



# Framingham Charter Commission

February 7, 2017

Dear Town Meeting Member:

We have each had the honor and privilege of serving as the Town's elected representative on Framingham's fifth Charter Commission, the others were in 1925, 1971, 1992, and 1996. The Commission was charged by the voters of Framingham and authorized by Massachusetts constitution and general laws with drafting a Charter for Framingham.

Over the past year, the Charter Commission convened 57 meetings and 7 public hearings to gather input from residents, community leaders and experts in municipal government to help determine the most inclusive and effective form of government for our community. We drafted for voters consideration -- through a transparent, open, participatory and iterative process -- the attached Home Rule Charter to reform, reconstitute and reinvigorate our local government.

After decades of consideration, we believe it is time for Framingham, the 14<sup>th</sup> most populous community in Massachusetts, to adopt a Mayor-Council form of government. We believe the charter proposed provides the best combination of features to help our community and government thrive in the years to come.

## **What are we proposing?**

The proposed charter replaces our Town Meeting, Selectmen and Town Manager with an 11-member Council and full-time Mayor. Here is a list of key features in our proposal, most of which are new to Framingham:

- District Council members and School Committee members will be elected by 9 neighborhood districts rather than across the community;
- Most offices will have two-year terms so that if the public is unhappy, changes can be made quickly;
- There are strong checks and balances between the Mayor and the Council, including Council approval of almost all Mayoral appointments;
- The Charter requires creating and updating a strategic master plan for our community to encourage a coherent long-term vision;
- The Charter requires key information to be placed online before it can go into effect;
- It creates strong ethics standards by requiring elected and appointed leaders to report their financial interests, prohibiting "self-dealing", and adopting the strictest state reporting and oversight of campaign finance activity;
- Residents have a number of relief measures if they are unhappy with government decisions such as the ability to recall elected officials, petition Council & School Committee for action, and place referendums on the ballot;
- The Charter establishes a Strategic Initiative & Finance Oversight Committee, a citizen watchdog group to provide input and oversight into our municipal finances;
- The Charter establishes a Traffic Commission to address traffic congestion;

- The Charter limits the Mayor and at-large-Councilors to a maximum of three consecutive terms in office and district Councilors to six consecutive terms in office; and,
- There is an automatic citizen review of the Charter five years into the new system and every ten years after that so that changes can be made as needed.

### **Why is this better?**

We are confident that these proven structures will benefit the community in a number of ways:

1. As the Council will meet far more regularly than town meeting does, it will be easier for them to act when needed and to be regularly updated on community issues, including fiscal ones.
2. The Mayor and Council will be more well known to voters than the Town Meeting members and Selectmen are in our current structure. This improves accountability. If things are going well, voters know whom to credit, and if not, they know whom to blame. Since most offices have two-year terms, voters can make changes quickly if they see fit.
3. Since both the Council and School Committee will be elected from districts, it more equitably distributes how power and decision-making is shared across our community.
4. District level elections make it easier for newcomers to run for office since they only need run in their district rather than across all of Framingham. We believe this will broaden the range of people who choose to become the next generation of Framingham's leaders.
5. We have worked hard to balance the power of the Mayor and Council. We want the full-time Mayor to be the leader of Framingham, but also to work collaboratively with the Council. So, we have required Council approval of almost every position the Mayor appoints. There is a far greater level of council oversight in our Charter than the Selectmen currently have or that is in most city forms of government.
6. As noted, we have strengthened campaign and ethics rules to have a government which is acting in the best interests of the whole community.
7. Having the Mayor as part of the School Committee without allowing him or her to be Chair (or even to vote unless there is a tie) will promote effective municipal-school collaboration without giving the Mayor too much power on school matters.
8. A Mayor will be able to advocate for Framingham with regional, state, and federal leaders.

### **What if Charter changes are needed in the future?**

It would be foolish to imagine that this document is perfect. It will need to evolve over time, as Framingham's needs change. As such, the Charter has a built in automatic citizen review after five years and one every ten years after that. This gives Framingham the opportunity to review and propose changes for all voters to consider.

### **Why are we proposing this change?**

This is a very important question. We do not recommend these changes lightly, as all of us are rightfully proud of Framingham. We are the most diverse community in the region, attracting people from across the country and the world. Our high school has earned a silver medal from the US News and World Report, and we are home to Fortune 500 businesses as well as emerging firms.

The pride that each of us feels for Framingham needs to be better reflected in our government. Our local government needs to represent all of us and to support vibrant neighborhoods, quality schools, and safe homes. Our government must value our elders, celebrate diversity, support

local businesses, increase community participation, and care for those in need. If we wish to keep growing and improving as a community, we cannot simply maintain structures designed for a different time and place and we cannot overlook a number of significant problems with our current form of government. These include:

1. An absence of accountability in our government structures;
2. A structure that is a poor match for handling complex issues in a timely way;
3. Decreasing community participation in elections;
4. A lack of transparency and of clear ethical standards in parts of our government;
5. The reality that currently, all parts of Framingham are not fairly or equally represented in elections and decision-making.

