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: MATTHEW T. MIKLAVE, CHAIRMAN

DATE: NOVEMBER 23, 2011

RE: **MEETING NOTICE**

The next scheduled meeting of the Planning Committee of the Common Council will be held on **Thursday, December 1, 2011 at 7:30 pm**, in Room 231 in Norwalk City Hall. Please Note The Time And Location.

PLANNING COMMITTEE OF THE COMMON COUNCIL
December 1, 2011
7:30 PM

A G E N D A

PUBLIC PARTICIPATION

CALL TO ORDER

ROLL CALL

I. APPROVAL OF MINUTES – August 30, 2011 Special Meeting
October 17, 2011 Special Meeting

II. BUSINESS

A. ORIENTATION INFORMATION

1. **Planning Committee**

Major Program Areas

a. Community Development Block Grant
b. Housing Rehabilitation
c. Fair Housing/Analysis of Impediments
d. City Affordable Housing Plan
e. Master Plan of Conservation and Development
f. City Capital Budget

Major Development Projects

a. Wall Street Redevelopment Plan Area
    i. Wall Street Place
    ii. Head of the Harbor

b. West Avenue Redevelopment Plan Area
    i. Waypointe Phases I, II, III
c. Reed Putnam Urban Renewal Plan Area
    i. 95/7

Master Plans
a. Transit Oriented Development
b. Choice Neighborhoods
c. Connectivity
d. Brownfields
e. Public Parking Plan

B. <u>CHOICE NEIGHBORHOODS</u>

1. Approve the proposed option agreement on the Day Street properties as developed by Corporation Counsel and advance to Common Council for final approval upon completion of 8-24 review

C. <u>WAYPOINTE STATUS UPDATE</u>

1. Presentation by Waypointe team

D. <u>SURFACE TRANSPORTATION ENHANCEMENT PROGRAM – APPLICATION</u>

1. Authorize the Norwalk Redevelopment Agency, as Project Advocate, to prepare and submit all required documents associated with application to the STP – Transportation Enhancement Program in an amount not to exceed $750,000, on behalf of the City of Norwalk as Project Sponsor

2. Authorize the Mayor, Richard A. Moccia, to execute any and all documents associated with said application

D. <u>REQUEST FOR APPROVAL OF MAYORAL SIGNATURE ON CONSOLIDATED PLAN CERTIFICATE OF CONSISTENCY FOR THE NORWALK HOUSING AUTHORITY'S ANNUAL PUBLIC HOUSING AUTHORITY PLAN</u>

1. The Agency, operating as the City's CDBG Administrator, deems the Norwalk Housing Authority's PHA Plan for Fiscal Year 2012-2013 to be consistent with the City's current Consolidated Plan and seeks Planning Committee Approval to advance the Agency's request for Common Council approval for the Mayor to execute the required Certificate of Consistency that must accompany the PHA Plan when submitted to the U.S. Department of Housing and Urban Development

III. OLD BUSINESS

IV. NEW BUSINESS

ADJOURNMENT

CITY OF NORWALK
PLANNING COMMITTEE
REGULAR MEETING
AUGUST 30, 2011

ATTENDANCE: Douglas Hempstead, Chair; John Tobin; Laurel Lindstrom, Andrew Conroy, Clyde Mount

STAFF: Timothy Sheehan, Redevelopment Director; Monro Johnson; Susan Sweitzer, Atty. Robert Maslin

OTHERS: Andrew Kydes, Globe Theater Project ; Frank Rich, Globe Theater Project; Paul Pizio, Globe Theater architect project; Mr. Korizo, Globe Theater project; Douglas Adams, Waypoint project; Paxton Kinol, Waypointe project

CALL TO ORDER

Mr. Hempstead called the meeting to order at 7:10 p.m.

PUBLIC PARTICIPATION

There was no one present from the public who wished to address the Committee.

APPROVAL OF MINUTES

July 26, 2011 Special Meeting

**** MR. TOBIN MOVED THE MINUTES**

Page 2, paragraph 3, line 1: please change "if the Brownsfield's property had the Mayor's support" to "if the brownfields property at 31 Rose Street had the Mayor's support"

**** THE MOTION TO APPROVE THE MINUTES OF JULY 26, 2011 SPECIAL MEETING AS CORRECTED PASSED WITH FOUR IN FAVOR (HEMPSTEAD, TOBIN, LINDSTROM AND CONROY) AND ONE ABSTENTION (MOUNT).**

BUSINESS

TRANSIT ORIENTATED DEVELOPMENT PILOT PROGRAM

a. **Approve the language of the Certified Resolution authorizing the Mayor to apply for a TOD Facilitation Grant for design and engineering of South Norwalk**

pedestrian access and streetscape improvements and authorizing the Mayor to enter into a Memorandum of Understanding with the South West Regional Planning Agency as required by Public Act 07-7

b. Authorize the full execution of the Certified Resolution.

Mr. Sheehan gave a brief overview of the grant and said that the Agency would administer the funds.

**** MS. LINDSTROM MOVED TO APPROVE THE FOLLOWING:**

A. APPROVE THE LANGUAGE OF THE CERTIFIED RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A TOD FACILITATION GRANT FOR DESIGN AND ENGINEERING OF SOUTH NORWALK PEDESTRIAN ACCESS AND STREETSCAPE IMPROVEMENTS AND AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE SOUTH WEST REGIONAL PLANNING AGENCY AS REQUIRED BY PUBLIC ACT 07-7

B. AUTHORIZE THE FULL EXECUTION OF THE CERTIFIED RESOLUTION.

**** THE MOTION PASSED UNANIMOUSLY.**

Mr. Conroy asked what the process was for the coordination with DPW and the Redevelopment. Mr. Sheehan said that it ultimately comes through Tighe & Bond. He added that Dick Lawrence reports back to Mr. Alvord. If there are bid specifications, DPW usually sends the bids out. Discussion followed about the number of studies that were being approved. Mr. Conroy said that he would like some kind of confirmation that DPW had reviewed the project.

