

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

## Public Safety & Health/Education/Ethics Committee

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## SUPPLEMENTAL REPORT TO FULL COMMISSION APRIL 18, 2012

The Public Safety & Health/Education/Ethics Committee of the 17<sup>th</sup> Charter Revision Commission hereby makes this Supplemental Report to the full Commission to supplement the report dated March 7, 2012:

1. Charge # 24
  - a. It is recommended that C5-40-4(a) [Powers and Duties of the Director of Health] be amended to add a **new** subparagraph to provide: **“Director will seek the counsel of the Commission to establish and review all matters of health policy for the City”**
2. Charges # 30 and 31

Awaiting legal opinion on the issue of whether a local Charter can address the state statutory issue regarding minority representation on the Board of Education
3. Charges #72-75 (Fire Service)

Still under consideration. Included in this consideration is whether there should be a single Fire Marshall’s office of the entire City of Stamford and whether the Fire Commission should be expanded to include representation of the volunteer fire companies.
4. Charge #97

It is recommended that no action be taken on this issue in that after review it would appear that the current system for approval of labor contracts is appropriate

5. Charge # 98

It is recommended that the current status of the Mayor as a non-voting member of the Board of Education should not change; however, the committee recommends that section C1-80-1 be amended to provide that the Mayor may appoint a Special Assistant to serve as his designee as a non-voting member of the Board of Education.

6. Charge #99

The Committee recommends that no action be taken on this issue as this is a management issue and not a charter issue

7. Charge # 100

The committee recommends that no action be taken on this issue as the case was not made that such a change is warranted, necessary or appropriate

8. Charge #120 (expanded)

This Charge generally relates to the issue of ethics. In the Preliminary Report dated March 7, 2012 the Committee recommended the formation of a Board of Ethics. The committee supplements that recommendation by recommending that in addition to there being a Board of Ethics (Add Board of Ethics to section C6-00-2):

- There should be a provision that directs the Board of Representatives to adopt a Code of Ethics (this could be a new code or merely incorporate the one that already exists)
- There should be a provision that there will be seven (7) members of the Board of Ethics, not more than three (3) shall be affiliated with any one political party;
- there should be two alternates;
- the members should be nominated by the Mayor and confirmed by the Board of Representatives;
- each members' term should be for three (3) staggered years, with a provision that a term can be extended to enable a member to complete a pending matter;

- the Charter language should track the state statute (Connecticut General Statute 1-80 to the effect that
  - “all members shall be electors of the City of Stamford and not an employee of the City of Stamford. No member of the Board shall (1) hold or campaign for any public office; (2) have held public office or have been a candidate for public office for a two year period prior to appointment; or (3) hold office in any political party or political committee or be a member of any organization or association organized primarily for the purpose of influencing legislation or decisions of public agencies”
- The Board of Ethics will have subpoena power
- The Corporation Counsel shall serve as legal advisor to the Board of Ethics unless a conflict of interest exists, in which event the Corporation Counsel shall retain outside counsel for the Board of Ethics.
- The powers of the Board of Ethics shall be limited to investigate and adjudicate violations of the Code of Ethics