

**THE PLANNING COMMITTEE
OF THE COMMON COUNCIL**

**125 East Avenue
P.O. Box 5125
Norwalk, CT 06856**

TO: MEMBERS, PLANNING COMMITTEE OF THE COMMON COUNCIL

FROM: DOUGLAS E. HEMPSTEAD, CHAIRMAN

DATE: DECEMBER 3, 2013

RE: MEETING NOTICE

.....

A Special Meeting of the Planning Committee of the Common Council will be held on **Wednesday, December 11, 2013 at 7:00 pm**, in Room A330 in Norwalk City Hall. Please Note The Time And Location.

**PLANNING COMMITTEE OF THE COMMON COUNCIL
December 11, 2013
7:00 PM**

A G E N D A

PUBLIC PARTICIPATION

CALL TO ORDER

ROLL CALL

- I. APPROVAL OF MINUTES – September 5, 2013 Regular Meeting
October 3, 2013 Public Hearing
October 3, 2013 Regular Meeting
- II. BUSINESS
 - A. **COMMUNITY DEVELOPMENT BLOCK GRANT**
 - 1. Approve Advancing the Norwalk Housing Authority's Certificate of Consistency Request to the Common Council
 - B. **COMMITTEE ORIENTATION**
 - 1. Reviews
 - a. Review Functions and Purpose of the Planning Committee
 - b. Review Functions and Purpose of the Redevelopment Agency
 - c. Review Redevelopment & Urban Renewal Plan Areas and Related Projects

Wall Street Redevelopment Plan Area

i. Wall Street Place

ii. Head of the Harbor

West Avenue Redevelopment Plan Area

iii. Waypointe Phases I, II, III

Reed Putnam Urban Renewal Plan Area

iv. 95/7

d. Review Master Plans in Development or
Implementation Phases

Transit Oriented Development

Choice Neighborhoods

Connectivity

Brownfields

Public Parking Plan

West Avenue

e. Review Community Development Block Grant
(CDBG) Program

Review schedule and intended changes to PY40

Notice of Funding Availability (NOFA) Review

Process and CDBG Timeline for 2013-2014

ADJOURNMENT

**CITY OF NORWALK
PLANNING COMMITTEE OF THE COMMON COUNCIL
REGULAR MEETING
SEPTEMBER 5, 2013**

ATTENDANCE: Nicholas Kydes, Chair; Michael Geake, David McCarthy, Matthew Miklave; Douglas Hempstead (7:32 p.m.); Carvin Hilliard (7:32 p.m.)

STAFF: Timothy Sheehan, Redevelopment Agency Director

CALL TO ORDER.

Mr. Kydes called the meeting to order at 7:30 p.m.

ROLL CALL.

Mr. Kydes called the roll. A quorum was present.

PUBLIC PARTICIPATION.

There was no one present from the public.

I. APPROVAL OF MINUTES – JULY 15, 2013 SPECIAL MEETING.

**** MR. MCCARTHY MOVED THE MINUTES OF THE JULY 15, 2013 SPECIAL MEETING.**

Mr. Hempstead and Mr. Hilliard joined the meeting at 7:32 p.m.

Mr. Miklave said that he was not clear about whether the Committee had taken action on the Academy Street Extension and said he wanted to present a resolution to the Council. Mr. Kydes agreed with Mr. Miklave and said that he would like to have a resolution prepared for the Committee to debate. Mr. Sheehan said that he would like some direction on how the resolution should be prepared.

**** THE MOTION TO APPROVE THE MINUTES OF THE JULY 15, 2013 SPECIAL MEETING AS SUBMITTED PASSED UNANIMOUSLY.**

**** MR. MIKLAVE MOVED TO SUSPEND THE RULES TO AMEND THE AGENDA TO ADD AN ITEM REGARDING THE ACADEMY STREET EXTENSION.**

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Miklave said that he recollected that there was a fairly high cost associated with the project. Mr. Hempstead pointed out that the project had changed in size and scope and the traffic study

was no longer accurate. He said that there would need to be more discussion by the Committee and updated information. Discussion followed.

Mr. Sheehan said that the resolution could start with the fact that the Agency was starting with seeking guidance from the Committee, and lay out both the positive and negative points. This was agreeable to all.

II. BUSINESS.

A. CDBG -

1. Proposed Amendment to PY39 Annual Action Plan to Account for Greater than Anticipated PY39 CDBG Funding.

(a) Approve advancing Proposed Substantial Amendment to the full Common Council for its review and consideration of approval.

Mr. Sheehan said that the Committee members had spent substantial time on the amendment and that a public comment period had been held. There had been no comments submitted during the comment period.

**** MR. MCCARTHY MOVED TO APPROVE THE FOLLOWING:**

1. PROPOSED AMENDMENT TO PY39 ANNUAL ACTION PLAN TO ACCOUNT FOR GREATER THAN ANTICIPATED PY39 CDBG FUNDING.

(A) APPROVE ADVANCING PROPOSED SUBSTANTIAL AMENDMENT TO THE FULL COMMON COUNCIL FOR ITS REVIEW AND CONSIDERATION OF APPROVAL.

**** THE MOTION PASSED UNANIMOUSLY.**

2. Status of Sub-recipient Contracts and Entitlement.

Mr. Sheehan said that about 15 contracts had come back in to date and there were two groups that were about to have Board meetings.

He added that there had been a log jam in terms of receiving the funding from Washington. This is causing a delay in signing the contracts, but does not allow the recipient additional time to complete the work. He then reviewed the details concerning the timeline for funding draw downs.

Mr. Sheehan said that the Fair Housing Commission had some concerns about their funding. He then reviewed the details that were included in the memo from the Fair Housing Advisory Commission with the Committee. Discussion followed about the scoring of the application and other issues concerned with this application.

Mr. Miklave said that if the Commission could not do the program that they proposed with the funds allocated, they should consider to do some fund raising. If that doesn't work, then the money should be redirected to another project. Mr. Sheehan said that the Fair Housing Commission had not signed the contract and that no funds had been expended. Further discussion followed about the application and the proposed project.

Mr. Kydes asked Mr. Sheehan if the Redevelopment Agency could do the project. Mr. Sheehan said that the Council would have to vote on allowing the modification to their request. Mr. Miklave said that it was a poor precedent to take this to the Council. The Agency was administering the program after a complicated review.

Mr. Miklave asked about the conflict of interest in the letter. Mr. Sheehan said that there was confusion about the Fair Housing Officer being paid for giving seminars.

Mr. Kydes said that he would support Mr. Miklave's recommendation that the Committee would not take any action because there was no request. Mr. Hilliard asked for clarification on the role of the Agency in this type of situation. Mr. Kydes said that he was in agreement with the letter dated August 21st from Mr. Sheehan to Reverend Ingraham regarding this issue.

3. Request for a Public Hearing regarding the PY39 CAPER to be held on October 3, 2013 at 7:00 p.m.

**** MR. MIKLAVE MOVED TO APPROVE THE REQUEST FOR A PUBLIC HEARING REGARDING THE PY39 CAPER TO BE HELD ON OCTOBER 3, 2013 AT 7:00 P.M.
** THE MOTION PASSED UNANIMOUSLY.**

B. Harbor Loop Trail.

- 1. Reassignment of Contract with Stantec.**
- 2. Proposed Contract Amendment.**

**** MR. MIKLAVE MOVED TO APPROVE THE FOLLOWING:**

**ADVANCE TO THE COMMON COUNCIL FOR REVIEW AND APPROVAL
THE REASSIGNMENT OF THE STANTEC CONSULTING GROUP
CONTRACT FOR WATERFRONT PUBLIC ACCESS DESIGN &
CONSTRUCTIONS DOCUMENTS FOR THE YANKEE DOODLE BRIDGE
LINK DATED FEBRUARY 1, 2013 FOR A TOTAL AMOUNT NOT TO EXCEED
\$45,500 FROM PLANNING AND ZONING COMMISSION ACCOUNT NO. 0912
3310 5777 C0467 TO THE NORWALK REDEVELOPMENT AGENCY CAPITAL
BUDGET ACCOUNT NO. 019 09010 5777 C0467.**

AND

**ADVANCE TO THE COMMON COUNCIL FOR REVIEW AND APPROVAL
THE PROPOSED AMENDMENT TO THE EXISTING STANTEC CONSULTING
GROUP CONTRACT INCLUDING THE SCOPE OF WORK DETAILED IN THE
STANTEC SCOPE OF WORK AND FEE PROPOSAL DATED AUGUST 26, 2013
FOR AN AMOUNT NOT TO EXCEED \$40,000.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT.

**** MR. MCCARTHY MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:10 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

**CITY OF NORWALK
PLANNING COMMITTEE OF THE COMMON COUNCIL
PUBLIC HEARING
OCTOBER 3, 2013**

ATTENDANCE: Michael Geake, Douglas Hempstead (7:21 p.m.)