WALL STREET

a. **The Globe Theater – Review, consider, and act on the developer's request for a 108 Loan from the City for the redevelopment of the Globe Theater, presentation of request by the developer.**

Mr. Sheehan said that originally this project had been part of a HUD program that would allow the borrower to take out a 108 loan for the project. The Section 108 Loan Program is controlled by the City as the HUD identified entitlement CDBG community and as such, the Common Council must review and approve this project along with the associated financing before the application can be submitted to HUD.

Mr. Kydes came forward and passed around a photo of the Globe Theater from the early 60's. He reviewed some of the projects. He then introduced the architect for the project. The architect

was responsible for the Stamford Theater. The architect said that he specialized in theaters. He said that the Globe was a sound building and gave a brief overview of the project. He said that by making it more of a community arts center and theater, it would provide the cross section that is needed to support the business. Sketches have been done, but the structural engineers have not yet been inside the building.

Mr. Korizo, a financial consultant, came forward and introduced himself. He explained that he was experienced in international banking, mortgages, and now is doing financial consulting. He said this was a work in process. He said that this would help revitalizing the downtown area.

Mr. Korizo said that a corporation was in the process of being formed and the ownership would be transferred to it. He also reviewed the projections on the increased value of the building and reviewed the current mortgage terms with the Committee. He added that it would be important to find the proper mix of revenue producing programs and programs that are for the benefit of the community.

Discussion followed about tax credits.

Mr. Sheehan pointed out that this was a preliminary financial picture and said that the Committee needed to indicate whether this should advance into a 108 loan application, which would be much more detailed.

Mr. Mount asked whether or not the amount would be viable in this economic climate. Mr. Kydes said that Norwalk does not have a performing theater. He then listed a number of neighboring towns and cities that do have performing arts centers. This would help regenerate and rejuvenate the downtown area. Mr. Mount said that he would like to have some type of contingency plan available. Mr. Kydes said that if the project came up short financially, he would apply for private funding.

Mr. Rich pointed out that 35 million had been spent on revitalizing the Waterbury Palace, which has been very successful. Some of the potential programs for the theater were then given. The final seating capacity would be between 400 and 500. Mr. Conroy asked how many parking spaces were required. Mr. Kydes said that there were 150 parking spaces.

The discussion then moved to where the restaurant would be located along with details about the third floor utilization.

Mr. Hempstead asked about the CDBG funding and the assumptions about this funding that were being made. Mr. Sheehan reviewed the process with the Committee. Discussion followed. Concerns about tax credits, the creation of the organization. Mr. Sheehan said that he would have some correspondence completed within the next two weeks because of the holiday week-end involved. This will allow the Committee to be prepared for the October meeting.

WAYPOINTE

a. Review and discuss Phase II of the Waypointe project as submitted by the developer for consideration by the Zoning Department and Redevelopment Agency.

It was stated that this project was still in flux. Mr. Douglas Adams reported that the application had been submitted on the 12th, a week before the due date.

Mr. Hempstead expressed concerns about the public spaces and gathering spots. One of the staff members said that he believed that Norwalk could become a gathering space for Fairfield County.

Mr. Adams and Mr. Paxton Kinol, the developer for the project, then gave an updated PowerPoint presentation of current plans for the development.

15 Merwin Street would be one of the primary focuses of the project. It is the old Bigelow Tea building. The residential building will be in the front and the parking garage will be hidden behind it. The outside facade will resemble older factory buildings. The development representative then displayed a site plan for the project. Color renderings will be available in a few weeks.

The discussion then followed about the demographics. Mr. Sheehan stated that Avalon had contributed a total of seven students to the public school system. Mr. Kinol explained that the families with children in the Stamford Avalon he was involved with tended to move to other locations when their children reach school age.

A question was asked about the parcels between the river and the current back of the development. Mr. Kinol said that there had been some discussion about having rowing clubs on the flood plain with a high rise hotel on the upper plateau.

CONNECTIVITY

a. Regional examples of proposal within Connectivity Plan
b. Schedule bus tour discussed at last meeting.

Mr. Johnson reported that he had been in touch with Mr. Schulmann about a bus tour. Mr. Conroy said that he was more interested in videos of the roundabouts. Discussion about the types of roundabouts and the difficulty of merging into the flow of traffic followed. It was agreed that there would not be a bus trip to visit a roundabout. A video of traffic patterns from a driver's perspective would suffice.

WALL STREET Cont'd

b. Landmark Square Safescaping - Presentation by Agency consultant and DPW

The Landmark Square Project is moving forward. Mr. Johnson said that the intersection where Knight Street meets Wall Street is Landmark Square. He then introduced Ms. Susan James who displayed pictures of the intersection as it is today. She said that the goal was to reclaim some of the asphalt and also create an intermodal space. One important aspect is indicating to the various users how they are to move through the space. She indicated where the pedestrian areas would be. This will be done through the use of different paving materials, improved curbing, and the installation of green spaces.

Mr. Johnson said that there had been meetings with DPW about the plans and have been involved in the planning of this reconfiguration.

