



# Rules of the Framingham Council

Initial Rules filed on May 15, 2018

Amended and approved on

05/21/2019, 11/19/2019,

01/14/2020, 04/21/2020,

06/09/2020, 05/04/2021,

02/01/2022, 09/20/2022

10/17/2023, 02/06/2024, 01/27/2026

## **The Framingham Council embraces and strives to implement the letter and spirit of the Framingham Home Rule Charter and its preamble:**

We, the people of Framingham, in order to reaffirm the customary and traditional liberties of the people with respect to the conduct of our local government, do adopt this Home Rule Charter.

We need and want a local government that represents all of us, that supports vibrant neighborhoods, provides quality schools, protects safe and secure homes, values our elders, celebrates diversity, supports local businesses, promotes community participation, and cares for those in need.

It is the expectation and intent that the Charter will continue and enhance voter participation, ethical, transparent and responsive leadership, wise use of public resources, respect for all in the community, and an engaged citizenry. We expect and intend that our government will promote equality, and be welcoming and inclusive.

### ***Meeting Times***

Rule 1. Unless otherwise ordered from time to time, and except on holidays, the regular meeting of the council shall be the 1<sup>st</sup>, 3<sup>rd</sup> and 5<sup>th</sup> Tuesday of the month at 7:00 p.m. in the Blumer Room, located in the Memorial Building, 150 Concord St. Framingham, MA 01702. During the months of July and August, however, the council will meet only on the 3<sup>rd</sup> and 5<sup>th</sup> Tuesday of the month.

1. All sessions of the council and every subcommittee or ad-hoc committee of the council shall at all times be open to the public unless another provision is made by law;
2. Council meetings, subcommittee meetings and ad-hoc committee meetings shall end no later than 11 p.m. No new business may be considered after 10:00 p.m. unless approved by a majority vote of the members present;
3. Council meetings may not begin earlier than 7:00 p.m. except for in the case of an emergency; and,
4. Subcommittee meetings and ad-hoc committee meetings of the council may be held at a time earlier than 7:00 p.m. upon approval of all members of the subcommittee or ad-hoc committee.

Rule 1a. Special meetings of the council shall be held at the call of the council chair, or, at the call of any four (4) or more councilors, by written notice delivered in hand and electronically to

each councilor or to the place of residence of each councilor and which contains a listing of the items to be acted upon. Except in case of an emergency, the existence of which the council chair shall be judge, this notice shall be delivered at least forty-eight (48) hours in advance of the time set for the meeting. A copy of the notice to councilors shall be posted on (i) the municipal bulletin board and, (ii) published on the appropriate city government webpage on which all such meeting notices are posted, and (iii) published on the council's Facebook page, and (iv) as may be required by ordinance or the Open Meeting law.

Rule 1b. Executive session may be entered only after the council has first convened in open session for which notice has been appropriately posted. The presiding officer shall cite the reason for going into executive session and indicate whether the council shall leave executive session for the purpose of adjournment or return to open session. The presiding officer shall ask for a roll call vote of the council members present. The vote of each member shall be recorded in the minutes, with a majority of members present necessary to initiate executive session.

### ***Seating***

Rule 2. Seating is assigned at the beginning of each two (2) year term coinciding with the district councilor election cycle. The council seats from left to right will be numbered one (1) through eleven (11). The vice chair of the council will sit in seat five (5) and the chair will sit in seat six (6). The remaining councilors will randomly select their seats by drawing numbers. The seating assignments will remain for the duration of the two (2) year term.

### ***Office Supplies***

Rule 3. Upon request of each Councilor, he or she will be provided with one or more of the following office supplies at the beginning of each two (2) year term coinciding with the district councilor election cycle:

- One box of business cards
- A laptop or similar device
- Digital Council letterhead for individual councilor

Rule 3a. That any and all correspondence using the City Seal and Council Letterhead by the chair for communications initiated by a majority vote of the City Council and shall be transmitted to every member of the council to ensure transparency.

### ***Quorum***

Rule 4. A quorum of the council or any subcommittee or ad hoc committee is determined by the Open Meeting Law.

