

**CITY OF BRIDGEPORT
CHARTER REVISION COMMISSION
REGULAR MEETING
MAY 1, 2012**

ATTENDANCE: C. Simpson, Chair; G. Estrada, Vice-Chair; C. Valentino; F. Carter; R. Felipe; H. Weichsel (6:38 p.m.)

OTHERS: Atty. M. Anastasi; Atty. E. Maley; Atty. S. Mednick; John Marshall Lee

CALL TO ORDER.

Commissioner Simpson called the meeting to order at 5:40 p.m.

APPROVAL OF MINUTES

Minutes from the meetings of April 12, 2012 and April 17, 2012 were approved.

REVIEW OF BOARD OF EDUCATION PROVISIONS

Atty. Mednick handed out his current rough draft of the Board of Ed Provisions. A number of issues were discussed. Should the current board transition to the new board – hybrid of elected and appointed members, hybrid board would be 11/30/13 – 11/30/15. Ex-officio members would not be part of quorum.

Discussion on the qualifications needed to serve on Board of Education. Commissioner Estrada stated that the current charter prohibits city employees sitting on city boards or commissions. However state statute allows this and supersedes local ordinances. Atty. Mednick felt that this commission can, clearly, not appoint city employees to boards that have direct supervision over them.

Commissioner Simpson asked Atty. Mednick to incorporate very clear language that will prohibit this. A general discussion on conflict of interest language followed. All language on ethics and conflict of interest as a result of previous discussions within the commission has been incorporated in the draft charter including a section on the removal of elected and appointed officials, disclosure, and a standard of recusal. Atty. Mednick stated that he has included the strongest language possible re: ethics, conflict of interest, given the constraints of the state statute.

Commissioner Simpson suggested including in the report to the council that they would have prohibited city employees serving on any board commission or council had it not been allowed

by state statute. Commission Felipe encouraged the council to include the strongest language allowable to discourage this practice.

Atty. Maley suggested the following language; “banish this practice to the largest extent the law allows”. Atty. Maley gave a brief history of the evolution of the state statute concerning this issue. Atty. Anastasi referenced page 3, Section 5, asked about rights of appeal. This will be covered by the General Statutes.

Commissioner Weichsel joined the meeting at 6:38 p.m.

Atty. Mednick addressed the section Attributes and Diversity, an incorporation of ideas gathered from fact finding hearings, studying other city’s language, literature that has been reviewed. What attributes do you want the members of the BoE to have, what do you want the board to look like. Diversity qualifications might address your institutional background, current participation in the education system, do you have a background in construction management, finance, parent/educator.

Mandatory training provisions discussed. Requires continuing training. Consequences to non-conformance discussed. Commissioner Estrada questioned who develops the training criteria; general consensus was the BoE will establish criteria.

Scope of Board of Ed role addressed. The Board will need to balance the needs of children, represent the entire community, require the full interest and cooperation of the Mayor, City Council, Superintendent of schools, parents and teachers, and students. Sub-Section 3 addressed the Powers of the Board. Atty. Anastasi noted that the present charter identifies the Mayor as the Ex-officio of the BoE. Atty. Mednick has not changed the current language in the draft. Atty. Anastasi wants to make sure that it is clear that the mayor is allowed to sit on the Board with an Ex-Officio status.

Sub-Section 4 addresses Interference and the Role of the Superintendent. The Board of Ed is not an operating board. It has an Administration role – only policy making. Atty. Anastasi noted that the current BoE by-laws allowed access to day-to-day operations of the system. This language does not allow that.

Sub-Section 5 addresses the Candidate Qualifications Board. Role is to determine if candidates meet stated requirements, this board will not be nominating but creating a list for the mayor to use when appointing member(s). Discussions on how members are appointed (Sub-section 5a). Question from Atty. Mednick – do you want parents on this, teachers, principals, business community, higher education, people appointed by the Mayor?

Atty. Anastasi asked who would pick and how. Each represented group would appoint a member i.e. teachers union would appoint a teacher. Commissioner Carter noted that people tend to pick their favorites rather than the best person for the job. Can a list of criteria be established for this process? Concern that this will turn into a political entity. Maybe establish a

list of qualifications for members of the Qualifications Board, and should reflect diversity criteria used for BoE members.

Commissioner Felipe stated the importance of appointing the appropriate people initially to establish a precedent/practice. Atty. Anastasi urged the use of broad criteria to allow flexibility. These appointees will serve at the pleasure of the Mayor.

Atty. Mednick noted this will be a rolling list and we need to establish a procedure to create the list. Atty. Maley suggested 'Annually create a list twice the size of the # of vacancies'. If no list exists, for whatever reason, the mayor will make the appointments.

Atty. Mednick referenced page 8, subsection B.2.d, Removal of Elected/Appointed Officials. New language was added creating grounds for removal/termination. Mayor can remove any appointment. City Council does not have ability to remove anyone except BoE members. Commissioner Estrada asked if this language can really hold up. Commissioner Felipe noted that because it is the BoE it is held to a higher standard.

Atty. Mednick added a provision under Commencement of Action. BoE may commence the removal of the Superintendent if all members of the board agree. This is allowed by State Statute. Can the Mayor commence removal of the Superintendent? Consensus was only the Board should have this power.

Atty. Maley handed out a document re; temporary removal of official(s). Subsection A language on front of document that addresses all situations. Discussion followed relative to the different scenarios that Atty. Mednick asked if Atty. Maley language should replace Section 7 in charter draft. Clarification – this language applies to all elected officials in the city except for those in Section 1.

Commissioner Simpson asked members to review and think about the preamble before next meeting. The Thursday meeting will discuss the remaining schedule and the establishment of the statutory public hearing date. After final review by the Commission Atty. Mednick will create a clean copy and an annotated copy of the draft to pass on to the City Clerk's office for posting on the city website prior to the Public Hearing.

Commissioner Carter asked what specifically needs to be done with the preamble. Commissioner Simpson suggested that members use their creative juices to enhance existing language provided by Atty. Mednick.

ADJOURNMENT

***COMMISSIONER FELIPE MOVED TO ADJOURN THE MEETING**

***COMMISSIONER CARTER SECONDED**

****MOTION PASSED UNANIMOUSLY**

The meeting adjourned at 7:40 p.m.

Respectfully submitted,

Jill Kuzmich
Telesco Secretarial Services