To allow public access, anyone may access a meeting by telephone, Zoom, and/or the City of Norwalk YouTube channel. Specific instructions and links can be found at www.norwalkct.org/meetings.

Members of the public can call in and listen to a meeting. They will not be able to speak or see any of the meeting participants. Each meeting will use a unique Meeting/Webinar ID. Please find the information using the link above.

Members of the public who wish to provide "live comments" will need to register in advance and use the Zoom meeting platform. All participants will be muted upon entering the meeting. To speak, click the "raise your hand indicator" and you will called on by the host of the meeting during the public comment section. Please find the information using the link above.

Members of the public who wish to view the meeting, but are not participating, can view a live stream on the City of Norwalk YouTube channel. This stream is delayed by approximately 20 seconds. Please find the information using the link above. The meeting recording and minutes will be posted on the City of Norwalk website within seven (7) days after the meeting.

Members of the public who wish to provide public comment are encouraged to submit those via email in advance of the meeting. For these comments to be read into the record, they should be submitted at least three hours in advance of the meeting start time. Please email Brian Candela at bcandela@norwalkct.org to provide written public comment prior to the meeting.

COMMON COUNCIL ORDINANCE COMMITTEE
REGULAR MEETING

May 19, 2020
7:00 p.m. – By videoconference and Teleconference

AGENDA

1. **ROLL CALL:**

2. **PUBLIC HEARING (possible action on):**

3. **PUBLIC HEARING DISCUSSION:**

4. **PUBLIC COMMENT:**

5. **ACCEPTANCE OF MINUTES:**

- April 14, 2020 – special meeting of the ordinance committee

6. **OLD BUSINESS:**

- Discuss and vote on Code of Ethics Section 32-12 – Board of Ethics.

7. **NEW BUSINESS:**

- Discuss and vote on Norwalk Facilities Construction Commission: Sections 30-15 through 30-17.
- Discuss and vote on Enterprise Zone: Chapter 36.

8. **DISCUSSION ITEM:**

9. **ADJOURNMENT:**

Draft Meeting Minutes from the 4/14/2020 Ordinance Committee Special Meeting

CITY OF NORWALK
ORDINANCE COMMITTEE
SPECIAL MEETING AND PUBLIC HEARING
APRIL 14, 2020
VIA ZOOM

ATTENDANCE: Lisa Shanahan, Chair; David Heuvelman, Dominique Johnson, Thomas Keegan, Manny Langella, Tom Livingston, Kadeem Roberts

STAFF: Brian Candela, Corporation Counsel; Nick Roberts, Parks and Recreation; Anthony Carr, Chief of Operations and Public Works; Jessica Paladino, Waste Programs Manager; Loise King

OTHERS: Greg Burnett, Common Counsel

ROLL CALL

Ms. Shanahan called the meeting to order at 6:32 p.m. A quorum was present. Ms. Shanahan read the Executive Order of Governor Lamont regarding virtual meetings.

PUBLIC HEARING (possible action on)

- Discuss and vote on ordinance name change to Chapter 94 of the City Code;
- Discuss and vote on Section 94-18: Disposal pass for residents and real property owners who pay vehicle tax to Norwalk;
- Discuss and vote on Section 94-19: Admission for residents and real property owners who do not pay vehicle tax to Norwalk;
- Discuss and vote on Section 94-20: Passes and permits;
- Discuss and vote on Section 94-21: Admission for non-residents and non-permit holders;

Attorney Candela mentioned Chapter 94 is a Name Change. There is no emails or public comment. There were some additions to the wording to make the ordinace easier to read and understand.

**** MR. HEUVELMAN MADE A MOTION TO TAKE THIS TO THE COMMON COUNSEL FOR REVIEW AND CONSIDERATION, AS AMENDED.**
**** THE MOTION PASSED UNANIMIOUSLY.**

- Discuss and vote on ordinance name change to Chapter 74, Article 1 of the City Code;
- Discuss and vote on Section 74-1: Free admission for residents and real property owners who pay vehicle tax to Norwalk;
- Discuss and vote on Section 74-2: Admission for residents and real property owners who do not pay vehicle tax to Norwalk;
- Discuss and vote on Section 74-3: Season sticker for residents and property owners of certain towns;
- Discuss and vote on Section 74-4: Parking fees;
- Discuss and vote on Section 74-5: Waterfront parking;

Attorney Candela read the following emails from Carol Salvato into record:

I would like to advocate that non residents who own and pay taxes on Norwalk properties be given a resident beach pass as has always been up to now with no fee attached.

I own 2 middle class properties now in Norwalk and have paid taxes for 60 + years

on properties to Norwalk that supported the infrastructure, common good and beach and parks. I use the resident pass to attend concerts and non profit events with friends and my Norwalk family members. I was born and educated in Norwalk .

Moved to Wilton 52 years ago because of growing family and could not afford Norwalk properties . The price structure of the 2 towns has since reversed.

The recommended rate schedule from Parks and Recreation would have me pay $325

To attend these concerts, etc.

My deceased husband and I both had our business in Norwalk and volunteered innumerable hours at non profit events for many, many years as can be attested to by Mayor Harry Rilling.

I am well into my senior years and am saddened to see that the town I have supported has little regard for my long time support. Especially since any non resident of Norwalk that works for the city can have a resident pass for $100.

Please keep the system in place for non resident property tax payers to receive

A resident pass at no cost. How many of us can there be?

City employees are paid wages and as part of their job description to act as first responders. They pay no money to support the city. They can get a pass for $100 and I a taxpayer for 60 + years have to pay $325. Most people don't know about the proposed fees. I speak and know many citizens of Norwalk through my various endeavors.
I relate to them the situation I am faced with and how non resident city employees are favored over me a taxpayer. They are incredulous.
These rates were published in the Norwalk Hour once to my knowledge and I have not seen them published anywhere else. Many people do not get the local paper
and do not know the rates are being raised on parks etc. They don't know how to access city government in any way.

All of these past years I have received a resident pass at no cost. Now I am told that the beach is free but the $325 is for parking. How can I access the beach without parking .
Attorney Brian Candela is being cc'd on this thread and I wish this to be read into the public record. All the information is on this email.
I cannot attend the meeting and am not good with technology so this is the information I want read into the record.

There were a few minor changes to make it easier to understand.

**** MR. LIVINGSTON MADE A MOTION TO TAKE THIS TO THE COMMON COUNSEL FOR REVIEW AND CONSIDERATION, AS AMENDED.**
**** THE MOTION PASSED UNANIMIOUSLY.**

- Discuss and vote on Section 95-38: Policy and considerations; and
- Discuss and vote on Section 95-39: Procedure

Attorney Candela read the following email from Richard Bonenfant into record:

Dear Ordinance Committee and Council Members,

I would request that you make no changes to Chapter 95 regarding the criteria for a commemorative naming of a street, specifically altering the requirement that if named after a deceased person, a period of one year must pass before a street or roadway can be named after the individual.

At the last Ordinance meeting some of you remarked it was a loophole or an inconsistency that a living individual could have a street named in their honor, but a naming after a deceased individual had a period of a year before the designation could occur.

This wasn't an oversight when the Ordinance was written, it was by design and agreed to by all members of the Common Council in a bipartisan effort. The general agreement was that a street naming should not be based on emotion after someone passed, but rather established on merit after the community's sorrow had subsided.

Conversely, the naming after a living person was also the subject of much discussion and it was understood that if a person had served with distinction in the community and they were of little threat to subsequently embarrass the City, then it would be a meaningful gesture to let them enjoy the honor and commemoration. This wasn't about emotion but rather a way to express appreciation for all the contributions and dedication the person gave to society.

Please don't move the goalposts to make it easier to name a street or roadway by changing the Ordinance for one individual. All this will do is create a large number of requests from family and friends to honor individuals immediately after their death.

Thank You,

There were no changes to language.

**** MR. HEUVELMAN MADE A MOTION TO TAKE THIS TO THE COMMON COUNSEL FOR REVIEW AND CONSIDERATION.**
**** MOTION PASSED UNANIMIOUSLY.**

PUBLIC HEARING DISCUSSION

There was discussion on Section 94 to explain the process and the difference between the passes and permits.

PUBLIC COMMENT

Attorney Candela read the below e-mail from Diane Lauricella, into record.

Brian I could not register to take part because Zoom I'd number was not a hyperlink and could not be copied because Agenda was a pdf and I do not own Word conversion software.

Please include the following comments for the record:

Lisa Shanahan

Chair, Ordinance Committee

Council Members and Staff

I hope this email finds you and your families safe and well. Thank you for your work and dedication during this stressful time.

I noted in the Agenda that the discussion item about the Facilities construction Committee includes the possibility of a vote.

I ask that you consider not abolishing this Committee and instead consider holding meetings on a different day of the month so that fuller detailed discussions can occur related to a harmonization of across-the-board standards for renewable energy implementation, energy efficiency and employment of green Infrastructure in every building and renovation projects.

In addition, I ask that before voting about whether to abolish the NFCC, please speak to former Mayor Alex Knopp. He created this Committee in order to relieve the Council of detail study and review of construction plans utilizing community construction professionals in addition to Council and staff.

If the current Committee has become burdensome, consider a different structure, format and meeting date so that additional attention can be paid to the things I mention in the previous paragraph as well as a fresh approach for public buildings design, renovation and construction.