Mr. Hempstead asked about the maintenance issues such as pruning trees. Mr. Conroy suggested that Annapolis and Alexandria be contacted and asked how they maintain their projects.

Mr. Mount asked why this particular spot was chosen. Mr. Johnson said that it was part of the Master Plan for Mill Hill. Ms. James said that there were safety issues for the pedestrians who park in the municipal lot and cross the street to the southern side of Wall Street.

The discussion then moved to porous pavement options for the trees that are planned for the project.

Mr. Conroy said that the regulations stated that once the work is done, the owners of the businesses are responsible for maintaining the trees. Mr. Sheehan said that the owners were responsible for clearing the sidewalk and keeping it clear, but the trees would be City property because the City would be removing the current trees and replanting.

CHOICE NEIGHBORHOODS

a. Review and act upon the propose option agreement on the Day Street properties as developed by Corporation Counsel.

This was not discussed at this time.

SMALL BUSINESS LOAN GUARANTEE PROGRAM

a. Update

This was not discussed at this time.

WALL STREET PLACE

a. **Review and discuss with Corporation Counsel the Land Disposition Agreement by and between: the City of Norwalk, Connecticut, the Redevelopment Agency of the City of Norwalk and POKO-IWSR Developers, LLC.**

**** MR. HEMPSTEAD MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS LEGAL ISSUES REGARDING THE LAND DISPOSITION AGREEMENT BY AND BETWEEN: THE CITY OF NORWALK, CONNECTICUT, THE REDEVELOPMENT AGENCY OF THE CITY OF NORWALK AND POKO-IWSR DEVELOPERS, LLC.**
**** THE MOTION PASSED UNANIMOUSLY.**

The Committee members and Atty. Robert Maslin entered into Executive Session to discuss the legal issues involved with the Land Disposition Agreement at 9:30 p.m.

The Committee returned to public session at _____

ADJOURNMENT

**** A MOTION WAS MADE TO ADJOURN.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at _____

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

CITY OF NORWALK
PLANNING COMMITTEE
REGULAR MEETING
OCTOBER 17, 2011

ATTENDANCE: Douglas Hempstead, Kelly Straniti, John Tobin, Andy Conroy, Carvin Hilliard, Clyde Mount (7:20 p.m.)

STAFF: Tim Sheehan, Redevelopment Director; Susan Switzer, Redevelopment Agency

CALL TO ORDER

Mr. Hempstead called the meeting to order 7:15 p.m.

ROLL CALL

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

PUBLIC PARTICIPATION

Approval of Minutes - August 30, 2011 Special Meeting

**** MS. STRANITI MOVED THE MINUTES OF THE AUGUST 30, 2011.**

Mr. Mount joined the meeting at 7:20 p.m.

The following correction was noted:

Page 5, paragraph 3, line 1: please change "issues such as pruning trees." To ""issues such as pruning trees and creating a budget associated with maintaining them."

A question arose about the numerous questions that were asked during the Globe Theater presentation. Mr. Sheehan said that he had sent out an email with a list of the requests for information to the Committee members. Following a discussion about this, it was determined that the Committee members had not received that document.

Mr. Hempstead said that he had some concerns about the missing bricks in the various crosswalks on Washington Street. A brief discussion about this followed.

**** MR. CONROY MOVED TO TABLE THE MINUTES OF AUGUST 30, 2011.**
**** THE MOTION PASSED UNANIMOUSLY.**

BUSINESS

TRANSIT ORIENTATED DEVELOPMENT MASTER PLAN FOR THE SOUTH NORWALK RAILROAD STATION NEIGHBORHOOD.

Review Investment & Fiscal Impact Analysis of the Proposed TOD Development Scenarios.

Approve the Transit Oriented Development Master Plan for the South Norwalk Railroad Station Neighborhood to be advanced to the Common Council for final approval.

Ms. Switzer then reviewed the various fiscal analysis charts in the South Norwalk Railroad Neighborhood Planning project. She indicated that pg. 4 in the Fiscal Impact report has the chart with the fiscal impact and page 6 is where the charts with the municipal revenue by project begins.

Mr. Hempstead said that he had some concerns about the marinas and cited the problems in Stamford where marinas were pushed out by housing. Discussion followed about the exactly location of the marinas on the maps in the report.

Mr. Sheehan then directed everyone's attention to the Transit Oriented Development Master Plan for South Norwalk Railroad Station Neighborhood on the Waterfront Redevelopment. He explained that Water Street really has no street frontage right now. Mr. Mount commented that the area was all in a flood plain.

Mr. Hempstead asked about the public hearings on this. Ms. Switzer reviewed the timeline of when the public meetings had been held. Mr. Sheehan said that the build out period on some of the project pieces was 30 years and said that the Redevelopment Agency has been looking at the Webster Street development for 25 years.

Mr. Conroy asked what piece would be the last piece developed. Mr. Sheehan said that he believed that the waterfront pieces would be the last ones developed. Mr. Hempstead asked about Webster Street. Mr. Sheehan said that the Webster Street lot was a complicated property. Mr. Sheehan then stated that he would like to go on record that he had been and remained opposed to the construction of 50 Washington Street.

The discussion then moved to the issue of parking. Mr. Sheehan said that there was private development underway in other areas of Norwalk and that the residents would not be utilizing public parking because the City did not want them to do so.

Mr. Hempstead asked how this project would be presented to the Council. Mr. Hempstead said that it would be important to present this to the Council as a Plan and that he would like to see a nice cover letter stressing that this plan is an advisory document. He added that this would be presented at the last meeting of the current Council.

