CITY OF NORWALK
REDEVELOPMENT AGENCY
REGULAR MEETING
NOVEMBER 7, 2016

ATTENDANCE:	Felix R. Serrano, Chairman; Commissioners Lisa Cooper, LaTanya Langley and Tom Devine
AGENCY COUNSEL:	Marc Grenier, Esq.
STAFF:	Timothy T. Sheehan, Executive Director; John Slovak, Comptroller, Timothy J. Carney, Housing Development Project Manager, Tami Strauss, Director of Community Development Planning;
OTHERS:	Steve Cecil, Cecil Group; Douglas Adams, GGP; William Hennessey, Esq.; William Collins; Members of the Press

CALL TO ORDER
Chairman Serrano called the meeting to order at 5:46 P.M.

PUBLIC PARTICIPATION
There was no one present who wished to address the Commission at this time.

I. <u>APPROVAL OF MINUTES</u>
A. October 11, 2016 Regular Meeting

** **MR. DEVINE MOVED TO APPROVE THE MINUTES OF THE OCTOBER 11, 2016 REGULAR MEETING OF THE NORWALK REDEVELOPMENT AGENCY.**
** **MS. LANGLEY SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

Approval of the minutes of October 11, 2016 was later vacated upon motion of Attorney Grenier and second of Commissioner Devine as a quorum was not present at the time of the vote, and the minutes were tabled until the December 13th meeting.

II. <u>FINANCE</u>

Mr. Slovak reported on the Quarterly year-to-date Statement of Revenues and Expenditures and Balance Sheets for all Funds as follows:

- Total Revenues are $416,335 versus a budget of $427,058 for a $10,723 unfavorable revenue variance.
- Total expenditures are $374,517 versus a $427,058 expenditure budget resulting in a $52,541 favorable expenditure variance.
- There is an actual year to date operating surplus of $41,818 versus a budgeted year to date breakeven amount resulting in a favorable fiscal year ending operating variance of $41,818.

- Operating Fund 100 Balance Sheet has $8,152,979 cash, accounts receivable and due from other funds, and $206,973 in net loans receivable. There are $3,346,661 in Deferred Revenues which will be earned when expended, and $4,280,796 in Net Assets.
- The GGP operating Fund 115 has expenditures of $33,703 for the first three months of the year. The balance sheet shows ($108,565) total assets and ($108,565) liabilities and nets assets for reimbursement by GGP in addition to the $250,000 security deposit required by the LDA.
- CDBG Revolving Loan Fund 200 Statement of Revenues and Expenditures has $9,291 interest income from notes receivable and expenditures of $1,611 resulting in a $7,680 surplus in the first three months. The CDBG Revolving Loan Fund Balance Sheet has $276,648 net cash and due to other funds, $717,134 net loans receivable, $493,697 in liabilities, and $500,085 in net assets.
- CDBG Non-Revolving Loan Fund 300 Statement of Revenues and Expenditures has revenues of $163,302. There are program expenditures of $256,714 resulting in a $93,412 deficit which will be reimbursed by CDBG in the next drawdown. The Balance Sheet for CDBG (NRLF) Fund 300 has $547,003 in cash and due from other funds, $125,830 in net loans receivable, and $672,833 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 $314,661 in revenue and $398,957 in program expenditures resulting in a deficit of $84,296 which will be reimbursed by the city capital budget billings. The NRA Project and Program Fund balance sheet contains $635,726 in total assets, and $635,726 in liabilities and net assets.

** **MR. DEVINE MOVED TO APPROVE THE FINANCIAL REPORT AS GIVEN.**
** **MS. LANGLEY SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

(Ms. Cooper joined the meeting at 5:55 pm.)

A. Auditor presentation of financial statements and approval by Board of Commissioners

Mr. Slovak introduced Michael Solakian, CPA, who has just completed the audit of the Agency's financial statements for June 30, 2016.

Mr. Solakian thanked the Commissioners and the Chairman for giving him the opportunity to be involved again in performing the June 30, 2016 audit. He said it is important to note that no adjustments are made to the quarterly information when it comes to the year-end audit, so the information the Commissioners have been seeing on a quarterly basis is reflected in the audited numbers. The total revenue and expenditures are down somewhat and there are a few less programs compared to the June 2015 year, but otherwise everything is pretty comparable. There has been some transition this past year within the Agency, but from a favorable standpoint they have the same staff who just kind of interchanged, which is great because there are knowledgeable people still doing those functions. It again is their clean auditor's opinion, and there are no significant deficiencies or material weaknesses that they have to report, and nothing that would rise to the level of a formal management letter.

