CITY OF NORWALK
REDEVELOPMENT AGENCY
SPECIAL MEETING
MAY 31. 2017

ATTENDANCE:	Felix R. Serrano, Chairman; Commissioners Lori Torrano, LaTanya Langley, Lisa Cooper (via teleconference) and Tom Devine (via teleconference)
AGENCY COUNSEL:	Marc Grenier, Esq.
STAFF:	Timothy T. Sheehan, Executive Director; John Slovak, Comptroller; Tami Strauss, Director of Community Development Planning;
OTHERS:	Douglas Adams, GGP; Paul Madden, GGP; William Hennessey, Esq.; Sallie Marsico, Members of the Press

CALL TO ORDER
Chairman Serrano called the Special Meeting to order at 5:36 PM

ROLL CALL
Chairman Serrano noted that a quorum was present.

PUBLIC PARTICIPATION
No one came forward to speak.

I. <u>APPROVAL OF MINUTES</u>

A. April 11, 2017 Regular Meeting

** **MR. DEVINE MOVED TO APPROVE THE MINUTES OF THE APRIL 11, 2017 REGULAR MEETING OF THE NORWALK REDEVELOPMENT AGENCY.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

B. April 26, 2017 Regular Meeting

** **MS. LANGLEY MOVED TO APPROVE THE MINUTES OF THE APRIL 26, 2017 SPECIAL MEETING OF THE NORWALK REDEVELOPMENT AGENCY.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

II. <u>FINANCE</u>

A. Statement of Revenues and Expenditures and Balance Sheets for all Norwalk Redevelopment Agency funds for year-to-date ending March 31, 2017 for all Funds

Mr. Slovak reported on the Financial Statements as follows:

- Total Revenues are $1,247,881 versus a budget of $1,281,174 for a $33,293 unfavorable revenue variance.

- Total expenditures are $1,199,938 versus a $1,281,174 expenditure budget resulting in a $81,237 favorable expenditure variance.

- There is an actual year to date operating surplus of $47,943 versus a budgeted year to date breakeven amount resulting in a favorable fiscal year ending operating variance of $47,944.

- Operating Fund 100 Balance Sheet has $7,850,875 cash, accounts receivable and due from other funds, and $200,725 in net loans receivable and other assets. There are $2,999,720 in Deferred Revenues which will be earned when expended, and $4,286,921 in Net Assets.

- The GGP operating Fund 115 has revenues of $250,394, expenditures of $99,327, with a $151,066 surplus resulting from GGP replenishment of the $250,000 security deposit required by the LDA. The balance sheet shows $74,185 total assets and $74,185 liabilities and nets assets at 3/31/17.

- CDBG Revolving Loan Fund 200 Statement of Revenues and Expenditures has $27,954 interest income from notes receivable and expenditures of $4,959 resulting in a $22,996 surplus at 3/31/17. The CDBG Revolving Loan Fund Balance Sheet has $314,880 net cash and due from other funds, $661,675 net loans receivable, $461,155 in liabilities, and $515,401 in net assets.

- CDBG Non-Revolving Loan Fund 300 Statement of Revenues and Expenditures has revenues of $813,082. There are program expenditures of $913,496 resulting in a $100,414 deficit which will be reimbursed by CDBG in the next drawdown. The Balance Sheet for CDBG (NRLF) Fund 300 has $342,221 in cash and due from other funds, $114,632 in net loans receivable, and $456,853 in liabilities and net assets.

- Norwalk Redevelopment Agency Project and Program Fund 500 Statement of Revenues and Expenditures include Capital Budget Grants from the City of Norwalk, grants from State DECD, and other grants. There was $783,394 in revenue and $991,522 in program expenditures resulting in a deficit of $208,127 which will be reimbursed from the city capital budget billings. The NRA Project and Program Fund balance sheet contains $476,365 in total assets, and $476,365 in liabilities and net assets.
  Redevelopment Agency Operating Budget FY18

Mr. Sheehan said just to clarify, basically they didn't need to draw on what the Commissioners allocated in the budget against the NRA share. The statement is coming in for March and it has a tendency to stabilize, so the balance goes down the closer you get to the end of the fiscal year. Mr. Slovak said anything that they don't draw down stays in deferred revenue.

