

# CITY OF STAMFORD 19<sup>TH</sup> CHARTER REVISION COMMISSION

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CLEMON WILLIAMS

## MEETING REPORT Saturday, April 29, 2023 9:00 a.m.

Meeting Held in the Democratic Caucus Room,  
4<sup>th</sup> Floor Stamford Government Center,  
888 Washington Boulevard, Stamford, CT and Remotely

1. **Call to Order** - Chair Lombardo called the meeting to order at 9:07 a.m.
2. **Roll Call** - In attendance in person were Chair Lombardo, and Commissioners Bilicznianski, Bowser, Camporeale, Halpern, Lane, Loeb, McMullen, Piolo, Pramberger and Williams; Also present was Attorney Mednick. In attendance via Zoom were Commissioners Kolenberg, Larobina, Michelson, Martinez, and Attorney Roberts. Chair Lombardo confirmed that a quorum was present.
3. **Pledge of Allegiance** - Commissioner McMullen led the Pledge of Allegiance.
4. **Public Comments** - There were no members of the public present wishing to speak.
5. **Communications and Correspondence** – Chair Lombardo reported that attorney Mednick sent updated documents to the Commission. Commissioner Michelson noted that Chair Freedman had submitted a negative recommendation from the Board of Finance on the Board of Representatives restoring budget cuts made by the Board of Finance, which will be discussed at the end of the Finance Committee report.
6. **Finance Committee report and action**

Due to late filing of the agenda, Fiscal Committee items were discussed with no votes taken until 10:15 a.m. Items discussed included the following:

- A new section numbered as C8-20-1 to increase public engagement in the budget process and to require a public hearing at the start of the budget process, as shown below (Action Item #0429-01 – proposed language shown in red)

### Sec. C8-20-1. Public Engagement and Initial Multilateral Public Hearing on Budget Priorities.

(a) **Public Engagement.** The Mayor, Board of Representatives, Board of Finance, Board of Education, and the Planning Board shall develop and publicize procedures designed to encourage public participation in the budget process. The Board of representatives has the legislative authority to enact Ordinances to implement these provisions of the Charter.

**(b) Multilateral Budget Meetings.** On or before the fifteenth (15<sup>th</sup>) business day of the month of September of each year, the Mayor, Board of Finance, designated members of the Planning Board and members of the budget-related committees of the Board of Representatives and the Board of Education shall jointly hold a public hearing or hearings for the purpose of eliciting comments and ideas from members of the public prior to the development of the operating and capital budgets for the subsequent fiscal year.

- An amendment to Part 6, Boards and Commission, Division 2 – Elective Boards, Subdivision A – Board of Education, to add cooperation and reporting requirements and to add a new section numbered as C8-10-2 as shown below (Action Item #0429-02 – proposed changes shown in red)

**Sec. C6-00-10. Required Cooperation.**

Each Official and employee of any Department of the City (including the Superintendent of Schools and the administrators of the Stamford public schools) shall assist the Boards and Commissions and the pertinent Departments by cooperating with the Mayor, Board of Finance, Board of Representatives, Planning Board and other Departments, Board and Commissions in formulating and carrying out the operational and management policies of this City in accordance with the provisions of this Charter, the Ordinances and other legal authority.

**Sec. C6-10-2. Fiscal Records.**

The Superintendent of Schools ~~may~~ shall keep fiscal control records convenient for the administration of the schools and as may be required under the provisions of this Charter. The Controller shall keep a full and complete record of all fiscal transactions of the Board of Education and may require reports and other information pertinent to such transactions. The Controller shall be the Disbursing Officer of the Board of Education.

**Sec. C6-10-3. Municipal Ordinances.**

Unless otherwise prohibited by law, the Board of Education shall adhere to and be bound by the provisions of this Charter and by all municipal ordinances, including but not limited to, ordinances which govern the subjects of budgetary processes, municipal ~~procurement purchases~~ of articles, materials, supplies and insurance (including such purchases related to capital projects).

**Sec. C6-10-4. Reporting Requirements.**

Unless otherwise specifically prohibited by the General Statutes, commencing on the 1<sup>st</sup> business day of July and every quarter thereafter, the Board of Education shall file with the Mayor, Board of Representatives and Board of Finance, a report on all contracts (including, agreements, memoranda of understanding, memoranda or agreement, letters of understanding, side letters and other agreements) entered into on behalf of the Board on its own or on behalf of the City including but not limited to, those executed within the budget limits or other authority established by the Board of Education and/or the annual budget process (including operating and capital); however, excluding all such contracts (as defined in this subsection) as may be exempted from disclosure by federal or state Law or otherwise not capable of redaction in order to protect statutory privacy rights of individuals.

**Sec. ~~C8-30-1~~ C8-10-2. Required Cooperation in the Budget Process.**

**(a) Good Faith Cooperation.** The Mayor, the ~~Board of Education~~ Board of Finance, ~~and the Board of Representatives, Planning Board and the Board of Education are required to~~ shall annually work together, in good faith, throughout the year in order to develop and approve a municipal budget ~~which.~~

**(b) Two-year Budget Estimates.** For the purposes of financial planning, the municipal budget shall include all expected revenues and expenditures for the next year

and, for the purposes of short- and long-term financial planning; detailed estimates of revenues, capital expenses and operating expenses, all as required by this Charter and any Ordinances pertaining thereto. ~~It being is~~ understood that the budget estimates for the two (2) years following the next fiscal year shall be for planning purposes, only those appropriations included in the budget for the next fiscal year shall be binding on the City.

(c) Expected Standards of Conduct. Each of these Public Officials and employees of the City are required to aspire to best practices in the field of municipal and public finance, in order to comply with Law and with the generally accepted accounting principles (or such successor policies thereto) and shall embrace principles of accountability, transparency and outreach in order to expand public participation, engagement and trust in the budgetary process of the City.

- An amendment to Section C5-50-2 to add a new subsection (i) as shown below requiring reports by the Director of Administration (Action Item #0429-03 – proposed changes shown in red), and renumbering the subsequent sections
  - (i) Required Reports. The Director of Administration shall prepare reports for the Board of Finance and Board of Representatives on the first (1<sup>st</sup>) business day of the months of November and March of each year, including, but not limited to, the following year-to-date information:
    - (1) Report on the status of the general fund cash surplus, or; in the alternative, the deficit at the end of the current fiscal year, to be accounted for during the budget process;
    - (2) Comparison of Itemized estimates of expenditures, presenting the actual expenditures for each Budgeted Entity for the last completed fiscal year to the current fiscal year prior measured both in dollar terms and by percentage;
    - (3) Comparison of revenues to date against the projections for the current fiscal year and against that of the last completed fiscal year;
    - (4) Actual expenditures for total debt service, including principal and interest figures, measured against the requirements for the ensuing fiscal year; including, a schedule of maturities of bond issues;
    - (5) Amounts expended to meet contractual provisions of collective bargaining agreements (and other side agreements relating thereto) pertaining to minimum mandatory workforce and overtime requirements;
    - (6) Such other information as may be required by the Board of Finance or the Board of Representatives
- An amendment to Section C5-50-5 regarding opinions of Corporation Counsel to require an annual report by Corporation Counsel (Action Item #0429-04 – proposed changes shown in red)

