

**CITY OF NORWALK
REDEVELOPMENT AGENCY
SPECIAL MEETING
FEBRUARY 15, 2017**

ATTENDANCE: Felix R. Serrano, Chairman; Commissioners, Lori Torrano, Tom Devine, and LaTanya Langley (via teleconference)

AGENCY COUNSEL: Marc Grenier. Esq.

STAFF: Timothy T. Sheehan, Executive Director; John Slovak, Comptroller; Susan Sweitzer, Senior Project Manager; David Shockley, Neighborhood Improvement Coordinator

OTHERS: Steve Cecil, Harriman; Robert Jakubik, GGP; Charlie Taney, Norwalk River Valley Trail; John Tamburro, Meticulous Landscape; William Collins

CALL TO ORDER

Chairman Serrano called the meeting to order at 5:30 PM.

ROLL CALL

Chairman Serrano noted that a quorum was present.

PUBLIC PARTICIPATION

Charley Taney, Executive Director of Norwalk River Valley Trail, said he is there to support the proposed relocation of a portion of the NRVT through the Pine Island Cemetery, and is happy to answer any questions.

No other members of the public wished to speak.

I. APPROVAL OF MINUTES

A. January 17, 2017 Regular Meeting

Ms. Torrano presented proposed revisions to the minutes.

**** MS. TORRANO MOVED TO APPROVE THE MINUTES OF THE JANUARY 17, 2017 SPECIAL MEETING OF THE NORWALK REDEVELOPMENT AGENCY AS REVISED.**

**** MR. DEVINE SECONDED (MS. LANGLEY ABSTAINED).**

**** THE MOTION PASSED.**

II. FINANCE

Mr. Slovak reported on the NRA Statement of Revenues and Expenditures and Balance Sheets for all Funds at year-to-date December 31, 2016 as follows:

- Total Revenues are \$855,619 versus a budget of \$854,116 for a \$1,503 favorable revenue variance.
- Total expenditures are \$780,166 versus a \$854,116 expenditure budget resulting in a

\$73,950 favorable expenditure variance.

- There is an actual year to date operating surplus of \$75,453 versus a budgeted year to date breakeven amount resulting in a favorable fiscal year ending operating variance of \$75,453.
- Operating Fund 100 Balance Sheet has \$8,032,081 cash, accounts receivable and due from other funds, and \$191,458 in net loans receivable. There are \$3,167,605 in Deferred Revenues which will be earned when expended, and \$4,314,430 in Net Assets.
- The GGP operating Fund 115 has revenues of \$250,394, expenditures of \$67,089, with a \$183,305 surplus resulting from GGP replenishment of the \$250,000 security deposit required by the LDA. The balance sheet shows \$102,748 total assets and \$102,748 liabilities and nets assets.
- CDBG Revolving Loan Fund 200 Statement of Revenues and Expenditures has \$18,415 interest income from notes receivable and expenditures of \$3,241 resulting in a \$15,174 surplus in the first three months. The CDBG Revolving Loan Fund Balance Sheet has \$496,077 net cash and due from other funds, \$693,752 net loans receivable, \$682,251 in liabilities, and \$507,579 in net assets.
- CDBG Non-Revolving Loan Fund 300 Statement of Revenues and Expenditures has revenues of \$396,521. There are program expenditures of \$527,184 resulting in a \$130,663 deficit which will be reimbursed by CDBG in the next drawdown. The Balance Sheet for CDBG (NRLF) Fund 300 has \$403,337 in cash and due from other funds, \$119,913 in net loans receivable, and \$523,250 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 \$621,498 in revenue and \$788,461 in program expenditures resulting in a deficit of \$166,963 which will be reimbursed by the city capital budget billings. The NRA Project and Program Fund balance sheet contains \$539,716 in total assets, and \$539,716 in liabilities and net assets.

