

COMMON COUNCIL ORDINANCE COMMITTEE

SPECIAL MEETING AND PUBLIC HEARING

April 14, 2020

6:30 p.m. – By Videoconference and Teleconference

Special Legal Requirements for this Meeting

- a) To allow public access, anyone may access the meeting by either telephone, Zoom and/or the City of Norwalk Youtube Channel. Additional instructions for public access have been attached to the backup materials for this meeting (refer to attachment: “Participating and Attending Public Meetings Virtually). Please also see the information below concerning registration for this meeting.
- Telephone Access (Listening Only)
 - Dial: 312-626-6799
 - Enter Webinar ID: 537 517 208
- Register in advance for this webinar:
 - https://zoom.us/webinar/register/WN_Tjbp0CG4S8GaaOMvYzOEPA
After registering, you will receive a confirmation email containing information about joining the webinar.
- For those that just wish to view but are not participating:
 - They can view the live stream on the City of Norwalk CT Youtube Channel
<https://www.youtube.com/channel/UCRcAj0a6fNzo2prQ6LhSjVA>
- b) To allow further public access, anyone may access the meeting by dialing in (please use the numbers listed above) and hear the Ordinance Committee meeting live. Additional instructions for public access has been attached to the backup materials for this meeting (refer to attachment: “Participating and Attending Public Meetings Virtually).
- c) This meeting will also be recorded and a copy of the audio recording will be posted on the City website within seven (7) days after the meeting.
- d) Anyone who wants to provide public comment should submit them to the staff of the Ordinance Committee, Brian Candela, at bcandela@norwalkct.org, in advance of the meeting. In order for these comments to be read into the record, they should be submitted at least three (3) hours in advance of the meeting start time. Brian Candela will read timely submitted public comments into the record at the meeting. For those who want to provide “live comments,” they will need to use the Zoom link (see above) and click the raise your hand indicator. The host will call on them during the public comment section of the meeting.

Staff of the Ordinance Committee, Brian Candela, at bcandela@norwalkct.org

- e) For clarity, EACH person speaking during the meeting must **identify themselves by name and title or affiliation**, EACH time they speak. This will allow all participants as well as those listening to the recording after the meeting to better follow the discussion.

AGENDA

1. ROLL CALL:

2. 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;

- 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;

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

3. PUBLIC HEARING DISCUSSION:

4. PUBLIC COMMENT:

5. ACCEPTANCE OF MINUTES:

- February 18, 2020 - ordinance committee meeting.

6. OLD BUSINESS:

7. NEW BUSINESS:

8. DISCUSSION ITEM:

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

9. ADJOURNMENT:

Instructions for Participating and Attending Public Meetings Virtually



CITY OF NORWALK

Norwalk City Hall
125 East Avenue, Room 202
Norwalk, CT 06851

TO: NORWALK RESIDENTS

FROM: THE MAYOR'S OFFICE

DATE: APRIL 6, 2020

RE: PARTICIPATING AND ATTENDING PUBLIC MEETINGS VIRTUALLY

Due to COVID-19, also known as the Coronavirus, the City has had to make a change in the way it conducts business to support the efforts of social/physical distancing to reduce community spread. As a result the City established a protocol for how to hold online Zoom meetings, the chosen virtual meeting software. This software allows the Common Council, Committees, Commissions, Authorities, Agencies, and other City meetings to conduct business virtually with the most available functions.

Using the Zoom platform you will be able to participate in public meetings by dialing in using the teleconference phone line or using the video conference link, both of which will be available on the meeting agenda (posted on the City of Norwalk's website), to listen and/or watch the meeting. For some meetings, as outlined on the agenda, you will be able to provide public comment.