#### **Sec. C5-20-5. Opinions and Reports.**

~~The Mayor, the President of the Board of Representatives, the Majority Leader, the Minority Leader and the Standing Committee Chairpersons of the Board of Representatives, the head of any City Department, or any elected or appointed City Board, Commission, Authority, Agency or Bureau may, in writing, request that the Corporation Counsel, and the Corporation Counsel shall, render an opinion, in writing, upon any question of law arising in connection with the exercise by the aforementioned, of their official powers and duties.~~

(a) Annual Report. The Corporation Counsel shall annually, on or before the fifteenth (15th) day of September, make a written report to the Mayor and Board of Representatives of the operations of the Legal Division of the Office of Legal Affairs (“Legal Division”) for the fiscal year preceding. Said report, with the required cooperation of all Departments (including the public schools administered by the Board of Education), Board, Commissions, Authorities and Agencies of the City, shall contain:

(1) a summary and report on the status of all pending lawsuits and other contested matters to which the City, as well as any of its Officers, acting in the discharge of their official duties, Departments (including the public schools administered by Board of Education), Boards, Commissions, Authorities and Agencies are parties;

(2) a summary of any such lawsuit which was conclusively resolved in the fiscal year preceding, including the terms of said resolution;

(3) all transactions and other contracts which were consummated in the fiscal year preceding to which the City, as well as any of its Officers, acting in the discharge of their official duties, Departments (including the public schools administered by Board of Education), Boards, Commissions, Authorities and Agencies, are parties;

(4) each expenditure by the City and the public schools administered by the Board of Education on attorneys in private practice, as well as an explanation of the reasons for each such expenditure;

(5) a summary of the current staff of the Legal Division, including the workload of each attorney employed therein; and

(6) all such other information relating to the operation of the Legal Division as may be requested in writing by the Mayor, Board of Finance and/or the Board of Representatives.

- An amendment to Sections C8-20-5, C8-20-9, C8-30-5, and C8-30-9 regarding budget hearings and the preparation of the Capital Budget (Action Item #0429-05 – proposed changes shown in red)

#### **Sec. C8-20-5. Preparation of Proposed Capital Program.**

(c) **Public Participation and Public Hearing Date.** Any resident of the City may attend and participate in such public hearings, in accordance with the rules and procedures of the body. Before taking final action on the proposed capital projects program, the Planning Board shall hold a public hearing not later than the tenth (10<sup>th</sup>) day of February on public notice.

#### **Sec. C8-20-9. Approval Requirements for Increasing Capital Projects Budget.**

The procedures outlined in Section C8-20-7 for increasing an existing capital projects budget shall require the affirmative vote of four (4) members of the Board of Finance, and its adoption by the Board of Representatives shall require a two-thirds (2/3<sup>rds</sup>) vote of those present at the meeting, which two-thirds (2/3<sup>rds</sup>) shall not be less than a majority vote of the entire membership. The Board of Finance and the Board of Representatives shall conduct an initial public hearing upon receipt of the proposed capital program and a final public hearing not later than five (5) days prior to any final votes on the program. The boards may conduct additional public hearings in their discretion.

**Sec. C8-30-5. Budget Approval by the Board of Finance.**

(a) **Action on the Proposed Operating Budget by the Board of Finance.** The Board of Finance may approve, reject, or lower any item in the proposed operating and capital budget for the next ensuing fiscal year except as provided under Sec. C8-30-2(b)(6) and.

(b) **Transmittal of the Proposed Operating Budget to the Board of Representatives.** The Board of Finance shall, on or before the twentieth (20<sup>th</sup>) day of April, transmit the proposed operating budget as revised by it to the Clerk of the Board of Representatives. Any item in the budget for the next ensuing fiscal year not rejected or revised by the Board of Finance shall be deemed approved by it.

**Sec. C8-30-9. Public Hearings.**

(a) **Joint Initial Public Hearings upon receipt of the Proposed Budgets of the Mayor and Board of Education.** The Board of Finance and the Board of Representatives shall jointly hold initial public hearings on budgets as proposed by the Mayor (operating and capital) and the Board of Education (operating). These hearings shall be held on or before the eighth (8<sup>th</sup>) day of April after three (3) days public notice.

**Final Public Hearings.** The Board of Finance and the Board of Representatives shall conduct final public hearings on the operating budget proposed by the Mayor and Board of Education and the capital projects budget proposed by the Mayor not later than five (5) days prior to any final votes on either budget. The boards may conduct additional public hearings in their discretion.

Upon discussion, Attorney Mednick stated that he would include in the Charter language regarding the ability to change budget dates by legislative action under State law.

Attorney Mednick reviewed his proposed reorganizations to Part 8 – Budgetary Procedures, Divisions 1-3 (Action Item 0429-06), **attached**, noting that the changes include the cooperation clause discussed earlier; technology changes; that the Board of Education Operating budget is not approved by the BOF and the BOR; terminology changes, so that departments become “budgeted entities”. It was noted that the recommended changes include an additional joint public hearing on the budget.

A motion to delete the section regarding a “Final Joint Public Hearing” (Sec C8-30-1(d) on page 14 of Action Item 0429-06 as shown below in red), was made, seconded and failed by a vote of 6-7-1 (Comms. Larobina, Bilicznianski, Camporeale, Loeb, McMullen, and Pramberger in favor; Comms. Lombardo, Bowser, Halpern, Lane, Martinez, Michelson, and Williams opposed; and Comm. Pioli abstaining).

**(2) Date of Final Joint Public Hearing.** The Boards shall conduct a final public hearing not later than five (5) days prior to any final votes on the Mayor’s Proposed Budget, including the proposed Capital Program.

A motion to amend the section regarding a “Final Joint Public Hearing” (Sec C8-30-1(d) on page 14 of Action Item 0429-06 as shown below in red), to remove the word “Joint” and change “The Board” to “Each of the Boards” was made, seconded, and approved unanimously (Comms. Lombardo, Larobina, Bilicznianski, Bowser, Camporeale, Halpern, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger, and Williams in favor).

**(2) Date of Final Joint Public Hearing.** Each of the Boards shall conduct a final public hearing not later than five (5) days prior to any final votes on the Mayor’s Proposed Budget, including the proposed Capital Program.

A motion to reconsider the section “Restoration of Items” (Sec C8-30-3 (b)(1)(i) on page 17 of Action Item 0429-06 as shown below in red), which would permit the Board of Representatives to restore cuts made by the Board of Finance was made, seconded, and approved by a vote of 14-0-1 (Comms. Lombardo,

Larobina, Bilicznianski, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger, and Williams in favor; Comm. Bowser abstaining).

(i) **Restoration of Items.** Notwithstanding the foregoing, the Board of Representatives may, by a vote of two-thirds (2/3<sup>rd</sup>s) of its members, restore any item reduced or eliminated by the Board of Finance, in whole or in part.