**** MS. TORRANO MOVED TO APPROVE THE FINANCE RERPORT AS PRESENTED.**

**** MR. DEVINE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

III. BUSINESS

B. HEAD OF THE HARBOR

1. Approve Public Improvements Agreement Letter as amended:

Ms. Sweitzer said the public improvements agreement letter, which the Commission reviewed last month, is an agreement between the City of Norwalk and Head of the Harbor South for the public improvements as obligated in the option agreement and includes the Wall Street retaining wall replacement and some streetscape improvements on the south end of the project area. The agreement was amended to include a 10% contingency for change orders approved by the Agency's project field inspector for a total project cost not to exceed \$934,433 and to make payment schedules within 30 days of submitted AIA requests for payments certified on completed work. The action requested itemizes the three capital budget funds from which the project contract will be taken.

Attorney Grenier said the agreement was revised based upon comments made at last month's Commission meeting, and is satisfactory to the developer.

- ** MR. DEVINE MOVED TO AUTHORIZE CHAIRMAN FELIX R. SERRANO OF THE NORWALK REDEVELOPMENT AGENCY TO EXECUTE THE ATTACHED AGREEMENT IN ACCORDANCE WITH THE STATED TERMS AND CONDITIONS APPROVED BY AGENCY COUNSEL WITH HEAD OF THE HARBOR SOUTH LLC FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS AS DEFINED IN HEAD OF THE HARBOR RETAINING WALL REPLACEMENT FINAL DESIGN SUBMISSION (DECEMBER 1, 2016) FOR AN AMOUNT OF \$849,485 PLUS A 10% CONTINGENCY OF \$84,948 FOR A TOTAL PROJECT AMOUNT NOT TO EXCEED \$934,433. FUNDS ARE AVAILABLE IN ACCOUNTS 09170910 5777 C0287, 09150910 5777 C0551 AND 090800910 5777 C0433.**
- ** MS. TORRANO SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

2. Approve contract agreement letter with Tighe and Bond for inspection services Head of Harbor Public Improvements.

- ** MS. TORRANO MOVED TO TABLE ITEM B-(2).**
- ** MR. DEVINE SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

C. SOUTH NORWALK REDEVELOPMENT TOD PLAN

1. Award of contract to Fitzgerald and Halliday for traffic analysis from account of 09170910 5777 C0451 in the amount of \$11,800
2. Authorize Chairman, Felix R. Serrano, to execute all contract documents

Ms. Sweitzer said the zoning recommendations requested an examination of the traffic impacts on potential soft sites for development, which is really to satisfy the Zoning Commission's questions with regard to the actual development impact insofar as they could anticipate it. They have worked with Harriman and identified Fitzgerald and Halliday to perform the traffic analysis for an amount not to exceed \$11,800. The February Zoning Commission Land Use Subcommittee meeting was postponed due to snow, so they will be taking this up in March when Fitzgerald and Halliday's report should be completed. Mr. Sheehan said they were supposed to meet the day of the snow storm and the meeting got postponed, so they are basically carrying all the work over to the March meeting. They lost a month and in order to meet the 90 day schedule, it would have to go from committee in March up to the full commission in April, so it doesn't give the committee much of an opportunity to flush out any questions they might have relative to the traditional TOD area to the north of Henry Street where all the soft sites for development are located. They will advance the TOD District Plan to the Commission for consideration and approval while they continue to work on the Lexington Avenue piece.

- ** MS. TORRANO MOVED TO APPROVE THE AWARD OF A TRAFFIC ANALYSIS CONTRACT TO FITZGERALD & HALLIDAY AS PROPOSED IN THEIR SCOPE OF WORK DATED FEBRUARY 2, 2017 IN AN AMOUNT OF \$11,800; AND**

FURTHER THAT THEY AUTHORIZE CHAIRMAN FELIX R. SERRANO TO EXECUTE ALL DOCUMENTS AS REQUIRED TO EXECUTE THE FIZGERALD & HALLIDAY CONTRACT PROPOSAL DATED FEBRUARY 2, 2017.