Sincerely,

Diane Lauricella

203-858-1537

ACCEPTANCE OF MINUTES

February 18, 2020 – Ordinance Committee Meeting

Page 1 – Change "Todd" to "Tom"
Page 1 – Change "Melendez" to "Shanahan"
Page 1 – Luriichella spelt wrong
Page 3 – Add a $ sign in front of 10,000

**** MR. LIVINGSTON MOVED TO ACCEPT THE MINUTES AS AMENDED.**
**** THE MOTION PASSED UNANIMIOUSLY.**

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

DISCUSSION ITEM

Mr. Livingston discussed the Norwalk Construction Commission: Sections 30-15 through 30-17. He just wanted to get it on the radar of the committee members. This committee is just another

level of beuracracy. It is hard to pass through. He also mentioned it is not effective. He asked if the committee should be dropped. This topic will be discussed at the next meeting.

ADJOURNMENT

**** MS. JOHNSON MOVED TO ADJOURN.**
**** MR. KEEGAN SECONDED THE MOTION.**
**** THE MOTION TO ADJOURN PASSED UNANIMOUSLY.**

The meeting adjourned at 7:17 p.m.

Respectfully submitted,
Raeann Bromark
Telesco Secretarial Services

DRAFT

Code of Ethics

Section 32-12: Board of Ethics

Chapter 32. Code of Ethics

§ 32-12. Board of Ethics.

A. Appointment of members. The Board of Ethics shall be comprised of five full members and two alternate members, each of whom shall be electors of the City of Norwalk. No more than two of the members of the Board and one of the alternates shall be registered members of the same political party, and no member of the Board of Ethics shall be an ~~employee~~Employee or ~~officer~~Officer of the City. Except for the original appointments, replacement members shall be appointed each year after the effective date of the enactment of this chapter to serve for terms of three years. At the origination of the Board of Ethics after the first effective date of this amendment to Chapter **32**, the Common Council shall appoint: two members and one alternate for three-year terms, two members for two-year terms and one member and one alternate for one-year terms. All council appointments to the Board of Ethics shall require the affirmative vote of 11 members of the Common Council.[KM1]

B. Organization. The Board of Ethics shall elect a Chairperson. The Board shall keep minutes of its meetings, which shall be filed in the office of the City Clerk, and the Board shall hold meetings at the call of one member of the Board and at such times as a majority of the Board may determine. Four members present, including sitting alternates, shall constitute a quorum in order for the Board of Ethics to conduct official business. An alternate serving in place of an absent member of the Board shall have all of the powers and responsibilities as a full member during the meeting at which such alternate member shall sit.

C. Powers and duties. The powers and duties of the Board of Ethics shall include rendering advisory opinions, investigation of complaints, hearings on complaints, notification ~~of~~ to the Mayor, City Clerk, Corporation Counsel and any other public Officer as it deems appropriate of its memorandum of decision on any complaint, annual reports to the Mayor, Common Council, and Corporation Counsel on its activities and recommendations, and annual educational programs on the Code of Ethics for municipal Officers, Employees, and agencies ~~on the Code of Ethics~~. [KM2] Further, the Board of Ethics shall promote a public culture and operating environment of high ethical standards throughout the City of Norwalk, by educating, ~~education, and~~ informing and encouraging City officials, Employees, residents and vendors of the City of Norwalk to become aware of the Code of Ethics~~, and~~ to ensure that their public actions and activities are in compliance with the Norwalk Code of Ethics. ~~and high ethical standards~~.[KM3]

~~Further, the Board of Ethics shall promote a public culture and operating environment of high ethical standards throughout the City of Norwalk, by education, and informing and encouraging City officials, Employees, residents and vendors of the City of Norwalk to become aware of the Code of Ethics, and to ensure that their public actions and activities are in compliance with the Norwalk Code of Ethics. and high ethical standards.~~[KM4]

(1) Advisory opinions. The Board, when requested to do so in writing by any ~~officer~~Officer, ~~employee~~Employee, ~~a~~Agency, ~~or member of the public,~~ or upon its own motion, may render advisory opinions concerning ~~officer~~Officers and ~~employee~~Employees and other issues with respect to this Code of Ethics. Such an advisory opinion shall be binding on the Board, until amended or revoked, and reliance on a controlling advisory opinion in good faith is an absolute defense in any action or proceedings brought under the provisions of this Code of Ethics. Within 120 days of valid receipt of such a request, the Board shall render its advisory opinion or its decision not to consider such request, and shall file such opinion or decision ~~The Board shall file said advisory opinion~~ with the office of the City Clerk, and such ~~advisory~~ opinion or decision shall be available to the public. The ~~advisory~~ opinion or decision so filed may contain such deletions as may be necessary to prevent disclosure of the identity of the ~~officer~~Officer or ~~employee~~Employee involved, if agreed to by both the ~~i~~Individual involved and the Board.

(2) Probable cause hearings and subsequent procedures.

(a) Filing of the complaint; notification and amendment.

Any Person, including a member of the Board of Ethics, may submit a written complaint, in a form prescribed by the Board of Ethics and signed under penalty of false statement, alleging a violation of this Code of Ethics by an Officer or Employee or an Individual who was an Officer or Employee within the preceding year. The complaint shall contain the specific act or acts which allegedly constitute the violation.

(b) Review of complaint

Upon receipt of a complaint, the Board of Ethics shall review the complaint and determine whether it warrants acceptance. If the Board of Ethics determines that acceptance is not warranted by a majority of the members present at the meeting, then it shall notify the complainant that it has refused to accept the complaint without establishing an Investigating Panel. If the Board of Ethics refuses to accept a complaint, it shall issue a written explanation of the reasons for such rejection.

The Board of Ethics may refuse to accept a complaint. The conduct which the Board of Ethics relies on to make such a decision shall include, but not be limited to: (a) the number of complaints filed and the total number of pending complaints by the Complainant; (b) the scope of the complaint; (c) the nature, content, language or subject matter of the complaint; (d) the nature, content, language or subject matter of other oral and written communications to the Board of Ethics from the complainant; and (e) a pattern of conduct that amounts to an abuse of the ethics complaint process or an interference with the operations of the Board of Ethics.

Upon the rejection of a complaint, if the Board of Ethics makes a finding that the complaint was vexatious and brought in bad faith it may provide appropriate relief commensurate with the conduct, including but not limited to, an order that the Board of Ethics need not accept future complaints from the filer for a specified period of time.

(c) Appointment of Investigating Panel

Upon receipt of said complaint by the Board of Ethics members and subject to 32-12(e)(1)(a), an Investigating Panel will be appointed within 21 days after the next regularly

scheduled Board of Ethics meeting. The members of the Investigating Panel shall not be Officers or Employees from the Agency at which the Individual(s) alleged to be involved in the facts of the complaint currently serves or formerly served within one year as Officers or Employees. The Investigating Panel members may delete, defer or reject any part of a complaint that does not conform to the requirements specified by the Board of Ethics. If any member of the Board of Ethics initiates or is involved in a complaint, he or she will recuse himself or herself from the Board of Ethics for the purposes of that complaint, including the appointment of the Investigating Panel and any Hearing Board, and an alternate of the Board shall serve in his or her place as to all further proceedings on that complaint.

(3) Investigation of Complaint, Notification of Parties, Investigating Panel

(a) Notification of Parties. The Board of Ethics shall notify, by registered or certified mail, or by personal service by ~~a State~~a State Marshal ~~sheriff~~, constable or indifferent ~~p~~Person, any Respondent(s) ~~respondent~~ against whom a complaint is filed not later than 10 business days after the Investigating Panel ~~investigating panel~~is formed. A copy of such complaint, the name of the Complainant(s) ~~complainant(s)~~ and any subsequent changes to the complaint shall accompany such notice. The Board shall also notify the ~~c~~Complainant in writing of its receipt of such complaint not later than 10 business days after the Investigating Panel ~~investigating panel~~ is formed.

(b) Expansion of Complaint by Investigating Panel. Subsequent to the filing of the original complaint, the Investigating Panel ~~investigating panel~~or the Board of Ethics may, at its discretion, ~~supplement~~ expand any complaint filed with the Board of Ethics to include other violations which it reasonably suspects to have occurred, based on allegations in the original complaint. Any such ~~supplementation~~ expansion shall be in writing, and a copy shall be sent by registered or certified mail, or by personal service by a State Marshal ~~sheriff~~, constable or indifferent ~~p~~Person to the ~~respondent~~ Respondent(s) and Complainant(s) ~~complainant~~ within seven days of such amendment.

(4) Investigation of Probable Cause; Confidentiality of Initial Proceedings.

