

28TH BOARD OF REPRESENTATIVES CITY OF STAMFORD

President
RANDALL M. SKIGEN
Clerk of the Board
ANNIE M. SUMMERVILLE

Majority Leader
ELAINE MITCHELL
Minority Leader
ROBERT "GABE" DELUCA

RESOLUTION NUMBER 3453 CONCERNING THE CHARGE OF THE 17TH CHARTER REVISION COMMISSION

WHEREAS, pursuant to Section C1-40-5 of the City of Stamford Charter, and in accordance with the provisions of Section 7-188 of the Connecticut General Statutes, as amended, the Board Representatives has initiated the process of charter revision; and

WHEREAS, pursuant to Section 7-190(a) of said General Statutes the Board of Representatives has appointed a 17th Charter Revision Commission consisting of fifteen electors; and

WHEREAS, Section 7-190(b) of said Connecticut General Statutes provides that the Board of Representatives may make recommendations to the Commission and the Commission shall in its report comment on each recommendation which it has been directed to consider. The Commission may also consider other items for inclusion in the Charter, other changes to the Charter, and such other items as it deems desirable or necessary, and such items and/or changes shall be included in its report.

NOW, THEREFORE BE IT RESOLVED BY THE 28TH BOARD OF REPRESENTATIVES THAT:

- A. The 17th Charter Revision Commission shall review and make recommendations on the following subjects:
 1. Requirements for meetings of Board of Representatives, in particular:
 - a. **C3-10-11**. Fix the date discrepancy between requirements of Charter and current rules of the Board of Representatives for the date of the organizational meeting.
 - i. The Rules of the Board of Representatives provide that the organizational meeting is on the first Monday following each quadrennial election and C3-10-11 provides that the organizational meeting is on December 1st following each quadrennial election.
 - b. **C2-10-4**. Permit an exception to the requirement that Board meetings be held on the first Monday of every month for legal holidays and religious holidays.

- c. **C2-10-4.** Do not require 12 months of meetings. Permit the Board to opt for a month without a meeting.
- 2. **C2-10-14.** Timing of Ordinances
 - a. Make clear that the 10 day period for return of an ordinance by Mayor is mandatory.
 - b. Clarify this section. It makes no sense for ordinance not returned by Mayor within 10 days to become effective 20 days after passage by the Board of Representatives. In addition, the section does not refer to business or calendar days, what if takes more than 20 days to provide to Mayor. C2-10-14
 - c. Specify the number of days in which Board must present ordinance to Mayor.
- 3. Boards and Commissions:
 - a. **C6-00-2; C6-00-4.** These provisions are confusing about when the terms of Board and Commission members end, either December 1st of the final year of the term or on a set expiration date, and need to be clarified
 - b. **C6-00-4.** Require that no one can serve on board or commission for more than 6 months after expiration of term.
- 4. **C5-10-2.** Require that the Board approve any “acting” or “interim” Director. C5-10-2, which requires the approval of all directors. The current requirement in §47-24 of the Code is that no Board approval necessary unless Director is to serve for more than 120 days.
- 5. **C6-00-2.** Review the Mayor's Governance Task Force Recommendations re: eliminating various commissions, in particular:
 - i. **C6-160-1.** Operations Committee (See 7/11/11 Board Meeting) recommended that the Water Pollution Control Commission be abolished.
 - ii. **C6-150-1, C6-150-2.** Personnel Committee (7/11/11) recommended that the Personnel Appeals Board be merged with the Personnel Commission.
 - iii. **C6-70-2.** Operations Committee recommended (See 8/1/11 Board Meeting) that the Municipal Building Board of Appeals be eliminated – will require change to Charter and to Blight Ordinance, Chapter 146
- 6. Possible limitation on elected officials serving on 2 Elective Boards at one time.
- 7. **C1-70-3.** Increase term for City Constables to 4 years.
- 8. Budget Process Changes, including

