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ORDER NO. 2021-015-002
REQUEST OF THE ORDINANCE & RULES SUBCOMMITTEE

UPON THE REQUEST OF THE ORDINANCE & RULES SUBCOMMITTEE, THE CITY OF FRAMINGHAM,
THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That the City Council approves the Neighborhood Advisory Groups Ordinance as amended
and attached.

FIRST READING

YEAS: Bryant, Cannon, Case, King, Leombruno, Long, Ottaviani, Shepard, Stefanini,
Steiner, Stewart-Morales
NAYS: None
ABSTAIN: None
ABSENT: All members were present in person or via teleconferencing
PASSED IN COUNCIL: MAY 4, 2021

SECOND READING

YEAS: Cannon, King, Leombruno, Long, Ottaviani, Stefanini, Steiner
NAYS: Bryant, Case, Shepard, Stewart-Morales
ABSTAIN: None
ABSENT: All members were present in person or via teleconferencing
PASSED IN COUNCIL: MAY 18, 2021

A True Record, Attest:

City of Framingham



The City Council of Framingham



5/21/2021

Date Approved

6/25/2021

Date Approved

Lisa Ferguson

Lisa A. Ferguson, City Clerk

Emily L. Butler, Assistant City Clerk

Yvonne M. Spicer

Yvonne M. Spicer, Mayor

See attached statement.



CITY OF FRAMINGHAM

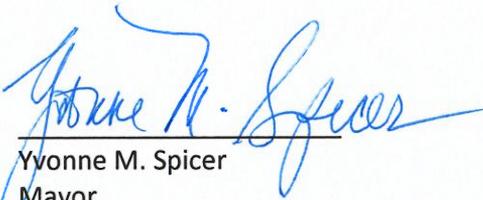
OFFICE OF THE MAYOR

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w www.framinghamma.gov

MEMORIAL BUILDING
150 Concord Street, Room 121
Framingham, MA 01702

June 25, 2021

I have signed the Council's order enacting the ordinance to create Neighborhood Advisory Groups because I am a strong believer that celebrating the diverse neighborhoods in our city and bringing neighborhood perspectives to many of the issues Framingham is facing will more likely result in better outcomes for the City as a whole. Our Charter encourages this through the geographic and demographic diversity goals in the Mayor's appointments to multiple-member bodies. However, in my experience neighborhood involvement and advocacy best happens organically at the grass roots level rather than by a mandated process imposed from above. Accordingly, I am concerned that the requirements set forth in the ordinance to create these groups may be too onerous, and that the end effect may be the opposite of what the Council intends, further disenfranchising some City neighborhoods that do not have the same level of robust grass roots organization as do other neighborhoods. I also continue to see provisions in this ordinance, similar to other recent ordinances enacted by the Council, that direct or order executive branch employees and which therefore are inconsistent with Article II, Section 3(b) of the Charter, and thus will comply with such directives to the extent not inconsistent with the charter.



Yvonne M. Spicer
Mayor
City of Framingham, MA



Ordinance to create Neighborhood Advisory Groups

Be it ordained by the Framingham Council, as follows:

SECTION 1.

Article II of the Framingham Ordinances is hereby amended by adding at the end thereof the following new section:

Section 33: Neighborhood Advisory Groups

33.1: Purpose

The purpose of the Neighborhood Advisory Groups (Groups) is to provide an avenue to strengthen neighborhood bonds, define its unique identity, and to build a sense of community by harnessing neighborhood expertise, experience, and energy. Our neighborhoods are the foundation of the City – homes, small businesses, schools, recreational facilities, and places of worship all connect neighbors together to build a community. These Groups intend to expand self-government and provide neighborhoods with a voice in preserving and promoting a healthy, vibrant, and thriving community.

33.2: Neighborhood Areas

33.2.1 Establishment

The council may, upon petition of area residents, establish one or more neighborhood areas to represent or provide services that the Neighborhood Advisory Group (Group) is authorized to undertake as follows:

(a) A petition may be submitted to the council requesting the establishment of a Neighborhood Advisory Group. The petition must be signed by five (5) percent of the registered voters residing in the area, but not fewer than 150 such residents. The petition shall describe the general territorial boundaries of the proposed service area and the Group's name.

(b), the council shall submit the petition for verification of signatures to the City Clerk upon receipt of the petition. Within 30 days following verification, the council shall hold a public hearing on the question of whether or not the requested neighborhood area shall be established. The hearing may be adjourned from time to time but shall be completed within 60 days of the date of commencement.

(c) Within 30 days following the public hearing, the council shall approve or disapprove the establishment of the requested neighborhood area.

(d) Approval of a Neighborhood Advisory Group may contain amendments or modifications of the area's boundaries, functions, or the size of the Neighborhood Advisory Group as set forth in the petition.

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(e) A petition may include a request to the council to waive any, some, or all of the requirements of a Neighborhood Advisory Group enumerated below with the written reasons for each said request.