### ***Election of Officers***

Rule 5. At its first meeting in January following the City election, the council shall elect from its membership a chair and a vice chair who shall serve a two (2) year term of office co-terminus with the term of the district councilors. If neither the existing chair or vice chair are present at the meeting, the City Clerk shall preside over the meeting solely for the purpose of the election of the chair and vice chair.

1. The council chair shall preside at all meetings of the council, shall regulate proceedings including the agenda and shall decide on all questions of order;
2. The council chair shall have the same powers to vote upon all measures coming before the council as any other councilor;
3. The council chair shall perform any other duties consistent with the office that may be provided by charter, by ordinance, by council rules, or by other vote of the council;
4. The vice chair shall ensure that the council's agenda and actions are readily accessible through current communications channels and public media outlets;
5. If the council chair or vice-chair resigns or is unable to complete their term for any reason the council shall elect from its membership a new chair or new vice chair to replace the outgoing chair or vice chair and such new chair or new vice chair shall serve in such capacity for the remainder of the original chair or vice chair's term;
6. The council chair and vice chair shall together routinely meet with the mayor on council business and update the council on the same; and,
7. The council chair, when requested by vote of the Finance or other subcommittee, may hire a consultant with available funds in accordance with public procurement laws.

### ***Presiding Officer***

Rule 6. The council chair shall serve as the presiding officer of all meetings of the council and all hearings of the council. Each subcommittee chair and ad-hoc committee chair shall serve as the presiding officer of all meetings and hearings of their subcommittee or ad-hoc committee.

1. At all council meetings, in the event of the absence of the council chair, the vice chair shall preside. In the event both the chair and the vice chair are absent the council shall elect from its membership a temporary chair for that meeting. At all subcommittee meetings and ad-hoc committee meetings, in the event of the absence of the chair, the vice chair shall preside.
2. Subcommittees and ad hoc committees cannot meet if both the subcommittee chair and vice chair are absent.

### ***Recess***

Rule 7. The presiding officer may at any time, during debate or otherwise, declare a recess for not more than twenty (20) minutes. Such action shall not be subject to appeal, nor shall any motions apply thereto.

### ***City Council Agendas and Supporting and Background Materials***

Rule 8. The council chair has full discretion as to the inclusion of items on the council agenda, unless a majority vote of the council decides otherwise.

#### **Rule 8a. Meeting Materials**

1. Members of the council and municipal staff who prepare background and supporting materials including visual presentations (PDF's, motions, written amendments, power point, Google slides, etc..) shall have all such materials submitted to the council office by **12:00 noon Wednesday before the Tuesday meeting**. If background and supporting materials including visual presentations are not received by the deadline, the council may

by a majority rollcall vote waive this provision; otherwise, the matter shall be postponed until a future meeting, provided that the council may by a majority rollcall vote waive this provision.

2. A draft agenda of all Council meetings shall be posted publicly and shared with Councilors by 5:00 p.m. one week before a scheduled Council meeting.
3. **By 5:00 p.m. on the Thursday before the Tuesday meeting**, the agenda and all background and supporting materials shall be:
  - provided to each member of the council (in written or electronic form per each council member's stated preference) and,
  - published on
    - i. the appropriate city government meeting portal on which all such meeting notices and materials are posted, and
    - ii. as may be required by ordinance or the Open Meeting law.
  - All materials and visual presentations shall be posted separately on the appropriate city government meeting portal on which all such meeting notices are posted for ease of access. The council chair shall not be required to read verbatim the agenda at the onset of every meeting.
4. All Councilors shall be notified weekly of all meetings of the council, subcommittees and ad hoc committees and related events taking place the following week.

Rule 8b. Unsigned communications of any kind which are submitted to the council anonymously shall not be introduced in the council.