A motion to delete the section “Restoration of Items” (Sec C8-30-3 (b)(1)(i) on page 17 of Action Item 0429-06 as shown below in red), which would permit the Board of Representatives to restore cuts made by the Board of Finance was made, seconded, and approved by a vote of 14-0-1 (Comms. Lombardo, Larobina, Bilicznianski, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger, and Williams in favor; Comm. Bowser abstaining).

(i) **Restoration of Items.** Notwithstanding the foregoing, the Board of Representatives may, by a vote of two-thirds (2/3<sup>rd</sup>s) of its members, restore any item reduced or eliminated by the Board of Finance, in whole or in part.

Attorney Mednick noted that the section Authority of the Board of Representatives Pertaining to the Board of Education (Sec. 8-30-3 (c) on page 18 of in Action Item 0429-06) should not have been deleted and will be restored.

The Commission then went back to vote on the items previously discussed but not voted on:

A motion to add a new section numbered as C8-20-1 to increase public engagement in the budget process and to require a public hearing at the start of the budget process, as shown below (Action Item #0429-01 – proposed language shown in red) was made, seconded, and approved by a vote of 13-0-1 (Comms, Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Lane, Loeb, Martinez, Michelson, Pioli, Pramberger and Williams in favor; Comm. McMullen opposed).

**Sec. C8-20-1. Public Engagement and Initial Multilateral Public Hearing on Budget Priorities.**

(c) **Public Engagement.** The Mayor, Board of Representatives, Board of Finance, Board of Education, and the Planning Board shall develop and publicize procedures designed to encourage public participation in the budget process. The Board of representatives has the legislative authority to enact Ordinances to implement these provisions of the Charter.

(d) **Multilateral Budget Meetings.** On or before the fifteenth (15<sup>th</sup>) business day of the month of September of each year, the Mayor, Board of Finance, designated members of the Planning Board and members of the budget-related committees of the Board of Representatives and the Board of Education shall jointly hold a public hearing or hearings for the purpose of eliciting comments and ideas from members of the public prior to the development of the operating and capital budgets for the subsequent fiscal year.

A motion to amend Part 6, Boards and Commission, Division 2 – Elective Boards, Subdivision A – Board of Education, to add cooperation and reporting requirements and to add a new section numbered as C8-10-2 as shown below (Action Item #0429-02 – proposed changes shown in red) was made, seconded, and approved by a vote of 13-0-1 (Comms. Larobina, Lombardo, Bowser, Camporeale, Halpern, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor; Comm. Bilicznianski opposed).

**Sec. C6-00-10. Required Cooperation.**

Each Official and employee of any Department of the City (including the Superintendent of Schools and the administrators of the Stamford public schools) shall assist the Boards and Commissions and the pertinent Departments by cooperating with the Mayor, Board of Finance, Board of Representatives, Planning Board and other Departments, Board and Commissions in

formulating and carrying out the operational and management policies of this City in accordance with the provisions of this Charter, the Ordinances and other legal authority.

**Sec. C6-10-2. Fiscal Records.**

The Superintendent of Schools ~~may~~ shall keep fiscal control records convenient for the administration of the schools and as may be required under the provisions of this Charter. The Controller shall keep a full and complete record of all fiscal transactions of the Board of Education and may require reports and other information pertinent to such transactions. The Controller shall be the Disbursing Officer of the Board of Education.

**Sec. C6-10-3. Municipal Ordinances.**

Unless otherwise prohibited by law, the Board of Education shall adhere to and be bound by the provisions of this Charter and by all municipal ordinances, including but not limited to, ordinances which govern the subjects of budgetary processes, municipal procurement purchases of articles, materials, supplies and insurance (including such purchases related to capital projects).

**Sec. C6-10-4. Reporting Requirements.**

Unless otherwise specifically prohibited by the General Statutes, commencing on the 1<sup>st</sup> business day of July and every quarter thereafter, the Board of Education shall file with the Mayor, Board of Representatives and Board of Finance, a report on all contracts (including, agreements, memoranda of understanding, memoranda or agreement, letters of understanding, side letters and other agreements) entered into on behalf of the Board on its own or on behalf of the City including but not limited to, those executed within the budget limits or other authority established by the Board of Education and/or the annual budget process (including operating and capital); however, excluding all such contracts (as defined in this subsection) as may be exempted from disclosure by federal or state Law or otherwise not capable of redaction in order to protect statutory privacy rights of individuals.

**Sec. ~~C8-30-1~~ C8-10-2. Required Cooperation in the Budget Process.**

(d) **Good Faith Cooperation.** The Mayor, the ~~Board of Education~~ Board of Finance, and the Board of Representatives, Planning Board and the Board of Education are required to ~~shall annually~~ work together, in good faith, throughout the year in order to develop and approve a municipal budget ~~which~~.

(e) **Two-year Budget Estimates.** For the purposes of financial planning, the municipal budget shall include all expected revenues and expenditures for the next year and, for the purposes of short- and long-term financial planning, detailed estimates of revenues, capital expenses and operating expenses, all as required by this Charter and any Ordinances pertaining thereto. ~~It being~~ is understood that the budget estimates for the two (2) years following the next fiscal year shall be for planning purposes, only those appropriations included in the budget for the next fiscal year shall be binding on the City.

(f) **Expected Standards of Conduct.** Each of these Public Officials and employees of the City are required to aspire to best practices in the field of municipal and public finance, in order to comply with Law and with the generally accepted accounting principles (or such successor policies thereto) and shall embrace principles of accountability, transparency and outreach in order to expand public participation, engagement and trust in the budgetary process of the City.

A motion to amend Section C5-50-2 regarding the report to add a new subsection (i) as shown below requiring reports by the Director of Administration (Action Item #0429-03 – proposed changes shown in red), and renumbering the subsequent sections, was made, seconded, and approved by a vote of 15-0-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor).

(j) **Required Reports.** The Director of Administration shall prepare reports for the Board of Finance and Board of Representatives on the first (1<sup>st</sup>) business day of the months of November and March of each year, including, but not limited to, the following year-to-date information:

- (7) Report on the status of the general fund cash surplus, or; in the alternative, the deficit at the end of the current fiscal year, to be accounted for during the budget process;
- (8) Comparison of Itemized estimates of expenditures, presenting the actual expenditures for each Budgeted Entity for the last completed fiscal year to the current fiscal year prior measured both in dollar terms and by percentage;
- (9) Comparison of revenues to date against the projections for the current fiscal year and against that of the last completed fiscal year;
- (10) Actual expenditures for total debt service, including principal and interest figures, measured against the requirements for the ensuing fiscal year; including, a schedule of maturities of bond issues;
- (11) Amounts expended to meet contractual provisions of collective bargaining agreements (and other side agreements relating thereto) pertaining to minimum mandatory workforce and overtime requirements;
- (12) Such other information as may be required by the Board of Finance or the Board of Representatives

A motion to amend Section C5-50-5 regarding opinions of Corporation Counsel to require an annual report by Corporation Counsel (Action Item #0429-04 – proposed changes shown in red) was made, seconded, and approved by a vote of 13-0-2 (Comms. Lombardo, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor; Comms. Larobina and Bilicznianski abstaining).