Below are a few items to assist you in participating and to make sure that meetings progress accurately and efficiently for the record:

- **How to Test Your Audio and Internet Connection:** In order to make sure you are able to hear and have good internet connection using a computer be sure visit <https://zoom.us/test> before the meeting begins. If you have difficulty simply use the provided telephone call in number and mute your computer audio. This way you will be able to watch via the computer and listen via phone.
- **How to Join a Meeting and Participate or Watch a Meeting:** Meeting agenda's and notice are required to be posted to the City's website and calendar at least twenty-four (24) hours in advance of the meeting with all supporting materials and documentation for your review.
 - **To submit public comment** – there are two ways to participate in public comment:
 - **PUBLIC COMMENT Option 1:** It is strongly encouraged to submit all public comment before the meeting via email to the designated staff member (see the Designated Staff Members document posted on the City of Norwalk's website). Public comment received via email will be read by the designated staff member into the record, as part of the meeting, and will be provided to the Minute Taker for inclusion in the official meeting minutes. This is the simplest and most effective way to provide public comment on an agenda item. To watch the live stream via YouTube, please visit the URL link provided on the meeting agenda.
 - **PUBLIC COMMENT Option 2:** If you choose not to provide written comment in advance of the meeting, live comments will be permitted as part of the "public

comment/participation” or “public hearing” portion of the meeting, as identified by the Chair. For live comments you will need to use the Public Participation URL link, which will allow you to register with your name and phone number for the meeting. Once you have registered, you will be able to enter and participate in the meeting. For land use meetings, public hearing items are specifically listed on the agenda. If you wish to speak to a listed public hearing item, please use the “Raise Your Hand” function in the Zoom platform. The host will call on you and unmute you so you can speak. Please state your name and address for the record before you begin. You will have three minutes to comment. For other public agency meetings, please use the “Raise Your Hand” function in the Zoom platform when the meeting begins. The host will then call on you and unmute you so you can speak. Please state your name and address for the record before you begin. You will have three minutes to comment. Only items that are on the agenda can be commented on.

- **TO WATCH THE MEETING ONLY (no live public comment possible)**: A live stream has been set up for each meeting. To watch the live stream, please visit the URL link provided on the meeting agenda.
- **TO CALL INTO THE MEETING, WITHOUT A COMPUTER (no visual, or live public comment possible)**: A call in number will be provided on the meeting agenda. This will allow you to listen to the meeting, but it will not allow you to speak, as part of the meeting, or allow you to visually see the meeting take place.
- **How to register your Zoom account:** You have the option to register for your own Zoom account, but this is not required to listen or watch a meeting that is taking place. Before your first meeting be sure to go to <https://zoom.us/> and sign up for free. You can also go directly to this link: <https://zoom.us/signup>. Here you will be able to provide your phone number, email, and name so that when you call in or watch live we will be able to identify you for the record and take your comments or questions accurately. This is required if you wish to give live comment during a Zoom meeting.
- **How to download Zoom:** You have the option to register for your own Zoom account, but this is not required to listen or watch a meeting that is taking place. Following your registration go to <https://zoom.us/download> to download Zoom. You DO NOT have to download Zoom to participate in a meeting. This is only to streamline the process. If you do not wish to download, skip this step and you can simply join by visiting the link provided on the City’s website and the relative agenda. Please note that you will have limited capabilities if you just use the link. You will still be able to give comment but you may have other missing capabilities depending on your device.
- **Profanity, Hate Speech, Cursing, and Inappropriate Actions:** If anyone in the meeting uses any hate speech or any inappropriate language in the meeting you will be removed from the meeting and blocked from returning.
- **Seeing the Minutes and watching the Recording of the Meeting:** Within seven days of the meeting, the minutes as well as the recording will be posted to the City’s website at <https://www.norwalkct.org/1691/Recordings-of-Public-Hearings-and-Meetin> (recordings), <https://www.norwalkct.org/1077/Minutes> (minutes), and also on the relative Common Council, Commission, Committee, or other’s City of Norwalk webpage.

All in all, please remember that you are participating in a meeting virtually and take all possible precautions to ensure that the meeting can run smoothly and you can participate effectively. Should you have technical difficulties or questions please contact the designated staff member for the

meeting. They will connect you with the appropriate person to answer your question.

