

MINUTES OF THE REGULAR MEETING
CITY OF STAMFORD, CONNECTICUT
URBAN REDEVELOPMENT COMMISSION
Thursday, May 8, 2003

1. Chairman Stephen C. Osman called the meeting to order at 6:05PM. In attendance were:

Commission

Stephen C. Osman, Chairman
Eric M. Wormser, Vice Chairman
Joel P. Mellis, Secretary/Treasurer
James I. Nixon
Neal M. Jewell

Staff

Laszlo Papp, Executive Director
Rachel Goldberg, General Counsel
Sheila R. Kilcoyne, Fiscal Officer

Commissioner Jewell made a motion to address the agenda items out of order. The motion was seconded by Commissioner Mellis and carried unanimously.

9. New Business

(a) **Archstone Extension** - Executive Director Papp distributed a letter (copy attached as part of these official minutes) submitted by Richard Redniss, consultant for Archstone Communities, requesting an extension for the start of construction at 1050 Washington Boulevard from June 12, 2003 to June 12, 2004. Mr. Redniss said, "There are a variety of circumstances for this request. They went out to bid, the bids came in higher than expected, and they are now looking at a number of alternatives to reduce costs. Archstone is aware of the Commission's position that the appearance of the building cannot be compromised." It was noted that Archstone is willing to allow the site to be used by the URC to facilitate interim parking; i.e., during Target construction. Following discussion, Commissioner Nixon made a motion to grant Archstone Communities an extension for the start of construction at 1050 Washington Boulevard from June 12, 2003 to June 12, 2004. The motion was seconded by Commissioner Wormser and carried by unanimous vote.

2. Approval of Minutes

(a) **March 13, 2003 - Regular Meeting** - Commissioner Nixon made a motion to approve the minutes. The motion was seconded by Commissioner Mellis and carried unanimously.

(b) **April 9, 2003 - Special Meeting** - Commissioner Mellis made a motion to approve the minutes. The motion was seconded by Commissioner Jewell and carried unanimously.

8. Old Business

(a) **Exxon Station/636 Washington Boulevard** - Executive Director Papp reviewed his April 16, 2003 memorandum in which he recommended approval of the improvements proposed by Alliance Energy Corporation to the Exxon Station at 636 Washington

MINUTES OF THE REGULAR URC MEETING MAY 8, 2003 - PAGE TWO:

Boulevard, subject to adding one further improvement - replacement of the concrete strip between the northern property line and the proposed parking blacktop with landscaping. Attorney Laura McGeachy of Cacace, Tusch & Santagata, representing Alliance Energy, showed two photographs of the existing trees on the adjacent property. She explained that because of the height of these existing trees, the new landscaping would have to be "low ground cover" and expressed concern that plant material might not survive well in this area. Discussion of the landscaped amenity strip between the curb and the walkway area, required by the City of Stamford's Transportation Planner Tom Bruccoleri, ensued. It was the sense of the Board that there be low ground cover landscaping instead of the concrete strip and Director Papp suggested the use of pachysandra. Chairman Osman asked Attorney McGeachy to speak further with her client.

Commissioner Jewell made a motion to approve Alliance Energy Corporation's proposed improvements to the Exxon Station property at 636 Washington Boulevard, subject to final approval of the proposed amenity strip/landscaping issue by Chairman Osman. The motion was seconded by Commissioner Wormser and carried unanimously.

5. Stamford Urban Transitway Project

(a) **Status Report** - Attorney Goldberg reported that we are awaiting receipt of a revised contract from the Law Department. If timing becomes an issue, Attorney Goldberg will poll the Commissioners by phone before sending out the final draft.

6. Southeast Quadrant

(a) **Status, Park Square West** - Chairman Osman reported that there have been a number of negotiating sessions; further, that the biggest issues are not price but the security deposit and how much of the mortgage Corcoran Jennison gets back and when. Discussion of the method used for determining annual price increases followed. The Chairman asked the Commissioners to consider and propose other indexes which might be helpful. Chairman Osman also noted that a trip had been made to New Haven to look at massing models at the offices of Herbert S. Newman & Partners Architects.

