



## **AN OVERVIEW OF THE PROCEDURES AND PRACTICES OF THE BOARD OF REPRESENTATIVES<sup>1</sup>**

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<sup>1</sup> This guide is intended as a summary of the Board's practices and procedures and a guide for interactions with the Board. For more detailed procedures and practices, please consult the City of Stamford Charter and Code, the Rules of Order of the Board of Representatives, the Connecticut General Statutes and Robert's Rules of Order, Newly Revised.

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## **I. BOARD OF REPRESENTATIVES, GENERALLY**

### **A. Background**

The City of Stamford Board of Representatives is a forty-member elected representative body that governs the City of Stamford.<sup>2</sup> The activities of the Board of Representatives are governed by the [City of Stamford Charter](#) and include the following powers:

- Enact ordinances for the governance of the City;
- Adopt the capital and operating budgets of the City and the Board of Education budget;
- Approve supplemental operating and capital budget requests;
- Approve the appointment of the Directors, the Director of Health, the Police Chief and the Fire Chief; fill vacancies in elective offices in the City; and approve appointments to Boards, Authorities and Commissions;
- Establish the fees charged by City agencies.
- Approve all City personnel contracts, except employment arrangements for Directors appointed pursuant to Charter §C5-10-2; and reject negotiated and/or arbitrated labor agreements;
- Approve large/multi-year contracts;
- Approve the purchase, sale or lease of real property by or to the City.

As described in more detail below, the Board's actions consist generally of enacting ordinances and resolutions, approvals of items such as contracts and appointments, and general review items. The procedure for each of these actions varies and is set forth in more detail in the sections below.

The power of the Board to act is limited by State statute and the Charter. The State of Connecticut retains powers over matters not specifically delegated to the City, such as moving vehicle regulations and fines. In addition, certain powers are exclusive to certain Boards or Commissions, such as the Zoning Board or the Board of Finance.

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<sup>2</sup> The Leadership of the Board consists of a President, Clerk of the Board, Majority and Minority Leaders, two Deputy Majority Leaders and two Deputy Minority Leaders.

## B. Overview of How the Board Operates

Items are generally submitted to the Board of Representatives for action by the Mayor's office, members of the City administration, department heads and members of the Board of Representatives.<sup>3</sup>

The Board of Representatives operates on a committee system. Submitted items are assigned to one of its twelve standing committees, as described in more detail below, or to a special committee. Each committee is responsible for researching, discussing and recommending to the full Board of Representatives the action to be taken on each item on its agenda. The committee may ask department heads and others to appear before it to explain the item.

The full Board typically meets to act on items under consideration on the first Monday of each month. At the monthly meeting, the full Board reviews the recommendations made by the committees, then votes on each action item. No item is approved until the full Board approves the item.<sup>4</sup> The Board can return an item to the committee if the Board determines an item is not ready for final action. After the Board meeting, the Board publishes an "Action Report", which details the actions taken by the Board at the monthly meeting. Final minutes are approved at the next Board meeting.

All committee meetings and Board meetings are open to the public. However, members of the public may only speak during the public comment period at regular Board meetings and during public hearings held at committee meetings, unless specifically invited to a meeting to present information to a committee.

### 1. Committee Responsibilities

The various standing committees of the Board of Representatives and their responsibilities are as follows:

<b>Steering Committee:</b>	Considers and approves items submitted to the Board for inclusion on the Board's monthly agenda; assigns items to the appropriate committee; and schedules the monthly committee meeting dates
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<sup>3</sup> In a few limited circumstances, items are submitted by members of the public.

<sup>4</sup> There are a few exceptions, such as items submitted to the Housing/Community Development Committee which only require committee approval.

<b>Appointments Committee</b>	Interviews and determines the qualifications of candidates referred by the Mayor for appointment to city boards, authorities and commissions as well as appointed city department heads
<b>Education Committee</b>	Monitors the activities of the Stamford Public Schools and the Board of Education
<b>Fiscal Committee</b>	Considers all financial matters, including the annual City, Board of Education, and special revenue funds budgets; operating, capital and grant requests for additional appropriations, which require a 2/3 vote by the full Board; resolutions and appropriation authorizations for all grants; bonding and refunding resolutions; and contracts that relate to the city's fiscal operations.
<b>Housing/Community Development/Social Services Committee</b>	Allocates and approves the annual Community Development Block Grant (CDBG) and HOME funds and the annual Neighborhood Assistance Act grant funds, and oversees the City's affordable housing initiatives.
<b>Land Use/Urban Redevelopment Committee</b>	Reviews street acceptances and closings of streets; establishment of fees for the Land Use Boards; demolition and rehabilitation of properties; all Urban Redevelopment projects; and contracts related to revaluation and assessment of real property (typically as a secondary committee). The Committee also monitors the progress and status of major projects such as Mill River Park and Greenway, the Urban Transitway, and zoning enforcement activities. The Committee also conducts hearings and makes recommendations to the full Board on appeals of decisions by Zoning and Planning Boards.
<b>Legislative &amp; Rules Committee</b>	Considers, reviews and recommends City ordinances for enactment by the full Board; reviews and approves all land purchases and sales, leases of property by the City and leases of City property to others; assesses tax relief programs levels and recommend changes to income and asset limits for veterans, seniors and the disabled; and reviews the Annual Report letter from Ethics Board
<b>Operations Committee</b>	Deals with the public works functions of the City of Stamford and considers the activities of the City's Operations Department including trash pickup, snow and leaf removal and recycling and approval of contracts relating thereto; construction projects; paving and sidewalk construction and repair; Government Center operations such as security and parking procedures; fees relating to street use and street openings, tipping and other fees; and actions relating to the activities of the Water Pollution Control Authority ("WPCA")

<b>Parks &amp; Recreation Committee</b>	Monitors activities that fall under the Director of Parks & Recreation, including maintenance and improvement projects at all parks and beaches; Parks & Recreation Commission policies and fees; and City policies regarding the use of City and Board of Education playing fields. The committee also oversees and monitors the activities of the Harbor Management Commission and the E. Gaynor Brennan Golf Course
<b>Personnel Committee</b>	Reviews and approves human resources matters, including City labor agreements and arbitration awards; contracts regarding human resources software and computer technology efforts; City personnel policies including health insurance, leave provisions and other benefits; employment contracts for non-civil-service positions; pension plans; labor negotiations; and the City's pay plan for non-union, appointed and elected officials
<b>Public Safety &amp; Health Committee</b>	Deals with the activities of the Police, Fire and Health Departments; contracts relating to the above-mentioned departments; ordinances relating to public safety; conditions at City's animal shelter; the anti-blight ordinance; and Stamford Emergency Medical Services
<b>State &amp; Commerce Committee</b>	Monitors the State of Connecticut legislative and other activities; acts as liaison to elected State officials; reviews the City's economic development activities; considers and reports on impact of Federal legislation and other activities; and proposes and recommends ordinances that take advantage of opportunities provided by such state legislation
<b>Transportation Committee</b>	Reviews items that relate to parking and traffic; considers contracts related to street improvements, traffic calming and parking structures; leases and land purchases regarding parking and traffic matters; ordinances relating to same; and rates for parking lots, train station lots and parking meters

**C. Information on the Board Website**

There is a great deal of information located on the Board website, [www.boardofreps.org](http://www.boardofreps.org), much of which contains links to backup information. Key information and where it can be found is noted below:

<b>Information</b>	<b>Location on Board Website</b>
Meetings scheduled for the current week, Including links to agendas	Home Page
Agenda of the upcoming Board meeting	Home Page