The Investigating Panel members shall investigate the complaint and any expansion thereto. For this purpose, hearings and meetings may be held to determine whether or not there is Probable Cause to believe that the respondent has violated the Code of Ethics. Any investigation and Probable Cause hearing, if held, shall be confidential and shall not be open to the public unless the Respondent requests that such investigation and hearing be open. Request by the Respondent for a public hearing shall waive the confidentiality requirement of the investigation and hearing. Pending the outcome of the Probable Cause hearing, no member of the Board of Ethics or Investigating Panel shall disclose his or her knowledge of the Probable Cause investigation to a third party. By filing a complaint with the Board of Ethics, the Complainant shall be bound by the requirement of confidentiality. A violation of the requirement of confidentiality by the Complainant, whether direct or indirect, shall be grounds, at the discretion of the Board of Ethics, to dismiss the complaint and may be grounds to ban the Complainant from filing complaints in the future. The Respondent shall have the right to appear and be heard and to offer any information by way of answer or denial of the allegations. The Respondent may be represented by counsel of his or her choice in the Probable Cause hearings before the Investigating Panel. The Investigating Panel may,

in its discretion, hear testimony or take written statements from the Complainant and any other witnesses it deems necessary to its investigation. The Investigating Panel may retain counsel or investigators to assist it in the Probable Cause hearing process.

(a) Determination ~~Finding~~ of Probable Cause, Written Report, Hearing ~~Before~~ Board
A decision regarding Probable Cause shall be made by the Investigating Panel within 60 days after the date that the Board of Ethics served notice of the formation of the Investigating Panel to the Respondent and Complainant.

(i) Finding of No Probable Cause before an ethics hearing board. If the Investigating Panel fails to determine that there is Probable Cause that the Respondent has violated the Code of Ethics, the Investigating Panel shall dismiss the complaint for the Board of Ethics and shall report such dismissal to the Board of Ethics, and copy of the report of dismissal shall be sent by registered or certified mail or by personal service by a State Marshal , constable or indifferent Person to the Respondent and Complainant within seven days of its receipt by the Ethics Board. ~~A decision regarding probable cause shall be made by the Investigating Panel investigating panelwithin 60 days after the date that the Board of Ethics served notice of the formation of the Investigating Panel investigating panelto the Respondent respondent and Complainant complainant.~~

Finding of Probable Cause. A finding that ~~p~~Probable ~~c~~Cause to believe that the Respondent ~~respondent~~ has violated the Code of Ethics exists shall require two concurring votes from the members of the Investigating Panel ~~investigating panel~~.

(ii) Written Report of Investigating Panel; Public Hearing Before Hearing Board. If the Investigating Panel determines that there is ~~p~~Probable ~~c~~Cause that the Respondent ~~respondent~~ has violated the Code of Ethics, it shall submit a written report to the Board of Ethics stating the basis for the finding of ~~p~~Probable ~~c~~Cause. Upon receipt of the report of the Investigating Panel ~~finding probable cause~~, the Board of Ethics shall appoint a Hearing Board , which shall initiate a public hearing process within 30 days, to determine whether the Respondent(s) ~~respondent(s)~~ committed a violation of the Code of Ethics. In any public hearing held to determine a violation of the Code of Ethics, the Investigating Panel members shall have the responsibility of gathering and presenting evidence to the Hearing Board-.[KM5]

~~(3) Finding of No Probable Cause. If the Investigating Panel fails to determine that there is probable cause that the Respondent has violated the Code of Ethics, the Investigating Panel shall dismiss the complaint for the Board of Ethics and shall report such dismissal to the Board of Ethics, and copy of the report of dismissal shall be sent by registered or certified mail or by personal service by aState Marshal , constable or indifferent person to the Respondent and Complainant within seven days of its receipt by the Ethics Board.~~

(5) Report to the Hearing Board; Hearings; Extensions of Time[KM6]

(a) Notice of Probable Cause Finding to Complainant and Respondent. The ~~hearing board~~Hearing Board~~-~~ shall give notice of any report of ~~p~~Probable ~~c~~Cause made by the Investigating Panel ~~investigating panel~~in writing, and a copy of the report shall be sent by registered or certified mail or by personal service by a ~~sheriff~~State Marshal, constable or indifferent ~~p~~Person to the Respondent ~~respondent~~ and Complainant ~~complainant~~ within 10 business days of its receipt by the ~~hearing board~~Hearing Board~~-~~.

(b) Hearings. The ~~hearing board~~Hearing Board~~-~~shall hold hearings in accordance with its regulations and procedures adopted under this Ethics Code and shall call such witnesses and admit such evidence as the ~~hearing board~~Hearing Board~~-~~determines to be appropriate. The ~~investigating panel~~Investigating Panel and the Respondent ~~respondent~~ shall each have the right to present evidence and witnesses subject to the rules and regulations adopted by the Board of Ethics under this Ethics Code.[KM7]

(c) Evidence; Burden of Proof. The ~~hearing board~~Hearing Board ~~-~~shall determine whether a violation of the Code of Ethics has been proven by ~~c~~Clear ~~a~~And ~~c~~Convincing ~~e~~Evidence. In conducting such hearings the Investigating Panel ~~investigating panel~~shall have the burden of proving the claim[KM8]. A finding of a violation of the Code of Ethics shall require the affirmative vote of two of the three ~~hearing board~~Hearing Board~~-~~ members that there is ~~c~~Clear ~~a~~And ~~c~~Convincing ~~e~~Evidence that the Respondent ~~respondent~~ has violated the Code of Ethics.

(d) Written Decision of the Hearing Board. Upon completion of the hearings before the ~~hearing board~~Hearing Board, the Complainant ~~complainant~~ and Respondent ~~respondent~~ shall be notified in writing of the decision of the ~~hearing board~~Hearing Board~~-~~ not later than ~~then~~ 10 business days after such decision has been made. Such notification shall be either by registered or certified mail, or personal service by a ~~-~~State Marshal ~~sheriff~~, constable or indifferent ~~p~~Person. If the ~~hearing board~~Hearing ~~Board determines~~Board determines a violation of the Code of Ethics has been proven by C~~c~~lear ~~a~~And ~~c~~Convincing ~~e~~Evidence, the ~~hearing board~~Hearing ~~Board shall~~Board shall state its findings of fact and conclusions of law in writing and shall specify the Code section violated. The ~~Hearing Board~~Hearing Board shall file its memorandum of decision with the Mayor, City Clerk, Corporation Counsel, and any other public ~~office~~Officer it deems appropriate and deliver it contemporaneously to the Complainant and Respondent.

(e) Extension of time.

(i) For good cause, the ~~hearing board~~Hearing Board~~-~~ may grant extensions of time ~~to any of the time limitations specified herein~~ upon an affirmative vote of a majority of the ~~hearing board~~Hearing Board. However, in no event shall the extension ~~total extended time period, i.e., the original time period plus the extension(s), exceed~~ double the original time. ~~periods prescribed by this chapter.~~

(ii) The ~~hearing board~~Hearing ~~Board shall~~Board shall give written notice of any extension(s) of time to the Respondent ~~respondent~~ and to ~~the Complainant~~the Complainant ~~complainant~~.

(iii) Notwithstanding the foregoing: No extensions of time may be given for time periods required for notification(s), and no extensions may be given for the time limitation for ruling on actions unless otherwise specified herein~~.~~

(6) Rules and procedure for public hearings.

(a) Public Hearings. Public hearings shall be conducted under the rules and regulations adopted by the Board of Ethics, which shall include the following: oral ~~or all~~ evidence shall be taken under oath; documentary evidence may be received in the form of copies or excerpts, if the original is not readily available; and upon request, parties and the ~~hearing board~~Hearing ~~Board shall~~Board shall be given the opportunity to compare the copy to the original.

(b) Rights of Investigating Panel and ~~Respondent~~ Respondent~~respondent~~. The Investigating Panel ~~investigating panel~~and Respondent ~~respondent~~ shall have the right in any such hearing before the ~~hearing board~~Hearing Board:[KM9]

(i) To be represented by counsel.

(ii) To present oral or written documentary evidence which is not irrelevant, immaterial or unduly repetitious.

(iii) To examine and cross-examine witnesses required for a full and true disclosure of the facts.

(c) Evidentiary rules. All decisions regarding the introduction and admissibility of evidence not previously ~~hereinbefore~~ specified and which is to be introduced or precluded, is to be determined by a majority of the ~~hearing board~~Hearing Board.

(d) Rules of Procedure. The Board of Ethics shall have the power to adopt and amend rules of procedure for hearings conducted pursuant to the Code of Ethics, provided such rules are approved by a majority vote of the entire Common Council, after publication of the text of the proposed rules of procedure or amendments thereto in a newspaper having a general circulation in the City. Any rules of procedure or amendments thereto shall become effective 30 days after adoption, and the full text of the rules for procedure, adopted in accordance with this section, shall be published and maintained as part of Chapter 32 of the Code of the City of Norwalk.[KM10]

(e) Due Process. All Board of Ethics hearings shall be conducted in such a manner as to provide the Complainant and Respondent(s) ~~respondent(s)~~ with all due process that is required by federal, state and local law.

(f) Recording and transcription of hearings. Upon the request of the Complainant complainant, the Respondent respondent, the Investigating Panel investigating panelor a member of the ethics hearing boardHearing Board, the ethics hearing boardHearing Board shall cause the hearings to be recorded and a transcription to be made thereof. If either the Respondent respondent or complainant Complainant requests a copy of the transcript, the requesting party shall bear the costs for the same.

(g) Witnesses; Issuance of Subpoenas. The hearing boardHearing Board may subpoena witnesses to testify and may compel production of documents and other effects as evidence, and such subpoena may be enforced as provided under Chapter 32 of the Code of the City of Norwalk and state law.