** **MS. TORRANO MOVED TO APPROVE THE FINANCIAL REPORT AS PRESENTED.**
** **MS. LANGLEY SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

B. Redevelopment Agency Operating Budget FY18

Mr. Slovak said for the Agency Operating Budget for FY6/30/18, there is a 2.8% increase in total revenues from the previous year, a 2.8% increase in total expenditures from the previous year, and it is a break even in terms of revenues. The City is contributing $991,231 for revenues to NRA from the City position grants and from the CDBG City Neighborhoods and Admin grants, which is 56% of the revenue that the City is contributing. The Agency is contributing 44% of the revenue, or $764,000 of the total of $1,755,000.

Mr. Slovak went through the line items of the proposed budget. He said they are replacing the server after eight years of life and upgrading to a 2017 server and upgrading the software. They are also upgrading Time Slips 2010 to Time Slips 2017, and likewise the MIP Fund accounting software. Training went down 20% and total admin decreased 1.3%. Total expenditures increased $47,663 over the prior year of 6/30/17 for 2.8% total expenditure increase.

III. BUSINESS

REED PUTNAM URBAN RENEWAL PLAN AREA

1. Review and take action on modifications to the Urban Renewal Plan for the Reed Putnam Area, as approved by the Norwalk Common Council on May 23, 2017.

2. Review and take action on proposed Amendment #5 to the Land Disposition & Development Agreement of the Reed Putnam Area – Development Parcels 1, 2, & 4 by and among the Norwalk Redevelopment Agency, the City of Norwalk, Connecticut and Norwalk Land Development LLC, as approved by the Norwalk Common Council on May 23, 2017.

Attorney Grenier stated that a public hearing was held last week on the proposed modifications to the Urban Renewal Plan and also the proposed modifications to the Land Disposition and Development Agreement, and public comment was received regarding those two items. All statutory requirements have been met in order for the Commissioners to proceed with the vote on the proposed modifications. The Common Council had multiple public hearings via the Planning Committee and ultimately with the Common Council where there was significant public participation regarding the pros and cons of the proposed modifications, and took action on May 23, 2017 when they approved the proposed amendments to the URP under the Connecticut General Statute and approved the LDA. There was one change on the floor requested by Councilwoman Bowman in regards to one of the Whereas Clauses, and that is reflected in the package that was submitted and is on the website as part of the Special Meeting agenda. They have both sets of the proposed Amendment #5 and the proposed modifications to the URP for the Commissioners to discuss, and, if they feel appropriate, to have a motion to go forward on both of those requests.

Chairman Serrano stated, again, just for point of clarification, they will not have any action with regards to infeasibility. They are just taking up the modification request.

Attorney Grenier said the Commissioners were not comfortable making the determination that the proposed uses were infeasible, and while the redeveloper has made its own determination in making the request to delete the hotel component from this project, it has been made clear that that was their determination and that the Agency was not going to make that infeasibility determination.

Mr. Sheehan said Steve Cecil took a look at the impacts associated with the removal of the hotel, and his design review memo that is in the package critiques those impacts. The only thing that remains outstanding is the exterior signage relative to the smaller signs and the small store signs, and that is going to come forward as a package.

Ms. Langley asked is there any particular reason why they didn't define "neighborhood surrounding the project" in the new Whereas Clause that was added pursuant to Councilwoman Bowman's request and what was intended by that? Attorney Grenier said he thinks Councilwoman Bowman had some issues with regard to how the funds would be utilized, especially since the project was located in her district.

Mr. Sheehan said Councilwoman Bowman was displeased with the modifications that basically advanced the funds to the general fund with no specificity as to the Council's interest of where the money should be spent, and the language regarding the neighborhoods around the Reed Putnam URP was taken out and put into the Whereas clause. The motion was made by Councilman Kimmel and the Council voted for that version, so everybody was aligned around it.

Attorney Grenier said for all intents and purposes, it refers to neighborhoods within the project area. Special Counsel as well as Corporation Counsel were dealing with that issue with all 15 Common Council members and trying to make it work for everybody, and there was a lengthy debate and he thinks it was the best that could be done under the circumstances so at least Councilwoman Bowman was satisfied that based on what she heard as to how to utilize those funds, that they were going to be for that area.

Ms. Langley said the lawyer in her is concerned about that language as it doesn't say Norwalk. The intent is Norwalk, but the letter of the document doesn't say that.