The Agency is technically a governmental entity, so there are some federal items in the report. It is what they call a federal single audit, so they have to test the expenditures in accordance with the federal guidelines and the compliance supplement and make sure all the files are in order and all the paperwork is there. Pages 22 and 23 of the audit is the report on the compliance, page 24 shows total expenditures, and page 25, which is the most important page, is the schedule of findings and questioned costs, and there are no findings of questioned costs to report, so it is a great job. The rest of the financial statements, especially the footnotes, are on pages 11 through 18, and is pretty standard disclosure, but, again, it is their clean auditor's report.

In response to a question by Chairman Serrano, Mr. Solakian said being classified as a low risk auditee means there have been no findings in the previous two years audits and the data collection forms have been done on time. What it really means in the practical sense is you would have to do less testing as a low risk auditee.

Chairman Serrano thanked Mr. Solakian for coming and briefing the Commissioners directly.

** **MR. DEVINE MOVED TO APPROVE THE NORWALK REDEVELOPMENT AGENCY'S AUDIT OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2016.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

III. BUSINESS

A. REED PUTNAM URBAN RENEWAL PLAN AREA

1. SoNo Collection review of proposed signage plan, project modifications and the status of the sustainability design review

Mr. Sheehan said they spent a lot of time going over the modifications to the SoNo Collection project as well as the signage plan at the last meeting, and Steve Cecil is back to present his formal memos on both of those issues, as well as his memo relative to the status of the sustainability review associated with the project. Zoning is also reviewing the signage plan and the modifications and is scheduled to take action on November 16th, so this review is timely to inform them as to the Agency's position and/or issues on all three aspects.

Mr. Cecil said they prepared three memoranda on the topics of sustainability, signage and potential changes in the project. As to sustainability, the Redevelopment Agency has adopted a sustainability review of projects of this type that begins with an agreement that the method for testing what sustainability means is either one of the standard methods listed in the policy or a method proposed by the proponent but agreed upon by the Agency in their role as the peer review consultant, and from their standpoint the proponent has met this procedural requirement of an initial review threshold. The project is different from the standard projects and standard review processes associated with various environmental programs, and they have proposed using LEED as a kind of scoring system to check and organize the documentation while not actually applying for the LEED certification, in part because there are some unusual characteristics as an interior mall that don't really fit into the categories that

LEED would have. They will continue to work with them to make sure they have everything they need so they can come back later with a final finding.

Mr. Sheehan said at this time they are seeking the Commission's approval as to the design review for the signage and the project modifications, subject to further administrative review. Once the sustainability review is more finalized and formalized it would come back for the Commission's approval.

Mr. Cecil said as to signage, the proponent has prepared the SoNo Collection Exterior Signage Manual revised through October 4th which has a description of all of the different types of exterior signs and has organized them in categories that include tenant signage, building entry signage, major tenant identity, and other kinds of signs. The electronic messaging panels and wall murals are really meant to be part of the facades. As reported last time, they had reviewed all of this signage and it was quite sensible to them. They have located where the various signs would be and the type of messaging, and they have updated the elevations to reflect the changes in the façades, and their finding was and remains that the signage plan is a very solid and responsive plan, and a very thorough package.

The lighting concepts have not been fully defined for each sign, and will be contingent upon the final design and content of each component. The manual provides illustrations of the type of sign lighting contemplated. If something comes along that is outside the boundaries of what they have said makes sense, they would refer it back to the Commission, but it should be fine as long as it is within the appearance of the family, so they are recommending that approval.

There are written standards in the manual as to electric signage, but because these are a new kind of sign and new scale of sign in town, they would want to see it as the signage emerges and would like to have a little more information about the content, but they really think it is an excellent exterior signage package that is innovative and lively, so they would encourage the Commissioners to say that the manual is a solid tool and it fulfills the Agency's guidelines for the area, and they have listed the guidelines in the memorandum.

As to tenant signage, the proponent's memorandum is not sufficient to provide the framework for approval of tenant signage in advance of individual submittals, and they recommend that they set up a clearer set of standards, at which point it can be an administrative review of individual signs, so they think that the manual is in good shape subject to individual sign review and then subsequently, review and approval of a manual for the tenant signs.

The SoNo Collection Exterior Signage Manual revised through October 4th is the signage manual that they are holding them to, and they are recommending approval of that. It will also become the Zoning manual as well.