(h) Public's right of access. In order to insure the public's right of access to the proceedings held in accordance with the provisions of this chapter, the Board of Ethics in conducting hearings before the hearing boardHearing Board shall follow the requirements of the Connecticut Freedom of Information Act.[1]

(7) Stipulations of Parties and Settlement[KM11]
At any time after an ethics complaint has been made, the Board of Ethics or a duly constituted -may accept stipulated findings and/or a settlement from a Respondent.

D. Annual Report. On or before June 1 of each year, the Board of Ethics shall submit to the members of the Common Council, the Mayor, and the Corporation Counsel a written report, which shall include, but not be limited to, a summary of its activities and recommendations for improvements in the Code of Ethics.

E. Educational Programs and Materials
(1) The Board of Ethics shall hold or sponsor at least one educational program for the City and its employeeEmployees and , officerOfficers annuallyand agencies before March 31 of each year.

(2) The Board of Ethics may create and maintain a handbook, to which should be distributed, together with this chapter, to all officerOfficers and employeeEmployees. If created, a copy of the handbook shall be kept at the City Clerk's office and shall be available for inspection by the public.

Norwalk Facilities Construction Commission

Sections 30-15 through 30-17

CITY OF NORWALK
Alan Lo, Buildings and Facilities Manager
alo@norwalkct.org P: 203-854-7877
Norwalk City Hall
125 East Avenue, PO Box 5125
Norwalk, CT 06856-5125

TO : MEMBERS OF ORDINANCE COMMMITTEE

FROM: ALAN LO, BUILDINGS AND FACILITIES MANAGER

RE : ORDINANCE AMENDMENT – MAJOR CAPITAL CONSTRUCTION PROJECT OVERSIGHT

DATE: MAY 12, 2020

****

Prior to 1997, building maintenance and building capital improvements were decentralized and were performed by each individual city department and Norwalk Public Schools. As the City recognized the need to manage City's buildings as assets in a professional and efficient manner, the City consolidated building management services of various city buildings under a new Office of Building Management and retained a private building management company to manage these facilities. This new management structure created new responsibilities for the Land Use and Building Management Committee especially relating to the school construction projects. These new responsibilities included evaluation/selection of project consultants and oversight of construction implementation. As Land Use and Building Management Committee meetings went late into the nights, the need to create a separate entity to manage major construction projects became essential. In 2003, the City adopted a new ordinance – Chapter 30 - 15 which created the Norwalk Facilities Construction Commission (NFCC). This ordinance provided:

- the make-up of the NFCC consisting of the Mayor, one Council member from the majority party and one Council member from the minority party, member of Bd of Ed, PTO, BET and four members of the public who are knowledgeable of the construction industry;
- criteria for the creation of project specific Building Advisory Committee;
- a project requirement for minimum project cost of $250,000;
- the ability to forward recommendation directly to the Common Council for action, similar to a Council subcommittee;

- NFCC with responsibilities for construction implementation oversight, however, initial project funding request remains the responsibility of the individual department;
- NFCC with limited authority except the ability to approve change orders within limits as approved by the Council; and
- formal designation of NFCC as the standing "School Building Committee" as recognized by the State for school improvement projects.

Through the years, with the hiring of program management consulting firms when there was a significant project load, we were able to develop and improve our administrative process and became more efficient operationally without engaging NFCC in project management details. Furthermore, since there is only limited Council representation on the NFCC, it became apparent that all items must go through Land Use and Building Management Committee before being placed on the Council agenda. As the NFCC's roles diminished, its responsibilities became a duplication of that of Land Use and Building Management Committee. In light of the duplication and reduced interest of NFCC members, we believe it may be beneficial to amend the City Ordinance to replace NFCC with Land Use and Building Management Committee. This change will eliminate a redundant step in the process and achieve greater efficiency.

If the Ordinance Committee members have any questions prior to its meeting, please feel free to reach out to me via email. I am scheduled to participate in your upcoming meeting to address any questions you may have.

Thank you. Alan

Cc: Councilman Livingston, Chairman, LU&BM Committee

Sections 30-15 and 30-16 of the Code of the City of Norwalk are amended in their entirety to read as follows:

§ 30-15 Implementation and Oversight of Capital Building Projects~~Establishment of Norwalk Facilities Construction Commission~~.

~~There is established a Norwalk Facilities Construction Commission (NFCC)~~ The Land Use and Building Management Committee of the Common Council (the "Land Use Committee") shall have responsibility fore~~harged with~~ the implementation and oversight of capital building projects in Norwalk, as provided herein.

~~§ 30-15.1 Membership.~~

~~A. Members of the NFCC shall be appointed by the Mayor with the approval of the Common Council.~~

~~B. The NFCC shall consist of 11 members, as follows:~~

~~(1) The Mayor or his designee shall serve as chairman of the NFCC;~~
~~(2) Two members of the Common Council, one of whom shall be the Chairman of the Land Use and Building Management Committee of the Common Council and the other who shall be affiliated with a nonmajority political party or, if there is no such party represented on the Council, the second member may be any other Council member recommended by the Council;~~
~~(3) One member shall be the chairperson of the Board of Education's Permanent Education Specifications Committee or such other member of the Board as may be recommended by the Board of Education;~~
~~(4) One member shall be recommended by the Parent Teacher Organization Council of Norwalk;~~
~~(5) One member shall be the Chairman of the Board of Estimate and Taxation or such other member as may be recommended by the Board;~~
~~(6) One member shall be the Superintendent of Schools or his designee from the Central Office Staff of the Board of Education responsible for facility construction; and~~
~~(7) Four public members shall be electors of the City of Norwalk who shall have experience with building projects, such as construction trades, general contracting, construction management, architecture, engineering, public parking facilities and finance. No more than three of the five members who include the~~

~~four public members and the one PTO Council representative shall be affiliated with the same political party.~~

~~§ 30-15.2 Terms.~~

~~A. The representative of the Parent Teacher Organization Council and two of the four public members shall be appointed for initial terms ending January 1, 2007, and two of said public members shall be appointed for initial terms ending January 1, 2006. Thereafter, the terms for these members of the Commission shall be for four years and the Mayor shall appoint, with the approval of the Common Council, each year, successors to those members whose terms expire on the succeeding January 1.~~

~~B. The terms of the Mayor, Common Council members, Board of Education member and Board of Estimate and Taxation member, as voting ex officio members, shall be coterminous with the terms of their office.~~

§ 30-15.13 Powers and duties.

~~A. The NFCC shall develop a facilities construction program to implement facility policy decisions adopted by the Common Council and, as may be appropriate, by the Board of Education and Parking Authority.~~

~~B.~~ The ~~NFCC~~ Land Use Committee shall provide project management and oversight of ~~these~~ all capital public building projects in Norwalk in excess of $400~~250~~,000 or as designated by the Common Council, including oversight of project planning and design, recommending selection of architect and construction manager or general contractor, project execution planning, status tracking for schedule and budget, reporting, project completion and closeout. Capital public building projects do not include public infrastructure improvements such as roads, bridges and drainage, which shall continue to be the responsibility of the Department of Public Works.

~~C. The NFCC may establish performance standards and specifications that ensure quality construction. The NFCC shall be responsible for full life cycle cost analysis. The NFCC may establish clear performance goals and standards for architects, construction managers and other professionals providing services in connection with NFCC projects.~~

~~D. The NFCC shall submit any matter requiring approval by the Common Council directly to the Council agenda as if it were a committee of the Council. The Mayor~~

~~shall designate one of such Common Council members to propose motions to the Common Council as authorized by the Commission.~~

§ 30-15.24 Building Advisory Committees.

~~A.~~ The ~~Mayor~~ Land Use Committee ~~shall~~ may, in its sole discretion, establish and appoint a Building Advisory Committee for any~~each~~ capital building project and shall designate the membership and chair~~man~~ of each such committee. Each Building Advisory Committee so established shall advise the Land Use Committee ~~NFCC~~ on ~~user needs related to~~ the function, ~~and the~~ design, construction, or any other matter~~of the project~~ related to the project, ~~and the construction implementation schedule~~as determined by the Land Use Committee. Each Building Advisory Committee shall remain in existence until the completion of the applicable construction project.

