes recommended that might benefit from a sooner review. [Other]

PRACTICE, PROCESS & PARTNERS

Proposed changes to the existing charter still would be vetted by the CRC and members of the Watertown community (in **March, April and May**, then submitted for Town Council approval (in **June, July, or August**) before being put before voters, if need be, on the November ballot. That timeline, Ward pointed out, continues to get shorter. (The *2020-21 Draft Timeline* can be viewed [here](#).)

“I don't know if people will like it or hate it,” Ward said. “I was trying to find a way to ensure that this Committee is able to accomplish — [despite] whatever direction it goes — accomplish *something* in the time frame it has, but also allow the larger long-term public discussion that clearly there's a hunger for to continue.”

HOW TO WEIGH IN: Residents who wish to communicate with the CRC can do so by sending an email to crc@watertown-ma.gov. We understand that questions and responses will be posted on the CRC website.

Watertown Forward also has compiled the names and contact information for all CRC members — and more! — which can be viewed here.

Meanwhile, Mark Sideris noted, in bringing the discussion to a close, “In the short term, it allows the Charter Review to actually put things in place, and see if they're working.”

The two-track proposal will be picked up again at the next meeting of the CRC, slated for 6:00 p.m. on Tuesday, March 16.

—by Marcy Murningham, with editing assistance from Vana Pistoftzian

- For more on power sharing and strengthening democracy, see [Open Government: Collaboration, Transparency, and Participation in Practice](#), Daniel Lathrop and Laurel Ruma, eds. (2010). See also Hollie Russon Gilman, K. Sabel Rahman, and Elena Souris, [“Building Democratic Infrastructure:](#)

[Models and policy recommendations for boosting civic engagement and fortifying American democracy,](#)” *Stanford Social Innovation Review* (March 7, 2018).

- For more on how cities can leverage digital tools, see Bloomberg Cities, “[7 tips for achieving real city innovation in today’s virtual world,](#)” *Bloomberg Cities* (October 7, 2020). Closer to home, see also Mitchell Weiss, “[The art of ‘possibility government’ — and how it can help city leaders,](#)” *Bloomberg Cities Network* (February 10, 2021). As for the advent of technology in spurring collaboration, Clay Shirkey’s *Here Comes Everybody* (2008) is a classic. See also (and subscribe to) [Bloomberg’s CityLab](#).
- For more on systems thinking, see the work of Donella “Dana” Meadows, especially *Thinking in Systems: A Primer* (Chelsea Green Publishing, December 3, 2008). Bill Torbert and David Rooke provide insights into evolving leadership challenges as organizations proceed through stages of development at “[Seven Transformations of Leadership,](#)” *Harvard Business Review* (April 2005). Finally, a framework for how institutions can use digital tools for greater rights-holder engagement and collaboration can be found in a 2010 Working Paper published by the Harvard Kennedy School’s Center for Business and Government, researched and written by Bill Baue and Marcy Murningham, called “[The Accountability Web: Weaving Corporate Accountability and Interactive Technology](#)” (2010).