33.2.2 Boundary Changes

The council may, on the initiative of the council or pursuant to a request from a Neighborhood Advisory Group accompanied by a petition signed by at least five (5) per cent of the registered voters residing in the area to be added or deleted, enlarge, modify, diminish or otherwise alter the boundaries of any existing neighborhood area following the procedures set forth in subsections (b) to (d), inclusive, of section 33.2.1 above.

33.2.3 Considerations in Setting Boundaries

In establishing neighborhood boundaries and services thereof, the council shall study and take into consideration the following:

- (i) the extent to which the area constitutes a neighborhood with common concerns and a capacity for local neighborhood initiative, leadership and decision making with respect to city government;
- (ii) city agency authority and resources which may appropriately be needed;
- (iii) population density, distribution and growth potential within a neighborhood area to assure that its boundaries reflect the most effective territory for local participation and control; and
- (iv) citizen access to, control of and participation in neighborhood area activities and functions.

33.2.4 Dissolution of a Neighborhood Area

- (a) The council may, after legal notice has been provided to the Group considered to be dissolved, and after a public hearing, dissolve a Group pursuant to a petition signed by at least five (5) per cent of the registered voters living within the neighborhood area; and
- (b) The council shall give notice, in a newspaper of general circulation covering the neighborhood area, of its intention to hold a public hearing on a proposed dissolution. The notice shall be given not less than 14 days before the date of the public hearing.

Section 3: Neighborhood Advisory Groups

33.3.1 Election

(a) A Neighborhood Advisory Group (Group) shall be duly organized as a non-profit entity with membership open to all residents of and local businesses in the neighborhood area as set out in the Group's bylaws. While the Group may collect dues from its members, dues shall not be required to

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participate in meetings or to vote. The Group's membership shall be open to all Framingham residents, property owners, and businesses within the neighborhood area.

(b) The Group's executive committee shall be elected at-large by registered voters residing in the neighborhood area at an annual meeting each year as stated in Group's bylaws.

33.3.2 Powers and Functions

A Neighborhood Advisory Group may exercise any powers and perform any functions within the neighborhood area expressly authorized by the council, which may include but not be limited to the following:

- (i) represent neighborhood interests with the mayor, council, school committee, and multiple member bodies;
- (ii) initiate self-help projects, such as supplemental refuse collection, beautification, minor street and sidewalk repair, establishment and maintenance of neighborhood community centers, street fairs, block parties, and festivals, community gardens, cultural activities, recreation and housing rehabilitation;
- (iii) accept funds from public and private sources;
- (iv) advisory or delegated substantive authority or both, with respect to such programs as a community action program, urban renewal and other physical development programs, crime prevention, health services, and recreation;
- (v) evaluate municipal services and submit recommendations to the appropriate municipal department;
- (vi) disseminate information through City lists and website;
- (vii) propose traffic or parking improvements, including a resident parking sticker; and
- (viii) expenditure of monies to support neighborhood area projects.

33.3.3 By-Laws

A Group shall adopt bylaws providing for the conduct of its business and the selection of a chair, vice-chair, treasurer, and clerk. Copies of the Group's by-laws shall be posted on the municipal bulletin board and made available to the public upon request. A majority of the Group's executive committee shall constitute a quorum for the transaction of business, but business should be transacted at a regular meeting whenever possible where all area residents are invited and have an equal vote. Each member entitled to vote shall have one vote. The Group shall keep a notification list and notify area residents of all meetings and decisions of the Group.

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33.3.4 Annual Report

Each Group shall make an annual report of its activities to the mayor and council which shall be posted on the municipal bulletin board. The Council shall annually convene all Groups.

33.3.5 Meetings

The Group shall meet as necessary to carry out its duties, but in any year shall hold no fewer than four (4) meetings, including an annual meeting.

SECTION 2.

Article II of the Framingham Ordinances is hereby amended by inserting at the end of Section 1 the following new subsection:

1.11 Neighborhood Advisory Groups

The mayor may periodically assess the strengths, challenges, and needs of Neighborhood Advisory Groups and make recommendations to the council for changes to ordinances and municipal services to create a neighborhood blueprint for Framingham. It will serve as the basis for promoting, preserving, and protecting our neighborhoods.

SECTION 3.

Article I of the Framingham Ordinances is hereby amended by inserting at the end thereof the following new section:

Section 6. Neighborhood Advisory Groups

6.1 Multiple member bodies and municipal officers shall provide advance notification of any municipal-related public works or utility project taking place or of a public hearing for a license or permit sought within or adjacent to the Group's area. Multiple member bodies shall solicit mitigation concerns from a Group for development projects within a Group's neighborhood area.

6.2 Multiple member bodies, upon the request by vote of a Group, make time on its agenda to hear the concerns and ideas of the Neighborhood Advisory Group.

6.3 Upon the request of a Neighborhood Advisory Group, multiple member bodies and municipal officers may waive all necessary fees for permits and licenses, and provide technical and financial assistance, for said Groups to conduct an annual neighborhood block party. And municipal officers shall make reasonable accommodations during regular hours of operation for Groups to utilize public meeting spaces at no cost to the Group.

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SECTION 4.

Severability If any provision of this ordinance shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

SECTION 5.

Effective Date This ordinance shall take effect immediately.