**Sec. C5-20-5. Opinions and Reports.**

~~The Mayor, the President of the Board of Representatives, the Majority Leader, the Minority Leader and the Standing Committee Chairpersons of the Board of Representatives, the head of any City Department, or any elected or appointed City Board, Commission, Authority, Agency or Bureau may, in writing, request that the Corporation Counsel, and the Corporation Counsel shall, render an opinion, in writing, upon any question of law arising in connection with the exercise by the aforementioned, of their official powers and duties.~~

(a) Annual Report. The Corporation Counsel shall annually, on or before the fifteenth (15th) day of September, make a written report to the Mayor and Board of Representatives of the operations of the Legal Division of the Office of Legal Affairs (“Legal Division”) for the fiscal year preceding. Said report, with the required cooperation of all Departments (including the public schools administered by the Board of Education), Board, Commissions, Authorities and Agencies of the City, shall contain:

- (1) a summary and report on the status of all pending lawsuits and other contested matters to which the City, as well as any of its Officers, acting in the discharge of their official duties, Departments (including the public schools administered by Board of Education), Boards, Commissions, Authorities and Agencies are parties;
- (2) a summary of any such lawsuit which was conclusively resolved in the fiscal year preceding, including the terms of said resolution;
- (3) all transactions and other contracts which were consummated in the fiscal year preceding to which the City, as well as any of its Officers, acting in the discharge of their official duties, Departments (including the public schools administered by Board of Education), Boards, Commissions, Authorities and Agencies, are parties;



(4) each expenditure by the City and the public schools administered by the Board of Education on attorneys in private practice, as well as an explanation of the reasons for each such expenditure;

(5) a summary of the current staff of the Legal Division, including the workload of each attorney employed therein; and

(6) all such other information relating to the operation of the Legal Division as may be requested in writing by the Mayor, Board of Finance and/or the Board of Representatives.

It was noted that if the Charter is amended to include staff counsel to the Board of Representatives, they would be covered by this and this report would need to be publicly available. The language needs to be clear that confidential information will be protected.

A motion to amend Sections C8-20-5, C8-20-9, C8-30-5, and C8-30-9 regarding budget hearings and the preparation of the Capital Budget (Action Item #0429-05 – proposed changes shown in red) was made, seconded, and approved by a vote of 13-2-0 (Comms. Lombardo, Bowser, Camporeale, Halpern, Kolenberg, Lane, Larobina, Loeb, Martinez, Michelson, Pioli, Pramberger and Williams in favor; Comms. and Bilicznianski and McMullen opposed).

#### **Sec. C8-20-5. Preparation of Proposed Capital Program.**

(c) **Public Participation and Public Hearing Date.** Any resident of the City may attend and participate in such public hearings, in accordance with the rules and procedures of the body. Before taking final action on the proposed capital projects program, the Planning Board shall hold a public hearing not later than the tenth (10<sup>th</sup>) day of February on public notice.

#### **Sec. C8-20-9. Approval Requirements for Increasing Capital Projects Budget.**

The procedures outlined in Section C8-20-7 for increasing an existing capital projects budget shall require the affirmative vote of four (4) members of the Board of Finance, and its adoption by the Board of Representatives shall require a two-thirds (2/3<sup>rd</sup>s) vote of those present at the meeting, which two-thirds (2/3<sup>rd</sup>s) shall not be less than a majority vote of the entire membership. The Board of Finance and the Board of Representatives shall conduct an initial public hearing upon receipt of the proposed capital program and a final public hearing not later than five (5) days prior to any final votes on the program. The boards may conduct additional public hearings in their discretion.

#### **Sec. C8-30-5. Budget Approval by the Board of Finance.**

(c) **Action on the Proposed Operating Budget by the Board of Finance.** The Board of Finance may approve, reject, or lower any item in the proposed operating and capital budget for the next ensuing fiscal year except as provided under Sec. C8-30-2(b)(6) and

(d) **Transmittal of the Proposed Operating Budget to the Board of Representatives.** The Board of Finance shall, on or before the twentieth (20<sup>th</sup>) day of April, transmit the proposed operating budget as revised by it to the Clerk of the Board of Representatives. Any item in the budget for the next ensuing fiscal year not rejected or revised by the Board of Finance shall be deemed approved by it.

#### **Sec. C8-30-9. Public Hearings.**

(b) **Joint Initial Public Hearings upon receipt of the Proposed Budgets of the Mayor and Board of Education.** The Board of Finance and the Board of Representatives shall jointly hold initial public hearings on budgets as proposed by the Mayor (operating and capital) and the Board of Education (operating). These hearings shall be held on or before the eighth (8<sup>th</sup>) day of April after three (3) days public notice.

**Final Public Hearings.** The Board of Finance and the Board of Representatives shall conduct final public hearings on the operating budget proposed by the Mayor and Board of Education and the capital projects budget proposed by the Mayor not later than five (5) days prior to any final votes on either budget. The boards may conduct additional public hearings in their discretion.

It was noted that C8-20-9 needs to be updated to parallel that language in the earlier vote regarding the Operating Budget public hearing.

A motion to approve the changes to Part 8 – Budgetary Procedures, Divisions 1-3 (Action Item 0429-07, attached) discussed by Attorney Mednick with the changes discussed by the Commission, was made, seconded and approved by a vote of 14-1-0 (Comms. Larobina, Lombardo, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor; Comm Bilicznianski opposed).

A motion to amend Section C8-30-3 to remove the cap on the Rainy Day Fund had been made and seconded, and tabled at a prior meeting. A motion to remove this item from the table was made, seconded, and approved by unanimous voice vote.

The Commission had an extensive discussion regarding this provision.

The motion to amend Section C8-30-3 to remove the cap on the Rainy Day Fund as shown below (Action Item #0412-05 – proposed changes shown in red) was made, seconded, and approved by a vote of 14-0-1 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pramberger and Williams in favor; Comms. and abstaining).

**Sec. ~~C8-30-3~~ C8-20-9. - Contingency Appropriation and Operating Reserve or "Rainy Day" Fund.**

- (a) The Mayor's proposed operating budget may include an appropriation the purpose of which is to fund unanticipated or unforeseeable expenses of the City during the fiscal year. No portion of this appropriation may be used to fund additional operating expenses of a recurring nature, although it may be used to fund unanticipated incremental increases of ordinary operating expenses.
- (b) The Mayor may direct on or before the 15th day of October, subject to the approval of the Board of Finance and Board of Representatives, that any portion of any budget surplus from the prior fiscal year, as evidenced by the audited financial statements for such prior year approved by the Board of Finance, be transferred to an Operating Reserve or "Rainy Day" Fund.
  - (1) ~~In no event shall the Mayor transfer monies to the Fund that would cause the balance of the Fund to exceed five percent (5%) of the total amount of general fund expenditures in the prior fiscal year.~~ Any portion of the Fund may be withdrawn at any time and used for any lawful purpose upon the special request of the Mayor. Approval of such request shall require (i) the affirmative vote of four members of the Board of Finance and (ii) the affirmative vote of two-thirds of those present at a meeting of the Board of Representatives which two-thirds shall not be less than a majority of the entire membership.

