



Legislative & Rules Committee – Board of Representatives

Benjamin Lee, Chair

Elise Coleman, Vice Chair

Committee Report

Date: Tuesday, October 16, 2018

Time: 7:00 p.m.

Place: Democratic 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. Fedeli, Lion, Nabel and Zelinsky. Absent or excused were Reps. Jacobson, Miller and Pia. Also present were Reps. de la Cruz, Lutz and McMullen; and Kathryn Emmett, Dana Lee, Vicki Cooper, Chris Dellaselva, Michael Toma, Barbara Coughlan, Burt Rosenberg and Amy Livolsi, Law Department.

Chair Lee called the meeting to order at 7:01 p.m.

The Committee first considered Item 2.

Item No.	Description	Invitee(s) or Designees
2. LR30.045	REVIEW; The Role Of Lawyers In The Law Department – What Responsibilities They Have – Both Under The Charter And As Professionals -- And What Services They Provide – Why And How Can They Help Members And Committees Of The Board Of Representatives – And Answers And/Or Responses To Questions And Concerns BOR Members May Have Now Or Have Previously Stated. 10/03/18 – Submitted by Rep. Lee	Report Made

Ms. Emmett explained that:

- the Law Department consists of 8 lawyers and an Executive Assistant who manages the support staff
- the department responds to requests from all areas of the City, all of which come through herself, Deputy Corporation Counsel Cooper or Executive Assistant Judy Isidro
- the department's obligation is to represent the entire City and their client is the City of Stamford (including the people of Stamford)
- They have an ethical and charter obligation to represent the best interests of their client. Representation of different parts of the City (e.g. Boards or the Mayor), is not viewed as a conflict; but if there is a conflict, they obtain outside counsel
- They primarily obtain outside counsel when they do not have the expertise needed or where a claim is brought against an employee of the City that they have acted outside the scope of their employment and they may potentially not be indemnified by the City
- As Director of Legal Affairs/Corporation Counsel, she is also oversees the Human Resources Department
- This year the following number of items have been opened 170 FOIA requests not involving the Fire Marshal; 396 FOIA for the Fire Marshal; 39 Community Development Agreements Drafted;

8 Community Development Foreclosure Litigations; 29 for the Grants Office; 82 Contract Files; 211 Tax Appeals; 16 Tax Foreclosures; 110 Non-tax litigations

- Each member of the Legal Department described their responsibilities
- In addition, the City probably had 100-150 claims against the City this year

Committee members discussed with the members of the Legal Department that:

- Requests for assistance should go through Judy Isidro or Kathy Emmet, with a copy to the Board office
- The department is also involved in labor negotiations

1. [LR30.044](#) REVIEW; Possibility of Creating Submission Deadlines Report Made for Contracts that Need to be Voted on by the Board. 09/07/18 – Submitted by Rep. Lutz

Rep. Lutz explained that this arose out of concerns about things coming to the Board without the Board having time to review them. She wonders if it is possible to create a rule requiring the Board to get a contract at least 48 hours in advance.

Committee members discussed with Ms. Emmett and Mr. Dellaselva:

- Contracts are submitted to the law department through purchasing and other departments to be negotiated and is then submitted to the Mayor for submission to the Boards if it is over \$100,000.
- In general, they try to meet the Steering Deadline
- The case of the purple bridge was unusual; the original agreement was sent on a timely basis to the Board, but was revised after concerns were raised by the Committee's request for changes; that doesn't usually happen
- There are occasions that are emergencies, but that shouldn't happen unless it is a true emergency; it is on the Legal Department to explain why it is an emergency and to be able to explain the contract
- Bargaining Unit agreements can take a very long time to negotiate; there is a state statute which limits the time in which the Board can reject the agreement
- Committees have refused to take up items that come too late, unless it is time sensitive
- In the normal course, items are provided before Steering, so members have sufficient time

3. [LR30.046](#) REVIEW; Exterior Lighting Regulations Held 6-0-0
7/11/18 - Submitted by Rep. Lion
08/02/18 – Held in Public Safety Committee
10/09/18 – Moved from Public Safety Committee

Secondary Committee: Public Safety & Health

Rep. Lion explained that there are noise guidelines in the Code, but there are no guidelines as to exterior lighting. Many cities are now enacting dark sky initiatives.

A motion to hold this item was made, seconded and approved by a vote of 6-0-0 (Reps. Lee, Coleman, Fedeli, Lion, Nabel and Zelinsky in favor).

Chair Lee adjourned the meeting at 8:58 p.m.

Respectfully submitted,
Benjamin Lee, Chair

This meeting is on [video](#).