STAFF: Timothy Sheehan, Redevelopment Agency; Tami Strauss,
Community Planning and Development

OTHERS: Atty. Margaret Suib, Fair Housing Officer; Susan Sweitzer,
Redevelopment Senior Project Manager

PUBLIC HEARING.

Mr. Geake Called the meeting to order at 7:05 p.m. A quorum was not present.

Review CDBG Program Performance for Program Year 38 (July 1, 2012-June 30, 2013)

Ms. Strauss then reviewed the attached report figures with the Committee member.

Mr. Geake asked if there was any member of the public who wished to speak.

Atty. Suib, the Fair Housing Officer, came forward and introduced herself. She said that her office address was 137 East Avenue. She said that she was present to comment on the CAPER and some housing concerns. She then distributed a statement to those present and read the statement into the record. (See attached).

Mr. Hempstead joined the meeting at 7:21 p.m.

Mr. Sheehan said that the intention is to have the public comments go back to the Planning Committee and then advance to the Council.

Mr. Hempstead closed the public hearing at 7:29 p.m.

ADJOURNMENT.

Mr. Hempstead adjourned the meeting at 7:29 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

City of Norwalk
Planning Committee of the Common Council
Public Hearing
October 3, 2013

Fair Housing Officer's Public Comment to Planning Committee on PY 38 CAPER – October 3, 2013

As the City's Fair Housing Officer, I am here tonight to make some preliminary comments on the draft CAPER. Let me start with the bullet points and then explain why in more detail:

- The current CAPER has substantial inaccuracies. This happened before – a few years ago, no Fair Housing activities or information was listed in the CAPER and HUD negatively commented. We should avoid such inaccuracies and giving the wrong impressions to HUD. To that end, I will provide you with detailed comments on the 20 or so pages regarding Fair Housing activities (we were not consulted and did not write these sections) so that it can be presented accurately;
- In 2012, HUD wrote a letter to the City, detailing what Norwalk needs to be doing to "affirmatively further fair housing". That letter was never shared with me, the Fair Housing Officer, or the Fair Housing Advisory Commission until I accidentally heard about it, requested it, and followed up with another request for it. I got that letter yesterday. Yet much of the current CAPER's Fair Housing component is responding to that HUD letter about Norwalk's failure to include in its Analysis of Impediments to Fair Housing Choice critical analysis and data, most, if not all of which I urged be included in that document but Redevelopment chose not to include. As a result, the Analysis of Impediments also had substantial deficits;
- If the Fair Housing Officer and Fair Housing Advisory Commission were involved in reporting to HUD as to what we do in terms of Fair Housing, the negative findings by HUD could be avoided, and the \$1,000,000 plus that we receive in federal funding would not be put in jeopardy.

Does it make any sense to report to HUD on Fair Housing without regard to what Norwalk's Fair Housing Office is doing? I am widely considered an expert in Fair Housing. I think it's accurate to say that in Norwalk, there is no one more expert in Fair Housing. Norwalk has arguably the most active Fair Housing department of any city in Connecticut. I also hold state-wide positions of leadership in Fair Housing. Shouldn't we laud that to HUD, rather than try to hide it (which makes no sense anyway since I work closely with the HUD FHEO people in Hartford, Boston and Washington D.C.).

My position as Fair Housing Officer, and the Fair Housing Advisory Commission, were created by a court-order, in large part to advise and assist the City on Fair Housing matters, on Fair Housing planning and policy, yet we are not even consulted by Redevelopment when it prepares these reports, or when HUD is not satisfied, and the information we provide is either not included or changed or minimized in an attachment, and we are often blocked in our efforts, especially as to funding needed to do any work at all.

One might think Norwalk Fair Housing's Officer and Commission are somehow at fault here: but let's shine the light on this. We are left out of the loop. We didn't even see HUD's 2012 letter about inadequacies in Redevelopment's Fair Housing reporting to HUD, until this week. At least there's consistency here: the response to HUD, this CAPER, was then written without any discussion with the Fair Housing Officer or Commission.

Let me anticipate a response: Appendix A is what I submitted to Redevelopment for inclusion in the CAPER this year. Why is it an afterthought, an appendix, rather than in the body? Doesn't that again minimize Norwalk's Fair Housing efforts?

When, as indicated above, a prior CAPER left out Fair Housing reporting, the lack of information to HUD then generated this HUD response: "The fact of maintaining a Fair Housing Officer... does not in itself constitute an AFFH action". That is to say, having a Fair Housing Officer alone is not affirmatively

Blaming Norwalk Fair Housing and HUD for Redevelopment's past failures in reporting, and not understanding that HUD intends to provide much more data going forward, doesn't advance Norwalk or Fair Housing.

Finally, I would request that this be a purposeful exercise, that there at least be the possibility that our comments will result in changes to this CAPER. For that to be true, I would think the CAPER needs to be on your agenda again, before it is forwarded to the Common Council and/or HUD. I make that request tonight. I will also supply a more detailed comment letter, addressing the 20 pages or so of all the specific Fair Housing actions prior to the end of the public comment period.

Norwalk's Fair Housing Office, which consists of me, as Fair Housing Officer, and the Fair Housing Advisory Commission, remain committed to moving Norwalk into the place HUD expects us to be, in terms of doing Fair Housing, reporting on it, analyzing data, and using all these tools as elements of our actual city planning – zoning, planning, development, redevelopment, etc. HUD is making clear that Fair Housing has to be incorporated into it all. We stand ready to work with the City and HUD to make that happen, to have Norwalk be the shining example of this HUD expectation, an expectation we must meet if Norwalk is to continue to receive well over \$1,000,000 per year in federal funds.

Thank you.

ATTACHMENT A

Summary of Sources and Uses of Funds

SOURCES	
CDBG Award	\$ 849,889
Reprogramming from Previous Years	\$ 93,999
Program Income	\$ 41,111
Contingency @ 5%	\$ (49,250)
TOTAL	\$935,749
USES	
13 Sub-recipients	\$ 264,630
City Neighborhoods	\$ 375,148
CDBG Program Administration	\$ 231,436
TOTAL USES	\$ 871,214
% of Award Expended	93%
UNUSED FUNDS	
City Neighborhoods	\$ 26,310
Ben Franklin (NEON)	\$ 21,000
Summery Youth Employment	\$ 1,798
YMCA Projects	\$ 13,844
STATUS	
City Neighborhoods	Extended
Ben Franklin (NEON)	Extended
Summery Youth Employment	Reprogram in PY39
YMCA Projects	Reprogrammed in PY39 NOFA

Progress Towards Meeting the Goals of the Current Consolidated Plan

Objective	Strategy	Priority	PY36- PY40 Target Goal	Cumulative Performance PY36 - 38	Percent of PY40 Target Achieved as of June 30, 2013
Support Efforts to Stabilize or Reduce Housing Costs	Housing Rehabilitation	High			
	Energy Efficient Renovations	High			
	Preservation	High			
	First-time Homeownership	High	150	412	275%
	Placement Services	Medium			
	Tenant-based Rental Assistance	Medium			
	Rehabilitation Administration	High			
Support Efforts to Create Income Stability	Business Loans	High	5	5	100%
	Literacy/GED/Customized Job Training	High	150	303	202%
	Summer Youth Employment	High	250	491	196%
	Section 108-financed Activities	Medium	1	1	100%
	HOPE VI/Choice Neighborhoods Application	Medium	1	1	100%
	CN - Brownfield Remediation Sites	High	2	2	100%
	CN - Public Facilities/Infrastructure	High	5	5	100%
	CN - Econ. Dev/Tech. Assistance to Businesses	High	25	??	#VALUE!
Support Efforts to Ameliorate the Impacts of this Economic Depression on Families	Health/Mental Health Services	High	150	612	408%
	After-School Programming	High	500	824	165%
	Domestic Violence Prevention	Medium	250	0	0%
	Drug Prevention Education	Medium	250	0	0%
	Child Care Services	Medium	100	0	0%
	Basic Services	Medium	250	6606	2642%

