



Legislation Text

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RESOLUTION OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN AUTHORIZING THE CITY OF NEW HAVEN TO UNDERTAKE PROGRAMS AND PROJECTS AUTHORIZED UNDER THE CITY AND TOWN DEVELOPMENT ACT, TO ASSUME AND AS APPROPRIATE TO EXERCISE ALL OF THE RIGHTS, POWERS, OBLIGATIONS AND PRIVILEGES UNDER SAID ACT AND AUTHORIZING SUCH OTHER ACTIONS AS MAY BE NECESSARY TO IMPLEMENT THE PURPOSES OF THE ACT

WHEREAS, on August 8, 1975 the Connecticut General Assembly passed the City and Town Development Act (hereinafter, the “Act”) which Act is set forth in Chapter 114 (Sections 7-480 through 7-503) of the Connecticut General Statutes; and,

WHEREAS, the Act provides that municipalities which have found and determined that conditions substantially as described in C.G.S. Section 7-481 exist in the municipality, are continuing, and may be ameliorated by the exercise of the powers granted under the Act; and,

WHEREAS, in order to exercise the powers conferred upon municipalities under the Act for a period which cannot exceed five (5) years, the legislative body of a municipality must determine by resolution that conditions substantially as described in C.G.S. Section 7-481 exist, and such resolution must include certain findings and determinations and standards as required under C.G.S. Section 7-485 for implementation of the powers granted under the Act; and,

WHEREAS, prior to the adoption of such resolution, the Act requires that notice of the proposed resolution be placed on record in the office of the municipal clerk for public inspection, that a summary of the proposed resolution be published at least once in a newspaper of general circulation within the municipality setting forth the time and place of a public hearing thereon, which public hearing must take place not less than five days prior to, and not more than fourteen days subsequent to, the placing on record of such notice and the publication of said summary (the “Notice Requirements”); and,

WHEREAS, as a further condition precedent to exercise of the powers conferred under the Act, the Act requires that following adoption of such resolution, the same shall be submitted to the electors of the municipality at either a special election or at a regular municipal election, if such regular election is held more than sixty days, but not more than one hundred and twenty days, after the adoption of such resolution; and,

WHEREAS, any additional actions taken by a municipality under the provisions of the Act may only be taken after approval of such action by the legislative body of such municipality, which approval

must be taken by resolution adopted in accordance with the Act; and,

WHEREAS, all actions taken by a municipality pursuant to the Act are, except as specifically provided for in the Act, subject to all requirements of the General Statutes applicable special acts, local charters and ordinance requirements, including environmental and zoning laws and regulations; and,

WHEREAS, pursuant to the Act, a municipality shall have the power to issue notes and bonds for achieving the purposes of the Act, including the making of mortgage loans and loans to sponsors, the acquisition of development property, the establishment of reserves to secure such notes and bonds, interest on such notes and bonds during construction and for one year thereafter, and the payment of expenses incident to or necessary for furtherance of the purposes of the Act; and,

WHEREAS, the City of New Haven (the "City") considers any level of unemployment to be unreasonable, and considers any obsolete residential, industrial, commercial, and manufacturing facilities unacceptable, and continually seeks innovative approaches to attracting new jobs to the City, constructing and holding residential, non-residential, industrial, commercial, and manufacturing facilities, and eliminating vacant facilities which are a blighting influence on the City; and,

WHEREAS, the City finds such conditions to exist and to be ongoing and that the ordinary operations of private enterprise cannot deal effectively with these problems without the powers provided under the Act; and,

WHEREAS, the exercise of the powers conferred upon the City by the Act are critical to revitalizing the City; and,

WHEREAS, it is in the interest of the City to implement the provisions of the Act as soon as possible in order to take advantage of the provisions of the Act; and,

WHEREAS, it is in the public interest that the resolution required under the provisions of the Act as a condition precedent to the exercise of the powers conferred by the Act be submitted to the electors of this City at the next regular municipal election; and,

WHEREAS, the Notice Requirements have been duly satisfied and, pursuant thereto, the City's Development Commission has held a public hearing concerning this proposed resolution seeking to confer upon the City the powers provided by the Act, and the Development Commission has made available to the Board of Alders its report pertaining to the findings and determinations arising therefrom; and,

WHEREAS, members of the Board of Alders are generally familiar with studies and documents that have been prepared previously relating to the housing and unemployment problems within the City, the obsolescence of many of New Haven's residential, commercial, industrial and manufacturing facilities; and,

WHEREAS, members of the Board of Alders have general knowledge of the conditions within the City relating to the rate of unemployment, the obsolescence of many of New Haven's residential, commercial, industrial and manufacturing facilities and the need for the City to retain and attract new

residential, commercial, industrial and manufacturing facilities; and,

WHEREAS, the Board of Alders is generally aware of the requirements imposed upon municipalities by the Act.