#### ***Subcommittee and Ad-Hoc Committee Agendas and Supporting and Background Materials***

Rule 9. Subcommittees and ad-hoc committees serve at the will of the council and have no independent authority. With the exception of the responsibilities assigned to the finance subcommittee through the Framingham Home Rule Charter, the chair of the subcommittees or ad-hoc committees have full discretion as to the inclusion of items within their scope or charge on said subcommittee's agenda, unless a majority vote of the council decides otherwise. Provided, however, that the respective subcommittee chair shall inform the Council Chair in advance of discussion topics not referred to their subcommittee by the Council, and if, in the Council Chair's sole discretion said topic is either beyond the scope or redundant with the work of another subcommittee, the subcommittee chairs shall postpone said topic until the Council votes to refer said topic to the subcommittee.

#### **Rule 9a. Meeting Materials (Subcommittees and Ad-Hoc Committees)**

1. Members of the subcommittee or ad-hoc committee and municipal staff who prepare background and supporting materials including visual presentations shall have all such materials submitted to the council office by **12:00 noon three business days prior to the committee meeting or ad-hoc committee meeting**. If background and supporting materials including visual presentations are not received by the deadline, the Chair at his/her discretion (or a majority vote of the Committee) may postpone the related agenda.

2. **By 5:00 p.m. two (2) business days before the subcommittee meeting or ad-hoc committee meeting** the agenda and all background and supporting materials, shall be
- provided to each member of the subcommittee or ad-hoc committee (in written or electronic form per each member’s stated preference) and,
  - published on
    - i. the appropriate city government meeting portal on which all such meeting notices and materials are posted, and
    - ii. as may be required by ordinance or the Open Meeting law.

Rule 9b. Unsigned communications of any kind which are submitted to subcommittees or ad-hoc committees anonymously shall not be introduced in the subcommittee or ad-hoc committee.

### ***Order of Business and Debate***

Rule 10. At every regular meeting of the council, the order of business shall be as follows:

- a. Approval of Minutes
- b. Resolutions & Proclamations
- c. Public Participation
- d. Public Hearings
- e. Report of the Mayor
- f. Action Items
- g. Report of the Council Chair
- h. Reports of Subcommittees
- i. Old Business
- j. New Business
- k. Report of Councilors
- l. Adjournment

Rule 10a. The above order shall not be changed except by vote of a majority of the council members present at the meeting and upon a motion to change the order.

Public Hearings (b) shall include all legal hearings, the first reading of orders, and any other matters of significant public interest at the chair’s discretion; Action Items (d) shall include the second reading of orders, subcommittee referrals, and other ministerial matters. Review of Correspondence (h) is an opportunity for any members to discuss official signed correspondence to the entire council.

Rule 10b. The council meetings and all council subcommittee meetings and ad-hoc committee meetings shall be guided by “Robert’s Rules of Order Newly Revised” in all questions of parliamentary practice not provided for in these rules with the presiding officer having the final determination as to applicability and enforcement.

Rule 10c. Report of the Mayor Agenda Item.

- The mayor (or mayor’s designee) is encouraged to provide a general list of topics to be discussed and any related background materials to the council in advance of the meeting.

- Councilors are encouraged to suggest topics to the mayor (or the mayor's designee) in advance of the meeting but the mayor (or the mayor's designee) is not required to include the topics suggested.
- Councilors are encouraged to submit questions related to topics in advance of the meeting, but are not restricted to ask only those questions at the meeting.
- The Chair will recognize councilors who want to ask questions after the mayor or mayor's designee has finished his/her report.
- If the discussion during the Report of the Mayor continues for 45 minutes the Chair will then ask the council to vote whether or not to continue the discussion or move to the next agenda item. An affirmative majority vote of the council members present advances the meeting to the next agenda item.

Rule 10d. Strategic Planning with Mayor.

- When the council meets on the 5<sup>th</sup> Tuesday of the month, it shall do so for the exclusive purpose of brainstorming and strategizing with the mayor, community leaders and residents on the topics as voted by the full council. The Ordinance, Rules and Strategy subcommittee will work with the mayor's staff to develop materials and discussion outline to ensure common base of knowledge and focus for all participants.