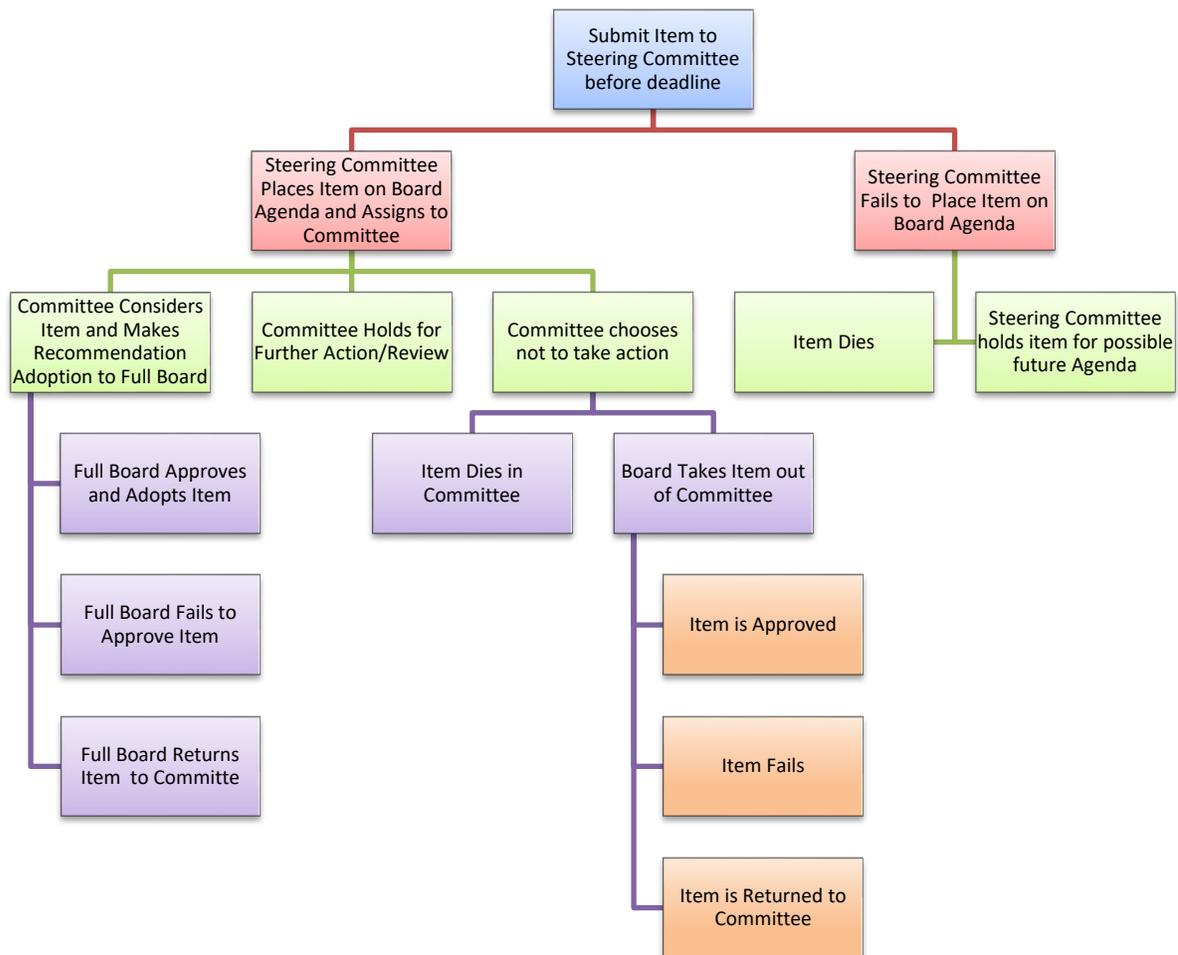
A list of all committee meetings for the current month, including links to agendas or minutes and videos	Home Page
Upcoming public hearings	Home Page
Key items approved at the last Board meeting	Home Page
A link to the City Charter and Code	Home Page
The Rules of the Board	About the Board
Minutes of all prior Board meetings (back to 1949)	Agendas & Minutes
Most recent Action Report and Agenda	Agendas & Minutes
Communications received by the Board office from other City departments and agencies, including reports and legal opinions	Communications
Committee Meeting Minutes and Videos	Committees
A listing of all resolutions approved by the Board (with links back to 2003)	Resolutions

## II. HOW TO SUBMIT ITEMS TO THE BOARD, AND WHAT HAPPENS WHEN AN ITEM IS SUBMITTED TO THE BOARD

Items submitted to the Board of Representatives for action consist of ordinances, resolutions and approvals (and sometimes rejections) of actions taken by other City departments or the Mayor, such as contracts for the purchase of goods or services, collective bargaining agreements, appointments of Directors or City officials, appointments to boards and commissions, approvals of additional appropriations or rejections of capital closeouts.

### A. Process for Submission of Items

#### 1. The Process Generally



The cycle for items to be considered by the Board of Representatives begins with the submission of items to the Steering Committee and ends with the monthly meeting of the full Board. Each month, items which require Board action or review are submitted to the Steering Committee, which decides whether or not to place items on the agenda for the full Board meeting. Items which are placed on the agenda are then considered by the Board's committees during the month and referred to the full Board for action at the meeting of the full Board.

The deadline to submit items to the Steering Committee is typically 5:00 p.m. on the Wednesday before the meeting of the Steering Committee. Typically, the Steering Committee meets on the second Monday of each month. The Schedule of Steering Committee meetings and submission deadlines is posted on the Board website. <http://www.boardofreps.org>, under "Calendar" at the beginning of each year (see the following link: <http://www.boardofreps.org/2022-meeting-dates.aspx> for the schedule for 2022.)

## 2. The Steering Committee Meeting

Items submitted to the Board before the Steering deadline are placed on the agenda of the Steering Committee. This agenda is distributed to City staff. **Please note that the agenda of the Steering Committee only contains tentative committee assignments and tentative dates for Committee meetings and should not be relied upon for dates or agendas of committee meetings.**

At the meeting of the Steering Committee, the Committee determines which of the submitted items will go onto the Board's agenda and which Committee will consider each item.<sup>5</sup> Items not placed on the Board's agenda for the full Board may be held until a later month (which includes being held or being placed on the "pending agenda") or removed from the agenda.

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<sup>5</sup> An item submitted after the Steering deadline is considered a "late submission." The Steering Committee will determine whether or not to consider a late submission at the discretion of the Committee (a vote of 2/3 of the Committee is required to take up a late submission). Items not considered will automatically be considered at the next month's Steering Committee meeting.

Committees meet during the 2-3 weeks between the Steering Committee meeting and the next Board meeting. After the Steering Committee assigns an item to a committee, the Board office will invite members of City staff (or their designees) to attend Committee meetings at the request of the Chair of the Committee. The committees consider the items and then make a recommendation to the full Board at the Board meeting.

Any ordinance, resolution, or contract, or any amendment thereto, on a committee's agenda must be submitted to the Board office by the earlier of 36 hours prior to the start of the committee's meeting or by 4 p.m. on the last day the Board office is open for business if the Committee meeting follows a weekend or holiday.

## **B. Ordinances (Amendments/Additions to the City of Stamford Code of Ordinances)**

Ordinances are changes/additions to the [City of Stamford Code of Ordinances](#), the laws governing the City. Ordinances are introduced for many reasons. For example, the State may pass enabling legislation that permits Stamford to increase tax relief for senior citizens or veterans, a district representative may want to amend the noise ordinance by changing the hours construction may occur or a committee may wish to increase penalties for parking violations.

