

SUMMARY OF CHANGE ITEMS
PROPOSED DRAFT REPORT OF THE CHARTER REVISION COMMISSION
PUBLIC HEARING: 24 MAY 2023

1. **Preamble** revised to include recognition of diversity of residents in Stamford, equal opportunity for all residents, condemnation of prejudice, commitment to a healthy environment for all residents; and, sustainability of our coastal community.

2. **Sec. C1-10-3(3)** sets forth the objective to attain “optimal public accessibility” in order to encourage public engagement through efforts to migrate toward all technologies necessary to reach as many people as possible.

3. **Sec. C1-10-4(1)** expands the definition of “Public Notice” to include “electronic” and other media. It also requires content to be identified and requires the Board of Representatives to review notice requirements on a biennial basis.

4. There are also a number of definitions that the Commission did not act upon prior to the public hearing that will be discussed before transmitting the Draft Report to the Board of Representatives, including: Meeting or Hearing Notice, Newspaper Notice, Public Hearings etc....

5. **Sec. C1-50-1** updates the standard and increases the voting requirements for approving condemnation approval to 2/3^{rds} of the members of the Boards of Finance and Representatives, following a joint public hearing as well as expanded public outreach in order to encourage public engagement.

6. **Sec. C1-50-3** is a similar revision of the charter pertaining to the acquisition and disposition of real estate. With respect to the disposition of land, including sale or lease, the Planning Board and Board of Finance and Representatives require an affirmative vote of 2/3^{rds} of the members of each board. The standard for acquisition is a majority of the entire membership of each of the boards. These actions follow expanded public outreach and joint public hearings by the boards involved in the transaction.

7. **Sec. C1-90-1** requires an attorney hired by the Board of representatives in a “removal” proceeding to be an attorney licensed to practice law in the state for ten years, five of which (instead of ten) were spent practicing in Connecticut.

8. **Sec. C2-10-2(9)** clarifies that the authority of the Board of Representatives with respect to contracts includes all amendments and multi-year agreements.

9. **Sec. C2-10-3** amends current language that permits the allocation of funds for investigations by the Board of Representatives. The provision is expanded to permit the hiring of counsel to represent Stamford’s legislative branch. This provision allows the Board to appoint or engage in-house counsel and to retain outside counsel in order to represent the interests of the Board. The standard for commencing an investigation has been reduced from a 2.3rd standard to a majority of the entire membership. The Board of Representatives, by a vote of a majority of its entire membership, is given the authority to appropriate or transfer monies to pay the fees and costs of an investigation or for the retention of counsel.

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10. **Sec. C3-10-4** are minor amendments to clarify the protocols when the Mayor is temporarily absent or disabled and unable to fulfill the duties of office. The revisions clarify the order of succession for temporary services and the level of compensation for the Acting Mayor after a thirty-day period of time.

11. **Sec. C5-20-3** reflects the fact that the retention of counsel for the Board of Representatives is a legislative function with the exception of the Corporation Counsel consultation on conflicts of interest. This issue is addressed in item #9, above.

12. **Sec. C5-20-5** requires the Corporation Counsel to issue and publish an annual report regarding the state of legal matters for the City, including, pending cases, resolved litigation, completed transactions, expenditures of the City and public schools administered by the Board of Education, current staffing levels in the Legal Division among other items requested by the Mayor, Board of Finance or Board of Representatives.

13. **Sec. C5-20-15** include staff counsel to the Board of Representatives as a member of the unclassified service.

14. **Sec. C5-20-20** specifies the following employees required to remain resident-electors of the City, subject to the oversight of the Personnel Director: Director of Public Safety or equivalent position; Director of Operations or equivalent position; Corporation Counsel; Personnel Director or equivalent position; Police Chief or equivalent positions; Assistant Police Chief, or equivalent positions; Fire Chief or equivalent position; and, Assistant Fire Chief or equivalent positions.

15. **Sec. C5-40-3(d)** is a minor edit changing the word “their” to “there.”

16. **Sec. C5-40-3(h), Sec. C5-5-3(b)(8)** and **Sec. C8-40-5(b)** change the term City Engineer” to “Municipal Engineer.”

17. **Sec. C5-50-2(i)** requires the Director of Administration to file reports twice a year pertaining to (a) 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; (b) 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; (c) comparison of revenues to date against the projections for the current fiscal year and against that of the last completed fiscal year; (d) 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; (e) amounts expended to meet contractual provisions of collective bargaining agreements (and other side agreements relating thereto) pertaining to minimum mandatory workforce and overtime requirements;

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and (f) such other information as may be required by the Board of Finance or the Board of Representatives.

18. **Sec. C6-00-1(l), (r) and (s)** create the Diversity, Equity Inclusion and Disability Commission (**Sec. C6-270-1 et seq.**); Housing Commission (**Sec. C6-00-2 and C6-210-1 et seq.**) and Harbor Management Commission (**Sec. C6-75-1 et seq.**).