Mr. Hilliard said that there was a large amount of material to absorb in the reports and that there were people who would take anything the Council voted on as a final decision. Mr. Sheehan then reminded everyone that the Committee has seen the Plan numerous times, but the one outstanding piece that was not there was the fiscal impact, which has now been presented.

Mr. Hempstead said that he would like to see this plan moved to the Council. Mr. Sheehan said that he would make sure that the Council Members would be sent this tomorrow.

Mr. Hilliard said that as a representative of South Norwalk, he was not comfortable voting on this right now. Mr. Mount said that he had concerns about the fact that there would need to be some consideration about winter storage for boats along the waterfront.

**** MR. HEMPSTEAD MOVED TO APPROVE TO ADVANCE THE TRANSIT-ORIENTED MASTER PLAN FOR THE SOUTH NORWALK RAILROAD STATION NEIGHBORHOOD AS OUTLINED IN THE BRIEFING SUMMARY OF MAY 5, 2011 FOR ADOPTION BY THE NORWALK COMMON COUNCIL.**

**** THE MOTION PASSED WITH FIVE IN FAVOR (HEMPSTEAD, STRANITI, TOBIN, MOUNT AND CONROY AND ONE OPPOSED (HILLIARD).**

CHOICE NEIGHBORHOODS.

Approve the proposed option agreement on the Day Street properties as developed by Corporation Counsel and advance to Common Council for final approval.

Mr. Sheehan said that a $250,000 grant had been awarded to NHA for planning. He then reviewed the details of the requirements that include site control. A draft was presented to the Committee in April and there was a request to have Corporation Counsel review the document. The purchase price in Item 7 has not yet been determined yet. This must be done by the Council.

Mr. Hempstead asked if the parcels were being utilized. Mr. Sheehan said that one of them was being used for parking. Mr. Hempstead said that he would like to have the fair market values entered into the document. The City would be turning over an asset and having the value assigned would be helpful. Mr. Sheehan said that this was basic leveraging for the Federal funding. Mr. Hempstead said that there had been a discussion about the parcels sitting fallow for a long period of time. Mr. Sheehan said that there had been a discussion with NHA about the timeframe and that two years seemed to be an acceptable time frame.

Mr. Hilliard asked if there was a deadline on Choice Neighborhoods. Mr. Sheehan said that NHA had been awarded the funding in the spring. NHA is working on a developer RFQ and in order to do this, NHA must have control of parcels. The discussion then moved back to the time

line and the determination of when the options would be exercised. Mr. Sheehan said that he did not see any references to the maintenance of the property.

Mr. Sheehan said that he understood that a two year time frame should be included in the agreement along with a firm start date for the option. The maintenance issue should also be included along with the fair market value in the document. It was decided that a five year timeline would be appropriate because this project involves the Federal Government.

Mr. Sheehan said that the implementation grant is highly competitive. Norwalk did well with the Planning grant. Mr. Hempstead asked what would happen if the implementation funding was not awarded. Mr. Sheehan said that he believed that the next call for the Federal applications would in the spring.

Mr. Sheehan said that there had been a question raised about whether the Webster Street area would be included. He said that the Webster Street area was not included in this agreement. The document will be amended as requested and presented to the Council.

Mr. Sheehan thanked the Council Members who would not be returning.

ADJOURNMENT

**** MR. MOUNT MOVED TO ADJOURN.**
**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

NORWALK re: DEVELOPMENT AGENCY

TO: MEMBERS, PLANNING COMMITTEE OF THE NORWALK COMMON COUNCIL

FROM: TIMOTHY SHEEHAN

DATE: OCTOBER 26, 2011

RE: NORWALK HOUSING AUTHORITY OPTION TO PURCHASE 13 AND 20 DAY STREET

SUMMARY

The Norwalk Housing Authority (NHA) has received a $250,000 *Choice Neighborhoods Planning Grant* from the U.S. Department of Housing and Urban Development (HUD) to undertake the steps necessary to plan for the redevelopment of the Washington Village Public Housing site located on Water Street in South Norwalk. Following the conclusion of this planning process the NHA will pursue funding from HUD's *Choice Neighborhoods* or *HOPE VI Programs* in order to implement this project. The early redevelopment scenarios for the Washington Village site incorporate the City-held parcels at 13 and 20 Day Street. The NHA is requesting that the City convey these properties to the NHA upon the execution of an implementation grant contract. The NHA in May presented to the Committee a draft Memorandum of Understanding (MOU) that suggested their terms for this conveyance. At that meeting the Committee referred the document to Corporation Counsel for further consideration. Corporation Counsel has since provided an Option to Purchase Agreement that is acceptable to them should the Common Council be so inclined to advance the request of the Housing Authority.

BACKGROUND

As described by HUD, the *Choice Neighborhoods* initiative was created in order to transform distressed neighborhoods and public housing projects into viable and sustainable mixed-income neighborhoods by linking housing improvements with appropriate services, schools, public assets, transportation, and access to jobs. With the award of a *Choice Neighborhoods Planning Grant* the NHA may now pursue public input regarding the proposed Washington Village redevelopment while also exploring the land use plan and financial structure for such a project. At the conclusion of this step, the NHA will apply for an award of *Choice Neighborhoods* or *HOPE VI Program* funding to support the implementation (hereafter, Implementation Grant) of the proposed project.