Most ordinances are reviewed by the Legislative & Rules Committee, but any committee can begin the process of enacting an ordinance. The committee reviews the matter, approves the language and makes its recommendation to the full Board to approve the ordinance for publication and public hearing. The committee then holds a public hearing. When the committee is satisfied with the final language, it makes a recommendation to the full Board for final adoption. If approved, the ordinance is then signed by the President, the Clerk of the Board and the Mayor. Unless otherwise provided for, the ordinance goes into legal effect ten days after the Mayor signs it.

Ordinances MUST BE submitted to the Board of Representatives in written form. The Board office can offer assistance in drafting ordinances. Once a draft ordinance is submitted to a committee, there is a minimum of two months needed for the ordinance to be approved and finalized.

1. Form of Ordinance:

All ordinances must be limited to one subject, except ordinances codifying or rearranging existing ordinances. The title of all proposed ordinances must state the subject, e.g.:

**PROPOSED ORDINANCE NO. \_\_  
ADOPTING A NEW FEE SCHEDULE FOR LAND USE APPLICATIONS**

or

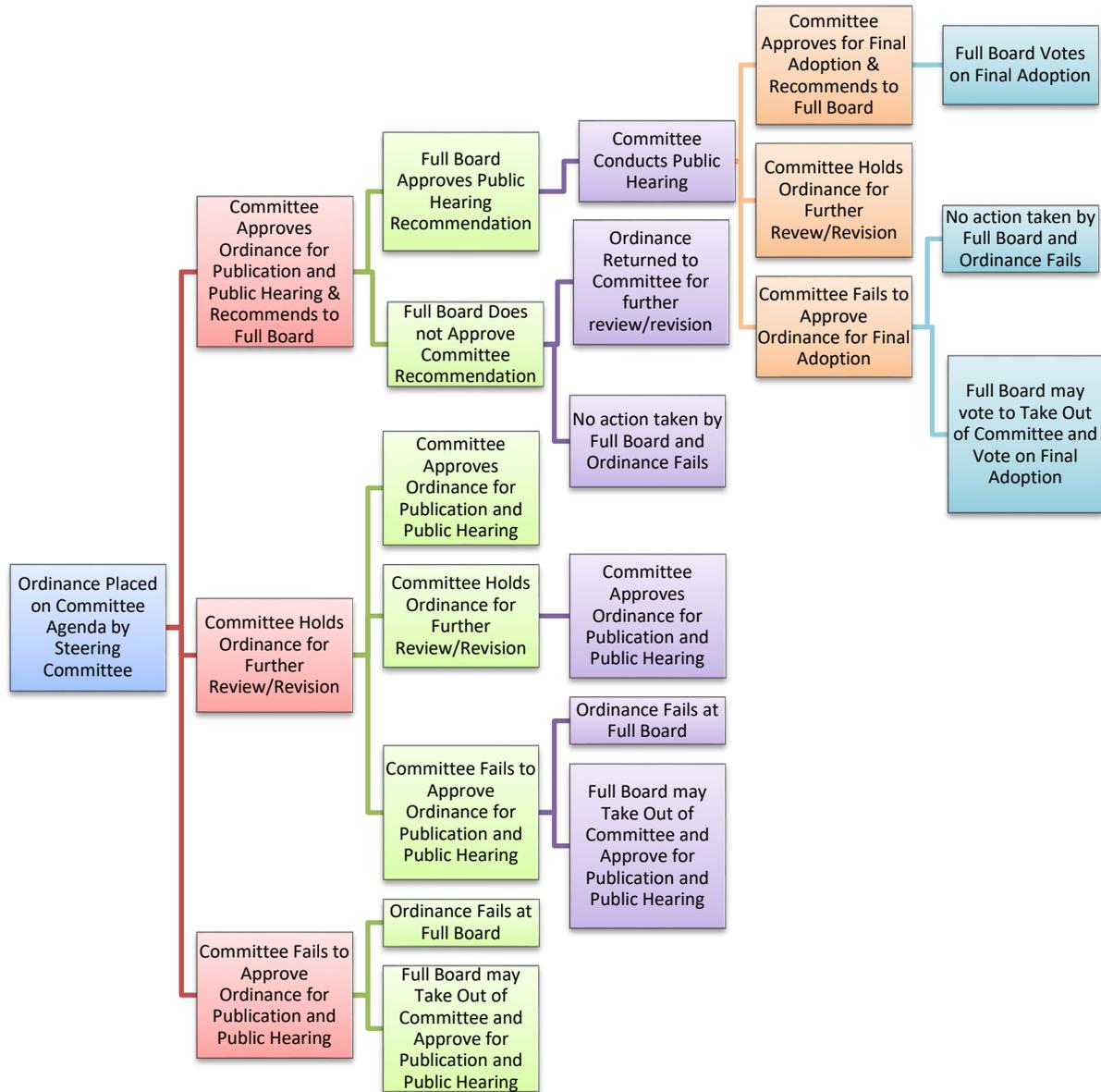
**PROPOSED ORDINANCE NO. \_\_, SUPPLEMENTAL  
AMENDING CHAPTER 146, HOUSING STANDARDS,  
ARTICLE III, BLIGHTED PROPERTIES, OF THE CODE OF ORDINANCES**

Ordinances should include “Whereas” clauses explaining the necessity for the ordinance and an enacting clause as follows: "BE IT ORDAINED BY THE CITY OF STAMFORD THAT . . .”

Any ordinance amending all or a section of a part of the Code of Ordinances must include the entire section (or part) as amended. (Charter §C2-10-15) Exhibit A is an example of an ordinance in final form.

There is no need to include an effective date for an ordinance unless it needs to become effective on a specific date or at a point in the future. Unless another date is specified in the ordinance or is required by State statute, under the Charter, the ordinance will become effective 10 days after it is signed by the Mayor.

## 2. Approval process for Ordinances, Generally



Approval of an ordinance by the Board of Representatives requires a minimum of two months.

After a draft ordinance is submitted to the Board office and assigned to a committee, the committee will meet to review the draft and will then either hold the item for further review/revision or recommend an action to the full Board.

Approval of ordinances always requires publication in summary form and a public hearing.<sup>6</sup> Once the Committee considers the ordinance to be in final form, the Committee will recommend that the Board approve publication of a summary of the ordinance in the newspaper with notice of a public hearing to be held by the Committee considering the ordinance. If the Board approves, the committee will hold a public hearing the following month. After the public hearing is held, the Committee will either hold the item for further review, recommend that the full Board approve it for final adoption or recommend that the full Board not proceed with the matter.

Upon receiving the recommendation of the Committee, the Board can approve final adoption of the ordinance or reject the ordinance or return it back to the Committee for further review/modification.

### 3. Finalization of Ordinance adopted by Board of Representatives

After an ordinance is adopted by the Board of Representatives, the Board office puts the ordinance in final form, it is signed by the President and the Clerk, and then presented to the Mayor for signature. The final ordinance (as signed by the Mayor) will become effective 10 days after the Mayor's signature, unless a different effective date is specified in the ordinance or by the Code or State statute (e.g., amendments to the Noise ordinance require approval by the State before they can become effective).

The Board office publishes a notice of adoption in the *Stamford Advocate*, files a copy with the Town Clerk, and sends a copy to the codification service, which includes it in the City Code at [www.municode.com](http://www.municode.com). Original ordinances are kept in the Board of Representatives office.

## **C. Resolutions**

The Board enacts resolutions to approve various items (e.g. agreements into which the City is entering; leases, sales or purchases of property; authorization of the Mayor to take actions; approval of the budget, fee changes, acceptance of city streets; acceptance of gifts; bond authorizations; etc.), which are not laws of the City. The Board also enacts

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<sup>6</sup> The public hearing and publishing requirements may be waived in case of emergency by a vote of two-thirds of the entire membership of the Board. Publication in full requires a vote of the Board.

resolutions to express the opinion of the Board or to honor someone (Sense of the Board resolutions).

