



## **Legislative & Rules Committee – Board of Representatives**

Benjamin Lee, Chair

Elise Coleman, Vice Chair

# **Committee Report**

**Date:** Tuesday, May 21, 2019

**Time:** 7:00 p.m.

**Place:** Democratic Caucus Room, 4<sup>th</sup> Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. In attendance were Chair Lee and Committee Member Reps. Jacobson, Lion, Miller and Nabel. Absent or excused were Committee Member Resp. Coleman, Fedeli, Pia and Zelinsky. Also present were Reps. McMullen, Sherwood and Stella; Jay Fountain, OPM Director; Ralph Blessing, Land Use Bureau Chief; and Mike Toma, Law Department.

Chair Lee called the meeting to order at 7:05 p.m.

<b>Item No.</b>	<b>Description</b>	<b>Invitee(s) or Designees</b>
1. <a href="#">LR30.058</a>	ORDINANCE for publication; Creating a Special Revenue Fund (“Lockbox”) for School Building Projects. 01/25/19 – Submitted by Pres. Quinones and Reps. Lee, Jacobson, Fedeli, Pia, Kolenberg, Di Costanzo, Stella, de la Cruz, Cottrell and Nabel 02/19/19 – Held by Committee 8-0-0 03/19/19 – Held by Committee, as amended, 7-0-0	<b>Approved 5-0-0</b>

Mr. Fountain described the process that would take place for the appropriation of funds into the “lockbox”. An appropriation would be requested by the Mayor, which would then be transferred to a Special Revenue Fund and then to the Capital Fund. In response to questions from the Committee, he noted that a member of the public would be able to make a gift into the fund, which would need to be accepted under the gift acceptance process. Any appropriation would need to be requested by the Mayor. The funds would be part of the City’s budget, not the Board of Education Budget.

A motion to approve Item No. 1 was made, seconded and approved by a vote of 5-0-0 (Reps. Lee, Jacobson, Lion, Miller and Nabel in favor).

2. [LR30.046](#) REVIEW; Exterior Lighting Regulations **Report Made**  
 07/11/18 – Submitted by Rep. Lion  
 08/02/18 – Held in Public Safety Committee  
 10/09/18 – Moved from Public Safety Committee  
 10/16/18 – Held in Committee 6-0-0  
 11/29/18 – Report Made & Held in Committee 5-0-0  
 12/18/18 – Held by Committee 6-0-0  
 01/22/19 – Held by Committee 8-0-0  
 02/19/19 – Held by Committee 8-0-0  
 03/11/19 – Held at Steering

**Secondary Committee: Public Safety & Health**

Mr. Blessing stated that the consultant’s report provided to the Committee is not the full report and that an independent consultant reviewed the report and provided additional recommendations. He believes the ordinance is a good starting point but needs meat, such as a determination of what “light trespass” is. He would like an ordinance to provide rules and require non-conforming lights to be brought up to standards over some period of time.

In response to questions from the Committee, Mr. Blessing noted that an ordinance could be structured to apply differently based upon what is appropriate in different districts. He will provide sample ordinances. This would be easier to enforce than the noise ordinance.

3. [LR30.065](#) ORDINANCE for publication, Concerning the Use of **Held 5-0-0**  
 Single-Use Plastic Straws and Stirrers by Food or  
 Beverage Establishments.  
 04/22/19 – Submitted by Reps. Jacobson, de la Cruz,  
 Kolenberg, Lion, Morson and Zelinsky

Mr. Toma stated that the legal analysis for this ordinance is similar to the plastic bag ordinance; thus the Board has the authority to regulate in the environmental area. He noted that there may be a need for exceptions for people with disabilities. He is not currently aware of any successful legal challenge to this type of ordinance.

Committee members discussed whether or not this ordinance should include other environmental concerns. A question was raised as to how to have straws available for people with disabilities if food establishments stop carrying straws. Committee members discussed getting input from Dan Colleluori, SoundWaters, the local business community and Kevin Murray.

A motion to hold Item No. 1 was made, seconded and approved by a vote of 5-0-0 (Reps. Lee, Jacobson, Lion, Miller and Nabel in favor).

4. [LR30.064](#) APPROVAL; Amendment of the Rules of the Board to **Approved, as**  
 Add New Section III.C.11, Requiring Submissions of **amended, 5-0-0**  
 Contracts, Resolutions or Ordinances 36 hours prior to  
 a Committee Meeting.  
 04/03/19 - Submitted by Reps. Stella, Pratt and Lee

Committee members reviewed the 5/20/19 version of the proposed rule change. Committee members discussed:

- Whether this rule is necessary
- Whether this is superfluous since the option to hold already exists
- Whether this relates to the late submission of supporting documents

- Whether to apply a similar rule for Board meetings
- That this should not prevent motions to change items on the floor
- This would not apply to the Steering Committee since it only applies to Standing Committees

A motion to amend the first paragraph of §III.C.11 to change “the later of” to “the earlier of” was made, seconded and approved by a vote of 5-0-0 (Reps. Lee, Jacobson, Lion, Miller and Nabel in favor).