- a. **C8-30-1 et seq.** Consider amending requirement for capital projects budget to include projects expected to be commenced within the next 2 years.
 - b. Consideration of whether the Mayor should be required to hold a public hearing prior to submitting the budget to the boards. When the public comes to the joint BOR/BOF public hearing on the budget, it is too late for items to be added to the budget.
9. **C1-80-5.** Consider making Board of Education elections non partisan.
10. Changes to Board of Finance, in particular:
- a. **C6-20-1, et seq.** Consideration of elimination and transfer of responsibilities to Fiscal Committee of Board of Representatives. Would also require changes to other sections of the Charter, including, but not limited to: C1-10-4; C1-50-1, et seq.; C1-70-1, et seq.; C1-80-1, et seq.; C3-10-6; C5-10-3; C5-20-10; C5-20-21; C5-50-2, et seq.; C6-30-1; C6-120-3; C7-10-4; C7-30-2, et seq.; C7-40-14; C8-10-3; C8-20-2, et seq.; C8-30-1, et seq.; C8-40-1; C8-50-1, et seq.; and C8-60-2.
 - b. Narrowing of BOF responsibilities to strictly financial matters. Would also require changes to other sections of the Charter, possibly including, but not limited to: C1-10-4; C1-50-1, et seq.; C1-70-1, et seq.; C1-80-1, et seq.; C3-10-6; C5-10-3; C5-20-10; C5-20-21; C5-50-2, et seq.; C6-30-1; C6-120-3; C7-10-4; C7-30-2, et seq.; C7-40-14; C8-10-3; C8-20-2, et seq.; C8-30-1, et seq.; C8-40-1; C8-50-1, et seq.; and C8-60-2.
 - c. **C8-30-3.** Consider whether approval of contingency appropriations by 4 members of the Board of Finance should be 2/3 or a majority of those voting.
 - d. **C6-20-1.** Change number of elective officers on the Board of Finance.
11. Changes to Pension provisions, including:
- a. **C7-10-2.** Provide the Mayor the authority to appoint a trustee for each pension plan.
 - b. **C7-10-8.** Eliminate paragraphs 2 and 5 requiring that money seized by police be deposited in Police Pension Fund.
 - c. There are 3 documents controlling the CERF Pension (the labor contract, the charter and the CERF Plan Document). There are two areas where the CERF Plan Document conflicts with the Charter regarding disability pensions and years of service. Since the labor contract will control these two areas, references in charter should be eliminated.

- d. The Charter most likely has priority over the CERF Plan Document, and if the Commission wants the CERF Plan Document (which was developed 6-7 years ago), the Charter should make such a statement.
12. Fire District Boundaries
 - a. **C5-40-3.** Consideration of eliminating or changing fire service districts.
 13. Consider adding provision requiring recusal of an elected or appointed official on any Board or Commission from voting on items relating to Ethics Board, including appropriations, in the event of an ethics investigation or charge concerning the official and from voting on any items where the official may have a conflict of interest.
 14. **C1-40-5.** Clarify timing of Charter Review -
 15. **C2-10-2; C5-20-3.** Clarify the ability of the Board of Representatives to retain counsel -
 16. **C2-10-1, et seq.** Consider permitting the Board of Representatives to provide funds for an Ethics Investigation
 17. Requirements for Administrative Appointments by the Executive, including:
 - a. **C2-10-2; C3-10-2.** Consider whether appointments of Special Assistants should be approved by the Board of Representatives.
 - b. **C5-40-1.** Consider whether the Director of Public Safety position should be a cabinet, contract or civil service position and whether background requirements are necessary.
 - c. **C5-20-1, et seq.** Consider whether the Director of Legal Affairs position should be a full time or contract position.
 18. Structure of City Departments, including:
 - a. **C5-20-7.** Whether the Personnel Department be under the Legal Department?
 - b. **C5-30-1, et seq.** Whether Land Use be under the Operations Department?
 - c. **C5-30-5.** Whether Parks and Recreation be separate divisions.
 19. **C8-60-1 through C8-60-17.** Simplify the procedures for Special Assessments
 20. **C3-10-12.** Execution of Deeds and Contracts – Should there be a procedure in place for a situation in which the Board of

Representatives approves a contract but the Mayor fails to execute the contract?

21. Board of Education issues, including:
 - a. **C2-10-2.** Labor Contracts – Clarify Board of Representatives approval requirements for Board of Education labor contracts.
 - b. **C1-80-6.** Review Mayor serving as a non-voting member of the Board of Education.
22. Clarify what happens at end of Board of Representative term to items such as contracts, appointments, etc. that have not yet been acted upon by the Board of Representatives.
23. **C5-30-4.** Consider a review of the transportation section of the Charter should be considered.
24. **C-5-50-1, et seq.** Consider having the Director of Administration also report to the Fiscal Committee of the Board of Representatives.
25. Consider the possibility of term limits.
26. Those minor technical changes and corrections to the Charter as shall be included on a separate list submitted to the Charter Revision Commission by the Board of Representatives and/or the Department of Legal Affairs.

2. The Commission may also consider other changes as it deems desirable or necessary and shall include such items and/or changes in its final report.
3. The Commission shall, in its report, comment on each recommendation which it has been directed to consider and on any other changes that said Commission has deemed desirable.
4. The first meeting of the Commission shall be held in October, 2011. At said meeting the Commission shall elect a chairperson from among its members.
5. The Commission shall submit its draft report to the Board of Representatives on or before May 15, 2012.
6. The Commission shall terminate upon acceptance or rejection of its final report by the Board of Representatives.

This resolution was approved by unanimous voice vote at the regular monthly meeting of the 28th Board of Representatives held on Monday, October 3, 2011.



Annie M. Summerville
Clerk of the Board



Randall M. Skigen
President of the Board

cc: Mayor Michael Pavia
Michael Larobina, Esq., Dir. of Legal Affairs
Donna Loglisci, Town & City Clerk
Ernie Orgera, Director of Operations
Fred Flynn, Director of Administration
Bobby Valentine, Director of Public Safety, Health & Welfare