* Awaiting final Economic Development information to complete this table

Program Year 38 CDBG Beneficiaries

			Beneficiaries	Grant Amount
Support Efforts to Stabilize or Reduce Housing Costs				
Housing Rehabilitation	STAR	Boiler and generator at 2 STAR houses	11	\$ 20,600
	Keystone	Central Air at 12 Genoa Street	61	\$ 17,000
Rehabilitation Administration	Norwalk Redevelopment Agency / City Neighborhoods	Rehabilitation Administration	Area benefit	\$ 130,610
Objective 2: Support Efforts to Create Income Stability				
Literacy/GED/Customized Job Training	Women's Business Development Council	Micro-Enterprise Assistance	431	\$ 40,000
Summer Youth Employment	City of Norwalk	Summer youth employment	176	\$ 18,202
City Neighborhoods	Norwalk Redevelopment Agency	Planning, public facilities	Area Benefit	\$ 244,638
Objective 3: Support Efforts to Ameliorate the Impacts of this Economic Depression on Families				
Health/Mental Health Services	Domestic Violence Crisis Center	Medical Advocacy Project	511	\$25,000
	ElderHouse	Memory Care Program	501	\$25,000
After-School Programming	Maritime Aquarium	Junior Marine Biology Academy	19	\$ 4,164.00
	Mid Fairfield Child Guidance Center	Choices for Success	40	\$ 19,596.00
Basic Services	NEON	Bathroom renovations	0	\$ 3,345.00
	Norwalk Senior Center	Services for low income seniors	301	\$ 12,500.00
	City of Norwalk	Neighborhood Improvement Coordinator	Area benefit	\$ 21,223.00
	Carver Center	Fire Alarm and Security	265	\$ 40,000.00
	Norwalk Housing Authority	Automatic doors installation	4069	\$ 18,000.00
			Sub Total	5,491 \$ 639,778
			CDBG Administration	\$ 231,436
			Grand Total	\$ 871,214

**CITY OF NORWALK
PLANNING COMMITTEE OF THE COMMON COUNCIL
REGULAR MEETING
OCTOBER 3, 2013**

ATTENDANCE: Douglas Hempstead, Chair; Michael Geake, Matthew Miklave

STAFF: Timothy Sheehan, Redevelopment Agency.

CALL TO ORDER.

Mr. Hempstead called the meeting to order at 7:34 p.m.

ROLL CALL.

Mr. Hempstead called the roll. A quorum was not present

Public Comment.

Academy Street Extension -

Mr. Paxton Kinol of Bellpointe Capital came forward to speak about the Academy Street extension. He explained that there had been a problem with acquiring a particular parcel for the development. He pointed out that many people do not realize the size of the Waypointe project and added that this building was only Phase 1. He said that as the build-out continues, people are going to want to have a cut- thru between Academy and Orchard. Harbor Avenue is used as a bypass for West Avenue and people tend to speed on it since there are no stop lights. As Phase 1 takes shape over the next few months, it is going to become apparent how large the project really is. He suggested having Orchard being designated as a one-way street and the other street being designated one-way in the opposite direction. Mr. Kinol said that there were big changes coming and said it would be good to work with the Redevelopment Agency on these issues.

Ms. Diane Cece of Olmstead Place said that there was an amendment to the agreement between the City and the Housing Authority on the Choice Neighborhoods. She said that previously, she had made a comment about Day Street that the terms in the contracts are written in stone until they are not. She said that she was surprised to see the transfer of the property without the Choice Neighborhoods grant. She went on to speak about the details of the transfer of the property. She was concerned that the public have an understanding of what the changes were in the contract and what kind of change would trigger a public hearing on the project versus a simple amendment presented for approval through the Planning Committee.

Ms. Jackie Lightfield, Norwalk 2.0, said that she was present in support of the Academy street plan. Having smaller City blocks is desirable. Harbor Avenue is heavily traveled. AT 95/7 there is an opportunity to connect Crescent and Reed, which would also reduce future traffic.

BUSINESS.

A. SOUTH NORWALK

1. Day Street Option Agreement

(a) Review and act upon modification being sought by the Norwalk Housing Authority.

Mr. Sheehan gave an overview of an April 2013 meeting at the Housing Authority site about funding becoming available for the storm damage. There is also the possibility of additional funding from the CDBG Disaster Relief fund. This grant funding could be as much as 15 million dollars. This funding would be used to elevate the buildings out of the 500 year flood plain. It is now time for the grant applications to be filed. It is important that the funding sources understand that the Housing Authority has sufficient site control. The Housing Authority's ability to execute the option agreement is based solely on the Choice Neighborhoods Grant being awarded to the Housing Authority. From the viewpoint of the City, the Housing Authority and the Redevelopment Agency, it is important to have enough funding available in order to complete the project.

Mr. Sheehan said that regarding Ms. Cece's concern, the security that the City has in terms of the change assures that there is enough funding available to complete the project. That is the City's determination to make. The Housing Authority will be presenting what the developer has to offer, what funding is coming in as tax credits, and what grant funding is available. At that time, the City will make the determination as to whether there is enough funding to complete the process based on the cost estimates.

Mr. Miklave asked if the amendment had to be approved by the Council. Mr. Sheehan confirmed that this was so. Mr. Miklave said that according to the Charter, the Committee has no independent authority to grant the amendment. Mr. Sheehan stated that this was correct. Mr. Sheehan said that the Housing Authority has filed for a Choice Neighborhoods grant. There was a dual track in terms of pursuing the Choice Neighborhoods grant and other grant opportunities that are highly competitive.

Mr. Miklave asked what would happen if the City would have enough funding to do the project if the Housing Authority did not receive the Choice Neighborhoods project or the CDBG Disaster Relief grant funding. Mr. Sheehan said that this had not been considered. The CDBG grant funding has been maxed out at this time. Mr. Miklave said that this was his concern. Discussion followed about the City's ability to fund this project if the grant funding was not approved.

Mr. Hempstead asked about whether the property would revert back to the City if the funding was not available. Mr. Sheehan directed everyone's attention to Item 7 of the Modification, which was relative to closing on the parcel. He then reviewed the details of this statement with the Committee members. Discussion followed.

Mr. Hempstead said that a question has been asked if this would require a public hearing. He said that from his perspective, there were no major changes in the scope of the plan. This appeared to just be adding a layering of funding. He added that he believed that if both parties were in agreement, a contract can be changed. Mr. Miklave agreed that this was so, even after the agreement has been executed.

Ms. Cece said that her concerns were not a matter of semantics. She said that the definition of the project has been the Choice Neighborhoods Transformation Initiative. Ms. Cece said that it sounded like there could be a very large pool of funding available to complete the project, but her concern if it does not comply with the Choice Neighborhoods transformation project, the Day Street parcel could not be transferred to the Housing Authority. Mr. Miklave said that he did not agree with her premise. Mr. Miklave said that he would support any project plan that would implement a change of South Norwalk into a mixed used development that transforms South Norwalk. Discussion followed. Mr. Miklave said that Ms. Cece was focused on the funding source and that would not change anything about the Council's approval of the Choice Neighborhoods project.

Mr. Hempstead said that this item would be placed on the Council agenda.

B. WALL STREET REDEVELOPMENT PLAN

1. Smith Street Draft Option Agreement

(a) Review and discuss Corporation Counsel comments.

Mr. Sheehan said that there was no action required on this item. He just wanted to update the Committee members regarding the comments from Corporation Counsel on the LDA draft. There were ongoing discussions about this item. Because of the small size of the parcel, the Redevelopment Agency and the developer felt that an LDA was not needed.

Mr. Hempstead said most of the issues had been ironed out on the agreement. He asked if the Committee members had a problem. Mr. Sheehan reminded everyone that some had been uncomfortable with approving the terms without seeing the contract. It would be very helpful if the Council would approve the terms and then review it after Corporation Counsel provides the full document. Mr. Hempstead said that he would be more comfortable with the full document. Mr. Sheehan said that it would settle the terms for the Redevelopment Agency and the developer since there may be a new Council in the near future. Mr. Miklave said that one legislature can not bind a future legislature's action. Mr. Miklave said that in the past he had voted the terms but later there was some discussion regarding the language of the final contract.

Mr. Sheehan said that he would be advancing the terms to the Council, to authorize Corp Counsel to draft a contract final authorization.

C. WEST AVENUE CORRIDOR REDEVELOPMENT PLAN.

1. Academy Street.

The only modification that was made was what the Agency sees as the reservation of the space for the advancement of the proposed Academy Street extension. Mr. Sheehan said that Mr. Cecil was present to answer questions.

Mr. Miklave asked who would determine which version of the contract would be brought to the Council. Discussion followed. Mr. Hempstead said that the Committee members could do an informal poll to recommend. Mr. Hempstead said that he would put both options on the agenda.

Mr. Steve Cecil came forward and greeted the Committee. He said that project has been under consideration for a long time. This has to do with the long term future of Norwalk. Even with moderate density, the ability to move around is extremely important. Having options is also important. As Waypointe is developing, the ability to keep the areas open for streets and frontage will become more critical.

Mr. Miklave said that he supports the extension of Academy Street. He added that he didn't think that the City should pay for it with so many other issues, which he listed. While Academy Street is very worthwhile, Mr. Miklave said that he did not see how the City could do this. A discussion followed about the amount of taxes that the properties would generate.