Mr. Sheehan said the lawyers on the Council and Corporation Counsel and the Special Counsel were advising against doing this on the fly, but there was some concern from Councilwoman Bowman that if something wasn't put in there that recognized it and the Council approved it, there was no certainty that they were going to get another crack at it. Clearly it is Norwalk. He thinks there were a number, if not the majority, of council people that spoke to the general intent being that the reinvestment of that funding should go into South Norwalk.

Ms. Langley said she just wants it known for the record that she doesn't think this language reflects the intent that the money should be invested in either South Norwalk or Norwalk, and she wants to make sure that that is the intent as she is not comfortable with the language as written.

Mr. Sheehan said just to be clear, you can clearly see in the wording that the Council is recognizing that it can't impose its will on the Board of Estimate and Taxation, and there is a process to encumber the funds once they go into the general fund, and that was part of their concern.

Chairman Serrano said, as he mentioned previously, the $3.5 million proposed funding is outside of the purview of the Redevelopment Agency. The Common Council has the authority with regards to how those funds will ultimately be disbursed, but it is important that they at least have clarity on the intent and at least some opinion on it.

** **MS. TORRANO MOVED TO APPROVE THE MODIFICATIONS TO THE URBAN RENEWAL PLAN FOR THE REED PUTNAM AREA AS APPROVED BY THE NORWALK COMMON COUNCIL ON MAY 23RD, 2017.**
** **MR. DEVINE SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

** **MS. TORRANO MOVED TO APPROVE AMENDMENT #5 TO THE LAND DISPOSITION AND DEVELOPMENT AGREEMENT OF THE REED PUTNAM AREA DEVELOPMENT PARCELS 1, 2 AND 4, BY AND AMONG THE NORWALK REDEVELOPMENT AGENCY, THE CITY OF NORWALK AND NORWALK LAND DEVELOPMENT LLC AS APPROVED BY THE NORWALK COMMON COUNCIL ON MAY 23, 2017.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

** **MS. LANGLEY MOVED TO AUTHORIZE FELIX R. SERRANO, CHAIRMAN OF THE NORWALK REDEVELOPMENT AGENCY, TO EXECUTE THE MODIFIED URBAN RENEWAL PLAN AND AMENDMENT #5 TO THE LAND DISPOSITION AND DEVELOPMENT AGREEMENT AS APPROVED BY THE AGENCY ON BEHALF OF THE AGENCY.**
** **MS. TORRANO SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY**

Mr. Sheehan said now that the Commissioners have made the determination relative to the hotel, Mr. Cecil is making it clear that the rest of the project remains in compliance once you make that modification. If they have any changes to the Conceptual Master Site Plan or any of the plans that they have submitted, they have to bring that back for review. If there are any modifications that come in under the agreements, GGP has contractual responsibilities to notify the Agency of those changes. Also, if they have any changes relative to zoning, they have got to notify the Zoning staff and Zoning staff would then notify the Redevelopment Agency that there's been a request for modification. Before they get their building permit to actually construct this, they have to have signed off plans that basically say the design is in compliance with everything that has been approved to date, and their architects have got to sign off on it and then the bodies within this building that have been involved in it have got to sign off on that. Mr. Cecil has looked at the final submission before the building permit was issued and indicted that there is no significant modification on what they are presenting. There will be ongoing reporting, and they have got a responsibility to report any changes, because at the end of the day the approval on their CO ultimately gets signed off on by the Agency, so it is not to their benefit not to notify us if there is going to be a change.

Ms. Torrano said she would be more comfortable with Mr. Cecil keeping his finger on the pulse of what's happening all the way through just to make sure that their understanding and interpretation of what is being constructed is GGP's understanding, and that there isn't any disconnect at the end. Mr. Sheehan said there are a whole host of people that are in the field representing the City watching out as to what's happening on the site, and GGP is paying a substantial sum to the City to actually have those folks out there to ensure that whatever has been agreed to is actually being lived up to. Both the Agency and Zoning approved all of the materials for this project, so if there is a deviation in the materials, that is something that needs to come back. There was a lot of discussion about where EFIS could go and where it couldn't, and if they move EFIS to someplace that they are not authorized to put it, we will see that and that is a potential issue that they would take up with the developer.