As to the project modifications, they are recommending approval of a series of massing changes, which includes altering the clerestory lighting and roof forms above the interior mall, some minor refinements of the "jewel box" elements to break up the masses of the retail, several massing, fenestration and roof configuration changes at the northwest corner that includes the extension of an additional retail area above the Sculpture Garden, so overall they think that the massing changes at the northwest corner and the overall treatment of the jewel boxes and the spaces in between is good and heading in the right direction.

On the east elevation design, the original plan had a series of vertical fins that were attached to the façade that would be created out of aluminum to create a kind of shape and have some interesting effects, and they suggested that a number of those vertical fins could be reduced without affecting the overall design, and it obviously has some cost benefits. It is not meant to be solid, it is meant to have a kind of a pattern, but the number of slats that they propose will screen the garage to an effective degree, so they felt that their approach was solid and they are fine with it.

They have tightened up the design at the corner of Pine Street Extension, West Avenue and North Water Street, and made some recommendations about other ways to handle some of the paving relationships and circulation. The original proposal for the North Water Street area had a design that included a large stairway leading up towards the atrium, and the revised design has a much more direct pedestrian entrance into the mall with an adjacent retail use, which they think is much better from a streetscape standpoint. They have revised the public realm design and they are very supportive of the quality and the character of the spaces.

So with that, they recommend approval overall with a couple of caveats. There's a loading area that had to be added to a certain location on the backside and there are some shifts in some of the materials there that they think are appropriate. They were contemplating some significant shifts in the materials of most of the jewel boxes and they returned back to the original design. In the case of the element that has the escalator in it, they had originally planned for a terra cotta, but have come up with a different material which is a fiber cement panel, which is a very nice material that they think is just fine.

The remaining component talked about is the façade along I-95 which is really only seen from the highway and not very close up which the proponent would like to see as an EFIS product, and they would like to have some time to review this in more detail and get a position defined. They had proposed significant other facades of the same material and they have come back to the original concept, so they are not proposing a change from that standpoint. It really comes down to that piece and whether they read it more as a side façade as opposed to a major façade.

** **MR. DEVINE MOVED TO APPROVE THE SONO COLLECTION PROJECT SIGNAGE DESIGN AND MANUAL WHICH COMPLIES WITH THE URBAN RENEWAL PLAN REQUIREMENTS FOR THE REED PUTNAM URBAN RENEWAL AREA AS SET FORTH IN STEVE CECIL'S MEMORANDUM DATED NOVEMBER 4, 2016, SUBJECT TO CONTINUED ADMINISTRATIVE REVIEW BY AGENCY STAFF FOR CONTINUED URBAN RENEWAL PLAN COMPLIANCE.**
** **MS. LANGLEY SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

** **MS. COOPER MOVED TO APPROVE THE SONO COLLECTION PROJECT PROPOSED DESIGN CHANGES THAT COMPLY WITH THE URBAN RENEWAL PLAN REQUIREMENTS FOR THE REED PUTNAM URBAN RENEWAL AREA AS SET FORTH IN STEVE CECIL'S MEMORANDUM DATED NOVEMBER 4, 2016, SUBJECT TO CONTINUED**

ADMINISTRATIVE REVIEW BY AGENCY STAFF FOR CONTINUED URBAN RENEWAL PLAN COMPLIANCE.

** **MR. DEVINE SECONDED.**

** **THE MOTION PASSED UNANIMOUSLY.**

B. <u>SONO STARS ANNUAL CONTRACT</u>

1. Review and approve the 2016-17 annual contract between the Norwalk Redevelopment Agency and STAR Inc.
2. Authorize the Executive Director, Timothy T. Sheehan, to execute the Contract

Mr. Sheehan said they have had a contract with the SoNo Stars for a number of years to do maintenance in the SoNo area. David Shockley has been working with them. Mr. Shockley said the program has been going on for ten to twelve years and has been working well.

Mr. Sheehan said this program is very well thought of by the SoNo businesses and obviously it is a great working experience for the Star folks, and the Agency is delighted to continue its participation and would recommend approval of the contract.

Chairman Serrano said he concurs that this is a great program and one that has been going on for many years.