In 2008, prior to the inception of the *Choice Neighborhoods* initiative, the NHA procured the services of the EJP Consulting Group, LLC in order to explore whether the Washington Village Public Housing site represents a viable candidate for the receipt of HOPE VI funding. Through this process EJP explored opportunities for using HOPE VI funds to redevelop Washington Village and the surrounding neighborhood. EJP's findings were presented to the Planning Committee at its September 2009 meeting. The related handout materials were sent back to Committee members on May 10, 2010. EJP's findings called for the incorporation of the City-held Day Street sites into the redevelopment scenario for the Washington Village site. These properties will allow for the expansion of the project beyond the current Washington Village site and allow for the revitalization of a substantial portion of the neighborhood between Hanford Place and Concord Street. Further, the NHA and EJP believe the incorporation of the Day Street sites will enhance the quality of future applications for funding.

ACTION REQUESTED:

Approval of advancing the Housing Authority Option to Purchase 13 and 20 Day Street as prepared by Corporation Counsel to the Common Council for approval as to form and specific terms as determined by the Planning Committee for its further consideration and approval.

OPTION TO PURCHASE
AGREEMENT
BY AND BETWEEN
THE CITY OF NORWALK
AND
NORWALK HOUSING AUTHORITY

This Agreement made on this _____ day of _____, 2011 by and between the City of Norwalk, Connecticut acting herein by its Mayor, Richard A. Moccia, duly authorized (hereinafter "the City") and the Housing Authority of the City of Norwalk acting herein by its Executive Director, Curtis O. Law, duly authorized (hereinafter the "NHA") granting the option to purchase certain Properties owned by the City.

WHEREAS, the parties have agreed upon a mutual goal of undertaking the broad revitalization of the Washington Village neighborhood of South Norwalk in order to positively transform the community and redevelop the public housing structures located there; and

WHEREAS, NHA has been awarded a 2010 Choice Neighborhood Initiative Planning Grant from the United States Department of Housing and Urban Development (hereinafter "HUD"), to fund the development of a comprehensive Transformation Plan targeting the Washington Village neighborhood pursuant to the Project; and

WHEREAS, NHA is currently in the process of preparing an application to HUD for a successor grant program, known as the Choice Neighborhood, Hope VI- Implementation Grant (hereinafter the "Implementation Grant"), to fund the actual implementation of the Transformation Plan (the work in pursuit of the Transformation Plan is hereinafter referred to as the "Project"); and

WHEREAS, the parties understand that the application for the Implementation Grant will require that NHA present evidence that it has or has the ability to obtain full site control of the real properties required to undertake the Project; and

WHEREAS, certain real property included within the scope of the Project and over which the NHA needs to have control, are currently owned by the City; and

WHEREAS, the purpose of this Agreement is to establish the terms and conditions under which the NHA will be granted the necessary site control over such real property belonging to the City for purposes of the Project.

NOW, THEREFORE, the parties have agreed as follows:

1. The real property subject to this Agreement is identified as 13 Day Street and 20 Day Street, Norwalk, and also known as District 2, Lot 58, Block 46 and District 2, Lot 60, Block 1, respectively (hereinafter the "Properties"). The Properties are currently owned by the City of Norwalk.

2. The City hereby gives NHA the exclusive right and option to purchase the Properties to be incorporated into the Project pursuant to the terms and conditions set forth in this Agreement.

3. The option hereby granted shall expire upon the earlier of the following: i) NHA is notified by HUD that it will not be awarded the Implementation Grant or ii) the option is not exercised by NHA within _____ from the date it executes a written Grant Agreement with HUD for the funding of the Project.

4. The City hereby agrees to convey the Properties to NHA for purposes of the Project, upon receipt of written notice from NHA that it has been awarded the Implementation Grant referenced above and therefore wishes to exercise this option. Such written notice must be sent to the Mayor as provided in Paragraph 9 below, no later than ____ (____) days following receipt of the Grant Award by NHA. Conveyance will be by quit claim deed.

5. Recording of Option. The City may record this document on the Norwalk Land Records.

6. Closing Date. In the event the NHA exercises this option to purchase, the closing date shall be the date set forth in its written Notice of Intent to Exercise Option sent to the City or such other date as the parties may mutually agree. In no event shall such date be later than sixty (60) days following the execution of the grant agreement between HUD and NHA for the Implementation Grant.

7. Purchase Price. The purchase price for the Properties shall be $_____ payable by NHA executing and delivering to the City at closing a promissory note in said amount, which note shall provide for ten equal annual installments of $_____ each. The first installment shall be due upon closing and each subsequent installment shall be due each year thereafter on that same day for each successive years. NHA shall also execute a Loan Agreement with the City setting forth the terms and provisions applicable to repayment obligations.

8. Title. The City agrees to deliver title to the Properties and clear of all liens and encumbrances except the following:

9. Notice.

(a) A notice, demand, or other communications under this Agreement by any party shall be deemed sufficiently given or delivered if hand delivered or if sent by registered or certified mail, postage prepaid, return receipt requested, as follows:

(i) Notices to the City must be addressed to the Mayor at 125 East Avenue, P.O. Box 5125, Norwalk, Connecticut, 06856-5125, with a copy to Corporation Counsel at 125 East Avenue, P.O. Box 798, Norwalk,

Connecticut 06856-0798 or at such other address as the City may, from time to time, designate in writing and forward to the NHA as provided in this Section;

(ii) Notices to the NHA, must be addressed to its Executive Director at 24 ½ Monroe Street, Norwalk, Connecticut 06854, with a copy to Donna M. Lattarulo, Esq., Lattarulo Law Firm, LLC, 304 Main Avenue, # 329, Norwalk, Connecticut 06851.

b) The provisions of this Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

c) This Agreement shall be construed under and governed by the laws of the State of Connecticut.

