



Legislative & Rules Committee – Board of Representatives

Benjamin Lee, Chair

Elise Coleman, Vice Chair

Committee Report

Date: Wednesday, January 24, 2018

Time: 6:00 p.m.

Place: Republican Caucus Room, 4th Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. In attendance were Chair Lee, Vice Chair Coleman, and Committee Member Reps. Jacobson, Lion, Miller, Nabel, Pia and Zelinsky. Absent or excused was Rep. Fedeli. Also present were Reps. Matherne, McMullen and Sherwood; Kathryn Emmett, Corporation Counsel; and two members of the public.

Chair Lee called the meeting to order at 6:10 p.m.

Item No.	Description	Committee Action
1. LR30.023	REVIEW; Overview of Operations of Legal Department with Director Kathryn Emmett. 12/17/17 – Submitted by President Quinones	Report Made
<p>A motion to take up this item was made, seconded and approved by unanimous voice vote. Ms. Emmett reviewed the attached handout and Charter §§ C5-20-1 through C5-20-6 with the Committee.</p>		
2. LR30.003	APPROVAL; Amendment to Board of Representatives Rules of Procedure to remove Section II.A.7 12/05/17 – Submitted by Reps. McMullen, Cottrell, Matherne and Sherwood 12/21/17 – Held by Committee 9-0-0	Failed 1-5-0
<p>Ms. Emmett stated that although this language is contained in the Charter, it is helpful to have all the rules in one place. If the Charter were changed, it would supersede the rules.</p> <p>A motion to approve this item was made, seconded and failed by a vote of 1-5-0 (Rep. Lion in favor; Reps. Lee, Coleman, Miller, Nabel, and Pia opposed).</p>		
3. LR30.024	APPROVAL; Amendment to Board of Representatives Rules of Procedure to amend Section III.B.3 and add Section III.B.5 re: placing items on the Pending Agenda and quarterly review thereof. 01/3/18 – Submitted by Reps. Lion and Sherwood	Approved, as amended, 5-2-1

Committee members discussed this proposed change as follows. :

- this change would require 2/3 of the Steering Committee to approve items remaining on the Steering Agenda vote on item

- whether there is difficulty getting items on to the Committee agendas
- whether things remain on the Steering Agenda for too long
- whether this change would force committees to take things up before they are ready
- whether this would hamstring committee chairs
- whether a supermajority should be required to keep the status quo
- whether the current procedures allow a chair to block another member

Reps. Jacobson and Zelinsky joined the meeting during this discussion.

A motion was made to amend the language of the proposed change to change the phrase “review the Pending Agenda” in the first sentence of proposed Section III.B.5 to “review the items on the Pending Agenda for placement on the Board Meeting Agenda.” and to delete all the following language. Said motion passed by a vote of 4-3-1 (Reps. Lee, Coleman, Nabel and Pia in favor; Reps. Lion, Miller and Zelinsky opposed; Rep. Jacobson abstaining).

A motion to approve the amendment to Section III.B.3 and add Section III.B.5 as amended, was made, seconded and approved by a vote of 5-2-1 (Reps. Lee, Coleman, Lion, Nabel and Pia in favor; Reps. Miller and Zelinsky opposed; Rep. Jacobson abstaining).

4. [LR30.006](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to amend Section ~~IV.A~~–~~III.A~~ to specify that all committee members shall have one vote
12/05/17 – Submitted by Reps. McMullen, Cottrell, Matherne and Sherwood
12/21/17 – Held by Committee 9-0-0

Committee members discussed whether this change would delete the authority of the minority party on Steering or eliminate the incentive for Co-Chairs. A motion to approve this amendment was made, seconded and failed by a vote of 1-7-0. (Rep. Zelinsky in favor; Reps. Lee, Coleman, Jacobson, Lion, Miller, Nabel and Pia opposed).

5. [LR30.009](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to amend Section ~~IV.B~~–~~III.B~~ regarding the composition of the Steering Committee and votes of Steering Committee members
12/05/17 – Submitted by Reps. McMullen, Cottrell, Matherne and Sherwood
12/21/17 – Held by Committee 9-0-0

Chair Lee noted that this proposed amendment was related to Item 4. A motion to approve this amendment was made, seconded and failed by a vote of 1-7-0. (Rep. Zelinsky in favor; Reps. Lee, Coleman, Jacobson, Lion, Miller, Nabel and Pia opposed).

A motion to take a 5 minute recess was made, seconded and approved by unanimous voice vote. The Committee recessed from 7:50 p.m. until 7:56 p.m.

6. [LR30.010](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to amend Section ~~IV.B.III.B~~ regarding the election of a Temporary Chair of the Steering Committee in the absence of the President and the Majority Leader
12/05/17 – Submitted by Reps. McMullen, Cottrell, Matherne and Sherwood
12/21/17 – Held by Committee 9-0-0 **Approved 7-0-1**

Committee members discussed whether to add the following sentence to the end of Section III.B.1: “In the event of the absence of both the President and the Majority Leader, where a quorum is present, members of the Steering Committee will elect a temporary Chair.” A motion to approve this amendment was made, seconded and approved by a vote of 7-0-1. (Reps. Lee, Coleman, Jacobson, Lion, Nabel, Pia and Zelinsky in favor; Rep. Miller abstaining).