The Commission took a recess at 12:19 p.m. and resumed at 12:52 p.m.

A motion to table the motion to amend Section C8-30-3 to remove the cap on the Rainy Day Fund was made, seconded, and failed by a vote of 7-8-0 (Comms. Lombardo, Bilicznianski, Bowser, Loeb, McMullen, Pioli, and Williams in favor; Comm Larobina, Camporeale, Halpern, Kolenberg, Lane, Martinez, Michelson, and Pramberger opposed).

The motion to amend Section C8-30-3 to remove the cap on the Rainy Day Fund as shown below (Action Item #0412-05 – proposed changes shown in red) was made, seconded, and approved by a vote of 9-4-2 (Comms. Larobina, Lombardo, Halpern, Kolenberg, Lane, Martinez, Michelson, Pramberger and Williams in favor; Comms. Camporeale, Loeb, McMullen, and Pioli opposed; Comms. Bilicznianski and Bowser abstaining).

**Sec. ~~C8-30-3~~ C8-20-9. - Contingency Appropriation and Operating Reserve or "Rainy Day" Fund.**

- (a) The Mayor's proposed operating budget may include an appropriation the purpose of which is to fund unanticipated or unforeseeable expenses of the City during the fiscal year. No portion of this appropriation may be used to fund additional operating expenses of a recurring nature, although it may be used to fund unanticipated incremental increases of ordinary operating expenses.
- (b) The Mayor may direct on or before the 15th day of October, subject to the approval of the Board of Finance and Board of Representatives, that any portion of any budget surplus from the prior fiscal year, as evidenced by the audited financial statements for such prior year approved by the Board of Finance, be transferred to an Operating Reserve or "Rainy Day" Fund.
- (2) ~~In no event shall the Mayor transfer monies to the Fund that would cause the balance of the Fund to exceed five percent (5%) of the total amount of general fund expenditures in the prior fiscal year.~~ Any portion of the Fund may be withdrawn at any time and used for any lawful purpose upon the special request of the Mayor. Approval of such request shall require (i) the affirmative vote of four members of the Board of Finance and (ii) the affirmative vote of two-thirds of those present at a meeting of the Board of Representatives which two-thirds shall not be less than a majority of the entire membership.

**7. City Departments Committee report and action**

Commission members had an extensive discussion regarding the proposed amendments to Section C2-10-3 - Legal Assistance and Investigatory Functions., Sec. C5-20-3. Legal Functions; Sec. C1-90-1. Removal of Elective Officers; and Sec. C5-20-2. Qualifications regarding hiring of counsel by the Board of Representatives as shown below (Action Item #0429-07 – proposed changes shown in red).

**Sec. C2-10-3. Legal Assistance and Investigatory Functions.**

**(1) Counsel to the Board of Representatives.** The Board of Representatives may appoint and may remove by majority vote of those present and voting, a Counsel who shall be an attorney admitted to practice law in this State and shall have been a member in good standing of the bar of the State of Connecticut for at least five (5) years; and, has been actively practicing law in Connecticut for at least five (5) years. Such Counsel shall have such duties as the Board shall determine. Such Counsel shall receive compensation as fixed by the Board of Representatives which shall be in an amount equal to or greater than a Deputy Corporation Counsel of equal experience and any adjustments based upon any applicable agreements.

**(2) Funds for Investigation.**

**(a) Authority to Commence Investigation and Incur Expenses.** The Board of Representatives shall have authority, by a ~~two-thirds (2/3)~~ majority vote of its entire membership, to incur any expenses which it deems necessary or advisable, in connection with any investigation authorized under Section C2-10-2 of this Charter.

(b) Expenses Binding on the City. Expenses so incurred shall be paid by the Office of Administration on warrant issued by the Mayor and counter-signed by the Clerk of the Board of Representatives.

(c) Authority to Appropriate Funds. The Board of Representatives may, by a majority vote of its entire membership, appropriate funds to cover expenses incurred pursuant to this Section without request for such appropriation by any officer of any department of the City, other than the Board of Representatives.

### (3) Legal and Other Professional Assistance.

(a) Retention of Outside Counsel, Experts, Professional Advisors and Consultants. Execution of Agreement. The Board of Representatives may incur expenses and the President of the Board may execute all agreements approved by a majority vote of the entire Board for the retention of outside counsel ("Outside Counsel"), and professional experts, advisors and consultants ("Other Professional Advisors"), where such services are necessary or convenient to the performance by the Board of its legislative functions and duties as prescribed by this Charter or under Law.

(b) Role of Outside Counsel. Such Outside Counsel may be retained to: (i) render opinions pertaining to legislative function, legal and procedural matters; (ii) advise the Board during hearings and other proceedings before the Board; and, (iii) appear in any proceeding, case controversy or appeal on behalf of or before the Board.

(c) Expenses Binding on the City. Expenses for Outside Counsel and Other Professional Advisors so incurred shall be binding upon the City and be paid by the Office of Administration on warrant issued by the Mayor and counter-signed by the Clerk of the Board of Representatives.

(d) Consultation with the Corporation Counsel. Prior to any vote on the retention of Outside Counsel the President shall consult with the Corporation Counsel for the sole purpose of ensuring there are no legal, ethical or positional conflicts between the outside counsel and the City.

(e) Budget for Outside Counsel and Other Professional Advisors ("Professional Services Budget"). The Board of Representatives shall adopt and forward to the Mayor its proposed annual Professional Services Budget, in accordance with the procedures and timetable established for other City Departments. The Mayor's budget shall include, and the Boards of Finance and Representatives shall appropriate for support of the Professional Services Budget at least the amount greater than or equal to one-quarter of the outside counsel budget expenditures incurred by the City in the prior fiscal year; although, in no case, not less than the previous annual Professional Services Budget, unless the Board of Representatives requests a lesser amount. In furtherance of the authority to retain Outside Counsel and Other Professional Advisors in the event there are insufficient funds available for the retention of Outside Counsel and Other Professional Advisors, the Board of Representatives may, by Resolution approved by a majority of the Board of Representatives, present and voting, appropriate or transfer monies to pay the fees and costs of such purposes.

### **Sec. C5-20-3. Legal Functions .**

The Corporation Counsel shall act as legal advisor of the City, the Mayor, the Boards of Representatives, Finance and Education and all other Officers, Departments, Boards, Commissions, Authorities, Agencies and Bureaus in matters relating to their official duties. The Corporation Counsel or his/her designee shall appear for and protect the rights and interests of the City in all actions and proceedings brought by or against it or any of the municipal Officials, Departments, Boards, Commissions, Authorities, Agencies and Employees. The Officers, Departments, Boards, Commissions, Authorities, Agencies and Employees shall not employ other

counsel except as otherwise provided in this Charter. The Corporation Counsel shall have charge of all appeals in which the City or any Officer, Department, Board, Commission, Authority, Agency or Employee thereof is involved. Subject to the approval of the Mayor and within the appropriation therefor, the Corporation Counsel shall have the power to compromise any claim by or against the City. The Corporation Counsel shall prepare all forms of contracts and other instruments in which the City is concerned, and shall in all respects act as attorney for the City, its Officers, Departments, Boards, Commissions, Authorities and Agencies. Notwithstanding the foregoing, the Board of Representatives may, by ~~resolution jointly presented by the Majority Leader, Minority Leader, the President and Clerk and approved by the affirmative vote of not less than thirty-one (31) members, retain independent counsel to represent the Board of Representatives with respect to a specific case or controversy in rendering opinions and appearing in any proceeding and may appropriate monies to pay the fees and costs of such counsel.~~ Resolution, retain Outside Counsel for the reasons and in the manner set forth in Section C2-10-3(2) of this Charter.