Mr. Hempstead asked what the Phase 1 break-out would be. Mr. Sheehan said that he would get that information to the Committee members. Mr. Miklave said that this would be included in the 2015 Capital budget.

Ms. Lightfield pointed out that one of the impediments for Norwalk securing State funds was the lack of shovel ready plans. Without having the first stage completed, the funding will never be available.

Mr. Hempstead said that he would present both options on the agenda for the full Council.

D. CDBG

1. Authorization to advance CAPER for 30 Day comment Period.

There were no additional comments at this time.

OLD BUSINESS.

There was no old business to discuss at this time.

NEW BUSINESS.

There was no new business to discuss at this time.

Approval of Minutes - September 5, 2013.

The minutes were not discussed due to the lack of quorum.

Mr. Hempstead said that on October 8, 2013 is the 100th anniversary of the first full Council Meeting. The October 8th Council Meeting will be held at Mill Hill to commemorate this.

ADJOURNMENT.

Mr. Hempstead adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

**THE PLANNING COMMITTEE
OF THE COMMON COUNCIL**

125 East Avenue

P.O. Box 5125

Norwalk, CT 06856

TO: MEMBERS, PLANNING COMMITTEE OF THE NORWALK COMMON COUNCIL

FROM: TAMI STRAUSS, DIRECTOR OF COMMUNITY DEVELOPMENT PLANNING

DATE: NOVEMBER 21, 2013

**RE: REQUEST FOR APPROVAL OF MAYORAL SIGNATURE ON CERTIFICATE OF
CONSISTENCY FOR THE NORWALK HOUSING AUTHORITY'S ANNUAL PUBLIC
HOUSING AUTHORITY (PHA) PLAN**

OVERVIEW

The Norwalk Housing Authority (NHA) is currently developing its annual Public Housing Agency (PHA) Plan for the Fiscal Year April 1, 2014 – March 31, 2015. It is the fifth Annual Plan in a Five Year plan cycle (the full 5-year 2009 plan can be found at: <http://www.norwalkha.org/>) and details accomplishments to date, and goals, budgets, policies, procedures, and action plans for the upcoming fiscal year.

The 45-day public comment period for the PHA opened on October 25, 2013 and ends on December 10, 2013. An interim Citizen's Meeting on the PHA was held on November 19, 2013 at the offices of the Norwalk Housing Authority. The comments at this meeting largely regarded the admission and continued occupancy policies and procedures detailed in the PHA which commentators believe would better affirmatively further fair housing in the City. Comments will be included with the final PHA and any changes to the PHA resulting from the comments will be made with the approval of the NHA Board.

NHA will hold a public hearing on December 11, 2013 after which the NHA board will review citizen comments and adjust the PHA Plan accordingly. The PHA Plan will be finalized and approved prior to the Redevelopment Agency's request for Mayoral signature on a Certificate of Consistency for this PHA Plan.

Although the PHA Plan is currently in draft form, the NHA and the Norwalk Redevelopment Agency ask that the Planning Committee advance this request to the Common Council so that NHA may meet HUD's January 13th deadline to submit the PHA Plan and accompanying Certificate of Consistency.

The Executive Summary of the Plan is attached to this memo.

FY 2014 GOALS of the PHA

The PHA Plan for 2014 includes goals for preserving, redeveloping and improving the physical quality of the approximately 1,973 public housing / housing choice voucher units NHA administers, while also improving the economic self-sufficiency of public housing residents through its homeownership programs.

The PHA outlines 6 goals for the upcoming year.

- a) **Washington Village / South Norwalk Transformation Plan:** A Choice Neighborhoods Implementation Grant application for the Washington Village / South Norwalk Transformation Plan was submitted to HUD in September 2013. The application follows a Choice Neighborhoods Planning grant and was deemed as Consistent with the Consolidated Plan by the Common Council on August 13, 2013. Changes to the PHA will be made if the grant funding (\$30 million) is awarded during the fiscal year. Additional funding for the Transformation Plan is being sought from Sandy Disaster Recovery Assistance from the State of Connecticut Department of Housing and from Low Income Housing Tax Credits from Connecticut Housing Investment Fund (CHIF).
- b) **Roodner Court and Meadow Gardens:** The NHA intends to explore all opportunities including voluntary conversion, demolition and disposition, financing and funding sources for the improvement and stabilization of Roodner Court and Meadow Gardens.
- c) **Demolition of Washington Village:** The NHA will submit an application to the Real Estate Assessment Center (REAC) for approval to demolish in phases, 11 residential buildings (136 units) and a community center at Washington Village. The sequence of the demolition will be determined at a later date. The demolition is consistent with the plans and activities detailed in the Washington Village/South Norwalk Transformation Plan.
- d) **Self Sufficiency Efforts:** The NHA will continue its self sufficiency efforts through the Family Self Sufficiency (FSS) and through its homeownership programs for Housing Choice Voucher (HCV) participants through its approved HCV homeownership program. The NHA will work with the Norwalk Redevelopment Agency to secure funds to replenish the Norwalk Redevelopment Agency Down Payment Assistance program, critical for low income homeownership.
- e) **Project Based Section 8:** The NHA will examine converting a portion of existing tenant-based Section 8 vouchers to project-based for the redevelopment of existing public housing developments including Washington Village, Roodner Court, Meadow Garden and Colonial Village and for other initiatives.
- f) **Improving Living Environments:** The NHA will promote smoke-free buildings following approval by the Board in April 2012 of a no-smoking policy in and around NHA properties.

PROPOSED CHANGES TO THE 2013 PHA PLAN

Rental Assistance Demonstration (RAD): An initiative of the Norwalk Housing Authority in the coming months is conducting a feasibility analysis of a Rental Assistance Demonstration (RAD) for public housing developments in the city. This feasibility study will require a substantial amendment to the PHA for FY 2013 and enable the NHA to apply to HUD by December 31, 2013. A public hearing regarding the amendment will be held at the December 11, 2013 public hearing. The RAD would convert public housing to permanent project-based Section 8 vouchers. The RADs would preserve the City's stock of affordable rental housing, promote efficiency, and help to build strong, stable communities.

Resident Selection Process (ACOP): A proposed amendment to the ACOP approved earlier this year by the NHA Board of Commissioners was discussed on November 19, 2013. This amends the selection process detailed in Attachment B1: Amendments to the ACOP (which stands for Admission and Continued Occupancy Policy). The change to the ACOP states that:

The preference weighting system for selection is further limited by the following process:

When vacancies occur, the first five vacancies will be filled from the preference pool (described above) and the next two will be selected from all households on the waiting list using date and time of application only, starting with the oldest applicant first. This process of five households from the preference pool and two from the entire waiting list will be repeated.

This amendment to the PHA Plan for FY2013 is going out for a 45-day comment period beginning on November 27th 2013. A public hearing for this amendment will be held on December 11th 2013. A Board vote will be held on January 15th, 2014.

CONSISTENCY WITH CONSOLIDATED PLAN

The above goals are consistent with *Goal One: Support Efforts to Stabilize or Reduce Housing Costs (Housing Pathway)* of the Consolidated Plan which identifies the need to increase housing opportunities for cost-burdened Norwalk households through fostering homeownership, housing preservation, housing rehabilitation, energy efficient renovations and housing placement services.

ACTION REQUESTED

The Agency, operating as the City's CDBG Administrator, deems the goals of the Norwalk Housing Authority's Public Housing Authority Plan for Fiscal Year 2014 to be consistent with the City's current Consolidated Plan and requests that the Planning Committee ***advance the Agency's request for Common Council approval for the Mayor to execute a Certificate of Consistency for the Norwalk Housing Authority's Public Housing Assistance Plan for fiscal year 2014.***

The Housing Authority of the City of Norwalk
Public Housing Agency Plan for FY 2014 Executive Summary

The PHA Plan proposed for the Fiscal Year April 1, 2014 through March 31st 2015, is the fifth Annual Plan in a Five Year Plan cycle and outlines the proposed budgets and action plans for the agency.

The full Plan has several Attachments as follows, which provide more detail of the topics in this Executive Summary.

Front Pages

These summarize the Plan in a format provided by HUD.

