



## **Legislative & Rules Committee – Board of Representatives**

Eileen Heaphy, Chair

Elise Coleman, Vice Chair

# **Committee Report**

**Date:** Tuesday, May 19, 2015

**Time:** 7:30 p.m.

**Place:** Republican Caucus Room, 4<sup>th</sup> Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. In attendance were Vice Chair Coleman and Committee Member Reps. Mitchell, Nabel, Ryan, Silver and Zelinsky. Absent or excused were Chair Heaphy and Committee Member Reps. Day and Okun. Also present were Reps. McNeil and Reeder; Kathryn Emmett, Corporation Counsel; and Jonathan Gottlieb, Charter Oak Communities.

Vice Chair Coleman called the meeting to order at 7:35 p.m.

<b>Item No.</b>	<b>Description</b>	<b>Committee Action</b>
11. <a href="#">LR29.047</a>	ORDINANCE <u>for Public Hearing and Final Adoption;</u> Concerning a Tax Abatement Agreement between the City of Stamford and Lawnhill Terrace 1 Limited Partnership. 04/08/15 – Submitted by Mayor Martin 04/29/15 – Approved by Committee	<b>Approved 5-0-0</b>

Vice Chair Coleman opening the public hearing. There being no members of the public wishing to speak, the public hearing was closed. Mr. Gottlieb explained that this abatement is similar to prior abatements approved by the Board. Charter Oak is significantly renovating a portion of Lawnhill Terrace and the sale to the Limited Partnership made up of an entity controlled by Charter Oak and a limited partner in order to take advantage of Low Income Housing Tax Credits. The prior tax abatement would not apply to the new partnership because of the change in ownership, although the terms are the same and the residents will remain. 10% of the tenant rent payments, less common charges, are paid to the City as taxes under the agreement. There was a lengthy discussion of the tax credit process in response to questions from the Committee:

- The proceeds from the tax credits will pay for approximately 55% of the renovation
- There is an additional loan from the CT DOH, State tax credits and a small mortgage
- An independent auditor calculates the taxes.
- The tax credits must be held by an entity with an ownership interest

---

<sup>1</sup> Video Time Stamp 00:00:18

A motion to approve this item was made, seconded and approved by a vote of 5-0-0 (Reps. Coleman, Nabel, Ryan, Silver and Zelinsky in favor).

2. [LR29.048](#)      **ORDINANCE for Public Hearing and Final Adoption;    **Approved 5-0-0****  
Concerning a Tax Abatement Agreement between  
the City of Stamford and 992 Summer Street  
Development Limited Partnership.  
04/08/15 – Submitted by Mayor Martin  
04/29/15 – Approved by Committee

Vice Chair Coleman opening the public hearing. There being no members of the public wishing to speak, the public hearing was closed. Mr. Gottlieb explained that this project is new construction of Summer Place for senior housing as a replacement for the Edward Czescik Homes, which are older and deteriorated and are 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. They have entered into a partnership with Inspirica. Since the land is owned by Inspirica, Inspirica is a party to the tax abatement. The current residents will have priority to move into this development, although some have chosen to move earlier. The ground lease will be between Inspirica and the partnership. Currently there are no taxes being paid at this site. They are hoping that the Czescik property, which is in the Mill River Corridor, will be donated to the City, although the State DOH has first rights to the property. In order to replace the 50 units at Czecik, 48 units will be at Summer Place and the other 2 will be at Park 215. A motion to approve this item was made, seconded and approved by a vote of 5-0-0 (Reps. Coleman, Nabel, Ryan, Silver and Zelinsky in favor).

3. [LR29.041](#)      **ORDINANCE for Final Adoption; Amending Chapter    **Held in Committee****  
214, Article V, Sidewalk Cafes, Section 214-46,      **6-0-0**  
Permit Application, concerning permit fees.  
02/05/15 – Submitted by Jim Hricay  
02/17/15 – Approved by Committee, as amended  
03/23/15 – Approved by Committee, as amended  
04/29/15 – Public Hearing Held; Failed in  
Committee, as amended  
05/06/15 – Returned to Committee by full Board

*Secondary Committee: Cost Savings & Revenue Enhancement*

A motion to hold this item was made, seconded and approved by a vote of 6-0-0 (Reps. Coleman, Mitchell, Nabel, Ryan, Silver and Zelinsky in favor).