#### **Sec. C1-90-1. Removal of Elective Officers.**

Any elective officer may be removed from office for cause by a vote of three-quarters (3/4ths) of the entire membership of the Board of Representatives. No elective officer may be removed except upon charges, which shall have been affirmed by the vote of a majority of the entire membership of the Board of Representatives, and after hearing thereon. Written notice by the Board of Representatives of the charges and time and place of hearing shall be given to the officer at least two (2) weeks before such hearing. Such charges shall be for neglect or dereliction of official duty, or incompetency, or dishonesty or incapacity to perform official duties or some delinquency materially affecting that person's general character or fitness for office. Such officer shall have the right to be represented by counsel at the hearing, to present testimony personally and through witnesses, to cross-examine witnesses presented in favor of removal, and to compel the attendance of witnesses by subpoena issued in the name of the Board of Representatives. The Board of Representatives shall designate ~~an a practicing~~ an attorney who is in good standing for at least ten (10) years, and a member in good standing of the bar of the State of Connecticut for at least ~~ten (10) years~~ five (5) years (and, has been actively practicing law in Connecticut for at least five (5) years) to present such charges on behalf of the Board of Representatives. The standard of proof required for removal shall be clear and convincing evidence .

#### **Sec. C5-20-2. Qualifications .**

No person shall be eligible for the position of Corporation Counsel unless such person is a practicing attorney in good standing for at least ten (10) years, and a member in good standing of the bar of the State of Connecticut Bar for at least five (5) years; and, has been actively practicing law in Connecticut for at least five (5) years.

A motion to amend subsection 2(c) of proposed Section C2-10-3 regarding hiring of counsel by the Board of Representatives to have the vote be by a majority of the entire Board (Action Item #0429-07 – proposed changes shown in red and amended language in blue) was made, seconded, and approved by unanimous vote (Comms. Larobina, Lombardo, Halpern, Kolenberg, Lane, Martinez, Michelson, Pramberger and Williams in favor; Comms. Camporeale, Loeb, McMullen, and Pioli opposed; Comms. Bilicznianski and Bowser abstaining).

(c) Authority to Appropriate Funds. The Board of Representatives may, by a ~~two-thirds (2/3)~~ majority vote of its entire membership, appropriate funds to cover expenses incurred pursuant to this Section without request for such appropriation by any officer of any department of the City, other than the Board of Representatives.

Discussion included giving the Board the option to hire an attorney as a full time City employee or hire a firm. Commission members stated that subsection 1 of proposed Section C2-10-3 regarding hiring of counsel by the Board of Representatives should be amended to specify that Counsel to the Board may be “appointed or engaged” and to clarify that the compensation shall be “no greater than” that of the Deputy Corporation Counsel

A motion to approve the proposed amendments to Section C2-10-3 - Legal Assistance and Investigatory Functions., Sec. C5-20-3. Legal Functions; Sec. C1-90-1. Removal of Elective Officers; and Sec. C5-20-2. Qualifications regarding hiring of counsel by the Board of Representatives shown above as amended was made, seconded, and approved by a vote of 15-0-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor).

Committee members discussed the proposed amendments to Section C5-20-20- regarding residency requirements shown below (Action Item #0429-08 – proposed changes shown in red)

### **Sec. C5-20-20. Qualifications**

(a) **Resident Elector Requirement for Elected Officials.** Every person elected to office shall be and remain a resident elector of the City, and if such officer shall cease to be a resident elector, the office shall be deemed vacant.

(b) **Resident Elector Requirement for Appointed Officials.** ~~Every person appointed to office, except such appointments as are made under the Civil Service provisions of this Charter, the following offices~~ shall be and remain a resident elector of the City, and if such officer shall cease to be a resident elector the office shall be deemed vacant, ~~except that in specific cases, the Board of Representatives may suspend this requirement by a majority vote of its entire membership, :~~

- (1) Director of Public Safety or equivalent position;
- (2) Director of Operations or equivalent position;
- (3) Corporation Counsel;
- (4) Personnel Director or equivalent position;
- (5) Police Chief or equivalent positions; and
- (6) Fire Chief or equivalent position ("Sec. C5-20-20(b) Appointee").

Notwithstanding the foregoing, every person appointed to office prior to November 5, 2023, shall be deemed a resident elector of the City.

(c) **Transition.** All Sec. C5-20-20(b) Appointees shall, within six (6) months following the effective date of said appointment, be required to be a resident elector of the City.

(d) **Failure to Comply.** In the event any Sec. C5-20-20(b) Appointee should fail to comply with the provisions of this section, the position shall immediately be deemed vacant and a successor shall be appointed as provided for by Law.

(e) **Role of the Personnel Director.** The Personnel Director or equivalent position designated by the Mayor shall be responsible for the proper administration of the provisions of this section and shall at least twice yearly conduct a census as to the compliance of all Sec. C5-20-20(b) Appointees. The Personnel Director shall within thirty (30) Days after making said census give a full report to the Mayor indicating those appointees who are and who are not in compliance with the provisions of this section. The Personnel Director at the same time shall also make a report to the appointing authorities when such an authority is other than the Mayor.

A motion to remove the requirement that the person be an elector from subsection (b) of the proposed changes to Section C5-20-20- regarding residency requirements (Action Item #0429-08 – proposed changes shown in red) was made, seconded, and failed by a vote of 6-9-0 (Comms. Bilicznianski, Camporeale, Kolenberg, Martinez, McMullen, Michelson, and Pramberger in favor; Comm. Larobina, Lombardo, Bowser, Halpern, Lane, Loeb, Pioli, and Williams opposed).

A motion to approve the proposed amendments to Section C5-20-20- regarding residency requirements shown above (Action Item #0429-08 – proposed changes shown in red) was made, seconded, and

approved by a vote of 14-1-0 (Comms. Larobina, Lombardo, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor; Comm. Bilicznianski opposed).

Committee members discussed the proposed amendments to the Preamble below (Action Item #0429-10 – proposed changes shown in red).