Attachment A: 2010-2014 Five Year Plan Goals & Progress for Fourth Year 2013-2014

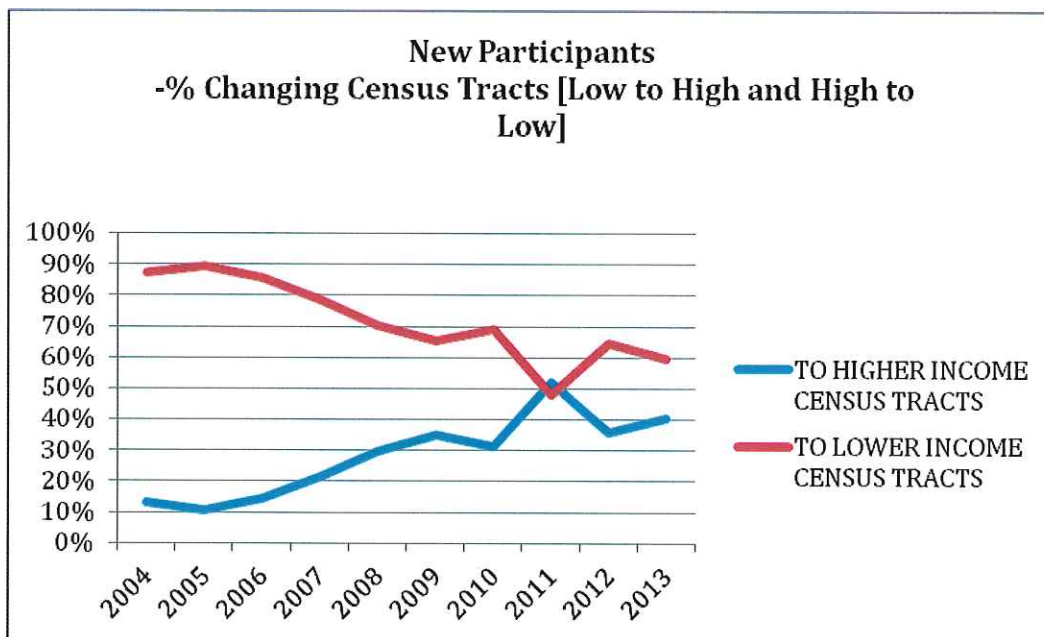
Goals

- a. The NHA made an application for Choice Neighborhoods Implementation funding for Washington Village in 2013. It expects a decision by HUD during this fiscal year. Whatever that decision is, there will be additional changes made to this Plan as a consequence. Meanwhile the NHA is preparing an application for Sandy Disaster Recovery Assistance this year (2013) and an application for Low Income Housing Tax Credits this year (2013).
- b. The NHA also intends to explore voluntary conversion, demolition and disposition and mixed financing and/or Choice Neighborhoods and other funding opportunities for Roodner Court and Meadow Gardens.
- c. The NHA will submit an application for demolition of Washington Village in 2013.
- d. The NHA will continue its self-sufficiency efforts through the FSS program and through its homeownership programs for HCV participants through its current approved HCV homeownership program. It will make another request of the City of Norwalk to use CDBG funds to replenish the funds for the Norwalk Redevelopment Agency Down Payment Assistance program, which is critical for low income homeownership.
- e. The NHA will continue to examine the use of project based Section 8 both for redevelopment of existing public housing developments including Washington Village, Roodner Court, Meadow Garden and Colonial Village and for other initiatives.
- f. The NHA will continue to improve the living environment for any properties it owns or manages by promoting smoke free buildings following approval by the Board of a no-smoking policy in and around NHA properties.
- g. The NHA is conducting a RAD (Rental Assistance Demonstration) for public housing developments with the exception of Washington Village.

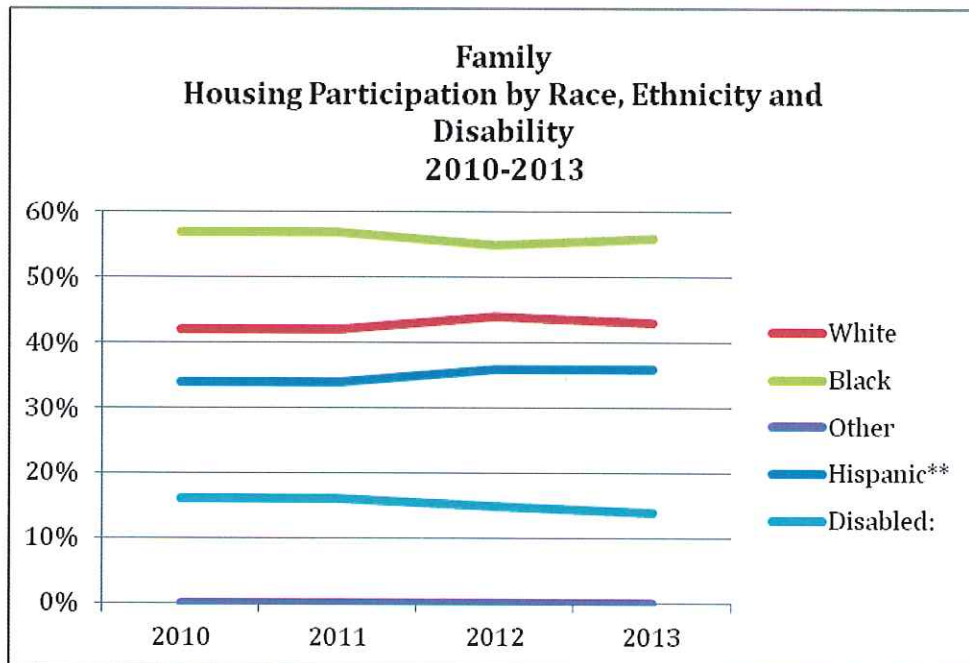
Accomplishments

The major accomplishments of the NHA since April 2013 are as follows:

1. The continued success in encouraging Voucher participants to look for housing in neighborhoods which have less poverty. Over the last few years, the NHA has doubled the percentage of new participants in the Voucher program moving into less poverty impacted neighborhoods from 20% to over 40%.



2. The continued effectiveness of ensuring that minority households and other protected classes have equal access to NHA housing and NHA programs.



3. The continued opportunities for homeownership which now benefits 38 households as can be seen in the photo of a new homeowner moving into her new home.



4. The continued improvement to housing owned by the NHA (despite less governmental funding) using the Capital Fund program which provides approximately \$1m a year. The following picture shows one of the new kitchens at Meadow Gardens where 54 were completely renovated.



5. The continued success in providing services which encourage self-sufficiency, reduce dependency and help break the cycle of poverty. The NHA has over 141 participants in self-sufficiency programs. It also serves a range of additional households with other programs ranging from managing finances to establishing careers and improving employment.

6. The Learning Centers and the Scholarship programs are two of the most innovative programs in the country and have had significant success. For example the Scholarship Program can be measured in the graphic below:



Attachment B: Amendments to the Policies of the NHA

- B1 Amendments to the ACOP which affect people living in the NHA's Low Rent Public Housing developments.
- B2 Amendments to the HCV Administrative Plan which affect people using Vouchers.
- B3 Revised Homeownership Plan
- B4 Revised Project Based Voucher Program

Attachment C: NHA Budgets

- C1 Financial Resources shows the overall sources and uses for the NHA. This coming year the NHA expects the budget resources to be approximately \$25m. If some of the applications already submitted and likely to be submitted are approved then the resources would be much larger. Conversely, the budget process in Washington might result in significant cuts.
- C2 AMPs Budgets are specific budgets for a single development or a smaller group of developments.

Attachment D: Flat Rents Schedule

Public Housing residents are permitted to pay either 30% of their income for rent or pay a set rent which is listed here.

Attachment E: Housing Choice Voucher Payment Standards (2 Tier)

These list the maximum rents which a voucher holder can pay a landlord.

Attachment F: Utility Schedule

This shows what the Utility allowances are for different developments and which affect the rent a tenant pays.

Attachment G: Norwalk Housing Authority Maintenance Charges

These are the Maintenance charges which a tenant has to pay for a repair or replacement inside the unit caused by damage.

Attachment H: Resident Advisory Board Membership List

This is a list of tenants in public housing and voucher participants who serve to advise the NHA on a variety of topics including the PHA Plan.

Attachment I: Capital Fund Budget – One Year

I: Annual Statement FY 2014. This is the proposed Capital or property improvement budget for 2014.

Attachment J: Capital Fund Budget – 5 Year Plan

This is an estimate of what Capital Funds will be over the next 5 years and what the NHA anticipates they will be spent on each development.

Attachment K: Substantial Deviation and Substantial Amendment Policy

This is a statement of the thresholds for NHA decisions which require a full public comment process and HUD approval.

Attachment L: L1 Civil Rights Certification

This is an examination of whether the NHA is discriminating against Federally defined protected classes (such as minorities, the elderly, the disabled and families with children) in its housing and other programs funded by HUD. Based on the analysis done, the NHA is not discriminating.

This certification also determines whether the NHA is able to move voucher participants into lower poverty census tracts. In this effort the NHA's two tier payment standard, which provides a higher rent subsidy for households renting in higher rent areas, has been successful.

This certification also identifies the ways in which the NHA cooperates with the City in achieving its Fair Housing Goals.