Thank you all for your cooperation during this time. We hope to, virtually, see you all soon. Please ensure you and your families remain safe and healthy during this pandemic.

DPW – Chapter 94

- Name change to Chapter 94: Solid Waste, Collection and Disposal of
- 94-18: Disposal pass for residents and real property owners who pay vehicle tax to Norwalk
- 94-19: Admission for residents and real property owners who do not pay vehicle tax to Norwalk
- 94-20: Other permits
- 94-21: Admission for non-residents and non-permit holders

Chapter 94. ~~Solid Waste~~, Collection and Disposal of Solid Waste and Use of Transfer Site and Yard Waste Site

§ 94-18 Disposal pass for residents and/or real property owners who pay vehicle tax to Norwalk.

All non-commercial cars, SUVs and/or minivans of Norwalk residents and/or real property owners paying vehicle tax to Norwalk shall be entitled to free admission with a valid disposal pass to the Transfer Site and the Yard Waste Site. In order to maintain the validity of this pass, Norwalk residents and/or real property owners shall remain current on their vehicle tax. If Norwalk residents and/or real property owners are more than forty five days delinquent on their vehicle tax then this pass shall become invalid until the vehicle tax, and all applicable fees, interest and penalties, have been satisfied. The disposal pass must be displayed on the driver's side dashboard during use of both facilities.

§ 94-19 Admission for residents and/or real property owners who do not pay vehicle tax to Norwalk.

All non-commercial cars, SUVs and/or minivans of Norwalk residents and/or real property owners paying vehicle tax to a city other than Norwalk shall be entitled to purchase a disposal pass to the Transfer Site and the Yard Waste Site for a sum to be set pursuant to the Department of Operations and Public Works' fee schedule.

§ 94-20 Passes and permits.

- A. A disposal pass, issued at the Norwalk Transfer Station by the Department of Operations and Public Works, is required for all non-commercial pickup trucks, vans and/or vehicles with trailers. Residents and/or real property owners with a non-commercial pickup truck, van and/or vehicle with trailer will be required to show a valid disposal pass in order to renew for a disposal pass.
- B. Commercial permits are required for all commercial vehicles. These permits are issued by the Department of Operations and Public Works. The fee schedule for commercial permits are set pursuant to the Department of Operations and Public Works' fee schedule.

§ 94-21 Admission for non-residents, non-permit holders and/or non-real property owners.

All vehicles of non-residents, non-permit holders and/or real property owners shall be entitled to use the transfer site and yard waste site for a sum to be set pursuant to the Department of Operations and Public Works' fee schedule.

Parks & Recreation– Chapter 74, Article 1

- Name change to Chapter 74, Article 1: Calf Pasture Beach, Transfer Station, Yard Waste Site and Other City Parks
- 74-1: Free admission for residents and real property owners who pay vehicle tax to Norwalk
- 74-2: Admission for residents and real property owners who do not pay vehicle tax to Norwalk
- 74-3: Season sticker for residents and property owners of certain towns
- 74-4: Parking fees
- 74-5: Waterfront parking

Chapter 74. Parks and Recreation

Article I. Calf Pasture Beach ~~, Transfer Station, Yard Waste Site~~ and Other City Parks

§ 74-1 Free admission for residents ~~and/or real property owners who pay vehicle tax to Norwalk. with-~~ ~~resident pass.~~

