



Legislative & Rules Committee – Board of Representatives

Benjamin Lee, Chair

Elise Coleman, Vice Chair

Committee Report

Date: Tuesday, September 21, 2021
Time: 7:00 p.m.
Place: This meeting was held remotely.

The Legislative & Rules Committee met as indicated above. In attendance was Chair Lee, Vice Chair Coleman, and Committee Member Reps. Fedeli, Florio, Jacobson, Lion, Miller, Nabel, and Zelinsky. Also present was Rep. McMullen; Burt Rosenberg and Mike Toma, Law Dept.; Jonathan Singen, New Neighborhoods Inc.; and one member of the public.

Chair Lee called the meeting to order at 7:03pm

Item No.	Description	Committee Action
11. LR30.119	RESOLUTION <u>and public hearing</u> ; Approving a Second Amendment to Lease Agreement between the City of Stamford and NNI Belltown Elderly Housing Inc. 08/12/21 – Submitted by Mayor Martin 08/31/21 – Approved by Planning Board 09/09/21 – Approved by Board of Finance 5-0-0	Approved 9-0-0

Mr. Rosenberg gave a brief overview of this item. This is a long term lease with Belltown Elderly Housing, which is operated by New Neighborhoods, Inc. (NNI), and goes back to 1991. It was previously amended when NNI re-financed, and NNI has refinanced again. The main change is the length of the term of lease. HUD requires a long term lease of at least 50 years, which adds a net 13 years to the lease.

Chair Lee opened the Public Hearing at 7:06 p.m. There being no one from the public wishing to speak, the Public Hearing was closed.

Mr. Singen gave background on the Dept. of Housing and Urban Development (HUD) requirements and financials, and there was discussion.

- After refinancing HUD requires a lease extension of either 50 or 99 years.
- The property has deed restrictions for affordability and age that run within the context of lease and financing.
- There is annual compliance required with HUD, and the property has scored very highly.
- The specifics of the financing are in the HUD documents and not in the lease. The funding is very detailed.
- The source of financing for the subordinate mortgage is provided by the federal government through the representative committee of the Community Development Block Grants (CDBG).

¹ Video Time Stamp: 00:01:00

- Federal funds allocated to the City are based on population density and needs.
- An application for funding was required to repair/redevelop common areas. In return NNI signed a mortgage of note for the total funding. Monies distributed to projects for affordable housing are in forbearance
- An integral part of the financing is a Property Capital Needs Assessment (PCNA) which gives a 20 year forecast of the capital needs as assessed by engineers.
- What happens at end of lease? Could these types of mortgages potentially become due? What if the City reclaims the property for another use? HUD legal experts would have to weigh in on this.
- Stamford has a contractual relationship with HUD, and the majority of information regarding these questions is with the Community Development Office, which has the paperwork on these mortgages in their entirety.
- These types of mortgages, which are essentially grants, are in perpetual forbearance, due to a public policy objective that provides housing to the elderly. The obligations never actually go away. The terms are very detailed and are in the paperwork of the HUD program.
- Mr. Singen will get more information to the Committee before the October Board Meeting.

A motion to approve Item No. 1 was made, seconded and approved by vote of 9-0-0 (Reps. Lee, Coleman, Fedeli, Florio, Jacobson, Lion, Miller, Nabel, and Zelinsky in favor).

- ²². [LR30.117](#) REVIEW; Creation of a Domestic Partnership Ordinance in the City of Stamford similar to [Hartford Ordinance](#). **Report Made**
 08/03/21 – Submitted by Rep. Jacobson
 08/09/21 – Moved to Pending Agenda

Rep. Jacobson explained that it has come to his attention there unmarried cohabiting couples in other municipalities who would like to utilize the legislation that Hartford offers.

Mr. Toma reviewed the current State statutes and regulations.

- There are only three references to domestic partnerships, and all revolve around attempting to spell out who is responsible for a nursing home payment or who qualifies for a benefit.
- §7-148 is a general municipal powers statute; this is where municipalities seek authority to take action as a municipality when there is not specific authority elsewhere.
- Based upon review of this statute, Mr. Toma believes there is an argument to be made that Stamford can pass such an ordinance regarding domestic partnerships.
- There is a human rights section in §7-148 regarding fair housing and a code of prohibiting discriminatory practices. This could apply to a domestic partnership ordinance.
- The Hartford ordinance does not specifically claim to prohibit anything. It is more of a provision creating a registration process for people who wish to be deemed domestic partners.

There was discussion on this item.

² Video Time Stamp: 00:42:05

- Since there is no longer discrimination in marriage in Connecticut as of 2010, is there a need for this ordinance? A domestic partnership was needed when people who wanted to get married were not allowed to get married.
- Defining a domestic partnership could be problematic, as there is currently no legal definition of domestic partnership in Connecticut. BOR would have to define that first, before passing this type of ordinance.
- The process of establishing a domestic partnership would be important.
- How would a domestic partnership be terminated?
- If this involves financial discrimination, an ordinance such as this might not be the best option to prevent discrimination.
- Is there a need for this in Stamford? BOR should find out how many couples in Hartford have taken advantage of the ordinance.
- Civil unions were phased out once the Supreme Court allowed same-sex marriage, however, domestic partnerships are not necessarily the same as civil unions.

Chair Lee adjourned the meeting at 8:20 p.m.

Respectfully submitted,
Benjamin Lee, Chair

This meeting is on [video](#).