Attachment L: L2 Other Required Certifications are attached after Board approval of the Plan

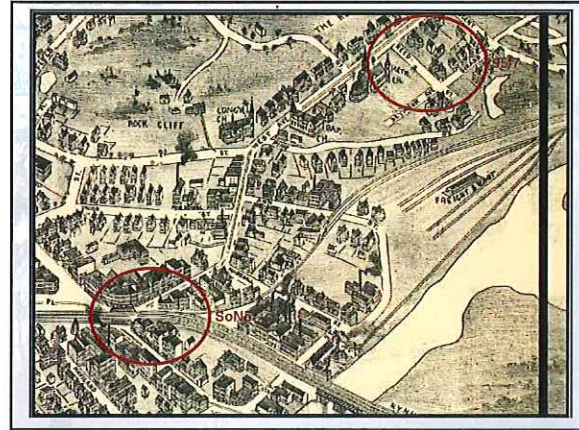
Attachment M: Violence Against Women Act Policy

This is mandated by Congress and HUD. It is changed this year, because the law was amended and some of HUD's regulations were changed, while others are still undergoing changes at this time.

The Norwalk Redevelopment Agency

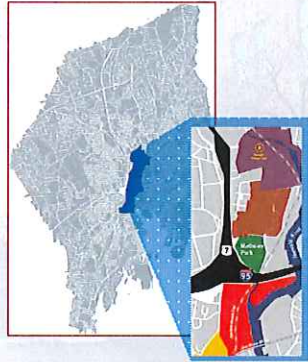
Who We Are | Why We Exist | What We're Doing

Planning Committee of the Common Council
Orientation
December 11, 2013



Mission Statement

"The Norwalk Redevelopment Agency seeks to improve the physical, economic and social environment of Norwalk's urban community by serving as the primary governmental organization dedicated to promoting commercial development, to preserving and improving the housing stock and to securing and administering the resources required to carry out these goals."



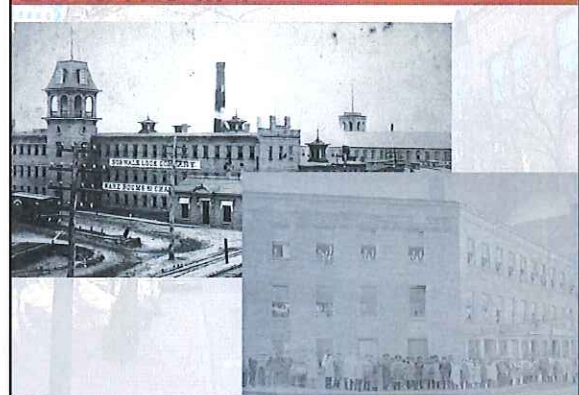
Agrarian → Industrial → Service → "Transaction"-based

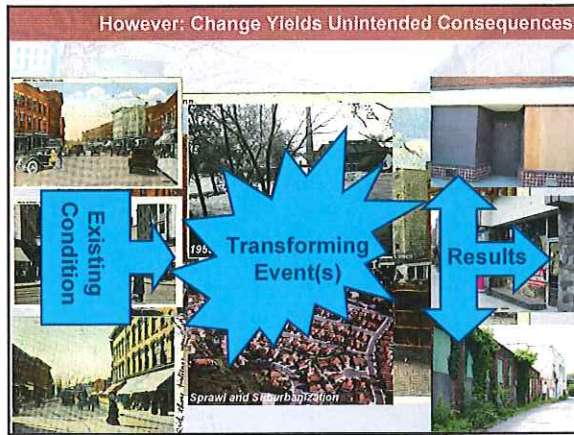


'Change Happens'



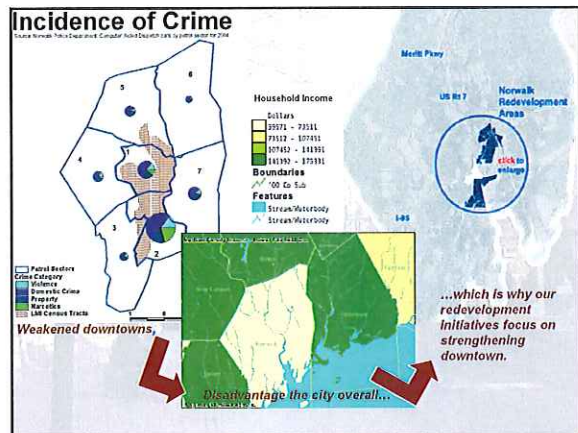
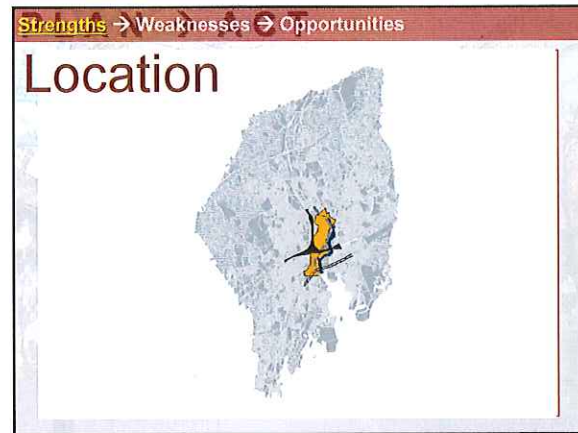
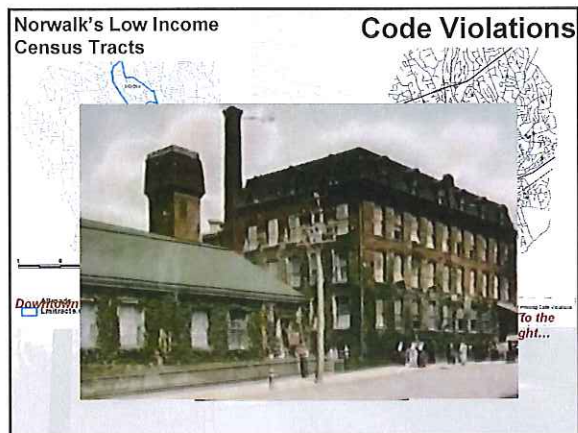
Agrarian → Industrial → Service → "Transaction"-based





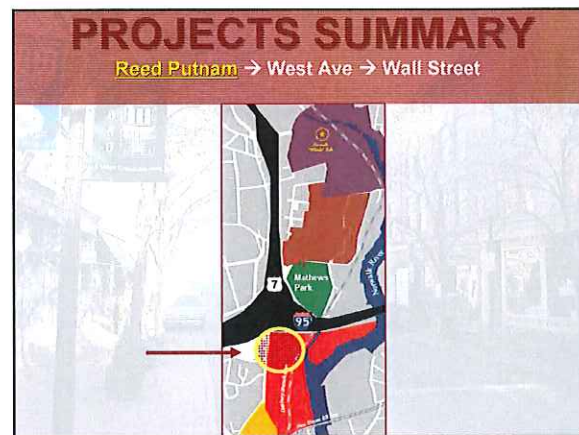
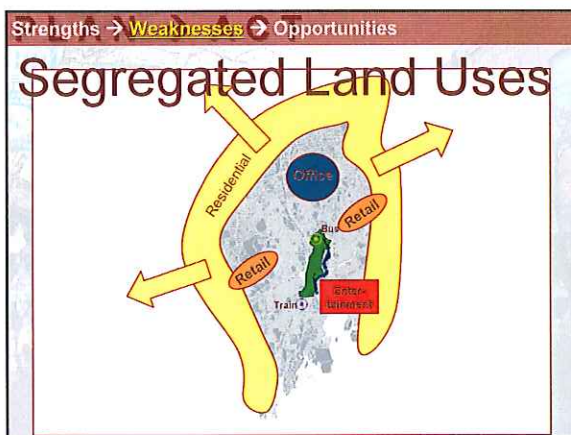
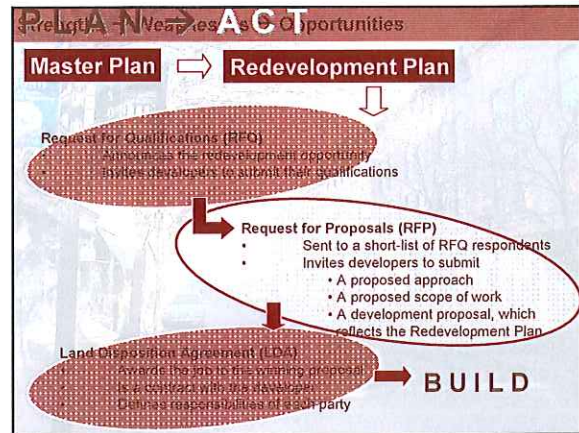
Sec. 8-124. Declaration of public policy: It is found and declared that there have existed and will continue to exist in the future in municipalities of the state substandard, insanitary, deteriorated, deteriorating, slum or blighted areas which constitute a serious and growing menace, injurious and inimical to the public health, safety, morals and welfare of the residents of the state, that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment and the treatment of juvenile delinquency and for the maintenance of adequate police, fire and accident protection and other public services and facilities, and the existence of such areas constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities, and retards the provision of housing accommodation; that this menace is beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids herein provided...