Resolutions can be reviewed by any committee, depending upon the subject matter of the resolution. The committee reviews the matter, approves the language and makes its recommendation to the full Board. Depending upon the subject matter, the Committee may recommend the resolution to the full Board for approval of a public hearing (e.g. fee changes, street discontinuances, etc.) or for final adoption. If the full Board approves the recommendation for a public hearing, the Committee will then hold a public hearing the following month. When the committee is satisfied with the final language, it makes a recommendation to the full Board for final adoption. The resolution is then signed by the President and the Clerk of the Board. Unless otherwise provided, the resolution becomes effective upon signing.

#### 1. Form of Resolution

Resolutions should be submitted to the Board of Representatives in written form. The Board office can offer assistance in drafting resolutions.

The title of all proposed resolutions should state the subject, e.g.:

**PROPOSED RESOLUTION NO. \_\_  
CONCERNING MARINAS - NON-RESIDENT FEES**

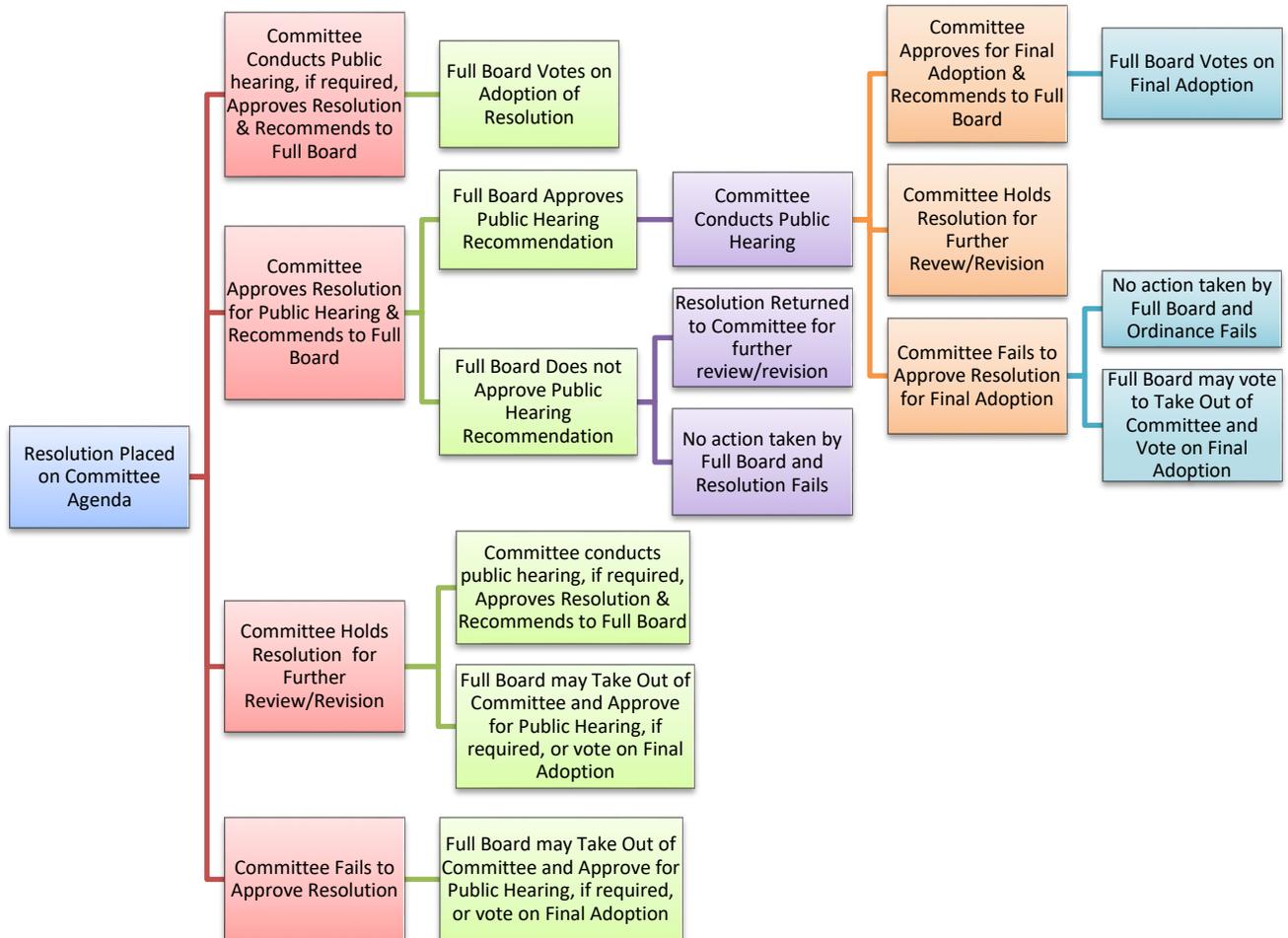
or

**PROPOSED RESOLUTION NO. \_\_  
APPROVING A LICENSE AGREEMENT  
BY AND BETWEEN VINEYARD VINES RETAIL, LLC  
AND THE CITY OF STAMFORD FOR PROPERTY LOCATED AT  
181 HARBOR DRIVE, STAMFORD, CONNECTICUT**

Resolutions should include "Whereas" clauses explaining the necessity for the resolution and an enacting clause as follows: "NOW THEREFORE BE IT RESOLVED BY THE 29<sup>TH</sup> BOARD OF REPRESENTATIVES THAT:."

Exhibit B is an example of a resolution in final form.

## 2. Process for Approval of Resolutions, Generally



Resolutions which are in final form can be approved by the committee and the full Board the first time they are considered. As a result, many resolutions can be approved within one month of submission. After a draft resolution is submitted to the Board office and assigned to a committee, the committee will meet to review the draft and will then either hold the item for further review or revision or recommend an action to the full Board, including approval for final adoption.

In general, resolutions which require public hearings (approving fees, leases, street closures, etc.) will take a minimum of two months for approval. If a resolution requiring a public hearing is in final form, the Committee will recommend that the Board approve a

public hearing, which will be held by the Committee then next month. However, for certain real estate items, as noted below, the Committee must hold the public hearing the first time it considers the item and the item can be approved in one month.

Copies of final resolutions are filed with the Town Clerk and originals are kept in the Board of Representatives office. Final resolutions which relate to land records are filed with the land records.

### **III. SPECIFIC ITEMS ACTED UPON BY THE BOARD:**

#### **A. Appointments**

The Board of Representatives approves all appointments to City of Stamford Boards, Authorities and Commissions as well as appointments for vacancies on City elective boards and appointments of City officials and directors. Appointments are reviewed by the Appointments Committee.

##### **1. Appointments to Boards, Commissions, Authorities**

The Board of Representatives approves appointments by the Mayor to Appointive Boards and Commissions. (Charter §C6-00-1) The Mayor submits nominations of members and alternate members to each appointive Board, Commission<sup>7</sup> or other similar appointive position, to fill each vacancy where a term of office has expired. (Charter §C6-00-3) No nomination to appointive Boards, Commissions, positions or "panel of alternates" made by the Mayor is effective until approved by the Board of Representatives.

When the Appointments Committee is requested to review a candidate, the candidate is sent information about the Board, Authority or Commission and asked to complete a conflict of interest form and provide a recent resume to the Committee. The Appointments Committee schedules an interview with the candidate during its meeting and makes a recommendation to the full Board of Representatives.

The Board of Representatives has 90 days from the date the Mayor submits the candidate's name to vote to approve or turn down a candidate. If the Board of Representatives does not act within 90 days, the candidate is automatically seated on the board, authority or commission. In cases where the Board of Representatives is unable to interview the candidate within the 90 day time period, it is the Board's practice to reject the appointment without prejudice. If the Mayor resubmits the name, the process begins again.