NOW THEREFORE, BE IT HEREBY RESOLVED:

1. that the Board of Alders of the City makes the following findings and legislative determinations:
 - a) that conditions substantially as described in C.G.S. Section 7-481 exist in the City, are continuing and may be ameliorated by the exercise of the powers granted under the Act;
 - b) that it is unreasonable that any number of residents of the City are subject to hardship in finding employment and adequate, safe and sanitary housing; and that such conditions exist and persist within the City;
 - c) that conditions of blight in the City should be addressed, and that an unreasonable number of the existing residential units and industrial, commercial and manufacturing facilities within the City are obsolete, inefficient or dilapidated, and that the existence of such structures create conditions of deterioration and blight in the City;
 - d) that there exists within the City a critical shortage of adequate housing which is the result of declines in new housing starts and existence of a large number of substandard, unsafe and unsanitary dwellings and that an unreasonable number of residents of the municipality are subject to hardship in finding adequate, safe and sanitary housing;
 - e) that there exists within the City an unreasonable number of abandoned residential, non-residential, commercial, industrial, and manufacturing facilities;
 - f) that private enterprise, using ordinary methods, is not meeting the needs of the City in the areas of housing, employment and the reduction of deterioration and blight;
 - g) that the need for employment and adequate, safe and sanitary housing will be lessened

and the City will be revitalized by exercising the powers granted under the Act.

2. that the Board of Alders sets the following standards for the implementation of the powers granted under the Act and declares that no action will be taken by the City under the powers conferred by the Act unless the following conditions have been met:
 - a) adequate provisions have been made for the payment of the cost of acquisition, construction, operation, maintenance and insurance of all development property, as the same as defined under the Act;
 - b) a feasible method exists and will be utilized for the relocation into safe and sanitary dwellings of comparable rent of families and individuals displaced as a consequence of the exercise of any power granted under the Act, and such families and individuals shall not suffer disproportionate injuries as a result of the actions authorized by the Act for the public benefit;
 - c) no development property will be acquired or disposed of without due consideration of the environmental and economic impact of such acquisition or disposition and the adequacy of existing or proposed municipal services; and
 - d) the acquisition or disposition of all development property shall advance the public interest, general health, safety and welfare, and development growth and prosperity of the City.
3. that anything contained in this Resolution to the contrary notwithstanding, it is the intention of this Board of Alders that by adopting this Resolution it is conferring upon the City, subject to approval of a majority of the persons voting on this Resolution at the next regular municipal election, all of the powers, rights and obligations conferred upon municipalities under the provisions of the Act, and that upon approval of this Resolution by a majority of persons voting on this Resolution as aforesaid, the City will have sufficiently complied with the Act so as to be able to exercise all of the powers conferred upon municipalities under the Act in accordance with the Act.

BE IT FURTHER RESOLVED that the Mayor, City/Town Clerk of the City of New Haven, and the Registrar of Voters are hereby authorized to take any and all steps necessary to place this Resolution

on the ballot at the next regular municipal election held subsequent to the adoption of this Resolution in accordance with the provisions of the Act and Section 9-369a of the Connecticut General Statutes, Revision of 1958, as amended, including but not limited to warning electors, preparing ballot labels, holding the referendum and canvassing the vote on this Resolution.

BE IT FURTHER RESOLVED that in accordance with Section 9-369a of the Connecticut General Statutes, the question will read as follows:

“Shall the City of New Haven, as authorized by the Board of Alders, continue to undertake programs and projects under the City and Town Development Act, Chapter 114 of the Connecticut General Statutes Section 7-480 et. seq. of the Connecticut General Statutes?”

BE IT FURTHER RESOLVED that this Resolution shall become effective upon its approval by a majority of persons voting on this Resolution at the next regular municipal election held subsequent to the adoption of this Resolution by this Board and shall remain effective for a period of five (5) years.