## PREAMBLE

The Citizens of the City of Stamford shall have all the rights, privileges and protections provided by the City Charter and all Federal and State law, to include:

1. The right to an open and accessible government including reasonable access to City records and information and reasonable access to City officials and employees to conduct business with the City.
2. Subject to State law, the right to observe meetings and hearings of all City Boards, Commissions and Committees and to make reasonable public comment at public hearings.
3. The right to have elected and governmental employees conduct business in accordance with the City Code of Ethics.
4. The multiracial and multiethnic nature of our city is our strength. We honor and respect the cultures, languages and histories of all who call and have called Stamford home, and we celebrate the revolutionary imagination, courage, and resiliency of our citizenry.
5. Consequently, all residents and visitors to the City of Stamford shall have an equal opportunity to participate fully in the economic, cultural, and intellectual life of the City and to have an equal opportunity to participate in all activities. To this end, discrimination is prohibited based on race, color, religion, creed, national origin, gender, age, sexual orientation, gender expression or identity, marital status, military status, blindness, or physical or mental disability.
6. The provisions of this Charter shall help ensure that all people living in our city are fully and responsibly represented, including democrats, republicans, and unaffiliated voters. That the city is committed to diversity and inclusion in all municipal functions and will protect the human, civil, and voting rights of every citizen. The City of Stamford condemns all forms of prejudice that assumes that the members of racial categories have distinctive characteristics and that these differences result in some racial groups being inferior to others. The city is committed to providing a safe, clean, and healthy environment for its citizens, employees, and visitors and to taking measures to protect them against external and internal threats or bigotry, be they physical or cyber. As a waterfront community whose wellbeing is inextricably tied to that of sustainability of the Long Island Sound, the city shall commit to a healthy, sustainable, and resilient environment and to safeguard against the effects of adverse weather and sea level rise.

Committee members discussed deleting the words “, including democrats, republicans, and unaffiliated voters” from subsection 6. A motion to approve the proposed amendments to the Preamble with the deletion was made, seconded, and approved by a vote of 15-0-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor).

Committee members discussed the proposed amendments to Section C1-10-3 regarding open meetings and public access to information, shown below (Action Item #0429-10 – proposed changes shown in red).

### **Sec. C1-10-3. Time of Appointments and Meetings Generally.**

(1) **Validity of Appointments.** Except as provided in Sections C6-00-3(a) and C6-00-5, any appointment to office or election by the Board of Representatives to fill a vacancy required herein to be made on or before a certain day shall be, if made after that day, as valid and effective as if made on the day specified. If the day on which any meeting specified herein to be held shall be a Saturday, Sunday or a legal holiday, the meeting shall be held on the first (1<sup>st</sup>) business day following.

(2) **Regular Meetings – Designation of Location.** Any meeting required by this Charter to be held on a certain day shall be deemed, for all purposes, to be a regular meeting. The Mayor shall designate the place of all meetings provided for in this Charter, unless the place of meeting is specified herein or fixed by ordinance. However, in the absence of any such designation by the Mayor, the person responsible for calling the meeting shall designate the place thereof.

(3) **Open Meetings and Public Access to Information.** The objective of an open government policy is the achievement of optimal public accessibility to the decision-making process and the public information utilized in arriving at such decisions. In this respect, all Public Meetings and Hearings of City Boards and Commissions, elected or appointed, shall be public and conducted and information requests shall be administered in strict compliance with the requirements of the General Statutes; unless otherwise permitted or required by Law. In furtherance of this objective, the City shall utilize all technologies necessary to ensure maximum access to (a) in person, remote or hybrid interactions at every Public Meeting and Public Hearing; and, (b) to public information under the control of the City. The City shall continue to migrate toward ensuring that technology is available so that all possible means of public participation are provided for at every meeting and with regard to the dissemination of public information.

Committee members discussed changing “shall utilize” in subsection 3 to “shall endeavor to utilize to” .

A motion to approve the proposed amendments to Section C1-10-3 regarding open meetings and public access to information, with the change discussed was made, seconded, and approved by a vote of 15-0-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor).

Committee members discussed the proposed amendments to Section C6-140-8 regarding grounds for discipline and public access to information, shown below (Action Item #0429-11 – proposed changes shown in red).

### **Sec. C6-140-8. Grounds for Discipline**

The grounds for discipline shall include but not be limited to the following:

- (1) Incompetency;
- (2) Misconduct;
- (3) Neglect of duty;
- (4) Habitual absence;
- (5) Conviction of a felony;
- (6) Conviction of a misdemeanor seriously affecting ability to perform job responsibilities;
- (7) Frequent violation or disregard of safety rules on the job;
- (8) Failure to report in writing on the job injuries to oneself or to a fellow employee;
- (9) Serious negligence resulting in damage to City property, machines, equipment, vehicles, or damage to private property or injury or death to persons;
- (10) Insubordination or failure to follow specific orders by supervisors;
- (11) Failure to perform adequately the duties and responsibilities required for the job;
- (12) Reporting for work under the influence of intoxicants or illegal drugs, or the use of same on the job;



- (13) Illegal political activity;
- (14) Violation of the Charter and/or the Code of Ordinances, including but not limited to the Code of Ethics of the City-, following an adjudication by the Board of Ethics.

It was noted that violation of the Code of Ordinances is a low standard. The language should clarify that the violation relates to the ability to do one's job. This item was returned to the Committee

The Commission took a break at 3:00 p.m.

## 7. **Appointed Boards and Commissions Committee report and action –**

Commission members discussed proposed changes to Sec. C6-00-2 through C6-00-4 regarding the appointment and removal of Board and Commission members, shown below (Action Item #0429-12 – proposed changes shown in red).

### **Sec. C6-00-2. Appointive Boards and Commission Members: Number and Terms**

(c) The Planning Board, the Zoning Board and the Zoning Board of Appeals shall, in addition to the five (5) regular members of each such board, have three (3) alternate members and such alternate members, also referred to as the "Panel of Alternates," shall, when seated, have all the powers and duties of the regular members of such boards and shall not be members of any other boards.

(1) If a regular member of the Planning Board, the Zoning Board or the Zoning Board of Appeals is absent or disqualifies himself or herself, the Chairperson of such Board shall designate an alternate from the panel of alternates for such Board, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible.

(2) If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

~~(d) Members of appointive Boards and Commissions or members of any panel of alternates shall be resident electors of the City and not more than a bare majority of any appointive Board or Commission or panel of alternates shall be registered members of the same political party.~~

### **Sec. C6-00-3. Appointment and Removal**

~~(3) (a) The Mayor shall annually submit to the Board of Representatives, at its first meeting after its organizational meeting, nominations of members to each appointive Board, Commission or other similar appointive position, to fill each vacancy where a term of office has expired. The Mayor shall also submit to the Board of Representatives at such meeting nominations of alternate members of the Planning Board, the Zoning Board and the Zoning Board of Appeals to fill any vacancies on a "panel of alternates" where an alternate member's term of office has expired. No nomination to such appointive Boards, Commissions, positions or "panel of alternates" made by the Mayor shall become effective until approved by the Board of Representatives.-~~

### **Sec. C6-00-3. Appointment and Removal** ~~Provided, however, if a nomination to any such~~

(a) Nominations by the Mayor The Mayor shall submit to the Board of Representatives nominations of members to each appointive Board, Commission or other similar appointive position, to fill each vacancy where a term of office has expired or in the event of a vacancy.