** **MS. LANGLEY MOVED TO REVIEW AND APPROVE THE 2016-17 ANNUAL CONTRACT BETWEEN THE NORWALK REDVELOPMENT AGENCY AND STAR INC., AND AUTHORIZE THE EXECUTIVE DIRECTOR, TIMOTHY T. SHEEHAN, TO EXECUTE THE CONTRACT.**

** **MS. COOPER SECONDED.**

** **THE MOTION PASSED UNANIMOUSLY.**

C. <u>WALK BRIDGE PROJECT</u>

1. Walk Bridge Public Hearing November 17, 2016 - Topics

Mr. Sheehan said the Walk Bridge issue has been a significant concern for the Redevelopment Agency. The Commission had previously authorized the Agency to hire a consultant to deal with business mitigation issues associated with this massive project. A public hearing is being held on November 17th on the Environmental Assessment (EA) and Environmental Impact Evaluation (EIE) documents associated with the project. Those reports reviewed a number of issues and also took into account how the State DOT should be advancing the redevelopment of the bridge. They came forward with a recommendation of a replacement with a movable bridge with the construction timeline of the project being approximately 40 months and an anticipated cost of between $365MM and $415MM. A public hearing is scheduled for November 17th on the EA and EIE documents. Staff would like to submit the following public comment from the Redevelopment Agency:

> *"The Redevelopment Agency supports the Walk Bridge being replaced, but based on its review of the EA and EIE it believes that there are clearly significant impacts associated with this project which will be detrimental to the quality of the human environment immediately surrounding the project. These impacts are potentially negative to the existing natural, physical, social and economic conditions of the City*

of Norwalk and particularly to the South Norwalk neighborhood. Given these potential negative impacts, the Redevelopment Agency recommends that an Environmental Impact Statement be undertaken on the project which will review the impacts of this project in proportion to their significance and rigorously evaluate different alternatives that could have a lessor impact to our City's urban quality, its businesses and our historic and collateral resources."

The reason that this is coming to the Commission for approval is that the City wants to be able to verify that the Commission has reviewed the issue at a meeting and has authorized comment on the specific topic. He is going to be at the meeting and would be happy to be the Agency's representative to make the statement.

Ms. Langley said there may be questions after the fact, so she would rather have one voice so that they are consistent in messaging. Chairman Serrano said he thinks it is also important to make sure that they are aligned with the actual statement. He would suggest that since Mr. Sheehan is dealing with this on a day to day basis, that he be the one to make the statement. Mr. Devine said since it is only limited to November 17th, then he thinks they should authorize Tim Sheehan, who has indicated he will be at the meeting, to make the statement as quoted. Attorney Grenier said it is no different than a board authorizing its representatives to make a statement at a public hearing in support of something or against something.

Mr. Devine asked what impacts are detrimental. Mr. Sheehan said obviously there's environmental impacts in terms of the wildlife in the water and relocation issues and impacts associated with the animals at the Aquarium. There are issues in terms of being able to do the actual improvements in the space that the existing rail line is currently located, and issues in terms of just traffic in general, so taking all of it in its entirety, the impacts to the South Norwalk community and even the City of Norwalk in general are pretty astounding, and they are questioning whether the environment assessment which has been provided is sufficient to address those issues. All the commissions are being asked to make a similar public statement.

** **MS. COOPER MOVED TO AUTHORIZE THE EXECUTIVE DIRECTOR, TIMOTHY SHEEHAN, TO SUBMIT AND/OR MAKE PUBLIC STATEMENTS REGARDING THE WALK BRIDGE PROJECT WHICH ARE CONSISTENT WITH THE INTENT AND PURPOSE OF THE ABOVE REFERENCED STATEMENT.**
** **MS. LANGLEY SECONDED.**
** **THE MOTION PASSED (MR. DEVINE ABSTAINED).**

IV. **NEW BUSINESS**

None.

.**OLD BUSINESS**

None.

ADJOURNMENT

There being no further Old or New Business, upon motion Mr. Devine, seconded by Ms. Cooper, the meeting was adjourned at 7:14 P.M.

Respectfully submitted,
Karen Pacchiana

NORTH WALKE HOUSING CORPORATION SPECIAL MEETING NOVEMBER 7, 2016

ATTENDANCE:	Felix R. Serrano, Chairman; Commissioners Lisa Cooper, LaTanya Langley and Tom Devine
AGENCY COUNSEL:	Marc Grenier, Esq.
STAFF:	Timothy T. Sheehan, Executive Director; John Slovak, Comptroller, Timothy J. Carney, Housing Development Project Manager, Tami Strauss, Director of Community Development Planning
OTHERS:	William Collins

CALL TO ORDER
The Meeting was called to order at 7:07 P.M by Chairman Serrano.

ROLL CALL
Chairman Serrano noted that a quorum was present.

PUBLIC PARTICIPATION
No one came forward to speak.