19. **Sec. C6-00-3** reforms the appointment protocols in order to avoid holdover appointment of Board and Commission members. The Town and City Clerk provides the Mayor, Board of Representatives with notice of the end of the term or of a vacancy on the Board of Commission. The Mayor's submission of a nominee must take place with 120 days of the notice. Upon rejection of a nominee the Mayor is permitted to nominate the failed candidate one more time and other candidates within 30 days of the failure through the 120-day time-frame. If the Board fails to act on the nominee within 45 days the Mayor's nominee is deemed approved. In the event the Mayor fails to act or the 120-day time-frame elapses, the appointment authority falls to the President of the Board of Representatives for an additional 120-day period. If the President fails to appoint (even though his authority is mandated), the authority is shared by the Mayor, President, Majority Leader and Minority Leader who all are afforded the authority to nominate candidates for approval by a plurality of the members of the Board of Representatives.

20. **Sec. C6-00-4** is a companion to #19, above. In this case it allows "alternate" members of Boards and Commissions to take the place of a hold-over members, if the "alternate" is not a holdover.

21. **Sec. C6-00-10** is a provision that requires cooperation of all officials and department employees with members of Boards and Commissions and vice versa.

22. **Sec. C6-10-2** requires the Superintendent of Schools to keep fiscal control records and provide other information as may be required by the Charter. The standard is currently discretionary.

23. **Sec. C6-10-4** is a new requirement for the Board of Education to file twice a year 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). This requirement specifically excludes all such contracts 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.

24. **Sec. C6-30-001** adds certain definitions pertaining to the Land Use commissions to the Charter.

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25. **Sec. C6-30-002** sets forth the various requirements that are applicable to petitions that may be filed seeking review of various land use commission decisions by the Board of Representatives. Clarity as to process and eligibility are included in the new provisions.

26. **Sec. C6-30-003** provides for additional detail and content in notices of applications, public hearings and decisions that are made by land use agencies.

27. **Sec. C6-30-004** provides that a decision on an application before land use agencies that requires a public hearing may not be made on the same date as the close of the public hearing but must be made at a subsequent regular or special meeting.

28. **Sec. C6-30-005** sets forth certain additional neighborhood outreach efforts that must be undertaken in conjunction with proposed developments containing five or more residential units.

29. **Sec. C6-30-4** has been revised to reflect the fact that the Master Plan has already been adopted.

30. **Sec. C6-30-6** includes new requirements for neighborhood outreach when a City agency is proposing an amendment to the Master Plan.

31. **Sec. C6-30-7** makes some stylistic changes to the provisions for petitions by opponents appealing changes to the Master Plan to the Board of Representatives and adds a new alternative signature threshold of 300 landowners city-wide.

32. **Sec. C6-30-8** makes changes analogous to those in Sec. C6-30-7 for petitions by proponents of changes to the Master Plan.

33. **Sec. C6-30-9** adds a requirement that public notices of hearings for amendments to the Master Plan shall include the zones and or street addresses of the property affected and a clear and concise description of the proposal.

34. **Sec. C6-30-19** is proposed to be deleted because the definition contained in that section was moved to Sec. C6-30-001.

35. **Sec. C6-30-22** is proposed to be deleted because the treatment of the alternates is already covered elsewhere in the Charter.

36. **Sec. C6-40-2** is proposed to be deleted to reflect the fact that the Master Plan has already been adopted.

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37. **Sec. C6-40-3** is proposed to be amended to reflect the fact that the Master Plan has already been adopted.

38. **Sec. C6-40-4** has been revised to increase the period of time that the same application need not be heard again from 12 to 24 months, to delete a redundant provision, and to required additional neighborhood outreach in the event a City department is proposing an amendment to the Zoning Map.

39. **Sec. C6-40-5** makes some stylistic changes to the provisions for petitions by opponents appealing changes to the Zoning Map to the Board of Representatives and adds a new alternative signature threshold of 300 landowners city-wide.

40. **Sec. C6-40-6** makes changes analogous to those in Sec. C6-40-5 for petitions by proponents of changes to the Zoning Map.

41. **Sec. C6-40-7** broadens the existing notice provisions to include any City agency proposing an amendment to the zoning regulations. Previously it had only applied to changes proposed by the Zoning Board.

42. **Sec. C6-40-8** includes new requirements for neighborhood outreach when a City agency is proposing an amendment to the zoning regulations.

43. **Sec. C6-40-9** makes some stylistic changes to the provisions for petitions by opponents or proponents appealing amendments to the zoning regulations to the Board of Representatives and adds a new alternative signature threshold of 300 landowners city-wide if the amendment only affects one zone.

44. **Sec. C6-40-11** adds a requirement that public notices of hearings for amendments to the zoning regulations shall include the zones and or street addresses of the property affected and a clear and concise description of the proposal.

