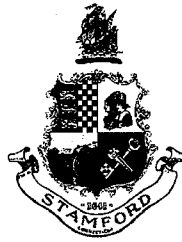


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December 18, 2009

Mr. Randall Skigen
President
Board of Representatives
City of Stamford

Re: Convening of the next Charter Revision Commission

Dear President Skigen:

I am in receipt of your email dated December 15, 2009 requesting an opinion concerning Charter Section C1-40-5. The intent of the Charter requires a periodic review of the Charter in regular ten year intervals. Since the last Charter Revision Commission was convened in February 2003, then the next one should be convened in 2013. This would be in keeping with the intent of the Charter that a commission be convened at least every ten years. My interpretation of the 2002 reference point is just that; a reference point to start the 10 year intervals. The Board of Representatives, for whatever reason, did not meet the 2002 date. In practical terms, the Board of Representatives re-set the reference point to 2003. Was this in strict legal compliance with the Charter? No. It is now irrelevant since you cannot turn back time to 2002 and convene a commission in accordance with the language of the Charter. Since the last commission was convened in 2003, another one must be convened in 2013. The Charter uses the word "mandated". There is no discretion with the use of the word "mandated". However, the Board of Representatives has discretionary authority to convene interim commissions at anytime within the ten year intervals. Therefore, if the Board of Representatives sees fit to exercise its discretionary authority and desires to convene a charter revision commission prior to the mandated ten year review, (for instance in 2012, ten years from 2002) it certainly may do so under the provisions of Section C1-40-5.

Sincerely yours,

Michael D. Larobina
Director of Legal Affairs
and Corporation Counsel