- A. All vehicles of Norwalk residents ~~and/or real property owners paying vehicle tax to Norwalk of the-~~
~~City~~ shall be entitled to free admission with a valid resident pass to the Norwalk public park system,
~~and the transfer station/yard waste site,~~ except as otherwise provided herein. In order to maintain the
validity of this pass, Norwalk residents ~~and/or real property owners~~ shall remain current on their
vehicle tax. If residents ~~and/or real property owners~~ are more than forty five days delinquent on their
vehicle tax then this pass shall become invalid until the vehicle tax, and all applicable fees, interest
and penalties, have been satisfied.
- B. To obtain a valid resident pass for a rental vehicle, residents ~~and/or real property owners~~ must provide
the rental registration along with proof of residency by providing one of the following:
1. Current home lease/mortgage or property deed listing the Norwalk address and resident's
name; or
 2. Current City of Norwalk vehicle tax bill.
- C. A valid pass for a rental vehicle will issued as per the dates provided in the rental agreement.
- D. To obtain a valid resident pass for a company vehicle, residents ~~and/or real property owners~~ must
provide the following:
1. Documentation from their employer on company letterhead stating that they are the sole driver
of the vehicle;
 2. A paystub from the employer who provided the letter in subsection (1); and
 3. Proof of residency in Norwalk.
- E. A valid pass for a company vehicle will be issued after providing all documentation identified in
section D.

§ 74-2 Admission for residents ~~and/or real property owners who do not pay vehicle tax to Norwalk.~~

All vehicles of Norwalk residents ~~and/or real property owners~~ paying vehicle tax to a city other than Norwalk
shall be entitled to purchase a valid resident pass to the Norwalk public park system for a sum to be set
pursuant to § 74-24 of the Code of the City of Norwalk.

§ 74-~~32~~ Season sticker for residents and property owners of certain towns.

All vehicles of residents and property owners of the Towns of New Canaan, Wilton, Weston, Redding and
Ridgefield shall be entitled to a season parking privilege sticker to Calf Pasture Park from April 15 to
October 15 in each year for a sum to be set pursuant to § 74-24 of the Code of the City of Norwalk.

§ 74-~~43~~ Parking fees.

- A. For all vehicles of persons other than those provided for in the ~~three two~~-preceding sections, a parking
fee of a sum to be set pursuant to § 74-24 of the Code of the City of Norwalk shall be charged from
January 1 to December 31 in each year.

- B. Notwithstanding the foregoing, the Common Council may from time to time, by resolution, change the parking fees set out herein or may waive their imposition during short periods of time for special occasions or events.

~~§ 74-4 Resident pass for certain residents and real property owners.~~

~~A. The City will provide a resident pass for each of the following:~~

~~(1) Residents and real property owners of the City.~~

~~(a) The City of Norwalk resident pass is used by Norwalk residents and real property owners for access to the Norwalk transfer station and yard waste site, with noncommercial cars, SUVs, and/or minivans. The pass must be displayed on the driver's side dashboard during use of both facilities.~~

~~(b) Special permits are required for noncommercial pick-up trucks, vans and/or trailers that use either the Norwalk transfer station or yard waste site. These special permits are issued by the Department of Public Works.~~

~~(c) Commercial permits are required for all commercial vehicles that use either the Norwalk transfer station or yard waste site. These special permits are issued by the Department of Public Works.~~

~~(2) Residents of the surrounding towns named in § 74-2 of this Code will be supplied a sticker.~~

~~B. The sticker shall be prominently and permanently displayed as required by the Recreation and Parks Department and shall be nontransferable. Failure to display said sticker in a prominent and permanent manner as required by the Recreation and Parks Department shall be grounds for refusal into Calf Pasture Park, unless the nonresident fee is paid.~~

~~C. No fee shall be charged to Norwalk residents or real property owners for a resident pass.~~

§ 74-5 **Waterfront parking.**

[1]No vehicles other than those owned by residents and/or real property owners of Norwalk the City shall park in the parking place along the waterfront at Calf Pasture Beach.

DPW – Chapter 95

95-38: Policy and considerations

95-39: Procedure

§ 95-38 Policy and considerations.

If a City street or roadway is to be named in honor of an individual, it is generally required that such individual has made a significant contribution to the community through public service and deeds, and is respected for his or her accomplishments and good conduct. Consideration shall be given to individuals who have made recent accomplishments and contributions as well as individuals with historic ties to the City. An individual shall be deceased at least one year prior to the naming unless the Common Council determines by a two-thirds-majority plus one (11 votes) that a living individual **or a person who has been deceased less than one year** deserves the honor. Groups should not be in a position to influence the process by funding of past or future operations of the street or roadway, and it is ultimately important for the City to avoid any perception of improper manipulation, special favor, vested interest, or endorsement of businesses, products or services.