~~B. The membership of each such Building Advisory Committee for a City project shall consist of the following:~~

~~(1) One member of the Common Council representing the district in which the City project is located or an at-large member if the project involves more than one district;~~
~~(2) One member of the City Department that will occupy or use the building; and~~
~~(3) At least three members of the public knowledgeable about the purpose of the building or having construction experience.~~

~~C. The membership of each such Building Advisory Committee for an individual school building project shall consist of the following:~~

~~(1) One member of the Common Council representing the district in which the school project is located;~~
~~(2) One member of the Norwalk Board of Education recommended by the Chairman of the Board of Education;~~
~~(3) Two members such as the principal or principal's designee of said school and from the faculty or staff of said school as recommended by the Superintendent of Schools; and~~
~~(4) Three members recommended by the Parent Teacher Organization Council of said school and approved by the Board of Education.~~

~~D. The Mayor shall designate a representative from the NFCC for each such Building Advisory Committee.~~

~~E. The Ad Hoc Advisory or Building Advisory Committees currently in existence for Brookside Elementary School, West Rocks Middle School, Brien McMahon High School, the School Roofs Project, the Norwalk Police Station and the Oak Hills Park Restaurant shall continue to serve as and shall be designated as Building Advisory Committees pursuant to this section for their respective capital building projects.~~

~~§ 30-15.5 Staffing and operations.~~

~~A. The NFCC may request through the Mayor the assistance of public officials or City employees in matters such as purchasing, legal, security, public works, building and public safety in carrying out its duties.~~

~~B. The NFCC after a competitive proposal process shall recommend a construction program management firm to the Mayor and Common Council to be responsible for the day-to-day implementation and oversight of the facilities construction program and staffing for the NFCC.~~

~~C. The NFCC shall have a separate line item in the City operating budget and, if needed, in the City capital budget, and may submit requests for capital funds through the City's capital budget process.~~

~~D. Norwalk Facilities Construction Commission Operations.~~

~~(1) The NFCC shall meet at least monthly and at such other times as it deems necessary.~~

~~(2) The NFCC shall provide a standardized monthly report to the Mayor and Common Council regarding the status of all ongoing capital building projects, and shall provide a monthly report to the Board of Education on the status of all school building projects. Such reports shall be public documents.~~

~~(3) The NFCC shall develop policies and practices for facility planning, facility management and utility conservation to control operating costs.~~

§ 30-16 Designation of School Building Committee.

A. The ~~NFCC~~ Land Use Committee is hereby designated and shall serve as the Norwalk School Building Committee and shall have all such power and authority as may be necessary to properly perform and discharge its responsibilities and obligations pursuant to the Connecticut General Statutes.

B. The ~~NFCC~~ Land Use Committee shall commence service as the Norwalk School Building Committee as of ~~August 1, 2003~~the effective date of this section. All actions taken by the Norwalk Facilities Construction Commission in its capacity as the Norwalk School Building Committee prior to such date are hereby ratified and confirmed.

~~§ 30-17 When effective.~~

~~This chapter shall take effect pursuant to § 1-193 of the Charter of the City of Norwalk.~~

Enterprise Zone

Chapter 36 – Enterprise Zone

§ 36-1 **Applicability.**
The provisions of this chapter shall apply to such areas within the City of Norwalk which the Common Council shall from time to time designate by resolution as Enterprise Zones in accordance with provisions of ~~Public Act No. 81-445 of the~~ Connecticut General Statutes § 32-71, as amended. A map of the Enterprise Zone can be obtained from the Department of Economic and Community Development.

§ 36-2 **Benefits; eligibility.**

A. All real property in the Enterprise Zone which is improved during the period when such area is designated as an Enterprise Zone shall have its real estate assessment fixed in accordance with Connecticut General Statutes § 32-71, as amended. Such fixed assessment shall be for a period of seven years from the time of such improvement and shall defer any increase in assessment attributable to such improvement, according to the following schedule:

Year	Percentage of Increase Deferred
First	100
Second	100
Third	50
Fourth	40
Fifth	30
Sixth	20
Seventh	10

Notwithstanding the provisions of this subsection, a municipality may negotiate the fixing of assessments on the portion of improvements, by a taxpayer, which exceed a value of eighty million dollars to real property which is to be used for commercial or retail purposes. Notwithstanding the provisions of chapter 203 of the Connecticut General Statutes, no such improvements shall be subject to property taxation while such improvements are being constructed.

B. The Common Council shall have the power, by resolution, to grant additional deferments of up to 100% of assessment attributable to such improvements for a period of up to seven years from the date of the improvement referred to in Subsection **A** above. Any owner of property within a designated Enterprise Zone who seeks to take advantage of the additional deferments available under this subsection shall submit his/her application to the Redevelopment Agency of the City of Norwalk on forms to be supplied by said Agency.

(1) Said Redevelopment Agency shall review the application and determine if such additional deferment is necessary in order to promote the further development of industrial, commercial or residential property upon the real estate of the applicant.

(2) The Redevelopment Agency shall make a recommendation to the Common Council on the applicant's request and shall specify its reasons for recommending approval or denial of the application.

(3) Upon receipt of the recommendation of the Redevelopment Agency, the Common Council may approve or reject the application in question by a majority vote. Said additional deferment of assessment shall become effective upon its approval by the Common Council.

C. Any fixed assessment on any residential property shall cease if, for any residential property, any dwelling unit in such property is rented to any person whose income exceeds 200% of the median ~~family~~ income ~~of the City of Norwalk~~, as determined by the United States Department of Housing and Urban Development, for the area in which the municipality containing the residential real property is located; or, for any conversion condominium declared after the designation of the Enterprise Zone, any unit is sold to any person whose income exceeds 200% of the median ~~family~~ income ~~of the City of Norwalk~~, as determined by the United States Department of Housing and Urban Development, for the area in which the municipality containing the residential real property is located.

D. In the event of a general revaluation by the City of Norwalk in the year in which such improvement is completed, resulting in any increase in the assessment on such property, only that portion of the increase resulting from such improvement shall be deferred. In the event of a general revaluation in any year after the year in which such improvement is completed, such deferred assessment shall be increased or decreased, in proportion to the increase or decrease in the total assessment on such property as a result of such revaluation.

E. No improvements of any real property which qualifies as a manufacturing facility under Section 32-9p(d) of the Connecticut General Statutes shall be eligible for the benefits under this chapter.

F. In the case of any real property which qualifies for the deferred assessment granted under the provisions of Chapter **78** of the Code of the City of Norwalk (Phased Increased Assessment), for each year of the deferment, said property shall qualify for the deferment under Subsection **A** of this section or the deferment under § **78-4**, whichever is greater, for the year in question.

§ 36-3 Sunset Provision.

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Enterprise Zone

5/19/2019

Overview

- Economic Development Tools
- Goal of the Enterprise Zone
- How an Enterprise Zone works
- Enterprise Zone Criteria
- Census Tracts that Qualify – in the Urban Core
- The Existing Enterprise Zone
  - Geography
  - Development since 2009 in the Existing Enterprise Zone
  - Demographic Information
- Proposed Expansion of the Enterprise Zone into Census 437
  - Geography
  - Criteria
  - Demographic Information
  - Potential Growth Sites
- Considerations, for Discussion

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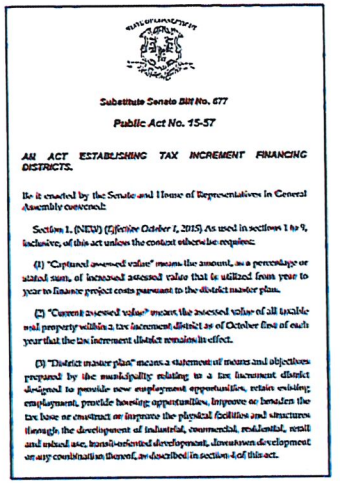
Economic Development Tools

- Enterprise Zone adoption, adopted in 1982
- Opportunity Zone program, announced in 2017
- Wall Street/West Avenue Redevelopment Plan, May 2019
- Zoning adopted in the Central Business District, June 2019
- Small Business and Main Street Program, November 2019
- Plan of Conservation and Development, December 2019
- New development interest and investment



Substitute Senate Bill No. 677

Public Act No. 15-57

AN ACT ESTABLISHING TAX INCREMENT FINANCING DISTRICTS.

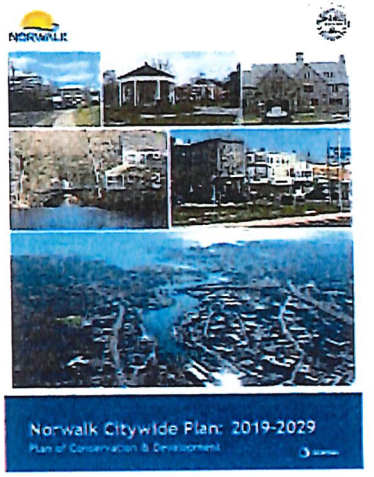
Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (Effective October 1, 2015) As used in sections 1 to 9, inclusive, of this act unless the context otherwise requires:

(1) "Captured assessed value" means the amount, as a percentage or stated sum, of increased assessed value that is utilized from year to year to finance project costs pursuant to the district master plan.

(2) "Current assessed value" means the assessed value of all taxable real property within a tax increment district as of October first of each year that the tax increment district remains in effect.

(3) "District master plan" means a statement of means and objectives prepared by the municipality relating to a tax increment district designed to provide new employment opportunities, retain existing employment, provide housing opportunities, improve or broaden the tax base or construct or improve the physical facilities and structures through the development of industrial, commercial, residential, retail and mixed use, transit-oriented development, downtown development or any combination thereof, as described in section 4 of this act.



Goal of the Enterprise Zone Program

An Enterprise Zone is an area in which local tax incentives are offered to encourage business investment and jobs for residents in disadvantaged Census Tracts.