A motion to amend the first paragraph of §III.C.11 to add the word “or” before (ii) was made, seconded and approved by a vote of 5-0-0 (Reps. Lee, Jacobson, Lion, Miller and Nabel in favor).

A motion to amend §III.C.11 by deleting “This rule shall only apply to ordinances, resolutions, and contracts submitted by elected officials or employees in the government of the City of Stamford,” was made, seconded and approved by a vote of 5-0-0 (Reps. Lee, Jacobson, Lion, Miller and Nabel in favor).

A motion to approved Item 4 as amended was made, seconded and approved by a vote of 5-0-0 (Reps. Lee, Jacobson, Lion, Miller and Nabel in favor).

5. [LR30.066](#) APPROVAL; Amendment of the Rules of the Board Section V.B.5, Motions to Limit Debate. **Approved, as amended, 5-0-0**  
05/07/19 – Submitted by Rep. Jacobson

Rep. Jacobson stated that although Robert’s Rules does not favor limiting debate, there is a provision to do so in the Board rules. He believes a 2/3 majority would be more appropriate than a simple majority. Committee members discussed:

- Whether the ability of the Minority Leader to veto this should be removed
- Whether the 2/3 threshold is sufficient or there should still be “two gates”
- Whether the rule should specify the amount of time permitted per speaker
- Whether the President should have the discretion to allow additional time for “good cause”

A motion to amend the proposed change to §V.B.5 of the rules by deleting the language “The motion to limit debate shall be used to decrease the length of speeches to a specific amount of time, the amount of which shall be selected by the movant to any such motion. The motion to limit debate may be directed toward a particular motion or a group of motions” in the 2<sup>nd</sup> paragraph; deleting the language “the number of minutes allotted to each member through said motion” in the 3<sup>rd</sup> paragraph; and restoring the language “a maximum of two (2) minutes on the item” in the 3<sup>rd</sup> paragraph, was made, seconded and approved by a vote of 5-0-0 (Reps. Lee, Jacobson, Lion, Miller and Nabel in favor).

A motion to amend the proposed change to §V.B.5 of the rules by deleting the language “good cause” and restoring the language “committee reports, members to ask or answer questions in good faith, members to respond to personal remarks, or if an item has been either taken out of committee or taken up under a suspension of the rules where time is of the essence” in the 3<sup>rd</sup> paragraph, was made, seconded and approved by a vote of 5-0-0 (Reps. Lee, Jacobson, Lion, Miller and Nabel in favor).

A motion to approved Item 5 as amended was made, seconded and approved by a vote of 4-1-0 (Reps. Lee, Jacobson, Lion and Nabel in favor; Rep. Miller opposed).

6. [LR30.067](#) APPROVAL; Amendment of the Rules of the Board Section IV.E.3.a.iii to Clarify Time for Public Comment. **Approved 4-1-0**  
05/08/19 – Submitted by Rep. Sherwood

Rep. Sherwood explained that the Board did not vote to limit the public comment period solely to items on the agenda, and this is meant to clarify the Board's procedure.

Rep. McMullen stated that this was not the intent when the rule change was initially drafted.

A motion to approved Item 6 was made, seconded and approved by a vote of 4-1-0 (Reps. Lee, Jacobson, Lion and Nabel in favor; Rep. Miller opposed).

7. [LR30.069](#) APPROVAL; Amendment of the Rules of the Board Section IV.E.3.a.iii to Give Priority during the Public Comment Period to Individuals Speaking on Agenda Items. **Failed 1-4-0**  
05/08/19 – Submitted by Rep. Zelinsky

Committee members discussed whether or not priority should be given to people speaking about agenda items during the public comment period. Member discussed

- Whether this would require too much administration of the process
- Whether this shuts out individuals speaking about items the Board is voting on

A motion to approve Item 7 was made, seconded and failed by a vote of 1-4-0 (Rep. Lion in favor; Reps. Lee, Jacobson, Miller and Nabel opposed).

***As a Secondary Committee:***

8. T30.036 ORDINANCE for publication; Amending Chapter 7 of the City Code of Ordinances to Prohibit the Use of Red Light and Speed Cameras.  
05/08/19 – Submitted by Reps. Kolenberg and Sherwood

Chair Lee adjourned the meeting at 9:46 p.m.

Respectfully submitted,  
Benjamin Lee, Chair

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