7. [LR30.011](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to amend Section ~~IV.B.III.B~~ to clarify who can make nominations to fill vacancies in citywide elective office
12/05/17 – Submitted by Reps. McMullen, Cottrell, Matherne and Sherwood
12/21/17 – Held by Committee 9-0-0 **Held 8-0-0**

Rep. McMullen stated he is concerned about a member of the Board nominating multiple candidates for one position. He requested an opportunity to draft language for this amendment. Ms. Emmett stated that the Rules should clarify who is able to make a nomination. A motion to hold this item was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Coleman, Jacobson, Lion, Miller Nabel, Pia and Zelinsky in favor).

8. [LR30.013](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to change wording in Section ~~IV.C.7~~ [III.C.7](#)
12/05/17 – Submitted by Reps. McMullen, Cottrell, Matherne and Sherwood
12/21/17 – Held by Committee 9-0-0 **Approved 7-0-1**

Committee members discussed changing the phrase “If a committee lacks a quorum at a meeting, the chair may hold the meeting to discuss agenda items in order to hear from invited experts or officials to discuss agenda items” to “If a committee lacks a quorum at a meeting, the chair may commence the meeting to discuss agenda items in order to hear from invited experts or officials.” It was noted that this phrase leaves the Committee Chair discretion as whether the meeting should take place. A motion to approve this amendment was made, seconded and approved by a vote of 7-0-1. (Reps. Lee, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor; Rep. Coleman abstaining).

9. [LR30.020](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to amend Section ~~IV.VI~~ increasing the postage allowance from \$750 to \$1000 and make other wording changes.
12/05/17 – Submitted by Reps. McMullen, Cottrell, Matherne and Sherwood
12/21/17 – Held by Committee 8-1-0 **Failed, as amended 2-6-0**

Committee Members discussed increasing the postage allowance and the need for an appropriation or a budget increase to cover this amount.

A motion to amend the beginning of Section VI.A to change “All members shall be entitled to a postage allowance of \$750” to “All members may request a postage allowance of \$750 through the Board office, subject to budgetary processes” was made, seconded and passed by a vote of 7-1-0 (Reps. Lee, Coleman, Jacobson, Lion, Miller Nabel, Pia in favor; and Rep. Zelinsky opposed).

A motion to approve the proposed change to Section VI.A increasing the postage allowance to \$1000 over a two year period, as amended, was made seconded and failed by a vote of 2-6-0 (Reps. Lion and Zelinsky in favor; Reps. Lee, Coleman, Jacobson, Miller, Nabel and Pia opposed).

The Committee next considered Item 14.

14. [LR30.022](#) ORDINANCE for publication; Amending Code §123-5 to conform to Public Act 17-176. **Approved 7-0-1**
12/18/17 – Submitted by President Quinones

Ms. Nabel recused herself from this item due to a potential conflict.

Ms. Emmett noted that this is a change to conform the ordinance to State law, given a recent change in the State Statute. If no Certificate of Occupancy is issued after 9 years, the City can take no action against a resident who occupies without the necessary inspection and approval, and the City will have no liability. This is a remedial step by the State. Ms. Emmett further noted that the City would have to follow this procedure even if the amended ordinance was not approved.

Ms. Emmett stated that City faces certain handicaps in closing out Certificate of Occupancy if there is no inspection. There are situations in which a person can occupy without the Certificate of Occupancy, which decreases the motivation to get the final certificate. This is a topic of discussion in the Building Department. It is better to adopt this in order to be clear that the City is in compliance with the State statute.

A motion to approve this amendment was made, seconded and approved by a vote of 7-0-1. (Reps. Lee, Coleman, Jacobson, Lion, Miller, Pia and Zelinsky in favor; Rep. Nabel abstaining).

10. [LR30.017](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to require a) notice to all members of the Board when a legal opinion is requested, b) tracking of all legal opinion requests on the agenda (either the requesting committee or L&R); and c) review of all legal opinions by the Board
12/06/17 – Submitted by Reps. McMullen, Matherne and Cottrell
12/21/17 – Held by Committee 9-0-0

A motion to hold this item was made, seconded and approved by a vote of 8-0-0. (Reps. Lee, Coleman, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

11. [LR30.025](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to Allow a Public Participation Session of not more than 15 Minutes at all Board Meetings and Allowing Each Individual not more than 3 Minutes. **Held 8-0-0**
01/3/18 – Submitted by Rep. Zelinsky

Committee members discussed whether it would be more appropriate to have a public comment period during committee meetings, and whether this would be a sufficient amount of time to hear from all sides. A motion to hold this item was made, seconded and approved by a vote of 8-0-0. (Reps. Lee, Coleman, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

12. [LR30.026](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to Clarify the role of secondary committees. **Held 8-0-0**
01/3/18 – Submitted by President Quinones

A motion to hold this item was made, seconded and approved by a vote of 8-0-0. (Reps. Lee, Coleman, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

13. [LR30.027](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to Clarify the roles of Sponsors and Co-Sponsors; Can members co-Sponsor items submitted by the Mayor; How/If 3rd parties can submit items to the Board (other than as specified in Code). **Held 8-0-0**
01/3/18 – Submitted by President Quinones

A motion to hold this item was made, seconded and approved by a vote of 8-0-0. (Reps. Lee, Coleman, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

15. [LR30.019](#) REVIEW; Restricting Single-Use Plastic Shopping Bags in Stamford. **Held 8-0-0**
12/07/17 – Submitted by Rep. Zelinsky

Ms. Emmett noted that there is a question about the power of the City to tax plastic bags. A motion to hold this item was made, seconded and approved by a vote of 8-0-0. (Reps. Lee, Coleman, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

Chair Lee adjourned the meeting at 9:24 p.m.

Respectfully submitted,
Benjamin Lee, Chair

This meeting is on video ([Pt 1](#) and [Pt 2](#))