I. APPROVAL OF MINUTES
A. August 9, 2016 Regular Meeting

** **MS. LANGLEY MOVED TO TABLE THE MINUTES OF AUGUST 9, 2016 DUE TO LACK OF A QUORUM.**
** **MR. DEVINE SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

II. FINANCIAL STATEMENTS
A. North Walke Housing Corporation Statements of Revenue and Expenditures and Balance Sheets for all Funds for Year-to-Date September 30, 2016.

Mr. Slovak reported on the Financial Statements as follows:

- North Walke Housing Corporation Operating Fund 400 Statement of Revenues and Expenditures Year-to-Date September 30, 2016 had $33,602 in revenues, $30,489 in expenditures and a net operating surplus of $3,112. The Balance Sheet for North Walke Housing Corporation Operating Fund 400 has $405,249 in total assets, $405,249 in total liabilities and net assets.

- The North Walke Housing Corporation Fund 450 Statement of Revenues and Expenditures has a $954 operating surplus from interest on notes. The Revolving Loan Fund Balance Sheet for North Walke Housing Corporation has cash and loans receivable of $150,770 and $150,770 in liabilities and net assets.

- Also included in the package is the audited financial statements for North Walke Housing Corporation at June 30, 2016, and the auditor gave his presentation for Norwalk Redevelopment Agency with North Walke Housing Corporation. There were no changes to the audited financial statements presented to the Board of Commissioners during the course of the year, and on the first page of the audited financial statements to the Board of Commissioners regarding North Walke Housing Corporation, the opinion of the auditors Solakian and Company, LLC, at the bottom of the page, "In our opinion the financial statements referred to above present fairly, in all material respects., the financial position of North Walke Housing Corporation as of June 30, 2016 and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America."

** **MR. DEVINE MOVED TO APPROVE THE QUARTERLY YEAR-TO-DATE STATEMENT OF REVENUES AND EXPENDITURES AND BALANCE SHEET FOR ALL FUNDS**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

** **MS. LANGLEY MOVED TO APPROVE THE NORTH WALKE HOUSING CORPORATION AUDITOR'S REPORT ENDED JUNE 30, 2016.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

III BUSINESS

B. SOUTH NORWALK HOMEOWNERSHIP PROGRAM

1. Approve the Resolution regarding the sale of 68 Lexington Avenue

Ms. Strauss said she is pleased to announce that on November 3rd they closed on the sale of 68 Lexington Avenue, which is the first project in their homeownership program. The closing took place at the offices of DePanfilis and Vallerie. The sale documents were executed by Felix Serrano, Chairman, on behalf of the Agency. The sales price was $348,000 as approved by the Commissioners last January. The buyer's legal counsel has requested that a resolution regarding the sale be approved by the Commissioners and signed by the Secretary, and she has a revised resolution with the date of today's Special Meeting for the Commissioners' approval.

** **MS. LANGLEY MOVED TO APPROVE THE ATTACHED RESOLUTION REGARDING THE SALE OF 68 LEXINGTON AVENUE WITH A SALE DATE AS OF THE SPECIAL MEETING DATE OF NOVEMBER 7, 2016.**
** **THE MOTION PASSED UNANIMOUSLY.**

C. LAND LEASES

1. Delinquent land lease payments at Old Well Commons (negotiations about pending claims)

** **MS. DEVINE MOVED TO GO INTO EXECUTIVE SESSION AT 7:15 P.M. TO DISCUSS PENDING CLAIMS REGARDING NORTH WALKE HOUSING CORPORATION.**
** **MS. LANGLEY SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

** **MS. DEVINE MOVED TO COME OUT EXECUTIVE SESSION AT 7:35 P.M.**
** **MS. LANGLEY SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

A. ELECTION OF OFFICERS

1. Election of North Walke Housing Corporation Officers for FY2017

** **MR. DEVINE MOVED THAT THE SLATE OF OFFICERS FOR NORTH WALKE HOUSING CORPORATION REMAIN THE SAME AS THEY ARE CURRENTLY, WHICH IS FELIX SERRANO, CHAIRMAN; LORI TORRANO, VICE CHAIRMAN; AND LATANYA LANGLEY, SECRETARY/TREASURER.**
** **MS. COOPER SECONDED.**
** **THE MOTION PASSED UNANIMOUSLY.**

IV. **NEW BUSINESS**
None.

V. OLD BUSINESS
None.

ADJOURNMENT
There being no further Old or New Business, upon motion of Ms. Langley, seconded by Mr. Devine, the North Walke Housing Corporation meeting was adjourned at 7:27 PM.

Respectfully submitted,

Karen Pacchiana