45. **Sec. C6-40-14** has been revised to increase the period of time that the same application need not be heard again from 12 to 24 months.

46. **Sec. C6-75-1 and Sec. C6-75-2** add the Harbor Management Commission to the appointed boards and commissions section of the Charter.

47. **Sec. C6-100-1** requires the Mayor to appoint members to the Health Commission who “possess experience and qualifications in public health, environmental health and community outreach.”

48. **Sec. C6-120-3** adds some new voting, public hearing and neighborhood outreach requirements for the proposed disposition of parkland. It also reduces the size

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threshold triggering a referendum from 20,000 square feet to 10,000 square feet and adds leases with a term of 10 years or more to the definition of “transfer”.

49. **Sec. C6-130-4** creates a dedicated funding source for the city owned golf course from revenues to the City generated by lease payments and other income from the Golf Authority. The provisions are limited to a 10-year time-frame to allow the golf course to reverse its current funding levels.

50. **Sec. C7-10-9** requires the City to act as the Plan Sponsor for any Deferred Compensation Plan created in accordance with the requirements of sections 457 or 401(a) of the Internal Revenue Code of 1986, as amended, for classified and unclassified employees. This includes the executive and administrative powers granted to the Mayor under Sec. C3-10-1 and other administrative responsibilities.

51. **Sec. C7-30-2(c)** is a minor revision that unclaimed funds are returned to the City Fund

52. **Sec. C8-10-2** represents starting point for the restructuring of the budgetary procedures in Part 8 of the Charter. In this section the Charter requires good faith cooperation between all the officials involved in the budget process; two-year budgeting estimates; and, expected standards of conduct including best practices, accountability, transparency and outreach, all intended to expand public participation.

53. **Sec. C8-10-3** establishes a standard of accountability by asserting the standard that the budget is a public record and that the process is a public process, both notions that should be self-evident; yet, not always treated that way. This provision establishes a Charter expectation and standard.

54. **Sec. C8-10-4** creates a linear budget calendar allowing public officials and members of the public to view the process from the commencement of the process through the end.

55. **Sec. C8-20-1** continues the theme of public engagement by creating a “multilateral” budget meeting in the month of September for the purpose of eliciting public comment on the budget prior to the commencement the data gathering for the next budget process.

56. **Sec. C8-20-2** establishes the authority of the Mayor to require operating and capital budget information from each of the Budgeted Entities, including the Board of Education. Again, the authority should be evident; however, this provision makes it clear.

57. **Sec. C8-20-3 through – 6** simply reorganize the early steps of the capital projects budget process.

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58. **Sec. C8-20-7 and -8** set forth the requirements to be included in the operating and capital budgets. This provision clarifies that the Mayor's proposed budget includes the "education appropriation" and not the line-item budget of the Board of Education. The line-item budget would be attached as an addendum, as set forth in Sec C8-20-11.

59. **Sec. C8-20-9** is a reorganized presentation of the section that deals with "contingency appropriations and "rainy day funds." The provisions do not contain detailed information regarding "contingency funds." The Commission eliminated the 5% cap on rainy day funds contributions on an annual basis

60. **Sec. C8-20-10** makes it clear that the preliminary tax rate estimate is due when the Mayor proposes a budget to the Boards of Finance and Representatives.

61. **Sec. C8-20-11** represents a minor modification. This provision is currently referred to as the "preliminary budget of the Board of Education." The new terminology is "Board of Education Budget Information" since the only matter before the Boards of Finance and Representatives is the "education appropriation." The change in language is consistent with the role of the general government over the Board of Education operating budget. That is not the case on the capital side.

62. **Sec. C8-30-1 through -5** are essentially a recodification of the current budget process, with a few modifications. First, under **Sec. C8-30-1(c)(1)** there is an initial joint hearing on the capital budget by the Boards of Finance and Representatives, including a time lapse following the last public hearing to ensure the bodies will take the public testimony into account. Second, there is new language in **Sec. C8-30-3(b)(2)** that states very clearly that the role of Boards of Finance and Representatives with respect to the education appropriation is controlled entirely by the General Statutes. This language replaces some ambiguous language in the current charter. Finally, **Sec. C8-30-4** reiterates the current standard for setting the mill rate with language that used to appear in the preliminary mill rate provision. It should be noted that unlike the ministerial function that setting the mill rate is in most communities, in Stamford the Board of Finance has the sole authority to increase the mill rate taking into account items that the Board "deems proper," including, but not limited to "...estimated unbudgeted additional appropriations for the next fiscal year, funding of pension costs, and the prior year's deficit or surplus."

63. **Sec. C8-30-10(b)(4)** requires joint hearings by the Boards of Finance and Representatives pertaining to proposed amendments to the capital projects budget.

64. **Sec. C8-40-5** establishes a time-frame for tax assessment adjustments stemming from the extension of sanitary sewer service to a taxpayer.

Compiled by Attorneys Steven G. Mednick and Richard P. Roberts.