***Public Participation***

Rule 11. Any resident of Framingham may be recognized and speak to any agenda item on the current council agenda, subcommittee agenda or ad-hoc committee agenda (subject to Rule 11a) or during public participation (subject to Rule 11b) or during a public hearing (subject to Rule 12) and time shall be allotted for the public to speak at each open meeting or public hearing of the council, subcommittee or ad-hoc committee

- Speakers will be expected to use the following format when addressing the council, a subcommittee or an ad-hoc committee:
  1. State their name and address;
  2. State the issue that they are bringing to the council's, subcommittee's, ad-hoc committee's attention;
  3. Describe specifically the requested action; and,
  4. State the reasons that they support the requested action.
- Decorum:
  1. No person may address the council, subcommittee, ad-hoc committee without permission of the presiding officer;
  2. All persons shall be silent at the request of the presiding officer;
  3. All persons must observe proper decorum and refrain from referring to other persons specifically by name or generally;
  4. All persons addressing the council, subcommittee, ad-hoc committee shall do so in an orderly manner and shall not make repetitious, slanderous or irrelevant remarks, engage in personal attacks, or engage in any other

disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of the council meeting;

5. If a person transgresses these rules any council member may call him or her to order; and,
6. If a person persists in disorderly behavior in such a meeting after a warning from the presiding officer, the presiding officer may order him or her to withdraw from the meeting and such person may be subject to removal from the meeting.

Rule 11a. Agenda items: Time will be allotted for Framingham residents to speak to an agenda item after the agenda item has been discussed by the council members present and shall be limited to fifteen minutes total with no more than three minutes allowed per speaker unless additional time is approved by majority vote of the council members present. Speakers will be recognized by the presiding officer subject to available time.

Rule 11b. Speaking to items not on the Agenda: Framingham residents may address the council about items which are not on the agenda during the Public Participation portion of the meeting which shall be limited to fifteen minutes total with no more than three minutes allowed per speaker unless additional time is approved by majority vote of the council members present. Speakers will be recognized by the presiding officer subject to available time.

- Members of the public who want to speak on matters during public participation must use the following procedure:
  1. Sign their names on the signup sheet that is available in the meeting room prior to the start of the meeting.
  2. Give their residence address and whether they are speaking as agent or representative of another person or organization.
  3. Name the subject matter on which they want to speak.

### ***Public Hearings***

Rule 12. Hearings before the council, subcommittees or ad-hoc committees shall be conducted in accordance with the following procedures, unless different procedures are necessary to comply with statutory requirements applicable to particular matters:

1. The council chair shall be the presiding officer of each hearing of the council.
2. The subcommittee chair shall be the presiding officer of each hearing of the applicable subcommittee or ad-hoc committee.
3. The council secretary will ensure that all hearings are advertised as required by statute or as directed by the council chair in the absence of statutory requirements.
4. At the beginning of the hearing, the presiding officer will announce the nature and purpose of the hearing, identify the particular matter, and recite the notice given.
5. All questions shall be addressed to the presiding officer, and individuals may address the council, subcommittee or ad-hoc committee only when recognized.
6. The order of presentation will be:
  - a. presentation by the proponent;

- b. receipt of recommendations from any city board or officer;
  - c. questions from the council members; and
  - d. statements by members of the public and/or opponents.
7. Three (3) minutes shall be allowed each speaker to express his/her views on the matter being heard. Additional time may be granted at the discretion of the presiding officer.
  8. The time devoted to public hearings at any meeting of council, subcommittee or ad-hoc committee shall be not more than three (3) hours at any one sitting.
  9. At the conclusion of the hearing, the council members present may render its decision or take the matter under advisement, announcing the intended date of decision.

Rule 12a. Operating Budget Hearings. The council shall immediately upon receipt of the proposed operating budget, refer the budget to the council's finance subcommittee. The finance subcommittee shall hold a public hearing (following rules 1-9 above) on the proposed operating budget providing no less than ten (10) days' notice of such hearing. The finance subcommittee will review the budget making a presentation and recommendation to the full council within twenty-one (21) days.