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<sup>7</sup> Appointive Boards and commissions are listed in the Charter (C6-00-1).

## 2. Appointments of Directors and City Officials by Mayor

The Mayor submits nominations to the Board for each Director and other administrative official as set forth in the Charter or authorized by ordinance to be approved at the next Board meeting. (Charter §C5-10-2) This includes the Director of Legal Affairs; Director of Public Safety, Health and Welfare; Director of Operations; Director of Administration; Chief of Police; Fire Chief; Superintendent of Parks and Recreation; and Director of Health and other administrative positions. Pending action by the Board of Representatives, each nominee may exercise the powers of the office for which such person is nominated.

## 3. Interim Appointments by Mayor

The Mayor may fill certain positions on an acting status. Board of Representatives' approval is required if the position is to be filled on an acting status for more than 120 days. (Code §47-24 et seq.) The Board of Representatives must approve an extension of any such interim appointment which would extend it beyond 120 days. No such approval can exceed 6 months. This applies to the Director of Administration; Director of Operations; Director of Legal Affairs; Director of Public Safety, Health and Welfare; Director of Health; Chief of Police Department; and Chief of Fire Department.

## 4. Filling of Vacancies in Elective Offices

The Board of Representatives must fill a vacancy in an elective office (Mayor's Office, Board of Representatives, Board of Education or Board of Finance) within sixty days following the vacancy by electing a successor who is to hold the office until December 1 following the next biennial election. (Charter §C1-80-2)

The successor must be chosen from the political party, if any, which nominated the person who vacated the office. (Charter §§C1-80-3) The Board's Rules of Procedure of the Board require candidates for citywide elective office (Mayor's Office, Board of Finance or BOE) to appear before the Appointments Committee for report to the full the Board of Representatives prior to the Board meeting and election by the Board of Representatives.

## **B. Financial Items**

Financial items are considered by the Fiscal Committee.

### 1. Additional Appropriations

Any additional appropriation must be requested by the Mayor or the Board of Education and must include a statement from the Controller certifying to the probable effect of the appropriation on the tax rate for the current or succeeding year.

Approval of additional appropriations must be approved by the Board of Finance and the Board of Representatives in order. Approval of capital additional appropriations must be approved by the Planning Board, the Board of Finance and the Board of Representatives in order. (Charter §C8-20-7) Approval of any additional appropriation (capital or operating) requires approval by 2/3 of the members present at a Board meeting.

### 2. Capital Project Closeouts

The Board of Representatives may reject any recommendation from the Mayor to closeout any uncompleted capital project by a vote of 2/3 of those present and voting within 60 days of receiving report with the reasons for closeout. (Code §8-2) A closeout is approved if the Board fails to take any action. The Board of Representatives has 90 days from the closeout of a capital project account to direct that any unexpended funds from the project or grant funds be used to fund any other approved capital project. (Code §8-3)

### 3. Bonds

The Board of Representatives may authorize the issuance of bonds if requested by the Mayor and approved by the Board of Finance. (Charter §C8-50-1) In case of a public emergency which requires an abnormal expenditure on the part of the City, the City may issue bonds for the payment of such emergency expenditure. (Charter §C8-50-3). An issue of emergency bonds requires the affirmative vote of 5 members of the Board of Finance and of 3/4 of the entire membership of the Board of Representatives.

### 4. Authorization of Appropriations and Issuance of Bonds for School Construction Projects

A contract concerning a duly authorized capital project for the BOE which provides for payment by the City in a fiscal year subsequent to the date of the contract may be executed on behalf of the City after approval by the Mayor, Planning Board, Board of

Finance and the Board of Representatives. (Charter §C8-50-5) The payment term may not exceed 3 years.

### **C. Real Estate Transactions**

The approval of land purchases and sales, leases of property by the City and leases of City property to others is generally, but not always, considered by the Legislative & Rules Committee.

#### 1. Purchase, Lease or Other Acquisition of Interest in Real Property by City

Any purchase or lease of real property by the City must be approved by the Planning Board, the Board of Finance and the Board of Representatives, in order. (Charter §C1-50-3; Code §9-7.1-7.2) The Board of Representatives approves the purchase or lease of real property by the City by resolution. (Code §9-7.1) Once the approval comes before the Board of Representatives, a public hearing must be held at the first meeting during which the committee considers the resolution. No approval is required for a renewal of a lease if the terms of the renewal are contained in the original lease.

Any other acquisition of real property interests by the City, exclusive of easements, follows the same procedure as a purchase. (Code §9-7.3)

#### 2. Sale or Lease of City-owned properties.

The sale or lease of City-owned real property must be approved by the Planning Board, the Board of Finance and the Board of Representatives, in order. The Board of Representatives approves the sale or lease of City-owned property by resolution. (Code §§9-6 & 9-7) Once the approval comes before the Board of Representatives, a public hearing must be held at the first meeting during which the committee considers the resolution.

State law requires a public hearing for the lease, sale or transfer of City-owned property with special notice requirements. Under State law, the notice of the public hearing must be published two times, first, 10-15 days before the public hearing, and second, not less than 2 days before the meeting. The two notices may not be less than 2 days apart. In addition, notice of the public hearing must also be posted on the property. (CGS §7-163e)

### 3. Acquisition of Property by Eminent Domain

Approval by the Board of Representatives of the acquisition of property by eminent domain is a multi-step process which may take several months and is usually considered by the Land Use/Urban Redevelopment Committee.

First, the Board of Representatives must review a report of the Planning Board, hold a public hearing and declare by resolution that the action to be taken is for a municipal purpose or use and request the Mayor to make a report on the project. Since the Board conducts a public hearing before approving this resolution, so approval of this resolution takes two months.

The Director of Administration then prepares a report, following the procedures in the Charter, which includes appraisals and negotiations with property owners. After receiving this report, the Board of Representatives may accept, modify, reject or refer the report of back to the Director of Administration, may increase the amount of benefits or lower the amount of damages, if any, or may abandon the project. (Charter §C8-60-7) If the Board of Representatives decides to proceed with the project, it has to adopt a second resolution, directing that such project be carried out in accordance with the report finally approved by it.

#### **D. Approval of Fees Charged by the City**

Under the Charter, the Board of Representatives is responsible for approving all fees charged by the City. The Code of Ordinances provides for numerous fees which must be approved by the Board of Representatives. Although a few fees and most fines are set by ordinance (for example, land use fees, garbage tipping fees or false alarm fines), most fees are approved by resolution. Although not legally required for fees approved by resolution, as a matter of practice, the Board of Representatives holds public hearings before approving fees. Some of these fees must first be approved by other City boards or commissions, such as the Parks & Recreation Commission.

Recommendations for fee changes are usually made by the administration, and then handled by the appropriate committee on the Board of Representatives (for example, fees for building permits are handled by the Operations Committee). The assigned committee

reviews a fee proposal, makes any changes it feels are appropriate, and recommends to the full Board if the proposed fee is ready to be published and a public hearing held. On rare occasions a committee may suggest waiving a public hearing – for instance, if the fee change is small, non-controversial, and/or unexpectedly urgent. After the public hearing is held, the Committee votes on a final recommendation regarding the fee to the full Board.

## **E. Streets & City Facilities**

Items related to streets and City facilities other than parks are usually considered by the Land Use/Urban Redevelopment Committee. Items related to parks are generally considered by the Parks & Recreation Committee. The Mill River Park and Urban Transitway are considered by the Land Use/Urban Redevelopment Committee.