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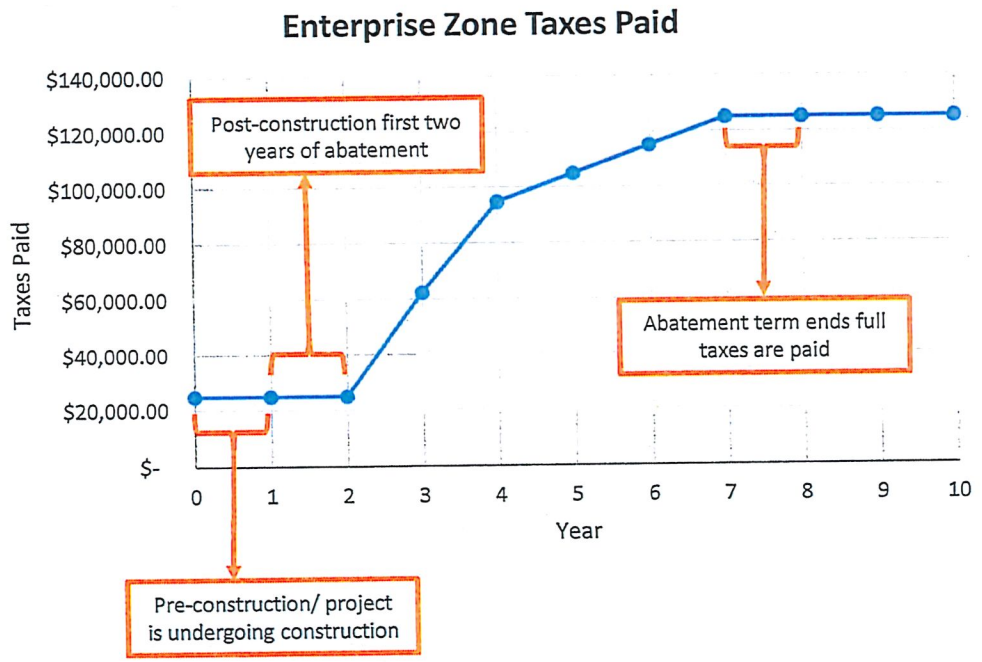
How an Enterprise Zone Works

Taxes on improvements to any property within the geography are deferred for a period of 7 years according to the following schedule:

- 100% for the first two years
- 50% for the 3rd year
- 40% for the 4th year
- 30% for the 5th year
- 20% for the 6th year
- 10% for the 7th year
- After the 7 year term, taxes will be at the true rate.

*If used for housing development, units must be affordable to 200% of the area median income or abatement will be revoked.



*Note: This graph does not account for property deterioration or mill rate adjustments

Enterprise Zone Criteria

Eligible Census Tracts must meet one of the following criteria:

- 25% or more people below the poverty level
- 25% or more of the families receive public assistance or welfare income; or
- The unemployment rate is at least two hundred per cent of the state's average.

Connecticut:

In Connecticut, 17 municipalities have Enterprise Zones

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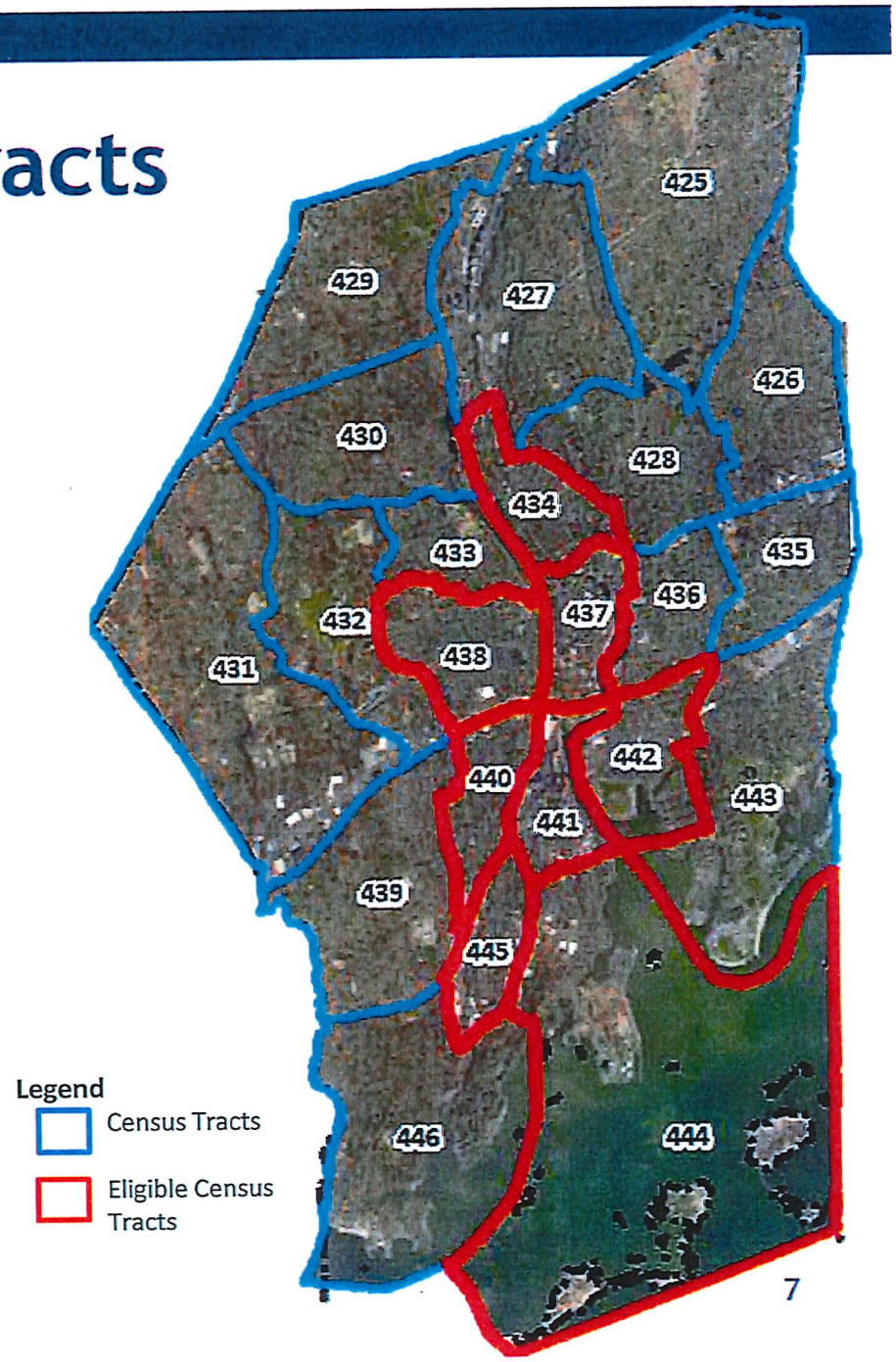
Qualified Census Tracts

Census Tracts must meet **one** of the following criteria:

1. 25% or more people below the poverty level; *(0 out of 8 census tracts highlighted meet this criteria although 437 is close at 24.2%)*
2. 25% or more of the families receive public assistance or welfare income; or *(4 out of 8 census tracts highlighted meet this criteria)*
3. The unemployment rate is at least two hundred percent of the state's average. *(7 out of 8 census tracts highlighted meet this criteria – unemployment is 3.6% in CT)*



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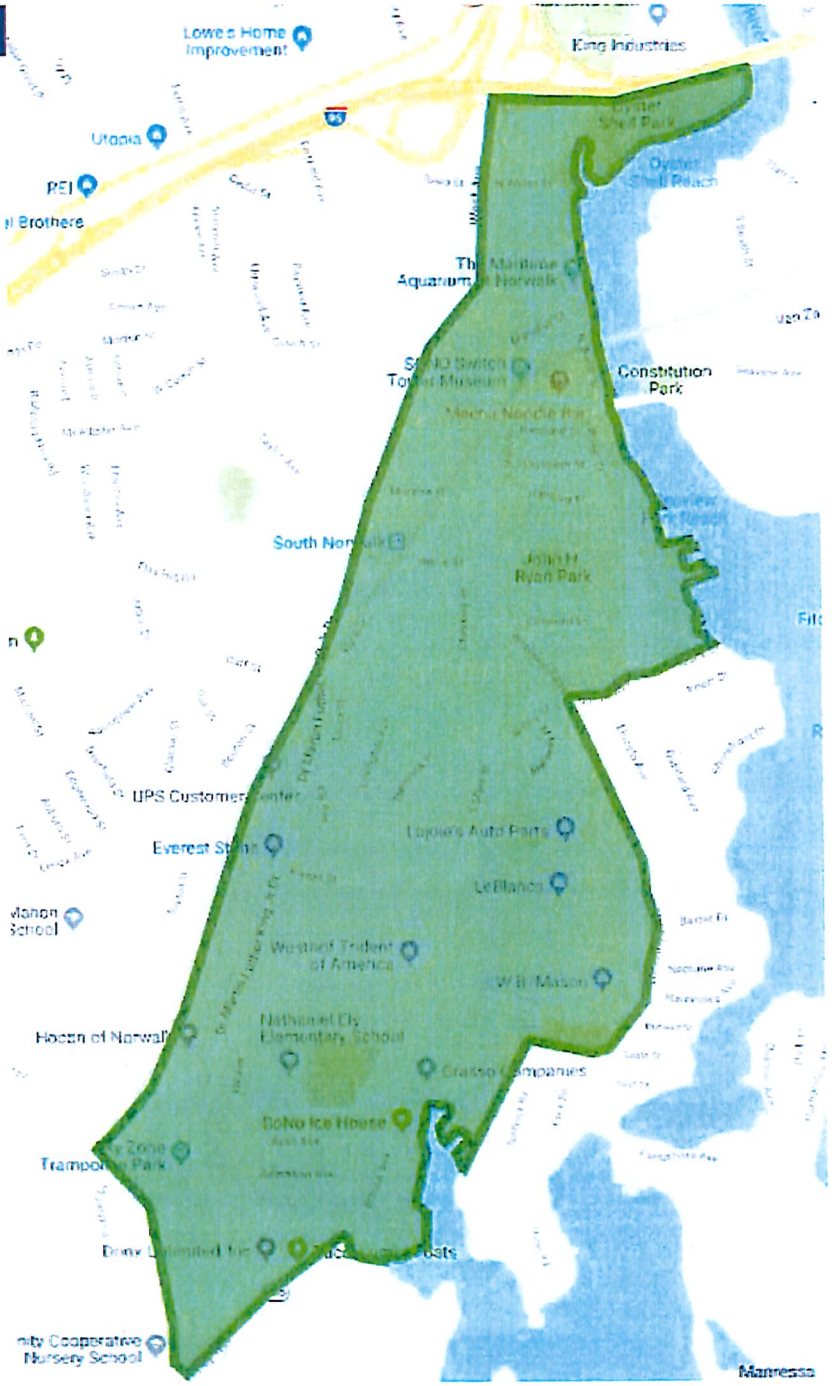
The Existing Enterprise Zone:

- Includes Census Tracts 441 and 445.
- North boundary is I-95.
- West boundary is MLK Boulevard.
- East boundary is along the waterfront to Mack Street/Burritt Avenue, then south along Woodward Avenue to Dock Road. It then follows the waterfront to Route 136.



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Development since 2009, in the Enterprise Zone:

- Since 2009, South Norwalk has seen ten major developments, including but not limited to Ironworks, The Pearl, Maritime Village (19 Day Street), Soundview Landing, SoNo Collection and the SoNo Residence Inn.
- These developments have included apartments, mixed-use, residential, retail and a hotel.
- These developments represent more than $100M in appraised value, more than 2.7M sqft in development and more than 330 residential units.
- The program added $6,855,500 of tax revenue to the grand list while the abatement totaled $1,341,980* *this calculation does not yet include the SoNo Collection as it recently completed construction

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- Of the ten projects, three have been awarded the Enterprise Zone program: The Ely Avenue Project, Ironworks and the SoNo Residence Inn.
- Eligible projects that are in the process of being awarded the Enterprise Zone: SoNo Collection and 19 Day Street.

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The Ely Avenue Project

- 310 Ely Avenue Units, A-H – began receiving Enterprise Zone credits in 2010 after it was built.
- Previously, the parcel was vacant and the land generated about $2,500 annually in taxes.
- Over the course of the seven year phase-in, the value of the tax abatements totaled roughly $49,000.
- Now, the units bring in more than $25,000 in annual property taxes. **This represents a 1000% increase in taxes between 2010 and 2018.**

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Ironworks

- 1 North Water Street – began receiving Enterprise Zone credits in 2016.
- The property was once assessed at $3 million and now has an assessment of nearly $30 million.
- From 2007-2012, the property generated about $50,000 a year in property taxes – or about $300,000 over the six years leading into construction.
- In the first year, the highest tax abatement year, the property owner paid about $50,000 in taxes. That is as much as the annual taxes before the property was beautifully developed.
- In 2018, the property tax paid, with the Enterprise Zone abatement, was $373,670. **An increase in taxes of 1129% since 2007.**
- After seven years, instead of $300,000 in taxes, the property will bring in about $4.9 million.

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The Residence Inn, by Marriott SoNo

- The Enterprise Zone was awarded in 2018.
- The property was once assessed at less than $1 million, and now has an assessment of $15.6 million.
- From 2007-2013, the two parcels generated roughly $17,000 a year in property taxes – or about $120,000 in total over that time.
- In the first year, the highest tax abatement year, the property owner paid about $48,000 in taxes. In 2007, taxes for this property were approximately $13,000. **This is a 262% increase in taxes from 2007.**
- In three years, the property taxes will have more than covered what was there previously.
- In addition, the Hotel is operating (in non-COVID-19 times) at approximately 80% occupancy, meaning more than 400 people are visiting the South Norwalk neighborhood on a daily basis.

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Demographic Information, 2010 - 2020

Population	
2010	6,358
2018	7,190
% Change	13%

Median Household Income	
2010	$32,077
2018	$62,726
% Change	49%

Families in Poverty, %	
2010	38%
2018	19%
% Change	-17%

Households that Receive Cash – Public Assistance or SNAP	
2010	34%
2018	25%
% Change	-9%

Source: Table S1702 ACS 2010 and 2018

Unemployment Rate	
2010	16%
2018	8%
% Change	-7%

Existing Enterprise Zone Census Tract 441 and 445

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Proposed Expansion: Geography