**** MR. DEVINE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

D. HARBOR LOOP TRAIL

1. Award contract to Timber and Stone LLC for Pine Island Cemetery trail design from Account 09130910 5777 C0468 in the amount of \$3,300
2. Authorize Chairman, Felix R. Serrano, to execute all contract documents

Ms. Sweitzer said the Harbor Loop Trail goes through Matthews Park and traverses what is now the Devon's Place playground, which have prompted a lot of discussions with the Historic Commission about rerouting the trail through the Pine Island Cemetery. A letter of support from the Historic Commission for the relocation of the trail as well as letters of support from the Norwalk River Valley Trail folks are in their package. Agency staff has contacted a trail designer, Timber and Stone LLC, who have done a lot of woodland type trails, to propose a design for this small rerouting through the cemetery so folks could walk through there with strollers and bikes and the like, but it would not be an active cycling center.

**** MS. TORRANO MOVED TO APPROVE THE PROPOSAL SUBMITTED BY TIMBER & STONE LLC IN THE AMOUNT OF \$3,300 FOR THE RELOCATION OF THE HARBOR LOOP TRAIL/NRVT INCLUDING TRAIL DESIGN, ADA COMPLIANCE FEATURES, BID DOCUMENTS AND FINAL SPECIFICATIONS; AND FURTHER TO AUTHORIZE CHAIRMAN FELIX R. SERRANO TO EXECUTE ALL CONTRACT DOCUMENTS WITH TIMBER & STONE LLC AS REQUIRED TO IMPLEMENT THE PINE ISLAND CEMETERY TRAIL RELOCATION.**

**** MR. DEVINE SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Ms. Sweitzer said lastly, she would like to inform the Commissioners and congratulate them on the \$2 million grant received just this week from DECD to complete the final remediation work on Ryan Park, so they are now prepared to go forward.

E. WALL STREET THEATER COMPANY

1. Approve Term Sheet for Section 108 loan to Norwalk Redevelopment Agency from the City of Norwalk
2. Approve Term Sheet for the loan to the Wall Street Theater Company, Inc. from the Norwalk Redevelopment Agency

Chairman Serrano said this item will be tabled pending receipt of additional information.

**** MR. DEVINE MOVED TO TABLE ITEM E, THE WALL STREET THEATER COMPANY.**

**** MS. TORRANO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

F. LANDSCAPE AND MAINTENANCE SERVICES

1. Authorize the Chairman to execute a contract with Meticulous Landscaping and Design, Inc. for Landscape Maintenance Services to begin on April 1, 2017 and end on March 31, 2018 for \$94,535.00 with a 10% contingency

Mr. Shockley said they had contracted with Meticulous Landscaping, Joseph Tamburro, for 2016 for \$115,000 and found that everything went well with very positive results. Despite the draught Meticulous kept up with the watering, so they decided to extend the contract with them for 2017 with the absence of a couple of NRA properties at a fee of \$94,000 with 30 waterings, and then have a certain price per watering after 30.

Mr. Sheehan noted that they will need clearance from the Taxing District that there will be sufficient water to handle the waterings. Mr. Shockley said an alternative could be to take water from the Norwalk River, which has been done in the past.

- ** MR. DEVINE MOVED TO AUTHORIZE THE CHAIRMAN TO EXECUTE A MODIFIED CONTRACT EXTENSION WITH METICULOUS LANDSCAPING AND DESIGN, INC. FOR LANDSCAPE MAINTENANCE SERVICES TO BEGIN ON APRIL 1, 2017 AND END ON MARCH 31, 2018 IN AN AMOUNT NOT TO EXCEED \$104,000 SUBJECT TO ALL NECESSARY REVIEWS AND APPROVALS OF THE CITY AND PUBLIC AGENCIES INVOLVED.**
- ** MS. TORRANO SECONDED.**
- ** THE MOTION PASSED UNANIMOUSLY.**

A. SONO COLLECTION

1. Approve the sustainability review prepared by Harriman Architecture and Engineering

Mr. Cecil said two components of the approval procedure that are remaining are the review of the proposed façade for Bloomingdale's and the review and prospective approval of the sustainability policies.

Mr. Sheehan noted that the Bloomingdale's review is an informal review because it has already been advanced to Zoning. However, the Commission does have to take action on the sustainability issue.