### ***Meeting Minutes and Recording***

Rule 13. A full, accurate, up-to-date account of the proceedings of the council and each subcommittee and ad-hoc committee shall be kept, which shall include a record of each vote taken, and which shall be made available as required by the Open Meeting Law. Proposed amendments to minutes must be made in writing and given to the secretary of the council at least 24 hours in advance of the meeting. The minutes of any executive session shall be made available as soon as their publication would not defeat the lawful purpose of the executive session consistent with the requirements of the Open Meeting Law, General Laws chapter 30A, section 22. Absent any unforeseen difficulty, technical or otherwise, all meetings of the council shall be recorded and broadcast live.

### ***Establishment of Subcommittees***

Rule 14. The council chair shall appoint as soon after the organization of the council as may be convenient, the membership of each subcommittee. Each subcommittee shall elect the chair and vice chair of said subcommittee.

1. The council chair will strive to have the membership of subcommittees reflect the diversity of the council;
2. The subcommittees or ad hoc committees have full discretion as to the inclusion of items within their scope or charge on said committee agendas, unless a majority vote of the council decides otherwise. Subcommittee chairs will make periodic reports to the full Council on subcommittee activity; and,
3. Special ad-hoc committees for a specific purpose may be authorized at any time by a majority vote of the full council or action of the council chair. Special ad-hoc committees shall follow the rules in this section as if it were an established subcommittee.

Rule 14a. Budgetary matters: Proposals pertaining to budgetary matters including the creation of any new city government positions, the creation of any new programming or the outlay of funds for the purchase of equipment or other capital expense falls under the purview of the finance subcommittee.

The Finance subcommittee shall work with the Administration to organize an agenda item for the full council during a council meeting for each of the following months:

1. February: Report of the Administration and state legislative delegation on the current actuals and next fiscal year projections for revenues, including data from the previous nine fiscal years;
2. March: Report from the Administration and city auditor on the efficacy and efficiency of appropriations for the current and nine previous fiscal years by department and by program, including but not limited to staffing levels for each;
3. November: Report of the Administration on the condition, utility, and need for all municipal assets, real and personal, including a five-year plan for each; and,
4. December: Report from the Administration on monthly Allotments for the previous and current fiscal year, comparing the benchmarks set at the beginning of each fiscal year with actual performance by department and by program for each month.

The members of the school committee, library trustees, cemetery trustees, and park commission shall be invited to participate.

Rule 14b. The attendance of a council member at a subcommittee meeting or ad-hoc committee meeting of which they are not a member must comply with the Open Meeting Law.

The Subcommittees of the Council are as follows:

**1. Finance Subcommittee (5 Members)**

The Finance Subcommittee shall be comprised of five (5) council members and may consider any or all questions appropriate for the purpose of considering the budget, including the creation of new positions to the payroll, changes to the employee classification plan or any matters pertaining to increasing City of Framingham employee headcount.

- a. The finance subcommittee shall have the authority to investigate the books, accounts and management of any department of the municipality and to require officers and employees of the municipality to appear before it to provide information.
- b. With a majority vote of the council, the finance subcommittee may employ such expert or other assistance as it may deem advisable for the foregoing purpose.
- c. The books and accounts of all departments and officers of the municipality shall be open to the inspection of the finance subcommittee and council appointed auditor.

- d. The finance subcommittee may appoint working groups of its members to report findings and make recommendations to the full council.

## **2. Appointments Subcommittee (3 Members)**

The Appointments Subcommittee shall be comprised of three (3) council members and may review, if assigned to it by the full council or council chair, all suggested appointments by the Mayor that are subject to council oversight. After review, the subcommittee shall present its recommendations to the full council for approval or rejection.

- a. The subcommittee shall have the authority to request additional information and materials on all applicants and the position being applied for during its review process.
- b. The subcommittee shall have right to interview all candidates for appointment in an open and public meeting.
- c. Members of the appointments subcommittee or their designees shall not discriminate against any applicant based on race, color, national origin, religion, age, gender, sexual orientation, disability, gender identity, gender expression, economic status or a non-listed protected category under the law.

## **3. Rules, Ordinances and Ethics Subcommittee (3 Members)**

The Rules, Ordinances and Ethics Subcommittee shall be comprised of three (3) council members and may review, if assigned to it by the full council or council chair, all matters relating to council rules, orders and ethics. The subcommittee shall be responsible for final review of all ordinances being proposed by Council Subcommittees.