### **1. Street Discontinuance**

Street Discontinuance is a multi-step process with multiple public hearings. First, the Board of Representatives must issue a resolution declaring its intention to discontinue a street or a portion of a street and requesting the Mayor to make a report. As a matter of practice, the Board holds a public hearing on this intention. (Charter §C8-60-3) (Code §214 provides the process the Administration must then follow).

The Director of Administration has to provide a written report to the Board of Representatives of the probable cost of the discontinuance of the street and the damages and benefits which should be assessed in favor of or against each property. (Charter §C8-60-5; Code §214-43) The Board of Representatives may accept, modify, reject or refer back the report of the Director of Administration, may increase the amount of benefits or lower the amount of damages, or may abandon the street discontinuance. (Charter §C8-60-7; Code §214-43.1) Per Board practice, a public hearing is held again. If the Board of Representatives decides to proceed with the discontinuance, it adopts a second resolution directing that such discontinuance be carried out in accordance with the report finally approved by it. (Code §214-43.2)

The approved report must be recorded in the Stamford Land Records, but not until the Board of Representatives has appropriated any necessary funds. After the Board resolution and the recording, the work is deemed “duly and legally authorized.”

## 2. Street Acceptance

Roads constructed within the city may be accepted as city streets by the Board of Representatives upon petition for acceptance by the owners of the road. (Code §214-32) If the City Engineer has certified that the road was constructed in accordance with specifications approved by the Planning Board, the Board must act within sixty days of receipt of the petition or the road is deemed to have been accepted. (Code §214-36) Street acceptance is typically done by resolution.

## 3. Naming Of City-Owned Streets, Parks and Facilities

A proposal to name or rename all or part of any “city-owned streets, parks and facilities” must be submitted to the Board of Representatives for final approval by the board, commission or department with jurisdiction over the street, park or facility. (Code §21-1) The general policy is that a name should be based upon relevant geographic or historic characteristics. (Code §21-2) A street, park or facility can be named to memorialize a person who has been dead for at least 6 months. (Code §21-3) Naming of City-owned streets, parks and facilities is typically done by resolution.

The naming of facilities in the Mill River Park and the Animal Control and Care Center follow a different procedure. The Mill River Collaborative or Stamford Helping Paws may submit a name to the Board of Representatives which the Board of Representatives has 60 days to reject for good cause.

## 4. Placing of Commemorative or Vanity Signs on City Streets

A request to place a commemorative or vanity sign on a City street to honor someone must include a petition containing the signatures of at least 2/3 of the record owners of properties on the street or segment. (Code §21-5) A commemorative sign may only be placed if the individual made significant contributions to the City or a community within the City and was a resident of the City for at least 10 years. Where possible, the location

of the sign should be reasonably related to the individual and the contributions. (Code §§21-4 through 21-6)

The request must be approved by  $\frac{3}{4}$  of the Board of Representatives members present and voting. Any approval of a vanity or commemorative sign must expire after 25 years, but may be reapproved for an additional 25 years by approval of  $\frac{3}{4}$  of the members of the Board of Representatives present and voting. (Code §21-5)

#### **F. Employment and Labor Contracts**

Employment contracts for City employees and collective bargaining agreements are generally reviewed by the Personnel Committee. Approval of collective bargaining agreements is subject to strict timing requirements, as noted below. The Board of Representatives may only vote to reject the contract. If no action is taken, the contract is deemed accepted. The Board of Finance is required to submit an advisory opinion as to the fiscal impact of the contract to the Board of Representatives prior to the Board of Representatives' action.

A collective bargaining agreement governed by the Municipal Employees Relations Act (CGS §7-467, et seq.) must be submitted to the Board of Representatives within 14 days of the reduction of the agreement to writing. The Board of Representatives only has the authority to reject a collective bargaining agreement and must do so within 30 days of its submission to the Board of Representatives. (CGS §7-474(b))

Under the Teachers' Negotiation Act (CGS §10-153a, et seq.), the Board of Representatives must reject a collective bargaining agreement within 30 days of its filing with the Town Clerk. (CGS §10-153d)

#### **G. Contracts for the Purchase of Goods or Services**

All contracts for services which exceed \$100,000.00, obtained through the RFP or RFQ process or by bid waiver, must be approved by the Board of Finance and the Board of Representatives in order. (Code §23-18.4) An award of a contract for design/build services must be approved by the Board of Finance and the Board of Representatives. (Code §23-18)

Critical emergency purchases (which would result in injury or damage to life or property if not purchased immediately) may be made by waiving the competitive bid or proposal process. (Code §23-18.3) Notification of all such emergency purchases must be made to the Board of Finance and the Board of Representatives within two (2) weeks of authorization.

The extension of a contract for services obtained by the RFP process which originally exceeded \$100,000.00, or will exceed \$100,000.00 after such extension, must be approved by the Mayor, the Board of Finance and the Board of Representatives, in that order. (Code §23-18.4) Contracts may be extended without formal a bid or proposal if the contractor is the sole qualified or reasonable provider of such goods or services; new competitive bids or requests for proposals would result in an increase in the cost of goods or services or significant disruption of city operations; City services cannot be discontinued and a new contractor has not been acquired to replace the current contractor, in which case the contract extension is limited to 6 months; or the option for an extension is included in the original contract.

#### **H. Approval of Regulations**

The Board of Representatives approves regulations adopted or recommended by City commissions and departments. Approval of these regulations may have publication and/or public hearing requirements. Examples are Parks & Recreation Regulations, Wetland and Watercourse Regulations, Recycling Regulations, Housing Regulations, Golf Regulations and Drought Emergency Regulations.

#### **I. Tax abatement for housing for low or moderate-income persons.**

Under State law, the City can provide for an abatement of real property taxes in part or in whole on any housing solely for low or moderate-income persons or families. This abatement must be done by ordinance. (CGS §8-215) The abatement can only be provided if there is a contract between the City and the owner of the housing which provides that the tax abatement is to be used for one or more of the following purposes: to reduce rents below the level which would be achieved in the absence of such abatement; to improve the quality and design of such housing; to effect occupancy of such housing by persons and families of varying income levels with limits determined

by the city; or to provide necessary related facilities or services in such housing. (Code §220-1, et seq.)

## **J. Appeal of Amendments to Zoning Map or Zoning Regulations**

An appeal of a decision of the Zoning Board may be referred to the Board of Representatives for its review. The complicated process is described in detail below. The Board of Representatives must approve or reject the proposed amendment at or before its second regularly scheduled meeting after receiving the petition. The Board must follow the same standards used by the Zoning Board in §C6-40-1 of the Charter. (Charter §C6-40-9) Failure of the Board of Representatives to act is deemed approval of Zoning Board's decision.

### 1. Referral to Board of Representatives

If the appeal is by opponents of a decision amending the Zoning Map, the opponents must file a petition with the Zoning Board meeting the requirements set forth in §C6-40-5 of the Charter. The petition must be signed by the owners of twenty percent (20%) or more of the privately-owned land located within 500 feet of the borders of the area included in the proposed zoning amendment, and be filed with the Zoning Board within 10 days after the official publication of the Zoning Board's decision.

If the appeal is by opponents of a decision amending the Zoning Regulations, the opponents must file a petition with the Zoning Board meeting the requirements set forth in §C6-40-9 of the Charter. The petition must be signed by the lesser of 100 owners of the privately-owned land located within 500 feet of the borders of the area included in the proposed zoning amendment or of twenty percent (20%) of the owners of the privately-owned land located within 500 feet of the borders of the area included in the proposed zoning amendment, and be filed with the Zoning Board within 10 days after the official publication of the Zoning Board's decision. (There are other requirements if more than one area is affected by this decision).