(1) **Failure of the Board of Representatives to Act: Deemed Approval.** In the event a Mayoral nomination to any such Board, Commission, similar appointive position or "panel of alternates" made by the Mayor shall not have been approved or rejected by the Board of Representatives for a period of ninety (90) days from the date of submission by the Mayor, then such nomination shall thereupon become effective, having been deemed to have been approved by the Board of Representatives through its inaction ("Approval by Inaction"). ~~Provided further, however, if~~

(2) **Failure of the Mayor to Submit a Nomination.** In the event the Mayor shall fail to submit a nomination to the Board of Representatives within one hundred and twenty (120) days after the expiration of a Board or Commission or alternate member's term of office, then, at any time during the one hundred and twenty (120) day period thereafter, the President of the Board of Representatives may shall be required to nominate and the Board of Representatives may shall approve a successor to fill the position. ~~Provided further, however, if said Board of Representatives shall fail to act within the allotted time period, the Mayor shall again be empowered to nominate an individual to fill the vacancy and the Board of Representatives shall have ninety (90) days to approve or reject such nomination as set forth above.~~

(3) **Failure of the President of the Board of Representatives to Submit a Nomination.** In the event the President of the Board of Representatives fails to submit a nomination for approval by the Board of Representatives within one hundred and fifty (150) days after the expiration of a Board or Commission or alternate member's term of office; then, remaining members of the Board or commission in which the vacancy exists shall fill the vacancy by appointment, subject to approved by the Board of Representatives; subject to the ninety (90) day rule pertaining to Approval by Inaction, as set forth in Sec. 6-00-3(a)(1), above.

#### **Sec. C6-00-4. Expiration of Terms of Office.**

(a) The term of each appointive Board or Commission member or relevant position shall expire on the first (1<sup>st</sup>) day of December of the final year of the term, subject to continuance in office for a period of six (6) months ~~or until a successor has been approved by the Board of Representatives, whichever occurs first.~~

Commission members discussed whether the BOR authority in subsection C6-00-3(a)(2) should be changed from may to shall and whether Boards and Commissions should be able to fill their own vacancies.

A motion to table this item was made, seconded, and failed by a vote of 7-8-0. (No roll call taken of vote)

A motion to approve this item was made and seconded. A motion to move the question was made, seconded, and approved by a vote of 8-7-0 (Comms. Larobina, Lombardo, Kolenberg, Lane, Martinez, McMullen, Michelson, and Pramberger in favor; Comms. Bilicznianski, Bowser, Camporeale, Halpern, Loeb, Pioli, and Williams opposed).

The motion to approve this item passed by a vote of 14-0-1 (Comms. Larobina, Lombardo, Bilicznianski, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor; Comm. Bowser abstaining).

Chair Larobina stated that the Committee recommended not to include a Commission on Aging in the Charter [Charge No. 43] and that the Commission should remain in the Code of Ordinances. A motion to take no action on a Commission on Aging was made, seconded, and approved by a vote of 14-0-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor).

Commission members discussed proposed changes to Sec. C6-190-2 and C6-210-1 through C6-210-3 regarding the transferring of the responsibilities for Fair Rent from the Social Services Commission to a

newly created Housing Commission as shown below (Action Item #0429-13 – proposed changes shown in red).

**Sec. C6-190-2. Powers and Duties of the Social Services Commission.**

The Social Services Commission shall:-

- (1) ~~Exercise the powers given to a fair rent commission pursuant to Sections 7-148b through 7-148f, inclusive, of the General Statutes;~~ Exercise ~~exercise~~ the powers concerning the investigation and elimination of discriminatory practices pursuant to Sections 7-148i through 7-148n, inclusive, of the General Statutes.

Transition and Sunset Provision. The Social Services Commission shall continue to exercise the powers given to a fair rent commission pursuant to Sections 7-148b through 7-148f, inclusive, of the General Statutes, until the effective date of the Housing Authority, set forth in Subdivision O of this Charter;

**SUBDIVISION O. HOUSING COMMISSION**

**Sec. C6-210-1. Formation**

There shall be a Housing Commission in the City of Stamford.

**Sec. C6-210-2. Appointment. Terms.**

The composition, membership, terms and other organizational matters will be determined in accordance with an Ordinance to be enacted by the Board of Representatives.

**Sec. C6-210-3. Powers and Duties.**

The Housing Commission shall:

- (1) Exercise the powers given to a fair rent commission pursuant to Sections 7-148b through 7-148f, inclusive, of the General Statutes; and,  
(2) Have such additional powers, duties and authority as may be set forth by Ordinance.

Commission members had an extensive discussion about whether to create a Housing Commission and a separate commission on DEI and Disability or whether they should be one commission. It was discussed that the Housing Commission should have fair rent functions. The Board of Representatives will be charged with creating the details for the Housing Commission and the Fair Rent responsibilities must remain in the Social Services Commission until the Housing Commission is created.

A motion to approve this item creating a Housing Commission was made and seconded. A motion to move the question was made, seconded, and approved by a vote of 15-0-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, and Pioli, Pramberger and Williams in favor).

Mr. Mednick stated that he would include the following language in the section on the Powers and Duties of the Housing Commission:

- (2) Promote and encourage the development and continued availability of affordable housing and deeply affordable housing for the people of Stamford, by bringing together public and private resources, developing recommendations for comprehensive housing policies and goals, and facilitating the accomplishment of those goals; and,

The motion to approve this item passed by a vote of 13-0-1 (Comms. Larobina, Bilicznianski, Bowser, Camporeale, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor; Comm. Lombardo abstaining).

A motion to create a DEI and Disability Commission in lieu of a Citizens Oversight and Social Responsibility Commission was made and seconded. The Board of Representatives would be tasked with creating this commission. A motion to move the question was made, seconded, and approved by a vote

of 13-1-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Kolenberg, Lane, Loeb, Martinez, Michelson, Pioli, Pramberger and Williams in favor; Comm. McMullen opposed).

The motion to approve the creation of a DEI and ADA Commission passed by a vote of 13-1-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Kolenberg, Lane, Loeb, Martinez, Michelson, Pioli, Pramberger and Williams in favor; Comm. McMullen opposed).

A motion to approve the proposed changes to Sec. C6-100-1 regarding qualifications of the Health Commission (Action Item #0429-14 – proposed changes shown in red) was made, seconded and approved by a vote of 14-0-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor)

Chair Larobina stated that the Committee recommended to take no action on the charge to “look at” the Parks Commission [Charge No. 67]. A motion to take no action on this item was made, seconded, and approved by a vote of 14-0-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor).

Chair Larobina stated that the Committee recommended to take no action on a recommendation from Counsel reviewing which Boards and Commissions are in the Charter. A motion to take no action on this item was made, seconded, and approved by a vote of 14-0-0 (Comms. Larobina, Lombardo, Bilicznianski, Bowser, Camporeale, Kolenberg, Lane, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor).

**8. Acceptance of Minutes** – A motion to approve the minutes of 4/12/23 was made, seconded, and approved by unanimous voice vote.

Chair Lombardo adjourned the meeting at 5:06 p.m.

This meeting is on video (Pts. [1](#), [2](#), [3](#), and [4](#))