** **MS. TORRANO MOVED TO REVIEW AND TAKE ACTION FOR THIRD PARTY DESIGN REVIEW TO BE CONDUCTED BY HARRIMAN FOR THE REVISED CMSP FOR THE SONO COLLECTION.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

Mr. Sheehan asked for a modification of the action. He indicated that the review has been done, so the action should be to approve the Design Review prepared by Harriman on the revised CMSP to the SoNo Collection. Chairman Serrano said the record should reflect that the motion is approved as modified.

** **MS. TORRANO MOVED TO APPROVE THE THIRD PARTY DESIGN REVIEW CONDUCTED BY HARRIMAN FOR THE REVISED CMSP FOR THE SONO COLLECTION.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

B. <u>CHOICE NEIGHBORHOODS</u>

1. Review and take action on proposed contracts for façade improvements on Hanford Place

Ms. Straus said the Agency received bids from two different contractors. The low bids were reviewed and contractors selected to perform the work on a property by property basis per façade improvement program guidelines. The contracts will be a three party contract between the owner, contractor and Agency.

Chairman Serrano noted that the properties at 72 and 74 as well as 2 and 3 Hanford are deed restricted in perpetuity to low income residents.

Ms. Straus said they received 17 applications, and if they have money remaining or can identify another source of funds, they will do a second round of applications that weren't able to be funded in this first round. The application that went out had pre-established criteria and priorities.

Chairman Serrano noted that this process dovetails nicely with the improvements to the Washington Village redevelopment site, as well as the neighborhood rehab efforts that they are doing. Ms. Strauss said the improvements are for the people living in the houses as well as improvements for the neighborhood.

** **MS. LANGLEY MOVED TO APPROVE THE ABOVE 7 PROJECTS IN THE CHOICE NEIGHBORHOODS RESIDENTIAL FAÇADE**

IMPROVEMENT PROGRAM AND TO AUTHORIZE TIMOTHY T. SHEEHAN, EXECUTIVE DIRECTOR, TO ENTER INTO THE 7 CONTRACTS DESCRIBED ABOVE FOR THE RESIDENTIAL FAÇADE IMPROVEMENT PROGRAM.

** **MS. COOPER SECONDED.**

** **THE MOTION PASSED UNANIMOUSLY**

C. <u>64 - 84 NORTH MAIN STREET</u>

1. Authorize an invitation to bid for street improvements to 64 - 84 North Main Street

Mr. Sheehan said this project is consistent with the Complete Streets planning effort that they went through some time ago with regards to South Norwalk. It is basically to improve the public sidewalk conditions between 64 and 84 North Main Street, which are not good at this point in time. There are planters at grade in the sidewalk, and it is very difficult to walk there, so they have coordinated with the property owners, the Department of Public Works and Tighe and Bond to come up with a plan to make that a better pedestrian experience by extending the width of the sidewalks and removing the planting beds, bringing the trees out to the street where they should be as opposed to back in the sidewalk, and replanting the shrubs which are in bad condition. There are some grasses that they are looking to save. The request is to authorize the funding of $92,000 from Fund 500 to construct the streetscape improvements they just duscussed and to authorize the Executive Director to execute the documents necessary for the contracts. They are putting in new trees, new tree pits and are doing the standardized brick pavers that are the design standard for SoNo. The property owners that abut the public sidewalk are also doing improvements back to their front doors, so it will really enhance that whole corner, which is really the start of Historic South Norwalk.

** **MS. TORRANO MOVED THAT THEY AUTHORIZE FUNDING IN THE AMOUNT OF $92,000 FROM REDEVELOPMENT FUND 500 TO CONSTRUCT THE PROPOSED STREETSCAPE IMPROVEMENTS ON NORTH MAIN STREET; AND THAT THEY AUTHORIZE THE EXECUTIVE DIRECTOR, TIMOTHY T. SHEEHAN, TO EXECUTE ALL DOCUMENTS NECESSARY TO IMPLEMENT THE PROPOSED IMPROVEMENTS.**

** **MR. DEVINE SECONDED.**

** **THE MOTION PASSED UNANIMOUSLY**

IV. <u>NEW BUSINESS</u>

None.

V. <u>OLD BUSINESS</u>

None.

ADJOURNMENT

There being no further Old or New Business, upon motion of Ms. Torrano and second of Ms. Cooper, the Norwalk Redevelopment Agency meeting was adjourned at 6:31 P.M.

Respectfully submitted,

Karen Pacchiana