

Memorandum

Date: 6/29/2022
To: Dr. Tracey, Finance and Operations Committee, and Members of the Board of Education
From: Thomas Lamb, Chief Operating Officer
RE: Corporation Counsel Duties to NHPS and Allocation of Time

I have asked Corporation Counsel to provide a description of all the work performed for the Board of Education under the MOU between BOE and Corporation Counsel.

Work for BOE includes:

Contract work, including drafting agreements and amendments with outside vendors, negotiation of modifications, and interpretation of terms as issues arise. Current Contract as of the start of the new fiscal year we be 100+ agreements to draft and finalize.

- Attend BOE meetings
- Attend F&O Committee meetings
- Attend Citywide School Building and Stewardship Committee meetings
- Attend Transportation Working Group meetings
- Attend other BOE and related committee meetings as needed
- Meeting preparation, including review of agendas for FOIA compliance and attorney-client privilege issues
- Representation of BOE at state administrative hearings (FOIC, Department of Education)
- Representation of BOE in connection with federal and state investigations
- Responding to subpoenas and related court appearances, including criminal investigations, civil subpoenas, and administrative subpoenas
- Responses to FOIA requests, including review and acknowledgement of requests, evaluation of exemptions, and review of records prior to disclosure
- HR and labor relations consultations
- Ongoing consultations with outside counsel regarding pending litigation matters
- Day-to-day engagement with BOE staff
- Coordination with other City departments regarding BOE matters

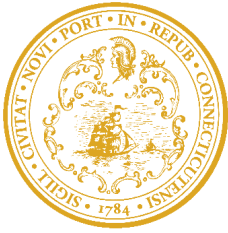
Thomas Lamb
Chief Operating Officer



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Average weekly time allocation is:

20+ Hours	Contracts / Agreements
10 Hours	Meetings and meeting prep, including BOE, F&O, CSBSC
5 hours	Other meetings and consultations with board members and staff
3 Hours	FOIA and subpoena response.
2 Hours	Misc. Work



City of New Haven
Office Of Management and Budget
Justin M. Elicker, Mayor
Michael Gormany, City Budget Director

TO: New Haven Board of Education Finance and Operations Committee

FROM: Dr. Iline Tracey, Superintendent
Patricia King, City Corporation Counsel
Michael Gormany, City Budget Director/ Acting Controller

DATE: Thursday, June 16, 2022

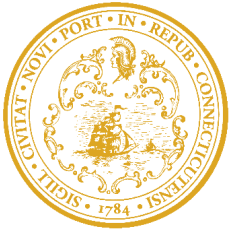
RE: *Approval of MOU between the City of New Haven and Board of Education regarding salary reimbursement for Assistant Corporation Counsel position*

Executive Summary: Approval is requested to enter an MOU by and between the City of New Haven and Board of Education regarding for the funding of Assistant Corporation Counsel for legal representation of the Board of Education. The purpose of this MOU is to memorialize the parties' respective rights and obligations concerning the contribution of the BOE towards the salary of one Assistant Corporation.

The funding for both positions will be designated from:

Contract or Agreement #: TBD

Funding Source & Account #: 19047700-56696 \$84,036 (Legal Services)



City of New Haven
Office Of Management and Budget
Justin M. Elicker, Mayor
Michael Gormany, City Budget Director

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "MOU"), effective as of July 1, 2022 (the "Effective Date"), is entered into between the City of New Haven, acting by Patricia King, City Corporation Counsel, duly authorized (hereafter "the City"), and the New Haven Board of Education (hereafter "BOE"), acting by Dr. Ilene Tracey, Superintendent, its duly authorized representative.

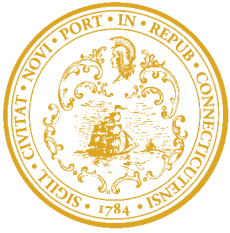
The purpose of this MOU is to memorialize the parties' respective rights and obligations concerning the contribution of the BOE towards the salary of one Assistant Corporation Counsel in the Office of the Corporation Counsel designated to work primarily on legal matters for the BOE.

WHEREAS, since FY 2019-2020, the BOE began contributing a prorated amount from its outside counsel budget towards the salary of an Assistant Corporation Counsel hired in October 2019 by the Office of Corporation Counsel to be assigned to work primarily on legal matters for the BOE; and

WHEREAS, the Corporation Counsel budget for FY 2022-2023 reflected a total allocation of \$84,036 from the BOE towards the salary of one Assistant Corporation Counsel to be assigned to work primarily on legal matters for the BOE; and

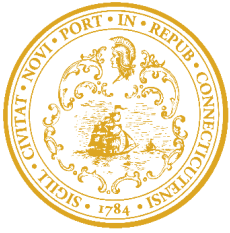
NOW THEREFORE, the City and the BOE wish to memorialize their agreement in writing and hereby agree as follows.

1. For purposes of this MOU, the BOE ratifies the transfer of Eighty-Four Thousand, Thirty-Six Dollars and Zero Cents (\$84,036) to the City of New Haven from budget allocations of Eighty-Four Thousand, Thirty-Six Dollars and Zero Cents (\$84,036) from the BOE outside counsel budget.
 - a. This MOU may be renewed on an annual basis for subsequent fiscal years between the Superintendent and Corporation Counsel of at least Eighty-Four Thousand, Thirty-Six Dollars and Zero Cents (\$84,036) towards the position.
 - b. Upon renewal of this MOU, the amount of the contribution in future fiscal years shall increase by:
 - i. any bargaining unit contractual salary increases by Corporation Counsel for the position of Assistant Corporation Counsel
2. The parties agree that the Assistant Corporation Counsel assigned to the BOE shall always remain for supervisory and administrative purposes under the Office of Corporation Counsel.



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3. Should a conflict arise between the City and the BOE in connection with the work of the Assistant Corporation Counsel assigned to the BOE, the parties agree to work together to resolve the any conflict.
4. Either party may terminate this MOU, with or without cause, on sixty (60) days prior written notice.
5. Any notices required or permitted by this MOU or by the parties' relationship shall be given in writing, or by electronic mail or facsimile addressed to:
 - a. The Corporation Counsel for the City of New Haven, 165 Church St. New Haven, CT 06510; or at such other address as the City shall designate in writing.
 - b. Superintendent, New Haven Board of Education, 54 Meadow Street, New Haven; or at such other address as the BOE shall designate in writing.



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This MOU constitutes the entire understanding between the City and the BOE with respect to the subject matter hereof and merges all prior and contemporaneous communications, written and oral. This MOU shall not be modified except by a written instrument signed by both parties.

CITY OF NEW HAVEN

BY: _____

Patricia King
Corporation Counsel, City of New Haven
Duly Authorized

BOARD OF EDUCATION

BY: _____

Dr. Ilene Tracey,
Superintendent of New Haven Public Schools
Duly Authorized