—Connecticut General Statutes



Strengths → Weaknesses → Opportunities

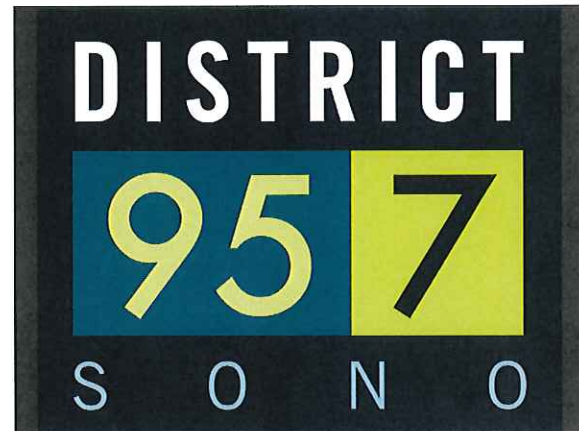
Deteriorated Downtown

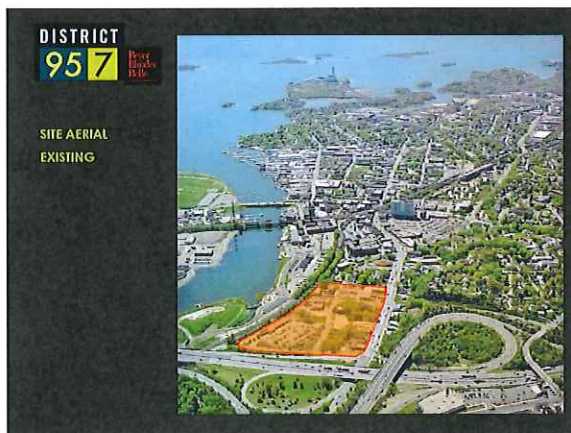


Strengths → Weaknesses → Opportunities

Underlying Demand and Locational Appeal

1. Retail Leakage Recapture
2. I-95 Corridor Office Migration
3. (Relatively) Tight Housing Market
Fairfield County Increasing

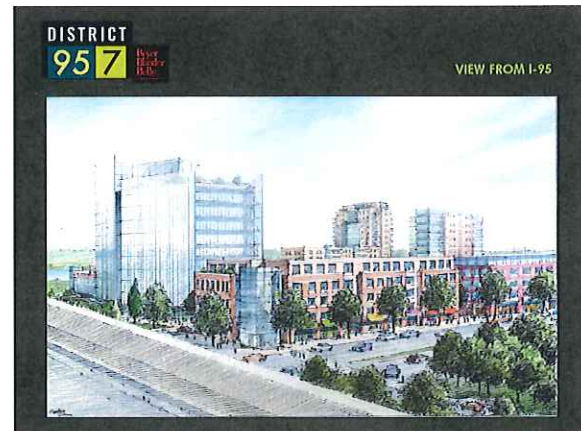
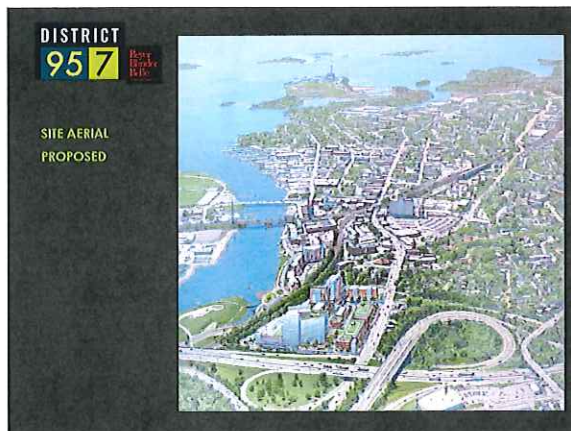




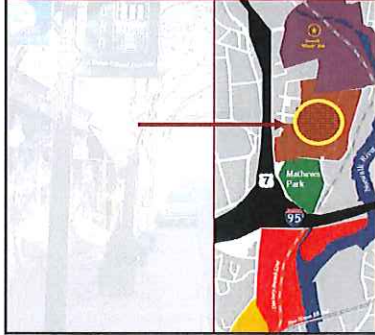
DISTRICT 957 Reed Putnam P.C.

CONCEPTUAL PROGRAM

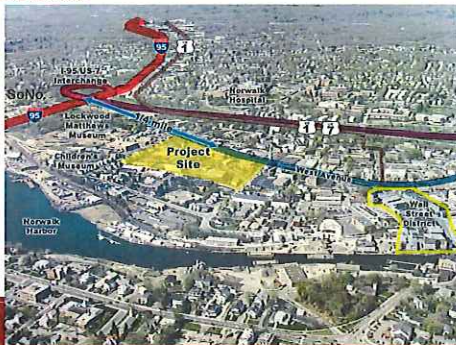
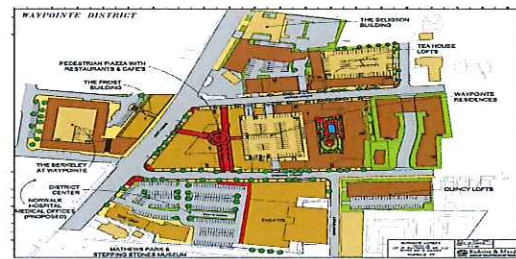
Item	Approved	Provided
Office	475-625,000	601,000 SF
Retail	75-125,000	125,000 SF
Residential	250-300 Units	250 Units
Hotel	80,000 - 110,000	101,000 SF
Total Concept Area		1,144,000 SF
Parking		2,474 spaces

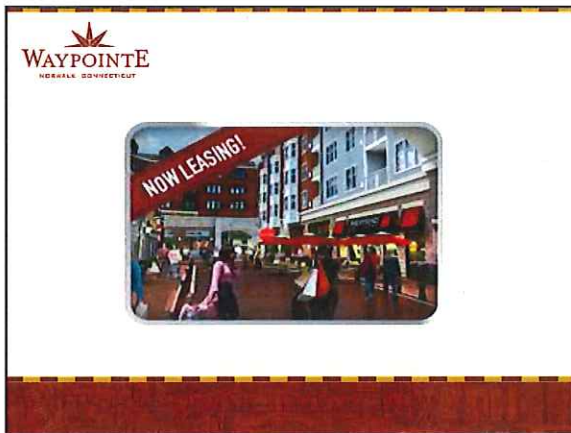


Reed Putnam → West Ave → Wall Street



Re-establishing this commercial core will improve business productivity, real estate values and the quality of life of Norwalk residents.





Norwalk Parcel 2A

Not Just
Development.
Revitalization.

