



OFFICE OF THE MAYOR  
FRAMINGHAM, MA.

2019 AUG 26 AM 10: 51

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FRAMINGHAM CITY COUNCIL

ORDER NO. 2019-045  
REQUEST OF THE APPOINTMENTS SUBCOMMITTEE

UPON THE REQUEST OF APPOINTMENTS SUBCOMMITTEE, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That, after lengthy discussion, the City Council votes to approve **Guidelines for Appointments to Boards, Committees, Commissions, Councils and Employee Positions Stipulated in Framingham's Home Rule Charter Where City Council Approval is Needed**, an Ordinance designed to clarify and streamline the appointments process. The full text of the Ordinance follows this Order.

FIRST READING:

YEAS: Cannon, Giombetti, Grove, King, Richardson, Rossi, Shepard, Sisitsky, Steiner, Tully Stoll

NAYS: None

ABSTAIN: None

ABSENT: Torres

PASSED IN COUNCIL: MAY 21, 2019

SECOND READING:

YEAS: Cannon, Giombetti, Grove, King, Sisitsky, Steiner, Torres, Tully Stoll

NAYS: Richardson

ABSTAIN: Rossi, Shepard

ABSENT: All Members were present

PASSED IN COUNCIL: AUGUST 13, 2019

A True Record, Attest:

8/22/19

Date Approved

Lisa A. Ferguson, City Clerk

Date Approved

Yvonne M. Spicer, Mayor

**Framingham City Council  
Voted on August 13, 2019**

**Guidelines for Appointments to Boards, Committees, Commissions,  
Councils and Employee Positions Stipulated in Framingham's Home  
Rule Charter Where City Council Approval is Needed**

**1. Intent and Purpose**

Whereas the Framingham Home Rule Charter passed by Framingham voters on April 4, 2017 does not provide sufficient guidance to assure that a strong and diverse group of potential candidates is encouraged to apply to serve the City of Framingham; this ordinance outlines steps to achieve that result.

Additionally, this Ordinance seeks to assure that no individual is discouraged from or denied application or appointment to any Board, Committee, Commission or Council based on race, color, national origin, religion, age, gender, sexual orientation, physical disability, mental disability, gender identity, gender expression, economic status or a non-listed protected category under the law. This ordinance establishes an appointments process with safeguards to prevent overt or inadvertent discrimination during the appointment process when people seek to serve our city. The disclosure portions of this ordinance regarding home addresses, and personal phone numbers and personal email addresses do not apply to people seeking employment with the City of Framingham.

**2. Definitions**

As used in this ordinance the following terms shall have the meanings indicated below.

**ADMINISTRATION**

The Mayor and/or staff or designee(s)

**ADVERTISEMENT**

A notice or announcement in a public medium or multiple mediums, publicizing board, committee, commission or council vacancies and seeking applications for the opening(s). Methods used must meet at least the minimum criteria specified in Framingham's Home Rule Charter passed on April 4, 2017 or as amended, as well as the additional methods stipulated or stated in this ordinance.

**APPLICANT**

Any individual who applies or attempts to apply to be a member of a board, committee or commission and council in Framingham's city government or an employee who must be approved by the City Council per Framingham's Home Rule Charter.

Ad Hoc Task Forces or Committees are not governed by the procedural rules set forth here; however, the anti-discrimination goals and objectives also apply to those appointments.

#### **CANDIDATE**

Any individual put forth by the Mayor or the City Council to fill a particular seat for a specified term or a term that may be served coterminous with an elected official.

### **3. Procedures**

- (a) For all appointments of the Council and all appointments of the Mayor that are subject to the review by the Council under Article II, Section 10 of the Charter, a detailed description shall be prepared by the city administration or by the City Council when a position is under their direct authority stating the purpose and responsibilities of each office, board, committee, commission and council in the City of Framingham, the number of members on each and the length of terms.
- (b) Detailed descriptions of the roles and responsibilities of board, committee or commission members shall be prepared for each board, committee, commission or council. This description shall include the expected time commitment from the volunteer. If there are particular qualifications or disqualifying factors for an applicant, these should be stated with the roles and responsibilities of the position.
- (c) When a vacancy on a Board, Committee or Commission exists, advertisements as stipulated in this ordinance must be written including the information in both sections (3a) and (3b) of this ordinance as well as the term of the appointment and how many seats are available for appointment(s) and the total number of members on said board, committee, commission or council. The advertising for said position(s) shall appear within twenty one (21) days of said vacancy occurring.
- (d) For positions subject to this ordinance, expiring in the normal June 30<sup>th</sup> cycle, all advertising should begin by April 1st and continue on a biweekly basis until a hard application deadline of May 15<sup>th</sup> at 4:00 PM. All applications shall be time and date stamped when they are received.
- (e) The advertisement in section (3c) of this ordinance must be prepared in a minimum of three different languages including English, Spanish and Portuguese.
- (f) The advertisement in section (3c) of this ordinance must be distributed broadly including but not limited to press releases in the languages listed in section (3d) of this ordinance and shall be sent to all local media outlets including print, radio, online, PEG television channels and the City's social media pages as well as any other distribution method which could help yield qualified candidates representing the

