



Operations Committee - Board of Representatives

Virgil de la Cruz, Chair

Carmine Tomas, Vice Chair

Committee Report

Date: Monday, September 16, 2024
Time: 6:30 p.m.
Place: *This meeting was held remotely*

The Operations Committee will meet as indicated above. In attendance were Chair de la Cruz, Vice-Chair Tomas and Committee Member Reps. Graham, Ley, Stella, Dakary Watkins, and David Watkins. Also in attendance were Reps. Berns, Campbell, Matheny, Summerville, and Walston; Erik Larson, Purchasing Manager, and Tom Cassone, Director of Legal Affairs. Absent or excused were Reps. Boeger and Sherwood.

Chair de la Cruz called the meeting to order at 6:31 p.m.

Chair de la Cruz announced that the invited guests for items 1, 2, and 3 could not attend and asked for motions to recommit the items to Steering.

Item No.	Description	Committee Action
1. O31.018	REVIEW; West Main Street Bridge 08/03/22 – Submitted by Director Quinones 08/15/22 – Report Made & Held by Committee 7-0-0 09/12/22 – Moved to Pending 12/29/22 – Held by Committee 9-0-0 01/09/23 – Moved to Pending 10/16/23 – Report Made and Recommitted to Steering by Committee 5-0-0 11/20/23 – Recommitted to Steering by Committee 9-0-0 12/11/23 – Moved to Pending	Recommit to steering 7-0-0
<p>A motion to recommit Item 1 was made, seconded, and approved by a vote of 7-0-0 (Chair de la Cruz, Co-Chair Tomas, Reps. Graham, Ley, Stella, Dakary Watkins, and David Watkins in favor).</p>		
2. O31.056	REVIEW; Status of Cedar Heights Road Bridge 05/07/24 – Submitted by Rep. Berns 05/20/24 – Recommitted to Steering 8-0-0 06/17/24 – No Action Taken 07/15/24 – Held at Steering 08/12/24 – Held at Steering	Recommit to steering 7-0-0

A motion to recommit Item 2 was made, seconded, and approved by a vote of 7-0-0 (Chair de la Cruz, Co-Chair Tomas, Reps. Graham, Ley, Stella, Dakary Watkins, and David Watkins in favor).

3. O31.051 REVIEW: Status of Design and Implementation of Long-Term Solutions to Toilsome Brook Flooding Upstream of Culverts at Dannell Drive, Silver Hill Lane, and White Birch Lane.
02/18/24 – Submitted by Rep. Berns
03/11/24 – Held at Steering
04/15/24 – Recommitted to Steering 7-0-0
05/20/24 – Recommitted to Steering 5-2-0
06/17/24 – No Action Taken
07/15/24 – Held at Steering
08/12/24 – Held at Steering
- Recommit
to steering
7-0-0**

A motion to recommit Item 3 was made, seconded, and approved by a vote of 7-0-0 (Chair de la Cruz, Co-Chair Tomas, Reps. Graham, Ley, Stella, Dakary Watkins, and David Watkins in favor).

4. [O31.053](#) RESOLUTION: Regarding the Processing of Request for Proposals and Grant Applications to Provide for the Board of Representatives (BOR) to Participate in the Drafting of Project Descriptions and Scopes of Work for Request for Proposals (RFPs) for Projects Anticipated to Require BOR Approval to Ensure Consistency with BOR Expectations and to Improve the Efficiency of Processing [based on [O31.040](#)]
05/08/24 – Submitted by Rep. de la Cruz and Ley
05/20/24 – Recommitted to Steering 5-0-0
06/17-24 – No Action Taken
07/15/24 – Held at Steering
08/12/24 – Held at Steering
- Recommit
to steering
7-0-0**

Director Cassone discussed the Stamford City Charter in relation to the Board of Representatives.

- The Board of Representatives has the power to approve contracts.
- The Municipal Powers Act does not confer upon the Board of Representatives the power to draft contracts.

Chair de la Cruz had the relevant contract section of the Municipal Powers Act displayed and noted that the act does not specifically prohibit the legislative body from participating in the drafting of RFPs or Grant applications, and that it provides for the legislative body of the municipality to “Make all lawful regulations and ordinances in furtherance of any general powers as enumerated in this section”. Case law, for example 21 CS 347, indicates that Towns can exercise no powers except such as have been expressly granted to them or by fair implication conferred upon them by state. It is quite clear, **by fair implication**, that the Board of Reps has the power, via regulation or ordinance to participate in the drafting of RFPs or grant applications for contracts exceeding \$100,000.00.

Chair de la Cruz respectfully disagreed with Director Cassone's conclusion.

In moving forward with the resolution, Purchasing Manager Larson proposed changing the language.

- Remove references to bids in Recitals 2, 6, and 7 because the Board does not actually approve agreements that are related to bids.
- The Board only approves the agreements that are the result of requests for proposals or requests for qualifications.

A motion to recommit Item 4 to September was made, seconded, and approved by a vote of 7-0-0 (Chair de la Cruz, Co-Chair Tomas, Reps. Graham, Ley, Stella, Dakary Watkins, and David Watkins in favor).

Chair de la Cruz adjourned the meeting at 7:38 p.m.

Respectfully submitted,
Virgil de la Cruz, Chair

This meeting is on [video](#).