## 2. Procedure of Board of Representatives

The Board of Representatives must approve or reject the proposed amendment at or before its second regularly-scheduled meeting following the referral. The Board must follow the same standards used by the Zoning Board in §C6-40-1 of the Charter.

While the Charter is not clear about the procedures to be followed by the Board of Representatives, assuming the Board is to follow the same procedures as the Zoning Board, the procedures are set out §C6-40-3, and are as follows:

The Board must hold at least one public hearing, with notice, published in an official newspaper of the time, place and purpose of the hearing. If the hearing relates to an amendment to the Zoning Map, the notice must include a clear and accurate map showing the bounds of any area or areas affected.

The notice must be published twice, the first time not more than fifteen nor less than ten days before the public hearing, and the last not less than two days before the public hearing. Any subsequent public hearings must be noticed in the same way.

Under Charter § C6-40-18, the affirmative vote of a majority of the entire Board of Representatives is required for all matters relating to the referral.<sup>8</sup> The failure of the Board of Representatives to either approve or reject the amendment within the time limit is deemed an approval of the Zoning Board's decision.

### **K. The Annual Budget**

The Mayor, the BOE, the Board of Representatives and the Board of Representatives must develop and approve a municipal budget each year. (Charter §C8-30-1 et seq.) The process begins with the Mayor's office.

The Mayor must send a copy of the multi-year budget to the Board of Representatives and the Board of Finance on or before March 8<sup>th</sup>. The BOE must send a copy of its budget for the next fiscal year and for each of the two following fiscal years to the Board of

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<sup>8</sup> The referral is to "approve or reject" the amendment, so it is not clear whether the Board would be voting to approve the amendment or reject the amendment. In 2005, the Board voted on whether to reject the amendment, which was consistent with the appeal, which was asking the Board to reject the amendment.

Finance on or before March 8<sup>th</sup>. The Budgets are first reviewed by the Board of Finance. The Board of Finance must transmit the Budgets as revised by it to the Board of Representatives on or before April 20<sup>th</sup>. Any item in the budgets for the next fiscal year not rejected or revised by the Board of Finance is deemed approved by it.

The Board of Finance and the Board of Representatives must hold a joint public hearing on the budgets as proposed by the Mayor and the BOE by April 8<sup>th</sup>.

#### 1. Board of Representatives Approval of the Annual Budget

After receiving the Mayor's budget from the Board of Finance, the Board of Representatives may approve, reject or reduce any item in the budget for the next fiscal year approved by the Board of Finance. (Charter §C8-30-7) The Board of Representatives may not add to the budget or restore any item eliminated or reduced by the Board of Finance.

The Board of Representative's authority as to the Board of Education budget is more limited than as to the Mayor's Budget. (See Charter §C8-30-8)

The Board of Representatives must take final action on the budget for the next fiscal year and adopt an annual appropriation resolution on or before May 15<sup>th</sup> and file it with the Town and City Clerk. With respect to the proposed capital projects budget and operating budget for the next two fiscal years, the Board of Representatives must transmit its written comments to the Mayor and the Board of Finance by May 15<sup>th</sup>.

#### 2. Board of Representatives Approval of the WPCA Budget

The approval process for the WPCA operating and capital budget differs from the process for the Mayor's budget and the Board of Education budget because there is a process for appeal of any reductions by the WPCA.

##### a. WPCA Operating Budget:

The WPCA Board submits its annual operating budgets to the Board of Finance and the Board of Representatives. (Code §200-31) The Board of Finance can approve the budget as requested or recommend a revised budget that is lower than requested. The Board of Representatives can reject or reduce the proposed WPCA operating budget as revised by the Board of Finance, or may approve an operating budget in an amount up to the

amount originally submitted by the WPCA. The Board may only approve an amount greater than that recommended by the Board of Finance by a 2/3 vote of the Board of Representatives members present and voting. If the Board of Representatives does not act on the budget, the budget is considered approved at the amount recommended by the Board of Finance.

If the Board of Representatives approves a total operating budget that is less than the originally proposed WPCA operating budget, the WPCA may accept the reduced budget or may resubmit a revised budget to the Board of Representatives, which the Board of Representatives then has 45 days to act upon.

This process continues until either the Board of Representatives approves a revised total operating budget submitted by WPCA or the WPCA accepts a reduced total operating budget approved by the Board of Representatives.

#### b. WPCA Capital Budget

The WPCA submits its annual capital budget to the Planning Board, the Board of Finance, and the Board of Representatives. (Code §200-31) The Planning Board then sends its recommendations regarding the WPCA request to the Board of Finance. The Board of Finance can approve the request or recommend the reduction or elimination of authorization for specific capital projects in the proposed capital budget. If the Board of Finance does not act on any item, it is considered recommended as sent by the Planning Board.

The Board of Representatives can eliminate or reduce the authorization recommended by the Board of Finance for any specific capital projects in the proposed capital budget. The Board of Representatives also can approve any project up to the amount submitted by the WPCA. Approval of any specific item for more than the amount recommended by the Board of Finance, up to the amount requested by the WPCA, requires a vote of 2/3 of the members of the Board of Representatives present and voting.

If the Board of Representatives does not reduce or eliminate authorization for any specific item in the proposed capital authorization, then the item will be considered approved at the authorization amount recommended by the Board of Finance.

The WPCA has 60 days to resubmit any capital project that is eliminated or approved at an amount less than originally submitted by the WPCA. The Board of Finance then has 45 days to reduce or eliminate the project. The Board of Representatives has 45 days after action (or inaction) by the Board of Finance to reduce or eliminate the proposed project as it may have been revised by the Board of Finance. If the Board of Representatives does not reduce or eliminate the proposed project it will be considered approved at the amount approved by the Board of Finance.

**L. Stamford Community Development Program**

The Mayor and the Housing/Community Development and Social Services Committee of Board of Representatives (in conjunction with the Community Development Office) must develop a broad plan for the use of HUD entitlement funds for the next fiscal year by November 30<sup>th</sup> of each year. The details of this process are contained in Code §13-1, et seq. This process includes the identification of priority goals and objectives and the conduct of public hearings by February 7<sup>th</sup> and finalization of a broad plan and a proposed budget by February 28<sup>th</sup>. The Mayor may modify the budget in consultation with the HCD/SS Committee and must submit it to the Board of Finance and the Board of Representatives by March 15<sup>th</sup>. The Committee recommends the budget for approval by the Board of Representatives by May 7<sup>th</sup> and the budget must then be submitted to HUD by May 15<sup>th</sup>.

Substantial modifications to the budget after approval, such as any new proposed programs which require funding not included in budget; transfers of funds between major categories; or transfers of funds which result in a substantial change of the purpose, scope, location or beneficiaries of the program require a public hearing and approval of the Mayor and the HCD/SS Committee as prescribed by HUD. (Code §13-6)

**M. Charter Review/Revision**

Charter review is conducted by a Charter Revision Commission appointed by the Board of Representatives consisting of 5 to 15 electors. A review of the provisions of the Charter must be done every ten years beginning with the regular board meeting in February 2002, regardless of any interim revision commissions. (Charter §C1-40-5) Under State law, any

action to amend the Charter must be initiated by a resolution adopted by a 2/3 vote of the entire membership of the Board of Representatives or by a petition signed by not less than 10% of the electors of the City. (CGS §7-188)

The Commission is given a charge by resolution. In the charge, the Commission is directed to consider any recommendations identified and any other items it considers desirable, and generate a report. The deadline for a draft report must be not more than 16 months from the date of appointment. If the Board of Representatives does not recommend that the Commission make any changes to the draft report within 15 days, the report of the Commission will be final and the Board of Representatives must act on the report. The Commission terminates upon acceptance or rejection of its report by the Board of Representatives.

