

**RESOLUTION APPROVING A LEASE AGREEMENT AND OPTION TO PURCHASE
BY AND BETWEEN THE CITY OF STAMFORD
AND THE CENTER MANAGEMENT GROUP, LLC
FOR PROPERTY LOCATED AT
88 ROCK RIMMON ROAD AND 614 SCOFIELDTOWN ROAD,
STAMFORD, CONNECTICUT**

WHEREAS, Sections 9-6 and 9-7 C. of the Code of Ordinances of the City of Stamford (the Code; the City) authorize the Mayor to negotiate the sale or lease of city-owned real property pursuant to such terms and conditions deemed to be in the City's best interest, as approved by the its Planning Board, Board of Finance and Board of Representatives, in that sequence; and,

WHEREAS, Sections 9-6 and 9-7.2 of the Code require that the approval of the Board of Representatives be by resolution; and,

WHEREAS, the City is the fee simple owner of property located at 88 Rock Rimmon Road on which it operates a Skilled Nursing Facility (a "SNF") known as The Smith House and of property located at 614 Scofieldtown Road, currently leased to Charter Oak Communities (d/b/a The Stamford Housing Authority); and

WHEREAS, the City filed a Letter of Intent ("LOI") on October 20, 2015 with the Department of Social Services of the State of Connecticut ("DSS") requesting an application for a Certificate of Need ("CON") in order to obtain permission from the State of Connecticut to close The Smith House; and

WHEREAS, Center Management Group (CMG) owns and operates SNFs and, upon learning that the City had filed a LOI with DSS, contacted the City and, on October 28, 2015, sent the City a letter of intent for the acquisition of The Smith House; and

WHEREAS, the City believes that, so long as it has no further financial responsibility for the continued operation of The Smith House, it is in the best interests of the residents of the City for The Smith House to continue to operate as a SNF under

the auspices of another operator; and

WHEREAS, CMG is committed to using the property for a public purpose for a minimum period of 50 years and, in particular, to operating The Smith House as a SNF for a minimum period of 15 years; and

WHEREAS, in recognition that CMG will be acting in the City's best interests, the City and CMG will enter into a lease with a term of ninety-five (95) years which includes an option to acquire the property located at 88 Rock Rimmon Road and 614 Scofieldtown Road; and

WHEREAS, the Planning Board and the Board of Finance have previously approved the Lease, including the option, as required by Code Sections 9-6 and 9-7.2; and

WHEREAS, a public hearing has been conducted, as required by Code Sections 9-6 and 9-7.2; and,

WHEREAS, it is in the best interest of the City to enter into the Lease, including the option, with CMG;

NOW THEREFORE BE IT RESOLVED BY THE 29TH BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD THAT:

Pursuant to Section C1-50-3 of the Stamford Charter and Sections 9-6 and 9-7.2 of the Code of Ordinances of the City of Stamford, the Lease, including the option, between the City of Stamford and Center Management Group, LLC for the property located at 88 Rock Rimmon Road and 614 Scofieldtown Road, Stamford, CT is hereby approved, all as set forth in the Lease for said premises, annexed hereto and made a part hereof; and

The Mayor of the City of Stamford is hereby authorized and empowered to act for and on behalf of the City of Stamford, to execute and deliver all documents necessary in connection with the execution of such Lease.

This resolution shall be effective as of the date of approval.

Attest:

Eileen Heaphy, Chair, Legislative & Rules Committee
Annie M. Summerville, Clerk, 29th Board of Representatives