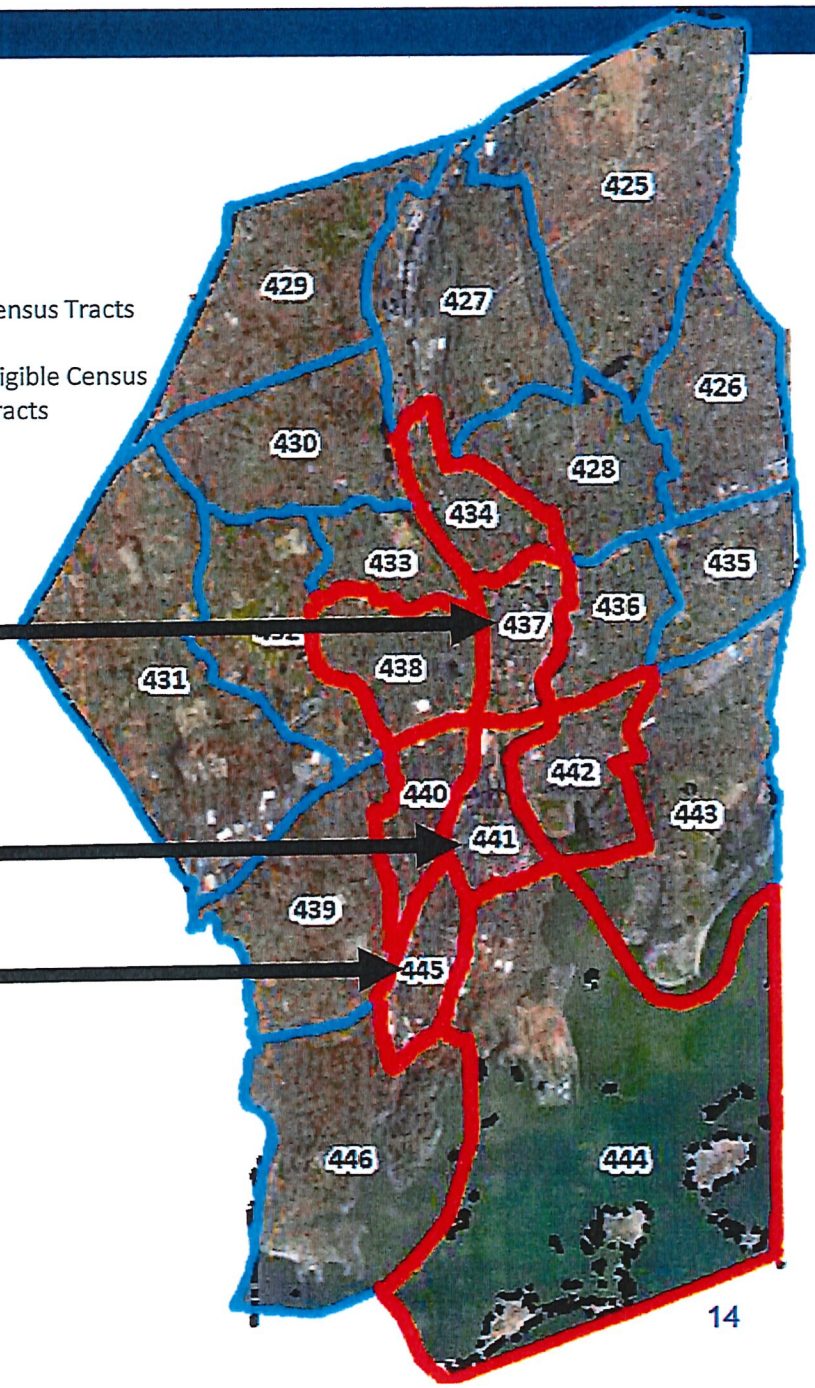
Legend

Census Tracts

Eligible Census Tracts

Proposed Expansion

Currently in the Enterprise Zone



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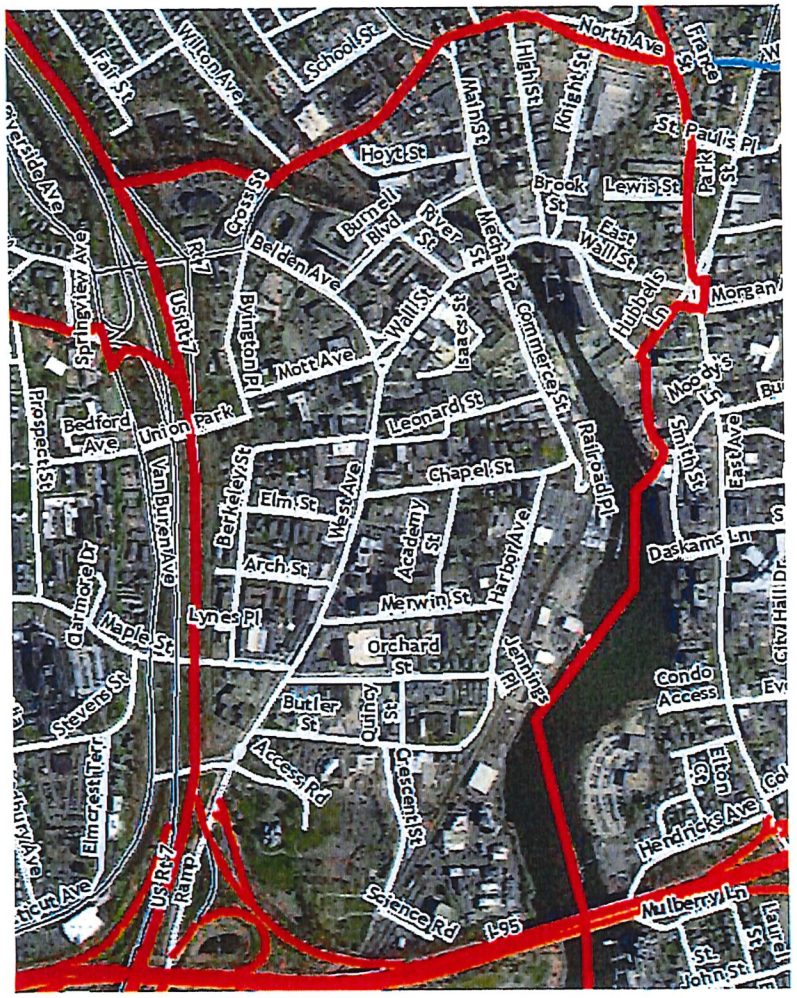
Proposed Expansion: Criteria



Criteria	Meets Criteria?
Percentage of individuals below poverty level – **24.2%**	**N**
Percentage of the families who receive public assistance or welfare income – **33.5%**	**Y**
Unemployment rate – **8.6%**	**Y**

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Demographic Information, 2010 - 2020

Population	
2010	2,020
2018	2,455
% Change	22%*

Median Household Income	
2010	$37,434
2018	$67,607
% Change	45%

Families in Poverty, %	
2010	16%
2018	17%
% Change	1%

Households that Receive Cash – Public Assistance or SNAP	
2010	15%
2018	12%
% Change	-3%

Unemployment Rate	
2010	8%
2018	5%
% Change	-3%

Source: Table S1702 ACS 2010 and 2018

Proposed Expansion
Census 437

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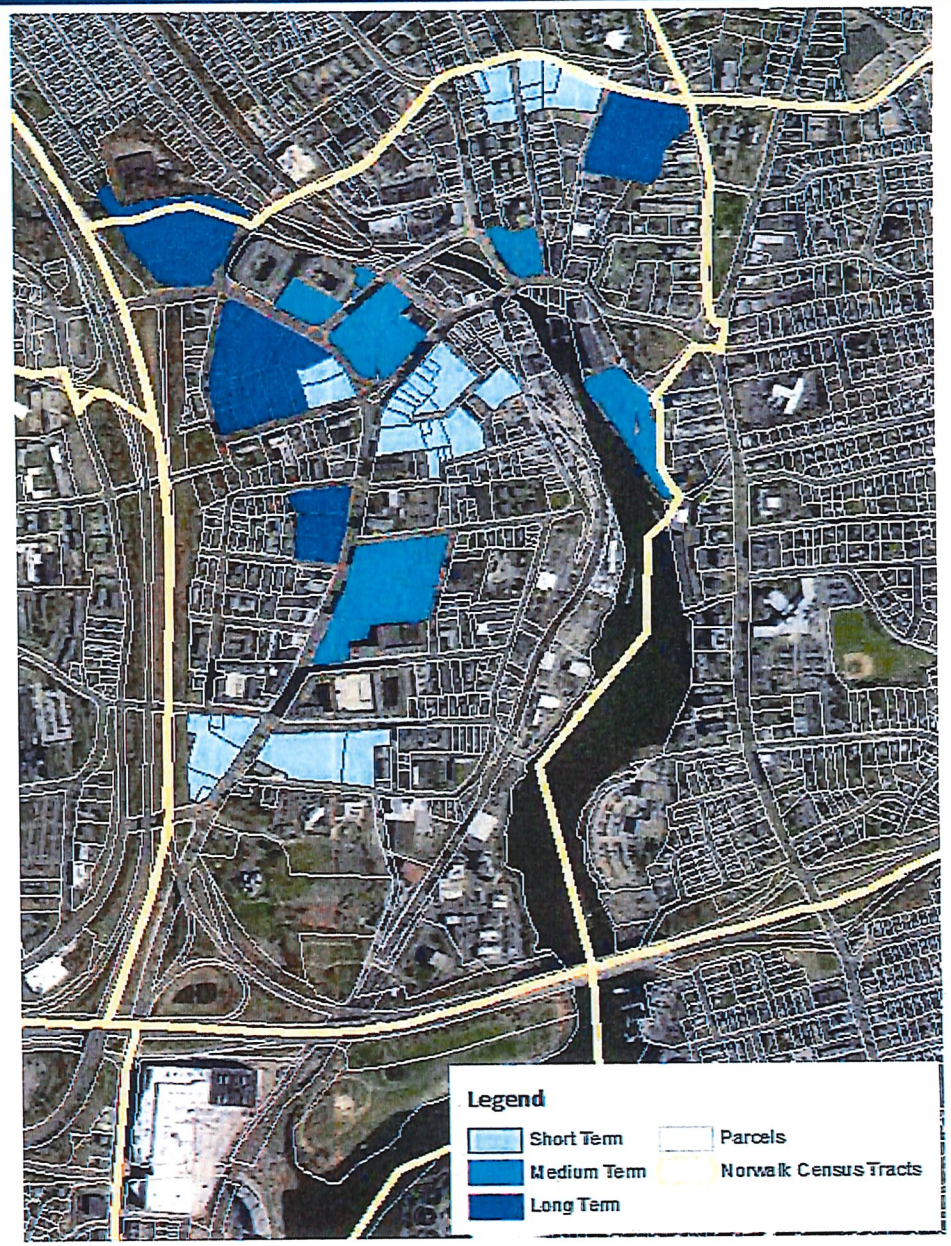
Potential Growth Sites

- **Short Term:** Loehmanns Plaza site, YMCA site, Wall Street Place, Highpointe, Norwalk Public Library
- Medium Term: Yankee Doodle Block, Pulse Point/Riverview Plaza, Head of the Harbor North, Smith Street
- **Long Term:** Library Block, Lillian August site, Auto Zone and medical office sites, CVS and Dunkin Donuts site



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Considerations, for Discussion

Additional items to consider at the Ordinance Committee:

- Adding the additional geography (Census Tract 437) and revising the language to reference geography
- Updating the language to create consistency between the State Statute and the Local Ordinance
- Adding a sunset clause for the full Enterprise Zone Program

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Discussion - Geography

- Revise language to clearly refer to the Enterprise Zone.
- Amend Enterprise Zone map to include Census Tract 437.
- Recommendation

§ 36-1 **Applicability.**
The provisions of this chapter shall apply to such areas within the City of Norwalk which the Common Council shall from time to time designate by resolution as Enterprise Zones in accordance with provisions of ~~Public Act No. 81-445 of the~~ Connecticut General Statutes § 32-71, as amended. A map of the Enterprise Zone can be obtained from the Department of Economic and Community Development.

NORWALK
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Discussion - updating language to create consistency between State Statute and Local Ordinance

- Recommendation:

Any fixed assessment on any residential property shall cease if, for any residential property, any dwelling unit in such property is rented to any person whose income exceeds 200% of the median ~~family~~ income ~~of the City of Norwalk~~, as determined by the United States Department of Housing and Urban Development, for the area in which the municipality containing the residential real property is located; or, for any conversion condominium declared after the designation of the Enterprise Zone, any unit is sold to any person whose income exceeds 200% of the median ~~family~~ income ~~of the City of Norwalk~~, as determined by the United States Department of Housing and Urban Development, for the area in which the municipality containing the residential real property is located.

NORWALK
The Sound of Connecticut

Discussion - updating language for consistency

§ 36-2 **Benefits; eligibility.**

A. All real property in the Enterprise Zone which is improved during the period when such area is designated as an Enterprise Zone shall have its real estate assessment fixed in accordance with Connecticut General Statutes § 32-71, as amended. Such fixed assessment shall be for a period of seven years from the time of such improvement and shall defer any increase in assessment attributable to such improvement, according to the following schedule:

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Notwithstanding the provisions of this subsection, a municipality may negotiate the fixing of assessments on the portion of improvements, by a taxpayer, which exceed a value of eighty million dollars to real property which is to be used for commercial or retail purposes. Notwithstanding the provisions of chapter 203 of the Connecticut General Statutes, no such improvements shall be subject to property taxation while such improvements are being constructed.

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Discussion - Sunset Clause

- Open discussion

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Possible Next Steps

- Public hearing and discussion
- Action to move the updated Ordinance to the Common Council for adoption

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