



Legislative & Rules Committee – Board of Representatives

Eileen Heaphy, Chair

Elise Coleman, Vice Chair

Committee Report

Date: Wednesday, April 29, 2015

Time: 6:00 p.m.

Place: Democratic Caucus Room, 4th Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. In attendance were Chair Heaphy, Vice Chair Coleman and Committee Member Reps. Day, Mitchell, Nabel, Okun, Ryan, Silver and Zelinsky. Also present were Kathryn Emmett, Corporation Counsel; Jonathan Gottlieb and Vin Tufo, Charter Oak Communities; Sandy Goldstein, John Ruotolo and Cheryl Virkelik, DSSD; Jim Hricay, OPM, and five members of the public (see attached public hearing sign-in sheet).

Chair Heaphy called the meeting to order at 6:10 p.m.

Item No.	Description	Committee Action
¹ 2. LR29.046	RESOLUTION and <u>Public Hearing</u> ; Approving a lease between the City of Stamford and Congressman Jim Himes for space on the 10th Floor of Government Center. 04/07/15 – Submitted by Mayor Martin 04/28/15 - Approved by Planning Board __/__/__ - To be considered by Board of Finance	Approved 6-0-0

The Committee first considered this item. Chair Heaphy opening the public hearing. There being no members of the public wishing to speak, the public hearing was closed. Ms. Emmett explained that this lease is the same as the prior lease except with a 2% increase in the rent. The term ends with the end of Representative Himes' term. A motion to approve this resolution was made, seconded and approved by a vote of 6-0-0 (Reps. Heaphy, Nabel, Okun, Ryan, Silver and Zelinsky in favor).

² 5. LR29.047	ORDINANCE for publication; Concerning a Tax Abatement Agreement between the City of Stamford and Lawnhill Terrace 1 Limited Partnership. 04/08/15 – Approved by Tax Abatement Committee 04/08/15 – Submitted by Mayor Martin	Approved 7-0-0
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¹ Video Time Stamp 00:00:30

² Video Time Stamp 00:04:07

The Committee next considered Item Nos. 5 and 6. Ms. Emmett stated that both items were approved by the Tax Abatement Committee. Mr. Gottlieb explained that this abatement is similar to prior abatements. Charter Oak is renovating a portion of Lawnhill Terrace and the sale to the Limited Partnership is in order to take advantage of Low Income Housing Tax Credits. The prior tax abatement would not apply to the new partnership, although the terms are the same. They expect the current tenants to remain. This is the first phase of the renovation. A motion to approve this ordinance for publication was made, seconded and approved by a vote of 7-0-0 (Reps. Heaphy, Coleman, Nabel, Okun, Ryan, Silver and Zelinsky in favor).

6. [LR29.048](#) ORDINANCE for publication; Concerning a Tax Abatement Agreement between the City of Stamford and 992 Summer Street Development Limited Partnership. **Approved 7-0-0**
04/08/15 – Approved by Tax Abatement Committee
04/08/15 – Submitted by Mayor Martin

Mr. Gottlieb explained that this project is new construction as a replacement for the Edward Czescik Homes, which were located in a flood plain and suffered damage during Superstorm Sandy. They are using relief funds to build new housing outside of the flood plain, in a location which is better for residents. Since the land is owned by Inspirica, Inspirica is a party to the tax abatement. They are hoping that the Czescik property, which is in the Mill River Corridor, will be donated to the City. A motion to approve this ordinance for publication was made, seconded and approved by a vote of 7-0-0 (Reps. Heaphy, Coleman, Nabel, Okun, Ryan, Silver and Zelinsky in favor).

- ³1. [LR29.041](#) ORDINANCE for Public Hearing and Final Adoption; Amending Chapter 214, Article V, Sidewalk Cafes, Section 214-46, Permit Application, concerning permit fees. **Failed, as amended, 3-5-0**
02/05/15 – Submitted by Jim Hricay
02/17/15 – Approved by Committee, as amended
03/23/15 – Approved by Committee, as amended

Secondary Committee: Cost Savings & Revenue Enhancement

Chair Heaphy opened the public hearing. Five members of the public, each of whom is associated with a restaurant in the downtown district, and some of whom are Stamford residents, spoke in opposition to this proposed amendment, as did Mr. Ruotolo and Ms. Goldstein, stating that

- restaurants in the downtown area are struggling
- restaurants in other areas of the City have outside cafes
- the restaurant business has a high rate of bankruptcy and turnover
- the DSSD cleans the streets in the downtown area
- this provides an unfair burden on restaurants in the downtown area

There being no other members of the public wishing to speak, the public hearing was closed.