## **4. Planning and Zoning Subcommittee (3 Members)**

The Subcommittee on Planning and Zoning shall be comprised of three (3) council members and may review, if assigned to it by the full council or council chair, any or all proposed amendments to the zoning ordinances, zoning map, land use and planning and special permits and any other such related matters.

## **5. Environment and Sustainability Subcommittee (3 Members)**

The Environment and Sustainability Subcommittee shall be comprised of three (3) council members and may review, if assigned to it by the full council or council chair, any or all questions related to environmental issues and sustainability. The subcommittee will focus on: air, land and water pollution, solid and hazardous waste disposal and land reclamation, recycling and sustainability, energy savings and efficiency and other matters related to the physical environment of Framingham. It will also monitor the impact of industry and development on the quality of life of our residents.

## **6. Subcommittee on Economic Development, Public Health and Welfare, and Veterans (3 Members)**

The Economic Development, Public Health and Welfare, and Veterans Subcommittee shall be comprised of three (3) council members and may review, if assigned to it by the full council or council chair, all matters relating to the economic development, public health, welfare, cultural, and veteran affairs. The Subcommittee shall review all proposals for Tax Increment Financing.

### **7. Committee of the Whole (All Council Members)**

The Committee of the Whole, which shall consist of all members of the council and shall serve as a forum for in-depth discussion, study, and preliminary consideration of matters referred to it by the council, no other business shall be in order before said subcommittee. Such matters may include, but are not limited to, proposed ordinances and resolutions, policy initiatives, the municipal budget, strategic planning, and other complex or significant issues affecting the City. Unless voted otherwise by the council, meetings on the fifth Tuesday of a month shall be considered meetings of the committee of the whole.

After review, the subcommittee shall present its recommendations to the full council for approval or rejection.

- a. The Committee of the Whole is advisory in nature. It shall not take final legislative action, adopt ordinances or resolutions, or exercise any authority reserved to the council acting in regular or special session, except as otherwise permitted by law;
- b. Meetings of the Committee of the Whole may be conducted under modified rules of procedure to encourage full discussion and participation by all councilors. The Committee may receive reports, hear presentations from City officials, staff, or invited guests, and engage in deliberation to clarify issues and develop recommendations;
- c. Any recommendation, findings, or proposed actions developed by the Committee of the Whole shall be reported to the full council for consideration and formal action at a duly noticed council meeting;
- d. All meetings of the Committee of the Whole shall be publicly noticed and conducted in accordance with the Massachusetts Open Meeting Law and these Rules: and,
- e. No vote taken by the Committee of the Whole shall constitute final action of the council, and any vote shall be advisory only to the full council.

### ***Signatory Authority***

Rule 15. The council chair is authorized to sign all bills, vouchers, payrolls and similar documents pertaining to expenditures under the jurisdiction of the council on behalf of the city council. In the absence or unavailability of the council chair, the vice chair of the council is hereby authorized to sign such documents, subject to the same restrictions.

### ***Draft Ordinance Review Process***

Rule 16. Every ordinance or amendment to an ordinance or bylaw to be considered by the full council for approval (a “Draft Ordinance”) shall follow this process:

- a. The Draft Ordinance or concept for a Draft Ordinance must be referred to a subcommittee of the council or special ad hoc committee of the council by a majority vote of the full council or action of the council chair.
- b. Once a Draft Ordinance has been discussed by such subcommittee or special ad hoc committee the Draft Ordinance (with any changes or edits approved by the subcommittee or special ad hoc committee incorporated) shall be referred to the City Solicitor for review and comments.
- c. Any edits to the Draft Ordinance added by the City Solicitor and any advisory comments or background from the City Solicitor about the Draft Ordinance must be shared with the members of the subcommittee or special ad hoc committee prior to such subcommittee or ad hoc committee taking a vote to refer the Draft Ordinance to the full council for consideration.