§ 95-39 Procedure.

Naming of City streets or roadways shall proceed as follows:

- A. The proposed naming of a City street or roadway shall be placed on a Public Works regular meeting agenda for discussion and review. In the event that the street or roadway to be named is located within a City park, the proposed naming shall be placed on the Recreation, Parks and Cultural Affairs agenda for discussion and review.
- B. A public hearing is required prior to forwarding the naming request to the full Common Council for approval. The hearing shall be held at a regular meeting of the Public Works Committee, and the scheduling of said hearing shall have been approved at a previous regular meeting by a majority vote of the Committee.
- C. A two-thirds-majority (10 votes) of the Common Council is required for the approval of all honorary or historic street names, except in the case where a living individual **or a person who has been deceased less than one year** is the honoree in which case a two-thirds-majority plus one (11 votes) is required.

**Draft Meeting Minutes from
the 2/18/2020 Ordinance
Committee Meeting**

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
FEBRUARY 18, 2020**

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

STAFF: Attorney Brian Candela, Corporation Counsel, Tom Kulhawik, Police Chief, Nick Roberts, Parks and Recreation, Anthony Robert Carr, Chief of Operations and Public Works, Jessica Paladino, Waste Programs Manager

OTHERS: Diane Lauricella, Rich Bonenfant

1. ROLL CALL

Ms. Melendez called the meeting to order at 7:07 p.m. A quorum was present.

2. PUBLIC HEARING (possible action on)

There was no public hearing.

3. PUBLIC HEARING DISCUSSION

There was no discussion.

4. PUBLIC COMMENT

Diane Lauricella was the first speaker. She spoke on the Noise Ordinance saying it is a not just an ordinance or enforcement issue it is a health issue as well. Lauricella said we have to teach the neighbors about noise and help the city achieve a better quality of life. She said it has taken about four years to get to this point and she is happy about it, but would like to get a timeline for training and enforcement. She said this came to life on Washington Street. She mentioned Salt Water Cafe was recently sold and we need to teach the new owners about the new ordinance so the noise is kept inside and does not come out on the street. She said that way we will not end up in court.

Rich Bonenfant of 17 Park Hill Avenue was the next speaker. He spoke on regulating fees for beach stickers. He said to look up the deed and there was a land swap at Calf Pasture Beach and it might define what can and cannot be done. His second point was about renaming Chestnut Street and said now you have to be deceased for a year and suggested the wait of 1

year be adhered to. Mr. Bonenfant said if you change the rule for just one person it could cause a problem later.

Bobbie Kinn submitted a letter by email saying there are a number of reasons a resident may not have a vehicle registered in Norwalk. Military personnel who rent or own in Norwalk may have an official residence in another state, employees may be paying rent on an apartment but are not required to change their permanent residence or using a rental vehicle, there are Norwalk residents who own or rent properties in 2 states, they may be paying property tax in Norwalk but legally registered in another state, residents with disabilities who depend on a non-resident relative for transportation to the beach and residents using a company owned vehicle registered in the location where the company is.

5. ACCEPTANCE OF MINUTES

January 21, 2020 – ordinance committee meeting

**** MR. LIVINGSTON MOVED TO ACCEPT THE MINUTES.**

**** THE MOTION PASSED WITH ONE (1) ABSTENTION (MR. LANGELLA).**

6. OLD BUSINESS

There was no old business.

7. NEW BUSINESS

Discuss and vote to approve payment to Eric Zwerling of the Noise Consultancy, LLC for acoustical consulting services. Discuss training and equipment.

**** MR. HUEVELMAN MOVED THE ITEM.**

Mr. Livingston asked about the bill saying it was more than anticipated.

