

Be careful what you wish for, Boston!

Boston's Financial Stability at Risk with Council Order

The Boston City Council's recent approval of an Order to fundamentally change the strong-mayor form of government would bring uncertainty, chaos and a level of bargaining and negotiating with special interest groups that Boston has not seen since its early days. The City's long-standing strong-mayor governance model—with mayoral budgetary authority a central feature—was established through decades of thoughtful legislative change to achieve the financial stability and ensured accountability that Boston has today. This Order jeopardizes the very core of those strengths.

Yes, there is always room for improvement and change, but the City must utilize a transparent process, consider the impact of choices in the long term and ensure that Boston maintain a system of checks and balances that the voters of Boston expect. This Order does not simply give the City Council line-item veto or offer a more collaborative process. This Order gives the City Council power over the direction of Boston and usurps the inherent powers of the Mayor under a strong-mayor form of government. This Order, now before Acting Mayor Janey for approval, has moved forward after just one hearing where the public could offer testimony and two working sessions. If this proceeds to the November ballot, it will do so without proper vetting and with promises that will please the loudest voices on where funding should be targeted and not necessarily what is good for the City as a whole.

The City Council's Order is of great concern for the City's fiscal stability and stewardship because:

- It fractures accountability, limits the checks and balances in our government and clouds the direction of Boston.
- It gives the Council equal authority with the Mayor to secure their priorities in the annual budget process, and does so through a process that would invite dysfunction and even chaos.
- It reverses decades of thoughtful legislation that was designed to ensure stable financial management in the City.
- It is not consistent with state law and establishes a dangerous legal precedent.
- It proposes a major change to the fundamental structure of Boston's government that would require at least a Home Rule Petition. This point is reinforced in the Boston Foundation's 2007 *Boston Bound* report.
- It attempts to interject the City Council in a role that allows them to amend the budget of the Boston Public Schools. Current law clearly indicates that role is the sole responsibility of the Boston School Committee.
- It is being forced to the voters before any thorough, complete vetting of its impact.

At \$6.61 billion, the budget process is complex and involves hundreds of employees, financial experts and the financial teams throughout City departments. The City has an obligation to responsibly develop and manage its multi-billion dollar budgets. This Order jeopardizes that obligation by granting the City Council,

among other things, the ability to take money away from important parts of the budget and amend the appropriation order in whole or in part without the resources and expertise to take future impact into account. A City Council that is newly elected every two years is not prepared to fulfill this type of role or analysis and forecasting.

We continue to advocate that the City Council focus on exercising its current powers and responsibilities to impact the City's budget and priorities. There are numerous opportunities throughout the fiscal year for the City Council to approve or reject mayoral spending requests, impact policy goals, involve residents and provide a different perspective than the Administration.

Under the Council's Order, the Mayor would still be responsible for submitting a budget proposal for the coming year to the Council, but the Council would now have the authority to not just send the Mayor's plan back for revision but also the authority to make its own budget proposal – which could fund an entirely different direction and set of priorities for the City so long as it costs no more than the Mayor's budget plan.

This budget process could very well devolve into dysfunction and even chaos as the Councilors would first compete amongst each other to get their issues included in a Council budget proposal and then put the Council priorities into competition against the Mayor's. If the Mayor does not agree with the Council priorities, the Council may still prevail with a 2/3 vote of the City Council. The final budget the Council would pass is likely to be primarily a patchwork of district-focused requests from the 13 Councilors, not reflective of Mayoral priorities that cover the entire City.

Boston voters expect the Mayor, as CEO and elected directly by the people of Boston, to set and implement that direction based on the needs of the entire community. The City Council Order takes this power away, and the ultimate direction would be set by the legislative body and not the Mayor.

The Order also calls for an independent Office of Participatory Budgeting to "create and oversee an equitable and binding decision-making process open to all Boston residents by FY24." This Office would be answerable to its own Board, make decisions without the overall goals for the City in mind and would end up representing those with the loudest voices. The Office, as proposed, would risk scenarios where resources get directed to special interests in a way that would compromise the City's goals for more equitable outcomes in public service delivery. The current structure of budgetary authority provides for a checks and balance procedure that is important to the stability of the City but would be diluted under this change and the inclusion of participatory budgeting. Furthermore, the proposal for a new form of participatory budgeting—different than the City's successful existing model—should be a matter treated independently of the budgetary authority of the Council and examined on its own merits separately.

This Order is not the vehicle for improving the participation of the public – it is an avenue that will only increase the lobbying at the City Council door and will represent the loudest voices of the time while neglecting the overarching goals of City government. As a representative form of government, the voters expect the Mayor to responsibly develop and manage Boston's multi-billion dollar budgets. They expect the City Council to be the checks and balances for that spending. They expect a thorough vetting of the issues. When those expectations are not met the voters should speak out with their votes. The City Council should be very careful what it wishes for; this Order will not give the control or power that they are searching for but will give voice to the special groups of the day. It complicates the budget process and jeopardizes the financial stability of Boston.