### ***Public Records***

Rule 17a. The City Clerk is hereby designated the custodian of all records, minutes, documents, writings, letters, memoranda, or other written, typed, copied, or developed materials possessed, assembled, or maintained by the council. The City Clerk shall serve as the Records Access Officer for the council.

Each Councilor shall keep or cause to be kept all suitable records of the his/her activities and those of any subcommittee, and compile or cause to be compiled, execute, submit, and file all reports, certificates, and other documents required of him/her by law or by the council. These records shall be kept secure from loss or damage.

All requests for public information are to be forwarded to the City Clerk immediately upon receipt. The City Clerk shall thereupon make a determination as to whether or not the information requested is public in nature. The clerk shall have full authorization to search any and all emails and records in the custody of the council; and councilors are not eligible to be part of the process to determine what emails or records they wrote are released and what is not in regards to their individual emails or records. Councilors shall be notified when a new request relating to the council comes in, and when the process is completed.

If the City Clerk finds the information to be public in nature, he or she shall direct that it be released for reproduction on the premises. The party requesting the information will be notified immediately upon becoming available.

If the City Clerk find the information not to be public in nature, he or she shall so inform the requesting party and shall for no reason release such information.

If the City Clerk is unable to ascertain whether or not the information requested is public in nature, he or she is hereby authorized to request, on behalf of the council, an opinion from the City Solicitor as to the nature of the information. Such opinion requests will be made within ten (10) days of the original request for the information. The City Clerk shall notify the person requesting such information that an opinion is to be requested of the City Solicitor and shall notify such person immediately upon receipt of an answer from the City Solicitor.

Credentialed media are directed to the public records process as a last resort.

Rule 17b. Information supplied to the council by the city staff will be duly posted and will be treated as public information, unless otherwise provided for by law.

Rule 17c. All proposed and passed measures shall be posted on the Council website page within five days of filing or passing, respectively. And all rollcall votes taken by the council on any matters shall also be listed on the council's official website page indicating how each member voted on each measure.

### ***Issuance of Citations, Resolutions, and Proclamations***

Rule 18a. The Council will use citations, resolutions, and proclamations on behalf of the people of Framingham: to celebrate and support our residents, neighborhoods, community organizations, institutions, businesses, and our municipal corporation; to advocate and promote the local interests of all of our residents; and to increase awareness of important matters.

1. Citations

The Council may issue a citation at no charge to residents who wish to recognize individuals for their outstanding achievements in the community, nonprofit organizations, special events or days that are exemplary or special. Citations shall be requested by a Councilor and signed by said Councilor offering it and the Mayor, if the Mayor so chooses to sign it. Citations shall be approved by the Chair of the Council with notification to the full Council at the next regular meeting; provided, that any Councilor may challenge the decision of the Chair at the next regular Council meeting.

2. Resolutions

The Council will issue a resolution, a formal expression of opinion or a ceremonial declaration voted by the Council not requiring the signature of the Mayor and having no force of law, upon the request of a Councilor and affirmative vote of a majority of the Council. Provided, however, if any member objects to said resolution, it shall without further discussion instead be referred to the appropriate subcommittee for further review and recommendation prior to a vote by the full Council. Said subcommittee shall make a recommendation to the full Council within 30 days.

3. Joint Proclamation

The Council may issue a joint Proclamation with the Mayor making a formal expression of opinion or a ceremonial declaration and having no force of law, upon the request of a Councilor or Mayor, and affirmative vote of a majority of the Council.

Citations, resolutions, and proclamations are not issued for commercial purposes, such as the opening of a new business, a new service, a new product or a new professional service. This also includes business anniversaries of less than 50 years or birthdays that are less than 90 years. In addition, resolutions and proclamations are generally not issued for deceased persons, retirements other than in service to Framingham, birthdays, weddings, or family reunions.

Groups or citizens seeking a resolution or proclamation year after year must provide new information. Individuals requesting the same proclamation year after year are strongly encouraged to provide new information.

Rule 18b. Procedure: A request for a citation, resolution, or proclamation must be made in writing to the Secretary of the Council's Office at least two weeks prior to the date that will be proclaimed or the date the document will be presented to the Council. Each request must be accompanied by the name, telephone number, and email address of a person who can answer additional questions about the proposed proclamation.