d) If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected thereby if such remainder would then continue to conform to the requirements of applicable laws, regulations, statutes, municipal charters and codes.

e) Any right or remedy which any party to this Agreement may have under this Agreement, or any of its provisions, may be waived in writing by such party without execution of a new or supplementary Agreement. Any such waiver shall not affect any other rights not specifically waived. If any party to this Agreement does not exercise or delays in exercising or exercises only in part any of its respective rights and/or remedies set forth in this Agreement for the curing or remedying of any default or breach of covenant or condition, or any other right or remedy, in no event shall such non-exercise, delay or partial exercise be construed as a waiver of full action by such party or a waiver of any subsequent default or breach of covenant or condition.

f) This Agreement may be amended only by a written document, duly executed by the parties hereto, evidencing the mutual agreement of the parties to such an amendment.

g) This Option Agreement cannot be exercised if the redevelopment plan for the Project is substantially changed without the consent of the Norwalk Common Council expressed by a vote of a majority of its members and a reaffirmation statement of the Option Agreement is duly executed by the City. Currently, the Project's scope and specifications are set out and described in the application for the Implementation Grant, a copy of which is attached hereto and incorporated herein as **Exhibit** ____. A substantial change to the plan is considered to be a twenty percent (20%) change in any material component of the proposed redevelopment plan.

IN WITNESS WHEREOF, the NHA and the City have caused this Agreement to be duly executed each in its own behalf by the Mayor of the City and the Executive Director of NHA, respectively, and the parties' respective seals are hereunto duly affixed on or as of the date first

above written and constitutes a valid and binding obligation enforceable in accordance with its terms, conditions, and provisions.

Dated at Norwalk, Connecticut, the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:

Witnesses' Signatures

CITY OF NORWALK

_____

_____

By: _____
Richard A. Moccia
Its Mayor
Duly Authorized

Date Signed: _____

Witnesses' Signatures

NORWALK HOUSING AUTHORITY

_____

_____

By: _____
Curtis O. Law
Its Executive Director
Duly Authorized

Date Signed: _____

APPROVED AS TO FORM:
OFFICE OF CORPORATION COUNSEL

By: _____

STATE OF CONNECTICUT)
) ss: Norwalk
COUNTY OF FAIRFIELD)

On this _____ day of _____, 2011, before me, the undersigned officer, personally appeared RICHARD A. MOCCIA, who acknowledged himself to be the Mayor of the City of Norwalk, and that he as such Mayor, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the City by himself as Mayor.

In Witness Whereof, I hereunto set my hand and official seal.

_____
Notary Public
Commission of the Superior Court

STATE OF CONNECTICUT)
) ss: Norwalk
COUNTY OF FAIRFIELD)

On this _____ day of _____, 2011, before me, the undersigned officer, personally appeared CURTIS O. LAW, who acknowledged himself to be the Executive Director of the Housing Authority of the City of Norwalk, and that he as such Executive Director, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Housing Authority of the City of Norwalk by himself as Executive Director.

In Witness Whereof, I hereunder set my hand and official seal.

_____
Notary Public
Commission of the Superior Court

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: TIMOTHY T. SHEEHAN, EXECUTIVE DIRECTOR, REDEVELOPMENT AGENCY

RE: SURFACE TRANSPORTATION ENHANCEMENT PROGRAM – APPLICATION

DATE: DECEMBER 1, 2011

The Connecticut Department of Transportation recently authorized the State's Regional Planning Agencies to accept applications for funding under the Federal Highway Administration's STP - Enhancement Program. Based on the federal funding formula, it is estimated that $1.454 Million will be allocated to towns comprising the SWRPA region, including Norwalk. The Federal share of funds for projects selected under the Transportation Enhancement program is 80%, while the local share is 20%. Eligible Transportation Enhancement activities must relate to the surface transportation network by expanding transportation choice and enhancing the transportation experience. All applications must be substantially complete and submitted to SWRPA for review prior to December 31, 2011, with subsequent review and ranking by the MPO in January2012.

The Transportation Enhancement Program represents a potential source of federal grant funds to effectively leverage the recent roadway improvements and infrastructure work within the City's West Avenue Corridor. These funds would enable the City to carry out selected enhancements, including both pedestrian and lighting improvements recommended in the City's Connectivity Master Plan as well as landscape improvements not previously included due to budgetary constraints of the West Avenue roadway and infrastructure program. To this end, the Norwalk Redevelopment Agency has previously engaged Milone & MacBroom, a design and engineering firm, to develop a comprehensive landscape design plan for the entire West Avenue Corridor (North Main to Wall Street) which would serve as a point of departure for future landscape improvements. Agency staff has reviewed the intent to apply for the Transportation Enhancement funds with the staff of the Department of Public Works, who support this application.

Therefore, the Norwalk Redevelopment Agency (as Project Advocate), seeks the authorization of the Common Council for the submission of an application to the STP- Transportation Enhancement Program on behalf of the City of Norwalk (as Project Sponsor) for enhancements within the West Avenue Corridor in an amount not to exceed $750,000, with matching funds to be provided by the Redevelopment Agency from previously approved capital budget funds for West Avenue improvements.