Mr. Cecil said as to the sustainability, the goal is comply with one of a series of standards in the industry for sustainability, and because of the size and complexity of the project, the one that they focused on was the LEED Green Building Council program. The GGP team has built into the project a number of sustainability characteristics, and they as a peer review team, which included LEED certified engineers, mechanical, electrical, plumbing and civil engineers as well as landscape architects and an architecture team, met with GGP and went through a checklist to see if they matched up appropriately with the criteria that the sustainability policy promotes, and they found that on a general scale it is going to be a very environmentally responsive project, and they have prepared a sustainability report that outlines how GGP has complied with the criteria

Energy is a big part of the overall cost of running a retail mall because of the large volumes of buildings and getting the lighting and the right HVAC that works to make a comfortable place is extremely important, but because the cost is such a huge component, these companies have learned that it is really in their interest to be thinking long term about how to keep their operating costs down. GGP has quite an extensive policy internally on how they are going to build and operate their facility, and they have been working with not only their architects but with a sustainability adviser and have gone through each one of the components to see what they can do to make these things active, not only in terms of design but how they are going to operate the facility efficiently, and from an energy standpoint, they are exceeding the reduction from similar facilities by a significant degree. They are looking to have about 38% more insulation, for example, than would be required if they were to get a LEED certificate, and they are going to have very specific LED fixtures relative to other contemporary systems which represents about a 35% savings. Their engineers went through their calculations and looked at the methodology and they are happy with where they are in meeting the sustainability standards and the methods that they are using are the industry standards. As far as the indoor quality and the mechanical systems, all of their specifications and their approach ensures that they are meeting the appropriate standards, so as far as all of the categories he thinks that they are in good shape.

Chairman Serrano said, as he understands it, LEED has different levels, the highest being a platinum, and he queried whether the 38% insulation rating is greater than the LEED guidelines. Mr. Cecil said his understanding is that 38% is what would qualify them for a certificate, not necessarily platinum. The way LEED works is that there is a scoring system and you can have higher scores in some areas and lower scores in other areas, so they looked at the wall assemblies and the roof assemblies and what they call R rating for them, and they are really high, at least 20% greater than what the state's standards would be. Their wall and roof assemblies are really well insulated, which is not actually all that big a surprise as a little more money spent now is going to save a lot over time.

**** MR. DEVINE MOVED THAT THE NORWALK REDEVELOPMENT AGENCY COMMISSION HEREBY APPROVES THE SUSTAINABILITY FOR THE SONO COLLECTION PROJECT AS UNDERTAKEN BY HARRIMAN ON BEHALF OF THE NORWALK REDEVELOPMENT AGENCY. SHOULD ANY PROJECT CHANGE ALTER THE PROJECT'S ALIGNMENT WITH THE SUSTAINABILITY CRITERIA AND GUIDELINES WHICH WERE THE BASIS OF THIS REVIEW THE PROJECT SPONSOR IS OBLIGATED TO FILE A PLAN AMENDMENT FOR ADDITIONAL REDEVELOPMENT AGENCY REVIEW.**

**** MS. TORRANO SECONDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Cecil said as to the Bloomingdale's façade, from a design review they were at 100% design review but there were boxes to be filled in later, and that is going to continue with different store fronts. One of the things that they are working on on the store fronts and the signage is to have a set of guidelines. They have their own internal guidelines for what makes for good design and they are going to be reviewing those guidelines and making sure that everything is continuing to follow those guidelines to provide for transparency and the design of scale, etc. Of the two anchors, Nordstrom's and Bloomingdale's, Bloomingdale's is much more of a custom design circumstance because of where it is and how it is perched on the building, and they met with the overall project architects as well as the architects for

Bloomington's, and he was genuinely impressed with the design. He thought that it was truly imaginative in its approach. It is composed of a series of aluminum panels that have cutouts within them of a series of circles and inside those circles are very small LED lights and other components, so that in the evening the façade comes alive from the inside rather than lighting it from the outside, and while it is very contemporary, the depth and detail and decorative quality that is going to be created is going to be fantastic and is really a clever solution to a challenging problem.

IV. **NEW BUSINESS**
None.

V. **OLD BUSINESS**
None

ADJOURNMENT

There being no further Old or New Business, upon motion of Ms. Torrano and second of Mr. Devine, the Norwalk Redevelopment Agency meeting was adjourned at 6:36 P.M.

Respectfully submitted,

Karen Pacchiana