

# 17<sup>TH</sup> CHARTER REVISION COMMISSION

## Public Safety & Health/Education/Ethics Committee

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## PRELIMINARY REPORT TO FULL COMMISSION

March 7, 2012

The Public Safety & Health/Education/Ethics Committee of the 17<sup>th</sup> Charter Revision Commission hereby makes this Preliminary Report to the full Commission:

1. The Committee held public meetings on January 3,10 (Public Hearing on Fire Service Issues),17,24, February 8,14, 21 and March 6, 2012 to consider the following items referenced by number from the Master Charge Chart to which it was assigned by the full Commission:  
24,30,31,72,73,74,75,76,77,78,79,80,81,97,98,99,100,108,109,110 ,111,112,117b and 117c.
2. In addition, the Committee considered and is continuing to consider the following:
  - a. an additional item relating to the creation of a Board of Ethics in the Charter where none currently exists.

- b. The question as to whether the language in the existing Charter entitled “Elimination of Superseding Ordinance” which gives the Board of Representatives the power to supersede Charter provisions should be eliminated. See, C6-100-3 (Health Commission) C6-120-4 (Parks and Recreation Commission), C6-130-3 (Golf Commission), C6-140-10 (Personnel Commission), C6-160-6 (Water Pollution Control Authority).
  - c. The question of addressing Charter provisions that mentions political party affiliations without reference to unaffiliated voters.
  
- 3. The Committee recommends (without comment as to the substantive validity of the item) to the full Commission that the following items **should not** be considered by the Charter Revision Commission because they are legislative in nature and should be properly directed to the legislative body of the City of Stamford for consideration: 77, 78, 79, 80 and 81
  
- 4. With regard to issues relating to the **Health Commission** and the Director of Health (24, 108, 109, 110, 111 and 112) after multiple meetings which included the Director of Health and representatives of the Health Commission, it is the recommendation of the Committee that the following changes to C6-100-2 be made:
  - a. Elimination of subparagraph 1 of C6-100-2 (Item 108)
  - b. In C6-100-2 replacing “make recommendations” with “serve as an advisory body regarding health issues”.
  - c. As to item 109, there is no need for change as the right already exists

- d. As to items 110 and 111, it was determined that the Commission already has this authority and thus no change is warranted
  - e. As to item 112, it is recommended that this is not an item for Charter consideration and that if the Commission needs funds, it should follow the normal budgetary process for other departments and commissions of the City
  - f. As to item 24, it is recommended that the following be added to C5-40-4, “the Director of Health shall keep the Health Commission apprised of matters pertaining to public health policy.”
5. With regard to the Board of Ethics, the Committee recommends to the full Commission that a provision be added to the Charter creating a Board of Ethics. Currently the Board of Ethics is a “creature” of ordinance and not the Charter. In conjunction with the creation of such a Board, the Charter provisions would provide for the membership of the Board and mandating that the Board of Representatives adopt either the existing Code of Ethics or a new one.
- a. The Committee, at its meeting of March 6, 2012, also decided to consider the substance of the issues raised in a certain letter from Joseph Tarzia regarding eligibility of membership on the Board of Ethics. This issue was just recently raised and thus the Committee is not in a position to make any recommendations on this issue at this time
6. With regard to the fire service issues and the Board of Education issues, the Committee is continuing its work.