ACTION REQUESTED

Authorize the Norwalk Redevelopment Agency, as Project Advocate, to prepare and submit all required documents associated with application to the *STP – Transportation Enhancement Program* in an amount not to exceed $750,000, on behalf of the City of Norwalk as Project Sponsor; and further to authorize the Mayor, Richard A. Moccia to execute any and all documents associated with said application. (Funding for the matching requirement to be provided by the Norwalk Redevelopment Agency from previously approved Capital Budget funds)

TO: MEMBERS, PLANNING COMMITTEE OF THE NORWALK COMMON COUNCIL

FROM: NORWALK REDEVELOPMENT AGENCY

DATE: NOVEMBER 22, 2011

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

BACKGROUND

The Norwalk Housing Authority (NHA) is in the process of crafting its annual Public Housing Authority (PHA) Plan, which will soon be approved by the NHA board and submitted to the U.S. Department of Housing and Urban Development (HUD). The PHA Plan summarizes NHA's strategy for providing affordable housing during the upcoming fiscal year (April 1, 2012 – March 31, 2013). The PHA Plan is comprised of several pieces, which include a summary of NHA's progress toward meeting the goals established in its 2010-2014 Five Year Plan, NHA's budget and financial resources, as well as a listing of grants both pending and received. Further, the PHA Plan details NHA's administrative policies and its action plan for the Family Self Sufficiency Program, which provides educational and social service programming aimed at reducing the dependency of low-income families on welfare assistance and other public subsidies. An executive summary of the Plan is attached to this memo. Although the PHA Plan is currently in draft form, 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. NHA will hold a public hearing on December 5th, 2011 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. Representatives of the Housing Authority will be in attendance at the December 1st meeting of the Planning Committee to answer questions regarding the content of the PHA Plan or the process for finalizing and approving the Plan.

CONSISTENCY WITH CONSOLIDATED PLAN

The Norwalk Redevelopment Agency deems NHA's draft PHA Plan to be consistent with the City of Norwalk's Consolidated Plan for Housing and Community Development (ConPlan). The PHA Plan establishes a strategy for preserving and improving the physical quality of the approximately 1,100 public housing units NHA administers, while also improving the economic self-sufficiency of public housing residents and Housing Choice Voucher holders. By doing so, the PHA Plan addresses multiple elements of the City's ConPlan. Specifically, such projects respond to *Goal One*, or the *Housing Pathway* found

on page 18 of the ConPlan, which identifies the need to improve access to affordable housing opportunities through investments in the physical quality of existing housing units.

The PHA Plan also outlines programs administered by the NHA to improve the academic performance of school-age residents of Housing Authority-owned units, to position residents to improve their economic well-being through skill training and to transition residents into homeownership. These programs are consistent with *Priority Two*, or the *Income Stability Pathway*, found on page 18, which is supportive of efforts to create income stability through the provision of literacy, job-readiness and placement services that prepare low/moderate income residents for entry into the workforce.

The PHA Plan and ConPlan do differ in one aspect. *Goal One*, listed on page A1 of the PHA Plan, identifies a goal of expanding the supply of assisted housing. This goal differs from the ConPlan, which focuses on the preservation of Norwalk's existing inventory of affordable housing as well as investments to maintain or improve the physical quality of this housing. Despite this difference, the Agency considers the PHA Plan to be substantially consistent with the City's ConPlan.

ACTION REQUESTED

The Agency, operating as the City's CDBG Administrator, deems the Norwalk Housing Authority's PHA Plan for Fiscal Year 2012-2013 to be consistent with the City's current Consolidated Plan and seeks Planning Committee Approval to advance the Agency's request for Common Council approval for the Mayor to execute the required Certificate of Consistency that must accompany the PHA Plan when submitted to the U.S. Department of Housing and Urban Development.

Executive Summary of Norwalk Housing Authority's Annual Public Housing Authority Plan for Fiscal Year 2012

The PHA Plan of the Norwalk Housing Authority (NHA), accessible on the Housing Authority website, reports on NHA's progress toward achieving the goals established in its five-year plan and details NHA's policies and strategy for providing affordable housing during the upcoming fiscal year.

The contents of this PHA Plan are summarized in the following outline:

Anticipated Actions to be Taken in FY2012

- Using funds from the Choice Neighborhood Initiative Planning Grant awarded to HUD, the NHA intends to make an application for HOPE VI/Choice Neighborhoods funding to implement the planned redevelopment of Washington Village
- Explore voluntary conversion, demolition and disposition and mixed financing and/or other HOPE VI/Choice Neighborhoods and other funding opportunities for Roodner Court and Meadow Gardens
- Continue and expand self-sufficiency efforts through the Family Self Sufficiency (FSS) program and through its homeownership programs for public housing residents and Housing Choice Voucher recipients
    - Make a formal request of the City of Norwalk to replenish the funds for the Norwalk Redevelopment Agency's Down Payment Assistance program, which is critical for low income homeownership
- Continue to examine the use of project-based Section 8 both for redevelopment of existing public housing developments including Washington Village, Roodner Court and Meadow Garden and for other initiatives
- Continue to improve the living environment in all properties owned or managed by the NHA by promoting smoke-free buildings

Accomplishments FY 2011 (includes anticipated accomplishments through March 31st 2012)

Goal 1: Expanding Supply of Assisted Housing

- Secured HUD Choice Neighborhoods Planning grant for the redevelopment of Washington Village
- Applied to HUD for Housing Choice Voucher for people with disabilities (but not awarded)
- Will make input to the Work Force regulations, proposing that affordable housing should be located in low poverty census tracts when it is not an on-site component of a mixed-income development

