

# ***31<sup>ST</sup> BOARD OF REPRESENTATIVES CITY OF STAMFORD***

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Minority Leader  
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## **Resolution Regarding Public Act 23-205**

**WHEREAS**, Stamford CT City Charter Section C1-40-5 requires “a mandatory review of all the provisions of and amendments to” the City of Stamford Charter at least once every ten years, and

**WHEREAS**, the Stamford Board of Representatives (“Board”), in accordance with §7-190(a) of the General Statutes appointed a fifteen member Charter Revision Commission, and gave said commission a charge with proposed changes to the Charter to be considered, and

**WHEREAS**, the members of the Commission volunteered their time and worked diligently for over fourteen months, forming subcommittees which met for countless hours, allowed public comment at most of their meetings and held many hours of public hearings, to review and submit a draft report to this Board conducting themselves, at all times, in a manner consistent with the statutory requirements of Title 7, and

**WHEREAS**, the Charter Revision Commission, conducted in full view of the public twenty-six full commission meetings, sixty-four additional meetings of its committees and two statutory hearings, in accordance with law; and,

**WHEREAS**, the charter revision process is designed to end with a referendum affording each voter the chance to vote to approve or reject proposed changes to their Charter following months of discussion, debate and deliberation, and

**WHEREAS**; on June 7th of 2023, the last day of the legislative session, the Connecticut General Assembly passed the so-called Bond Act, Public Act 23-205 (the “Public Act”); and,

**WHEREAS**, , the Governor of the State of Connecticut signed the Public Act into law on June 29th, and

**WHEREAS**, Section 158 of the so-called Bond bill includes four provisions that target specific provisions of the Draft Report, as follows:

- a. banning the modification of Charter provisions pertaining to petition protocols in case of appeals of zoning decisions to local legislative bodies [Sec. 158(1)];
- b. restricting the ability to amend a charter to modify any planning and zoning regulations [Sec. 158(2)];
- c. prohibiting charter revision of provisions that modify voting requirements as well as public hearing and notice practices pertaining to eminent domain and the disposition of municipal property [Sec. 158(3) and (4)],

all of which track proposed revisions included in the Draft Report of the Charter Revision Commission;

**WHEREAS**, the provisions of Section 158 purport to address statewide issues, but include language with unforeseen and unintended consequences for other municipalities it is evident that the provisions that passed and those that were discarded were deliberately aimed at the draft recommendations of the Charter Revision Commission; and,

**WHEREAS**, Section 158 was inserted into the Bond bill utilizing the legislative device commonly referred to as a “rat provision” rather than as a standalone bill; and, as such was:

- a. surreptitiously inserted into the Bond bill without the general knowledge of a majority of the members of the Stamford delegation to the General Assembly;
- b. never reviewed by a committee or subjected to the usual public and legislative scrutiny,

further revealing that the provisions were designed to eliminate public debate and participation in the charter revision process; and,

**WHEREAS**, Section 158 was clearly and specifically intended to obstruct the Charter Revision Commission and this Board from proceeding with its work as the laws of the State of Connecticut intended; and,

**WHEREAS**, the provisions of Section 158 were aimed at the findings of the Draft Report of the Charter Revision Commission, it has already impacted the rights of, at least, one municipality that is trying to modify the voting requirements for the disposition of property and will almost certainly impact many of the over one hundred and ten municipalities in CT that are governed by a charter, prohibiting residents in those municipalities from having a say in the long-standing home rule practice of charter revision; and.

**WHEREAS**, Section 158 was introduced for the purpose of nullifying major portions of the Charter Revision Commission’s Draft Report, disenfranchising the electors of the City of Stamford of their right to vote and directly weigh in on many of the most pressing issues in Stamford.

**NOW THEREFORE BE IT RESOLVED** that the Stamford Board of Representatives urges Governor Ned Lamont to immediately call the Connecticut General Assembly to a special session on or before July 31, 2023 to repeal Section 158 of Public Act 23-205 and thereby restore the fundamental right of the people of Stamford and of many other towns across Connecticut to vote and act on the most pressing issues affecting them through their Charter Revision processes.