Mr. Candela explained it was \$9,500. Mr. Candela said Mr. Zwerling made two visits to Norwalk. One time was in April for a 2-day visit and met with city officials and to a meeting of the Ordinance Committee. The second time he came in July for two days and wanted to see how the businesses were doing and said the businesses on Washington Street were code compliant. He also responded to DEEP comments on the original noise ordinance. Mr. Candela said he put in significantly more time than he expected. In addition to the times he came to Norwalk, Mr. Candela said 3 or more times Zwerling was on conferences calls for 3 or more hours.

**** THE MOTION TO PAY ERIC ZWERLING \$13,490.57 PASSED UNANIMOUSLY.**

The next discussion was about the training and equipment needed.

Police Chief Tom Kulhawik said it will be just under 10,000 for his travel, training and course fees not including overtime for officers. He said that could be upwards of \$15,000 and added the good news is Asset Forfeiture Funds will be used to pay the entire cost. Kulhawik said 20 officers will be trained over 3 days. He said they will use community police officers and some evening shift supervisors.

7. NEW BUSINESS

Discuss and vote on Section 74-1: Free admission for residents and real property owners who do not 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;

The Committee debated the terms "resident" and "real property owner". Mr. Roberts pointed out there is only a fee for parking at the beach. They agreed to a change to say Norwalk residents and/or real property owners.

Mr. Roberts said you do not need a physical pass to enter the beach.

They debated the issue with a corporate car which is not covered by the ordinance. Mr. Roberts said a person would have to provide a letter on company letterhead that they are the sole driver of the vehicle and provide a paystub as well. Mr. Candela said he and Mr. Roberts could work on the language of a new Subsection D.

74-1, 74-2 is a new section, 74-3 used to be 74-2, 74-4 used to be 74-3, the old 74-4 was removed and 75-5 will be a new section.

**** MR. LIVINSTON MADE A MOTION TO MOVE THE CHANGES.**

**** MOTION TO MOVE TO A PUBLIC HEARING AT THE NEXT MEETING ON MARCH 17, 2020 WAS APPROVED UNANIMOUSLY.**

Discuss and vote on Ordinance Name Change to Chapter 94, Article 1 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: Other Permits

Discuss and vote on Section 94-21: Admission for non-residents and non-permit holders;

Discuss and vote on Section 94-21: Admission for non-residents and non-permit holders;

94-20 will be change from "residential" to "resident disposal pass". Ms. Paladino said you need the disposal pass to get the disposal permit card which is issued at the transfer station. Mr. Carr said you need to get a card for for non-commercial pickup trucks, vans and trailers which literally looks like a credit card. Mr. Candela said he will change 94-20a to remove the word "card".

**** MOTION TO MOVE THE CHANGES TO A PUBLIC HEARING AT THE NEXT MEETING ON MARCH 17, 2020 WAS APPROVED UNANIMOUSLY.**

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

Discuss and vote on Section 95-39: Procedure; and

The Committee debated whether the time for renaming a street should change for a deceased person. The city is considering an Ordinance change so Cesar Ramirez an honorary plaque could be placed. Ms. Shanahan pointed out living individual can have a plaque but deceased have to wait a year.

Mr. Keegan said he wanted to respect the rules in place. He said at one point many years ago we decided we wanted to wait and at the time emotions are raw and he understands why there was a waiting period.

MOTION TO MOVE THE ITEM TO A PUBLIC HEARING AT THE NEXT MEETING ON MARCH 17, 2020 WAS APPROVED UNANIMOUSLY

8. DISCUSSION ITEM

There was no discussion item.

9. ADJOURNMENT

**** MR. LIVINGSTON MOVED TO ADJOURN.**

**** THE MOTION TO ADJOURN PASSED UNANIMOUSLY.**

The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Greg Venuto

Telesco Secretarial Services

Norwalk Facilities Construction Commission
Sections 30-15 through 30-17

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 for~~ charged 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 ~~those all~~ capital public building projects in Norwalk in excess of \$~~400250~~,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.~~