Goal 2: Improve the Quality of Assisted Housing

- Continued implementation of green grants from HUD and continued to identify additional green initiatives
    - Collaborating with public utilities to carry out weatherization programs at various locations including Washington Village, Colonial Village, Ludlow Village, Seaview, Leroy Downs and King Kennedy
- Received grant money to install solar panels for hot water creation at Leroy Downs, Senior Court and 20 West Avenue
- Preparing a Green Maintenance Plan and an Integrated Pest Management Plan for Leroy Downs, Senior Court and 20 West Avenue
- Proposed smoke-free housing policy for all NHA buildings as a result of numerous complaints received over the years about second hand smoke
- Will implement Phase II of Energy Services contract with Siemens Building Technologies which includes:
    - Replacement of heating systems at 356 Main Ave, King Kennedy Homes and Chapel Street
    - Replacement of steam traps at Washington Village
    - Boiler replacement at Meadow Gardens
    - Conversion from oil to gas heat at 36 Fairfield Ave
    - Weatherization at all Federal sites

Goal 3: Increase Assisted Housing Choices

- Six new home ownership purchases since April 1, 2010
- Continued implementation of two tier Payment Standards policy to increase assisted housing choices and deconcentration
    - Since 2007, this policy has resulted in a 15% increase in the number of clients living in higher income census tracts

Goal 4: Improve Quality of NHA Properties and the Neighborhoods They Are In

- Collaborating with the Norwalk Redevelopment Agency to revitalize the transit area where the NHA offices and numerous public housing sites are located
- Received and currently administering Choice Neighborhoods Planning Grant for the redevelopment of Washington Village – NHA anticipates applying for Choice Neighborhood Implementation Grant by 4/1/13 or sooner

Goal 5: Promote Self-Sufficiency of NHA Customers

- Served 145 beneficiaries through NHA's Family Self Sufficiency Program which offers homeownership education, credit and financial counseling, preschool parent education, employment counseling and job readiness training
- In FY 2011, 34 college scholarships were awarded to NHA residents, 15 of whom were first-time recipients
    - 24 students attended 4-year colleges; 9 students attended 2-year community colleges; and 1 student is enrolled in a medical assistant nursing program

- NHA Learning Centers have registered over 270 students
    - NHA plans to expand the program even further in the coming months

Goal 6: Promote Fair Housing and Equal Opportunity

Carried out a number of activities related to furthering fair housing, including but not limited to:

- Providing information to all Housing Choice Voucher participants regarding how to file a Fair Housing complaint
- Continuing to apply Fair Market Rent payment standards to promote renting of minority residents in areas of Norwalk with higher incomes, less unemployment, lower concentration of minority residents and higher homeownership rates
- Conducting a Housing Choice Voucher landlord open house to promote and explain the program in conjunction with the City of Norwalk's Fair Housing and Human Relations departments
- Providing opportunities on a regular basis for staff training in Fair Housing

Grants Received

- HUD 2010 Public Housing Family Self Sufficiency grant - $69,000
- HUD 2010 Family Self-Sufficiency Housing Choice Voucher grant - $69,000
- United Way Math Literacy program - $45,000
- PY37 CDBG funding – Roodner Court Learning Center renovation project - $43,000
- Connecticut State Department of Education After School grant - $150,000
- HUD 2011 Public Housing Family Self Sufficiency Program - $69,000
- HUD 2011 Family Self-Sufficiency Housing Choice Voucher program - $69,000

Grants Pending

- HUD 2011 Ross Service Coordinator - $240,000
- HUD 2010 Section 3 grant - $50,000
- Walmart Education Initiative funding - $4,500

Significant Amendments to Admissions and Continued Occupancy Plan

- SSN Disclosure: applicants and participants are required to disclose his/her assigned SSN, with a few appropriate exceptions
- Smoke-Free Housing Policy
    - To ensure the quality of air and the health of residents in its housing programs, NHA has declared all its residential properties as smoke free. Smoking is only permitted twenty (20) feet from any building located on NHA properties and is not permitted anywhere inside properties owned by NHA
    - All NHA residents are required to sign a copy of the smoke free policy to be placed in the resident's file

Administrative Plan for the Housing Choice Voucher (Section 8) Program

- Details NHA's policies regarding the administration of Housing Choice Vouchers
- Notable changes for the upcoming year include
    - Additional protection for victims of domestic violence, dating violence and stalking.
    - Prioritization of families who had requested to move but were denied due to insufficient funding over families on the waiting list for vouchers

AMP Budget

- Total budgeted expenditures for FY2012: $7,077,546

Financial Resources

- Total Financial Resources, FY2011: $25,730,700

Civil Rights

- Attachment L1 provides a demographic breakdown of applicants to family public housing and senior public housing, as well as Housing Choice Voucher and Special Program participants
    - Housing Choice Voucher data suggests that poverty deconcentration efforts aimed at enabling voucher holders to access housing in higher income census tracts have experienced some success
        - In FY2011, 52 families moved into upper income census tracts while only 15 families moved into lower income tracts

Violence Against Women Act Policy

- Details NHA's policy to comply with the Violence Against Women Act, which prohibits PHAs from denying an applicant admission to the Public Housing Program on the basis that the applicant/tenant is or has been a victim or domestic violence, dating violence, or stalking

Family Self Sufficiency Program Action Plan – Proposed 9/19/2011

- Objective: Reduce the dependency of low-income families on welfare assistance and other Federal, State and local subsidies. The FSS program provides critical tools that can be used to support welfare reform and helps families in our community to develop new skills that will lead to economic self-sufficiency. Specific objectives include:
    - Developing local strategies that coordinate local resources to deliver effective services that support low-income families in achieving economic independence

- Stabilizing housing assistance and providing escrow accounts for participating families to allow them to make a transition to private and unsubsidized market housing