Most residents are well aware of these challenges, so we choose not to dwell on negative issues here. However, if you wish to get more data on the challenges of our current structure as well as what we are proposing, please come to one of our neighborhood educational forums or view our **Charter Overview** PowerPoint document online at the Charter Commission website at <http://www.framinghamma.gov/2069/Charter-Commission-Documents>.

### **What changes and what does not in a new charter?**

Considering change can be scary and it is not always easy to understand the process of what happens if voters approve this charter. So we feel it important to try to address a few concerns or misunderstandings as directly as possible.

First of all, if this charter is approved, we do not instantly get rid of every decision ever made by Town Meeting and the Selectmen. In fact, the reality is just the opposite. The Charter notes that every existing bylaw stays in force. A transition committee will examine each one to make sure that prior rules fit the new structure, and obviously rules that currently govern structures we would no longer have (such as bylaws about Selectmen, Town Manager, etc.) would be discarded. The bylaws that affect our day to day life such as zoning, public safety, etc. will remain as they are to be discussed by future leaders only as needed.

Secondly, while we would not have undertaken this work if we didn't think structures were important for our success as a community, we realize that it is people who are essential to make any structure work. Updating our local government structure to be a more accountable, responsive and efficient one that works for all of us does not mean that our community priorities, our values, or many community volunteers and municipal workers will change -- they will not.

***What will change is our ability to implement these priorities.*** It is our hope that this new structure will spawn new interest by these individuals and others in serving the place we all call home.

Moving forward, we will be called the City of Framingham. Again, while the name is new, our values don't change. A name alone doesn't impact how our schools are prioritized, how we promote neighborhoods, or how we strive to preserve open space. As a group that has pushed for transparency, we embraced the title of "city" in part because we feel is the clearest representation of what our government structure will be, and we wanted to limit any confusion. However, there is another reason we chose to call Framingham a city. In today's world it is often cities that represent growth and innovation; it is our cities that are centers of diversity and acceptance, and it is our cities that are homes to institutions of higher learning that help us all grow. We are proud of Framingham and excited for the role it will continue to play as the hub of Metrowest.

Lastly, we believe it is important for all of us to embrace change with our eyes open about the results to expect. While this Council-Mayor form of government will give our community the accountability, ethics, transparency and representation we today lack, it will not by itself immediately resolve any of our vexing challenges. It will not instantly lower taxes, fill shopping centers or avoid costly mistakes, but it will provide for an open, transparent, ethical and accountable process for us to address them.

### **Will it cost more to be a city?**

Overall, we believe there will be few added costs in the transition and it should be close to cost-neutral. For example, the new added salaries of Mayor and Chief Operating Officer are completely offset by the elimination of Town Manager and Assistant Town Manager salaries. While there will be small costs associated with switching our name from town to city, these will be gradually addressed over time.

At the same time, we believe the change from a town to city provides opportunities for cost savings. With a more transparent budget process and a more effective management structure, the Council and Mayor should be able to find opportunities to provide the same services in a more fiscally efficient ways. This result is evident when looking at Weymouth and Braintree and their relatively recent switch to city government. The average tax bill and annual increases have been lower in the recent past in those locales, which share many characteristics with Framingham, except they are government by a mayor/council form of government.

### **Looking Forward to our Future**

In conclusion, **we are excited and enthused by the opportunity this Charter presents for Framingham to become an even better place to live, learn, work and play.** We believe we've created a document that is a strong blueprint for our government in the future; we also hope that the process has allowed you to learn more about how our government works and how we can engage ourselves and our neighbors to serve the community as a whole.

**We are a better, more vibrant, Framingham when we work collaboratively.** We look forward to the new ideas and new voices that will invariably come from change. It is our hope that your vote, no matter which way you decide, is not your only participation in our process, but the first of many contributions to come in the future.

Please join us in voting Yes for Change, Yes for this Home Rule Charter, and YES to our future.

We humbly submit the attached Home Rule Charter and accompanying reports to you for your consideration. Please take time to engage in this important discussion relative to the future of our community.

WITNESS, our hands and seal, at Framingham, Middlesex County, Massachusetts.

Respectfully submitted,

Valerie W. Mulvey, Chair  
Dennis W. Cardiff, Vice-Chair  
Adam S. Blumer, Clerk  
Dennis L. Giombetti  
George P. King, Jr.  
Janet E. Leombruno

Jason A. Smith  
John A. Stefanini