A Councilor or the Mayor, on behalf of an individual or group, seeking a citation, resolution, or proclamation must accompany the request with:

1. Facts about the subject matter or suggested language;
2. Specific title of what will be proclaimed;
3. Date of the citation, resolution or proclamation and date to be presented;

A sample Citation, Resolution, and Proclamation shall be posted on the Council website to assist in this regard. The Mayor will make the final decision on whether a proclamation is issued or not. No citations, resolution, or proclamations are issued to a non-residents or events out of city.

## City Council Code of Conduct

- 1. Respectful Discourse:** The council recognizes the importance of maintaining, protecting and enforcing respectful discourse at all levels of government. This includes interactions with fellow council members, other elected and appointed officials, those who work for the city, those who volunteer their time and services on behalf of the city and members of the general public. The council and all subcommittees should strive at every meeting, forum or during any other official interactions to treat every person fairly and with respect regardless of any differences of opinion. In turn, it is expected that all individuals, including members of the public, who interact with councilors and who attend meetings and forums of the council display respect to each other, the council members, other elected and appointed officials, City of Framingham staff and members of the general public. It is the responsibility of the council to maintain and protect respectful public discourse during all official meetings of the council and any official forums or other public events hosted by the council. Professional respect does not preclude differences of opinion but requires respect for those differences and the people who express them. In order to have an effective, inclusive city government, everyone who participates should strive for civil discourse on all matters.
- 2. Respect for the Position:** As a legislative body, council authority is collective and no individual councilor has the right to exercise such authority on their own. Councilors have legal authority as a governing body only when the governing body is in session and individual councilors on their own have no legal authority. While all individual members of the council have a right to speak publicly or state their individual opinion verbally or in writing they should never purport to represent the council or a council subcommittee or purport to exercise the authority of the council or a council subcommittee except when specifically authorized by a recorded vote of the council or council subcommittee to do so. Council members who have been granted the authority to speak or state in writing an opinion on behalf of the council or a council subcommittee must support and advocate the official council or council subcommittee position on the issue, and not a personal viewpoint.
- 3. Respect for Colleagues:** In all settings individual council members must respect the authority of the council as a collective body and shall make no promises on behalf of the council or to overtly or implicitly promise council action unless authorized to do so. Individual council members shall avoid making personal comments about other council members when speaking or in writing. While it is acceptable to publicly disagree with another council member about an issue, it is unacceptable to make derogatory comments about other council members or their opinions or actions. Once a majority decision of the council has been made, all council members should respect that official position.
- 4. Respect for City Staff.** City of Framingham staff serve the entire community and not individual council members and are supervised and report to the Mayor. Council members who interact with City of Framingham staff must do so in a respectful manner

and take into consideration that their words and actions can be construed as reflective of the council as a whole. While it is appropriate for a councilor to relay specific constituent concerns related to City services to the appropriate staff members, City of Framingham employees should not be expected to take direction from any individual council member on any matter.

5. **Respect for other elected officials.** Respectful exchanges help create an environment for making sound public decisions. Councilors should approach council meetings and other official forums as an opportunity for a respectful exchange of ideas and avoid “springing surprises” on other elected officials such as bringing up complex matters out of context. If a matter is worth discussion at a council meeting or official forum, it should be on the agenda so that preparation for questions and comments can take place in advance. Any planned action with the intention of embarrassing a colleague in a public setting erodes the “team” approach to governance. Participation and interactions in official meetings should be with the dignity and decorum fitting those who hold a position of public trust.
  
6. **Council Appointees:** All individuals appointed by the council to serve on subcommittees and other governing bodies should follow policy established by the council including this Code of Conduct. Appointment and re-appointment to a subcommittee or other governing body should be based on criteria such as expertise, ability to work with staff and the public, respectful interactions with others and a commitment to fulfilling official duties. Being respectful of diverse opinions is a primary role of council appointees. Individuals who display disrespectful, abusive and threatening language and behavior in whatever form (written, electronic, spoken or visual including online communications) are exempt from serving in this capacity.