

**THE FRAMINGHAM CITY COUNCIL
RULES, ORDINANCES & ETHICS SUBCOMMITTEE
RECOMMENDATIONS
REGARDING
THE FINAL FRAMINGHAM CHARTER UPDATE PROPOSAL
BY THE CHARTER REVIEW COMMITTEE**

We, the members of the Rules, Ordinances and Ethics Subcommittee of the Framingham Council have approved all the Charter Review Committee’s final recommendations, except one. We would like the Council to consider the following in their Charter deliberations.

ARTICLE II: LEGISLATIVE BRANCH, page 6, 2. c) Appointments of (by) the council chair: The council chair shall appoint all members of all committees established by the rules of the council, whether special (temporary) or standing, including, but not limited to a finance subcommittee, appointments subcommittee, and rules/ordinances subcommittee.

The Subcommittee felt that since the city council has to approve most of the mayor’s appointments and the planning board’s major plans for the city by a 2/3 vote, if the appointments subcommittee needed to be listed in the Charter, then so did the city council’s planning and zoning subcommittee, which demonstrates to Framingham residents that the city council takes very seriously their responsibility to give input and a watchful eye over the planning and zoning of Framingham, which residents consider central to their quality of life in Framingham.

The Subcommittee is not averse to accepting the recommended changes in section 2c, along with all the other changes in Article II & throughout the entire document, but felt it important to acknowledge the residents’ desire for city council representation throughout all stages of planning and zoning in Framingham.

If the city council rejects the 2.c suggested changes, then 2.c. will remain as it was/is – only the words in black print – only the finance subcommittee listed.

ARTICLE II: LEGISLATIVE BRANCH, page 10, Section 8.c) Removal/Suspension **was approved with the following concerns we would like the city council have the city solicitor examine:**

Would it be wise or unwise to specify in the Charter whether the meeting will be an executive session or a regular public meeting? And is it understood that the city solicitor’s office will always be in attendance at these meetings; and possibly a human resources staff member?

ARTICLE II: LEGISLATIVE BRANCH, page 13, Section 11 FILLING OF VACANCIES, b) District Councilors
“If in the first fifteen (15) months of the term, the district councilor removes from the municipality or removes to another district in Framingham, their seat shall be considered vacant...”

Many residents objected to this when they read it. They gave several examples of people being moved from one residence to another, either in Framingham, or outside of Framingham. The reasons ranged from mandated housing repairs, projects, updates, or natural disasters, etc. They felt it was classist and unfair to lose the councilor they’d elected to represent them due to such circumstances. Having had these experiences, they said it wasn’t enough time to give the councilor to get re-situated in the district they represented, regardless of the reason for the temporary removal. They felt the district councilor should be allowed to complete their term.

The Subcommittee approved the updates on this section because Charter Review Vice Chair Suze Craigshead, lawyer by trade, explained on behalf of the Committee, that “removed to” did not include those kinds of cases, and one could keep one’s original/permanent address on file with the city clerk’s office, and there were procedures in place to accommodate such instances.

Article V: ADMINISTRATIVE ORGANIZATION, p. 36, 6. TRAFFIC COMMISSION – **While we approved recommendation of the Charter Committee’s update for this section, with the agreement of City Council Liaison to the Charter Review Committee Councilor Leora Mallach, she stated her hesitation and concerns due to inaction on the creation of a Transportation Department.**

As vice chair of the previous Public Health, Safety & Transportation Subcommittee (PHST), she’d raised the issue and advocated for it. The PHST had the Traffic Commission and DPW as meeting guests and reviewed the most recent traffic study. We made a recommendation to the council, which they approved and recommended to the mayor. The mayor did initially respond, discussing the possibility, but there has been no further communication about a transportation department in approximately two years.

Article VI: FINANCE & FISCAL PROCEDURES, p. 38-39, 1. FISCAL YEAR AND ANNUAL BUDGET PLANNING, b) **We did not want to reject this section, but felt it necessary to point out that “...a joint meeting to be held of the council and school committee to also include the superintendent of schools, and the Strategic Initiative and Financial Oversight Committee to review the financial condition of the city...the public shall be provided time to share their thoughts on potential budget priorities...”, is impractical. It may actually subvert the objective of a deep dive, wide input and greater discussion. Perhaps SIFOC would agree to break the joint meeting up into two nights – one for what pertains to the school district, and the other night for the city side; so that Framingham residents will have a fighting chance at staying throughout the meetings, getting fully updated, questions answered and input received.**

Article VII: ELECTIONS & ELECTION RELATED MATTERS, p. 46, 1. ELECTIONS: GENERAL (REGULAR), PRELIMINARY We approved this section, with the change from “GENERAL” to “REGULAR” ELECTIONS, along with all the other suggested changes, but it should be noted that “GENERAL ELECTIONS” is more of an industry term for elections, that is “regular.”

Article IX: 11. OATH OF OFFICE OF ELECTED OFFICIALS, p. 51, paragraph 1: Inauguration day

We approved the suggested date change because the Charter Committee worked hard considering various possibilities and suggestions, and took input on the consequences of each possibility. Further the Committee Chair said the initial request to move the Inauguration date came from one or more city council members. We would like the city council to hear the arguments for keeping January 1st as the inauguration day, changing it to the second business day in January, or other possibilities councilors may suggest. Let us see what the will of the Council is. (And the people.)