POKO
ARCHITECTS, LLC



Site Context

Norwalk Parcel 2A

POKO
ARCHITECTS, LLC

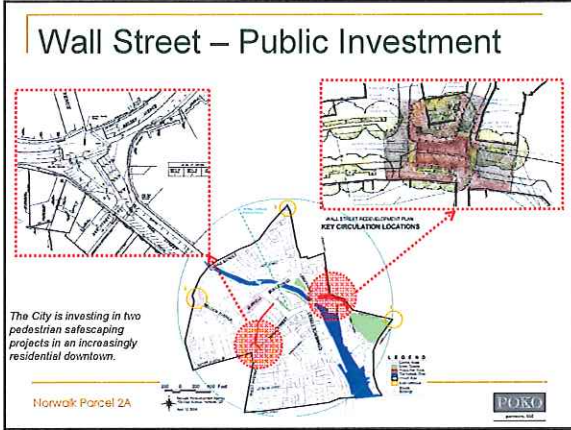
PROJECTS SUMMARY

Reed Putnam → West Ave → Wall Street

Redevelopment Parcel 2A

Norwalk Parcel 2A

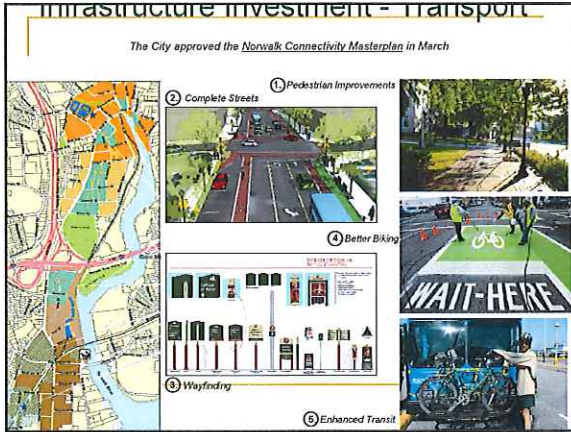
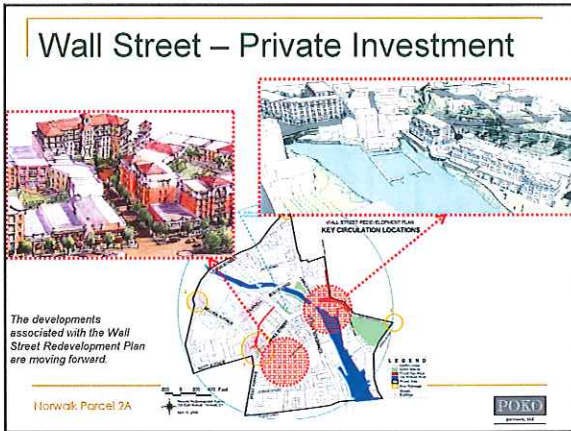
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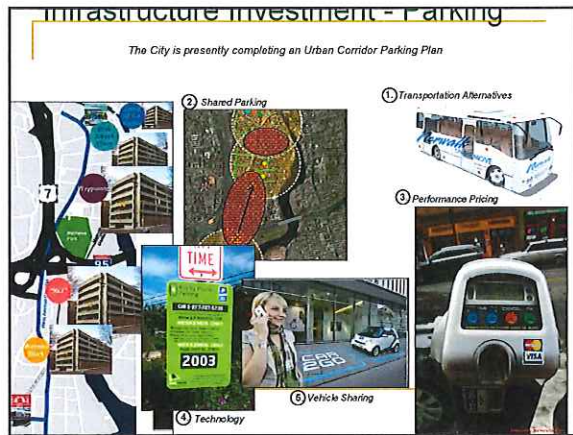


Zoning Summary

	Phase 1	Phase 2	Phase 3	Totals
Gross Parcel Area (5.8 ac)				
Building Floor Area	303,430 sf	260,185 sf	358,665 sf	922,280 sf
Residential (total units)	116	104	173	393
1 BR.	12	23	47	82
2 BR.	71	55	90	216
3 BR.	33	26	36	95
Commercial	24,470 sf	18,150 sf	18,715 sf	61,335 sf
Retail	4,980 sf	18,150 sf	12,615 sf	35,745 sf
Restaurant	1,450 sf	0	6,100 sf	7,550 sf
Parking	234	276	337	847

Norwalk Parcel 2A





Agency Programs

- Downtown Revitalization Projects
- Housing Rehab & Affordable Hsg
- Marketing the City / Econ Dev
- Growing the Economic Base
- Community Development
- Fair Housing
- NRA Well-regarded throughout state
- You are the future beneficiaries

NORWALK DEVELOPMENT AGENCY

TO: MEMBERS, PLANNING COMMITTEE OF THE NORWALK COMMON COUNCIL

FROM: TAMI STRAUSS, DIRECTOR OF COMMUNITY DEVELOPMENT PLANNING

DATE: DECEMBER 4, 2013

RE: SUMMARY OF PROCESS AND SCHEDULE ASSOCIATED WITH ALLOCATION OF CDBG FUNDING FOR PROGRAM YEAR 40 (JULY 1, 2014 – JUNE 30, 2015)

The Redevelopment Agency will soon initiate the City's Community Development Block Grant (CDBG) program for Program Year PY 40 (PY40) which runs from July 1, 2014 – June 30, 2015.

The Norwalk Redevelopment Agency is the sole sub-recipient of Norwalk's CDBG annual allocation. The Redevelopment Agency makes sub-grants to organizations serving low- and moderate-income residents and neighborhoods in Norwalk as approved by the Common Council. The services offered by the sub-grantees are essential to the implementation of the strategies identified within Norwalk's 5-Year Consolidated Plan for Housing and Community Development (ConPlan), which serves as the framework for the allocation of CDBG resources. Program Year 40 is the fifth and final year of Norwalk's current ConPlan. The current ConPlan can be found at: <http://www.norwalkct.org/DocumentCenter/Home/View/1311>

Agency staff is providing this briefing to apprise the Planning Committee members of the steps and schedule associated with the CDBG process.

Notice of Funding Availability and Applications

Each year, the Redevelopment Agency circulates a Notice of Funding Availability (NOFA) inviting local stakeholders to apply for funding from Norwalk's annual entitlement of CDBG resources. For PY40, Agency staff recommends the following changes to the PY 40 NOFA and application process. A copy of the previous year's NOFA can be found at:

- **Grant Management:** In PY40 the Agency is employing a new grant management system that is currently in development. Organizations wishing to apply for CDBG funds will do so online. The application will contain required fields and word limits for narrative answers. The new system will streamline the lifecycle of the grant including application, review, award, monitoring, payment, reporting and oversight processes. The new database will provide better grant services to sub-recipients and comply with HUD guidelines and deadlines.
- **Single application process:** In previous years Agency staff conducted the application process in two phases. The initial phase required that applicants submit a one page abstract of their projects. Any Phase I abstracts meeting basic program requirements would be forwarded to the Planning Committee who made recommendations for Phase II applications. As it turned out, all Phase I abstracts were recommended for Phase II applications. What resulted was a

tighter timeframe for application preparation, agency review and approval by the Planning Committee and Common Council. In PY40 Agency staff recommend utilizing a single phase process in order to allow more time for application submission, application review and application approval.

- **Scoring:** Agency staff is anticipating changing the way the Agency scores and ranks applications which determined which applications would be forwarded to the Planning Committee for consideration of funding. For transparency purposes, rather than score each application on multiple criteria and then present the highest scoring applications to the Planning Committee, the Agency will advance to the Planning Committee the proposals that meet the necessary requirements with an analysis of their strengths and weaknesses with no qualified score.

The Agency is seeking the Committee's comment about this revised process.

Date of NOFA release: December 20, 2013

Application due date: January 13, 2014

Brief presentations by CDBG applicants in the public comment period at PC meeting: February 6, 2014

Planning Committee recommendation regarding PY40 funding allocations and Approval to Advance Annual Action Plan for Public Comment: Will be requested of the March 6, 2014 meeting of Planning Committee

PY40 Annual Action Plan (AAP)

Funding allocations, as recommended by the Planning Committee, will be outlined in a draft PY40 Annual Action Plan for Housing and Community Development (AAP) which will be provided to the Planning Committee and made available to the public for a 30-day comment period. At the end of the 30-day comment period, these materials will be submitted to the Planning Committee for its review. The tight timeframe, however, will not allow for discussion of these materials during a regular meeting of the Planning Committee, however a special meeting could be scheduled to review the public comment received and discuss any changes that should be made to the AAP before the document is submitted to the full Council for its review and approval. Once approved by the Common Council and signed by the Mayor, the final AAP will be submitted to HUD. The Annual Action Plan for Program Year 39 can be found at: <http://www.norwalkct.org/DocumentCenter/View/4500>

Release of draft AAP for Public Comment: March 13, 2014

Close of 30-day Public Comment period: April 13, 2014

Planning Committee review of draft AAP with public comment: Special Meeting could be requested for Monday April 14, 2014 if need is determined.

Common Council review and approval of AAP: April 22, 2014

Submission of final AAP to HUD: April 24, 2014

CAPER

Each year, the Agency submits a Consolidated Annual Performance Evaluation Report (CAPER) to HUD. This report provides extensive detail on Norwalk's CDBG performance during the program year. A copy of PY38's CAPER can be found in the Planning Committee's Orientation Binder. The Agency will begin development on the CAPER for PY39 (July 1, 2013 – June 30, 2014) in spring 2014. According to the City's current Public Participation Plan (Appended to the ConPlan), the CAPER requires a 15-day public comment period, as opposed to 30 days for other HUD related documents. The most recent CAPER prepared for Program Year 38 (PY38) can be found at: <http://www.norwalkct.org/DocumentCenter/View/5390>

Public Hearing, Approval of Planning Committee of Draft CAPER, Approval to Advance CAPER to Public Comment Period: August 7, 2014

Close of 15 Day Public Comment Period: August 23, 2014

Final CAPER with Comments Approved by Planning Committee and Approval to Advance CAPER to Common Council: September 4, 2014

CAPER approved by Common Council: September 9, 2014

Submission of CAPER to HUD: September 30, 2014

Consolidated Plan for PY41-45

The development of a new Consolidated Plan covering Program Years 41-45 (July 1, 2015 – June 30, 2020) will be put out to bid in January 2014. The development of the ConPlan will be done in conjunction with an Assessment of Fair Housing (which updates the current Analysis of Impediments to Fair Housing). The Agency will set a timeline for the public comment period and approval of the documents by the Planning Committee and Common Council once a consultant has been engaged to develop these documents. These documents will be due to HUD by May 15, 2015.

REQUESTED ACTION: NO ACTION IS BEING REQUESTED AT THIS TIME