No more than 30 days after approval by the Board of Representatives or the certification of a petition to the Board of Representatives for a referendum, the entire proposed charter or the portion of the charter to be amended must be published in full at least once in a newspaper having a general circulation in the municipality with a notice that a complete copy of the charter and amendment is available in the town clerk's office and that a copy will be mailed to any person who requests a copy.

The proposed charter or charter amendments will become effective 30 days after approved by a majority of the voters at a regular election or a majority which equals at least 15% of the electors of the City at a special election.

#### **N. Reapportionment**

The Board of Representatives is required to appoint a Reapportionment Commission not more than 60 days after the Federal Census figures are made available to the City to consider any necessary changes to the City voting districts. (Charter §C1-70-4) The Reapportionment Commission must be made up of 8 electors, with four members from each party selected by the Majority Leader and Minority Leader. The Commission must report to the Board of Representatives within 6 months of appointment.

The Board of Representatives must hold a public hearing and accept, reject, or modify the report within 60 days after receipt. If the report is accepted or modified, the Board of

Representatives must enact any necessary ordinance. If the report is rejected, then the Board of Representatives must enact its own re-districting plan by ordinance. The Mayor has no power to veto any ordinance enacting a plan for re-districting.

**Exhibit A**

**ORDINANCE NO. 1184 SUPPLEMENTAL  
AMENDING CHAPTER 143, HEALTH SYSTEMS  
SECTION 143-14, TESTING OF WELL WATER**

**WHEREAS**, in the fall of 2009, tests performed on many Stamford properties indicated levels of pesticides that exceed applicable 'action levels'; and

**WHEREAS**; in light of these findings, in September, 2011, the Board of Representatives passed Ordinance 1130, amending Chapter 143 of the Code of Ordinances, Health Standards, to add Section 143-14, providing for the testing of 750 private wells per calendar year for pesticides and volatile organic compounds through the City of Stamford Health Department; and

**WHEREAS**, Ordinance 1130 provided that such testing be available for 2 years from the effective date of the Ordinance, which was January 1, 2011; and

**WHEREAS**, Ordinance 1154 extended the period for such testing until December 31, 2015; and

**WHEREAS**, Ordinance 1166 replaced the testing for VOCs through the City of Stamford Health Department with testing for arsenic and uranium; and

**WHEREAS**, it has been determined that it is in the best interests of the City of Stamford to permit residents to arrange for testing by the City of Stamford more than one time per year and to permit testing of treated samples in order to ensure that any remedy is working; and

**WHEREAS**, it has been determined that it is in the best interests of the City of Stamford to extend the period of time during which such testing shall be available; and

**WHEREAS**, it has been determined that it is in the best interests of the City of Stamford to eliminate the ceiling of 750 tests per year.

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF STAMFORD THAT:**

Chapter 143 of the Code of Ordinances is hereby amended as follows:

**Sec. 143-14. - Testing of well water.**

- A. "Private well" means a water well that serves a residential dwelling and is located on the same real property as the residential dwelling and which is used, or intended to be used, for drinking, bathing and/or culinary purposes.
- B. Upon the request of any owner or resident of a residential property within the City of Stamford which has a private well, the Stamford Health Department Laboratory shall collect samples and arrange for the testing of the water from such private well for pesticides, arsenic and uranium (using EPA Methods 505 and 200.8 ICP-MS) ~~no more than once a year, except when a follow-up test is determined by the Stamford Health Department to be necessary or advisable. The Stamford Health Department Laboratory Testing of a treated sample may be performed provided at least one untreated sample is collected by the Stamford Health Department Laboratory under the ordinance program.~~
  1. ~~The number of private well tests to be conducted or caused to be conducted by the Stamford Health Department shall be limited to seven hundred fifty (750) per calendar year. Any follow up tests deemed necessary or advisable by the Stamford Health Department shall be counted as an additional test for purposes of determining the total of seven hundred fifty (750) tests.~~

- 2.—Such testing shall be in accordance with procedures to be established by the Stamford Health Department. Private wells not previously tested by the Department of Health and Social Services Laboratory or any other laboratory shall receive priority for such testing.
32. The cost of each such test to be charged to the owner or resident of the residential property on which such private well is located shall be not more than one hundred and fifty dollars (\$400.150.00) for the first test provided by the Department of Health and Social Services Laboratory and one hundred dollars (\$100.00) for any subsequent test, or any higher fee set by Resolution of the Board of Representatives.
43. Results of all testing conducted pursuant to this section shall be provided to the homeowner and/or resident and shall also be made public through mapping updated and distributed by the Stamford Health Department on a ~~regular~~ semi-annual basis.
- C. The Health Department shall offer such testing to property owners until December 31, ~~2015~~2017.

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Randall M. Skigen, President, and Annie M. Summerville, Clerk, do hereby certify that the foregoing Ordinance was approved on the Consent Agenda by the 29<sup>th</sup> Board of Representatives at the Regular Board Meeting held on March 2, 2015.

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Randall M. Skigen, President  
Dated this \_\_\_ day of March, 2015

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Annie M. Summerville, Clerk  
Dated this \_\_\_ day of March, 2015

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David R. Martin, Mayor, City of Stamford  
Dated this \_\_\_ day of March, 2015

EFFECTIVE DATE: \_\_\_\_\_

cc: Mayor David R. Martin  
Michael Handler, Director of Administration  
Jim Hricay, Director of OPM  
Ernie Orgera, Director of Operations  
Thomas Madden, Director of Economic Development  
Kathryn Emmett, Esq., Law Department  
Ted Jankowski, Director of Public Safety, Health & Welfare  
Donna Loglisci, Town Clerk  
Anne Fountain, Director of Health

Exhibit B

***29<sup>TH</sup> BOARD OF REPRESENTATIVES  
CITY OF STAMFORD***

President  
RANDALL M. SKIGEN

Clerk of the Board  
ANNIE M. SUMMERVILLE

Majority Leader  
ELAINE MITCHELL

Minority Leader  
MARY L. FEDELI

**RESOLUTION NO. 3837  
TO NAME THE NEW INTER-DISTRICT  
K-8 MAGNET SCHOOL LOCATED AT 200 STRAWBERRY HILL AVENUE  
“STRAWBERRY HILL – AN EXTENSION OF ROGERS INTERNATIONAL SCHOOL”**

**WHEREAS**, on March 28, 2017, the Board of Education passed Resolution No. 03-28-17:28, naming the Inter-District K-8 Magnet School located at 200 Strawberry Hill Road, currently referred to as “The New School @ 200 Strawberry Hill Road,” “Strawberry Hill--An Extension of Rogers International School; and

**WHEREAS**, the Education Committee met on Wednesday, April 19, 2017 and voted in favor of naming the school as described above.

**NOW THEREFORE BE IT RESOLVED** by the 29<sup>th</sup> Board of Representatives that the Inter-District Magnet School located at 200 Strawberry Hill Road is named *Strawberry Hill--An Extension of Rogers International School*.  
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This resolution was approved on the Consent Agenda at the Regular Meeting of the 29<sup>th</sup> Board of Representatives held on Monday, May 1, 2017.

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Randall M. Skigen, President  
29<sup>th</sup> Board of Representatives

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Annie M. Summerville, Clerk  
29<sup>th</sup> Board of Representatives

cc: Mayor David Martin  
Michael Handler, Director of Administration  
Ernie Orgera, Director of Operations  
Thomas Madden, Director of Economic Development  
Ted Jankowski, Director of Public Safety  
Kathryn Emmett, Esq., Director of Legal Affairs  
Donna Loglisci, Town and City Clerk  
Jay Fountain, Director of OPM  
Earl Kim, Superintendent of Schools  
Geoff Alswanger, President, Board of Education