---

<sup>2</sup> Video Time Stamp 00:21:40

- <sup>3</sup>4. [LR29.046](#) RESOLUTION; Approving a lease between the City of Stamford and Congressman Jim Himes for space on the 10th Floor of Government Center. **Previously Approved by Committee (4/29/15)**
- 04/07/15 – Submitted by Mayor Martin  
 04/28/15 – Approved by [Planning Board](#)  
 04/29/15 – [Approved by Committee \(public hearing held\)](#)  
 05/06/15 – No action taken by Board, pending BOF action  
 05/14/15 - Approved by Board of Finance

Rep. McMullen stated that at the Board meeting, the statement was made that the GAO might limit the rent. He checked with the GAO, who stated that they have no control over the rent. He also checked with the office in the House of Representatives responsible for leases, and was told that the rent should be at Fair Market Value. He spoke with commercial realtors and was told that the fair market value of 10<sup>th</sup> floor office space in downtown Stamford should be \$35-40/ft<sup>2</sup>. Rep. Ryan pointed out that there is a value to the City to have the Congressional Representative having an office in the Government Center and believes there should be a discount given for this. Rep. Nabel noted that this rent would be coming out of tax. Rep. McMullen stated that there is also a benefit to Rep. Himes to be in this building. Rep. Silver noted that the City of Stamford is not in the commercial office space building. The tenants in this building are not commercial renters, but are social entities, so this space is not equivalent to commercial space, so the meaning of fair market value is different for this building. Ms. Emmett stated that the term in the House form lease requires fair market value in the context that the parties are not relatives and that this is a business relationship and is trying to accomplish avoiding any inflated rent.

- <sup>4</sup>5. LR29.049 REVIEW; Process for the Animal Care and Control Center to receive monetary donations, gifts, and pro bono services from nonprofit organizations and individual donors, including the Funds bequeathed by Cynthia Smith. **Report Made**
- 03/03/15 – Submitted by Rep. Quinones  
 03/09/15 – Held at Steering  
 04/29/15 – Held in Committee

A motion to hold this item was made, seconded and failed a vote of 3-3-0 (Reps. Coleman, Mitchell and Nabel in favor; Reps. Ryan, Silver and Zelinsky opposed). Ms. Emmett stated that the Law Department is working on a presentation to the Board on how they plan to handle the money. Currently donated money is deposited into a restricted fund known as the Dog Fund, which is used solely for the support of the animals and qualifies as a charitable donation. The Estate of Cynthia Smith funds are in a separate fund and are restricted as to use by the terms of the will to care of the animals, and may not be used for capital projects. They are in the process of creating a 501(c)3 for the Animal Control Shelter called “ARF” which will enable larger donors to make donations. They have also been in communication with OPIN which was representing itself incorrectly as the 501(c)3 for the Animal Control Shelter. OPIN does make substantial contributions to the Shelter, but also uses its funds for other purposes.

---

<sup>3</sup> Video Time Stamp 00:44:07

<sup>4</sup> Video Time Stamp 01:05:00:

In response to questions from the Committee, Ms. Emmett stated that the budget of the Animal Control Center does not contemplate high veterinary costs, and the Center does engage non-profits to cover these costs. Currently the Shelter is not authorized to spend the Cynthia Smith funds and the Law Department and the Controller and the Animal Control Task Force are working on creating these processes.

6. LR29.051      REVIEW; Status of Ethics Training of Employees,  
Elected Officials and Appointed Officials.      **Held in  
Committee**  
04/08/15 – Submitted by Rep. Heaphy

A motion to hold this item was made, seconded and approved by a vote of 6-0-0 (Reps. Coleman, Mitchell, Nabel, Ryan, 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

Vice Chair Coleman adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Elise Coleman, Vice Chair

This meeting is on [video](#).