demographic diversity of the people of Framingham as well as each geographic region of the city. The full descriptions cited in sections (3a), (3b) and (3c) of this ordinance should also be easy to locate on the City's website.

All openings should be announced through the city's text and email alert systems.

Where specific advertising requirements are stated in the Framingham Home Rule Charter, they shall be followed.

- (g) The advertisement shall state a deadline for applications and the appropriate method for submitting them. Unless there are extenuating circumstances the deadline shall be no later than 45 days after the advertisements are initially placed.
- (h) If the Mayor, or City Council for their own appointments, deems that the pool of candidates is not sufficient, the Mayor or City Council shall decide whether to consider the search unsuccessful or to recommend just a partial list of names. The Mayor or Council may also re-initiate an additional advertising process for applicants at their discretion. The Mayor or Council Chair or their designee shall disclose the status of the search within two business days of the deadline for applications.
- (i) Regardless of whether the search is deemed unsuccessful, all names and applications for non-employment positions shall be released to the City Council and the public within five business days of the application deadline.
- (j) The application process shall be as streamlined as possible while also collecting the necessary written information from each applicant to enable the Mayor or Mayor's designee(s) or City Council to determine the best candidates to invite for interviews or to recommend without an administrative interview.
- (k) The application for volunteer positions shall be conducted utilizing forms that are easy to complete. Supporting documentation shall be collected via, email, fax, personal delivery, U.S. Mail or a shipping or courier service. There shall be no redactions made to any documents received other than drivers' license number, Passport number or Social Security Number and email address.
- (l) The application itself shall disclose that all information submitted during the applications and appointment process becomes public information upon submission.
- (m) The application shall include name, home address, email address and phone number and a current resume, why they desire the position they are applying for and what credentials they have that would qualify them to be a good board, committee, commission or council member.

- (n) The City Council and/or its Appointments Subcommittee has the right to interview any or all candidates and to request additional information if the Subcommittee or full Council determines that information to be necessary.
- (o) If background checks are going to be used or if potential references for candidates are going to be contacted, this must be disclosed at the beginning of the application process before an applicant enters their name or submits personal or professional information to the city. Any investigative procedures, including interviews, shall be disclosed at the beginning of the application process. All applicable state and federal laws shall be adhered to in this process.
- (p) Background checks must be kept confidential and shall not be shared with anyone other than the agent conducting the check, the director of Human Resources or the Mayor. These individuals are required to determine whether or not the candidate's background is acceptable for volunteer service or employment in Charter defined positions where the City Council must vote on the applicant. The rest of the information collected in the application process including screening committee notes will be deemed public information. In the case of City Council appointments, the Chairperson of the Council will serve in the same capacity as the Mayor in this process.
- (q) When applicants are contacted regarding interviews, they shall be told who will be conducting the interviews both on the Administration side and the Council side of the government.
- (r) All applicant interviews, whether by the administration, City Council Appointments Subcommittee or the whole Council, shall be conducted in a handicap accessible location that meets the requirements of the Americans with Disabilities Act.
- (s) The Mayor or other appointing authority shall take into serious consideration the racial, ethnic, economic, disability and geographic disbursement of all appointments and shall strive to the extent practicable to seek appointees to all committees, boards, commissions and/or offices appointed by the Mayor from the entire town, reflecting both demographic and geographic diversity of membership.
- (t) After the Mayor decides on her/his candidates for appointment to boards, committees, commissions or councils the names of these individuals, their application packages and proposed appointment terms should be forwarded to the City Council Chairperson and Executive Assistant to the City Council at least 2 full business days before the press is notified. The same information for applicants who have not been recommended to be candidates shall also be provided under separate cover to the City Council Chairperson.