³ Video Time Stamp 00:15:07

Mr. Hricay noted that this fee has not been increased since 1985 and that Planning & Zoning does plan review and enforcement.

Committee members discussed:

- that this proposal came from the administration
- that the goal was to raise revenue other than increasing homeowner's taxes
- that the purpose of the original ordinance was to permit restaurants in the downtown district to use City streets for outdoor cafes
- that the ordinance is too late for this year
- that many costs are increasing throughout the City and the burden of increase costs should be shared
- whether the increase amount is reasonable

A motion to amend this ordinance to provide that the \$1 per ft.² go into effect calendar year 2016 and the \$2 per ft.² begin annually thereafter was made, seconded and approved by a vote of 5-4-0 (Reps. Heaphy, Day, Okun, Ryan and Silver in favor; Reps. Coleman, Mitchell, Nabel and Zelinsky opposed).

A motion to amend the ordinance to eliminate the \$100 base fee was made, seconded and failed by a vote of 3-5-0 (Reps. Heaphy, Day and Okun in favor; Reps. Coleman, Mitchell, Nabel, Silver and Zelinsky opposed).

A motion to approve this ordinance, as amended, was made, seconded and failed by a vote of 3-5-0 (Reps. Heaphy, Nabel and Silver in favor; Reps. Coleman, Day, Mitchell, Okun and Zelinsky opposed).

- ^{43.} [LR29.040](#) **ORDINANCE for publication;** Establishing a Policy **Report Made**
for Private Donations to the City for public
employment.
02/05/15 – Submitted by Rep. Nabel
02/17/15 – Held in Committee
03/23/15 – Held in Committee

Rep. Nabel distributed the attached [handout](#) and noted that no other municipalities have policies regarding the vetting of donations or donors. Committee members discussed the current procedure. Chair Heaphy will speak with the Chair of the Board of Ethics to see if she has any recommendations. Committee members did not feel they should go further with this.

- ^{54.} [LR29.045](#) **RESOLUTION;** Authorizing the City to Accept a Gift **Approved 8-0-0**
of \$85,000 in Playground Equipment from
KaBOOM! Inc. for McKeithan Park.
04/02/15 – Submitted by Mayor Martin
03/24/15 – Approved by Planning Board

Mr. Tufo explained that KaBOOM! Is a national non-profit that works with corporate donors to build playgrounds. A currently undisclosed corporation will donate the \$85,000 of equipment to KaBOOM! If the City sponsors the initiative. This playground would be built by 125 volunteers in

⁴ Video Time Stamp 01:31:28

⁵ Video Time Stamp 01:44:45

one day on Lawn Avenue, next to Lawnhill Terrace, which would revitalize this area. The contract has been approved by Risk Management and the Law Department. The playground will be accessible to the disabled and will be closed at night. A motion to approve this resolution was made, seconded and approved by a vote of 8-0-0 (Reps. Heaphy, Coleman, Day, Mitchell, Nabel, Okun, Silver and Zelinsky in favor).

7. LR29.049 REVIEW; Process for the Animal Care and Control **Held in**
Center to receive monetary donations, gifts, and pro **Committee 8-0-0**
bono services from nonprofit organizations and
individual donors, including the Funds bequeathed
to the City by Cynthia Smith.
03/03/15 – Submitted by Reps. Quinones and
Reeder
03/09/15 – Held at Steering

A motion to hold this item was made, seconded and approved by a vote of 8-0-0 (Reps. Heaphy, Coleman, Day, Mitchell, Nabel, Okun, Silver and Zelinsky in favor).

As a Secondary Committee:

1. F29.116 REVIEW; Financial Controls, Reporting Requirements
and Other Contractual Obligations between the City of
Stamford and Funded Third-Party Organizations
06/03/14 – Submitted by Rep. Buckman
06/09/14 – Held at Steering
08/11/14 – Held at Steering
09/29/14 – Report Made & Held in Committee
10/14/14 – Held at Steering
11/17/14 – Held in Committee
12/22/14 – Held in Committee
01/12/15 – Held at Steering
03/30/15 – Held in Committee
04/27/15 – Held in Committee

Chair Heaphy adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Eileen Heaphy, Chair

This meeting is on [video](#).