7. Agency Administration

(a) **Committee Reports:**

(i) Mill River Corridor Project - Chairman Osman reported that he and URC Mill River Consultant Arthur Selkowitz have had a number of meetings regarding the establishment of a Mill River Conservancy. This is a collaborative effort involving many groups such as the Friends of Mill River, the West Side Action Committee, the Downtown Special Services District, The Stamford Partnership, the Trust for Public Land, and local representatives who are working to put together an appropriate organization.

MINUTES OF THE REGULAR URC MEETING MAY 8, 2003 - PAGE THREE:

There were no further Committee reports at this time.

8. Old Business

- (a) **Contract Agreement/Sheila R. Kilcoyne** - Attorney Goldberg updated the Commission on the status of discussions with Fiscal Officer Kilcoyne regarding revisions to her Employment Agreement. Commissioner Nixon made a motion to authorize the Chairman to execute a revised Employment Agreement after review by Commissioner Mellis. The motion was seconded by Commissioner Jewell and carried unanimously.
- (b) **Status, Negotiations with G&B Parking** - Executive Director Papp updated the Commission on the status of their discussions with input from the Chairman and Commissioner Nixon.
- (c) **Status, Negotiations with Mario Lodato** - Attorney Goldberg reported that discussions were at a standstill due to Mr. Lodato's failure to reach an agreement with Target.

3. Announcements

Vice Chairman Wormser announced that he will be leaving the Commission at some time in the future after a replacement has been selected and approved. Chairman Osman stated that since Commissioner Wormser is very involved with affordable housing, he will become a Special Representative of the Commission on affordable housing issues. Commissioner Wormser indicated that he would also be willing to serve in other areas as well. Commissioner Nixon made a motion to appoint Vice Chairman Wormser as "Special Representative to the Commission" following his tenure as Commissioner. The motion was seconded by Commissioner Mellis and carried unanimously. Commissioner Jewell suggested that business cards be created at the appropriate time.

7. Agency Administration/Committee Reports

- (v) **Parking Garage** - Executive Director Papp stated that we need "a commitment from the City and the Mayor to start work on the garage and then we need to decide how to proceed with the URC acting as the developer." Conventional contracting and design-build agreements were discussed. It was noted that in a conventional agreement, the URC would have full control of the process after it developed the design. However, in a design-build process, the URC would do the schematics and request bids, but the design-build company would provide the final design.

Executive Director Papp said, "It would be a 'gross mistake' not to write the RFP document to cover all issues in order to avoid extra costs, etc. and change orders." The Chairman asked which process had the least cost overruns. Executive Director Papp

MINUTES OF THE REGULAR URC MEETING MAY 8, 2003 - PAGE FOUR:

responded, "There is no difference. In both cases, we have to write a tight contract. I would recommend a well developed 'design-build' contract. This requires a complete package in all aspects, even describing the desired architectural appearances." Commissioner Mellis asked, "Are we talking about a difference in control?" Executive Director Papp answered that the control will be different, but the end result should be the same. It was also noted that a design-build contract will specify quality and provide more monetary advantages. Chairman Osman asked, "Do we have to bid and take the cheapest?" The Director responded, "No. We can pre-select the bidders and price does not need to be the only consideration ... quality of materials, schedule, design, construction team, etc. can all be factored in. Discussion of the RFQ (Request for Qualifications) and the City of Stamford's purchase ordinance requirements followed.

Chairman Osman stepped out of the meeting at 7:55PM.

Executive Director Papp reiterated his recommendation for a design-build contract. He suggested that the architect should "set an appearance standard." It was noted that since the engineering drawings we currently have are outdated, that the drawings will have to be modified. There will also be a need for further soil information, as a big issue will be the kind of foundation.

Chairman Osman returned to the meeting at 8:00PM.

Commissioner Nixon asked, "Is it the contractor who must get all of the approvals?" Attorney Goldberg responded, "Yes, but we must know what is approvable. We will need to get approvals from the building department, traffic, fire, and a State Traffic Commission permit." The Director added that we will need a Clerk of the Works during construction. Commissioner Wormser concurred with the Director's recommendation.

Chairman Osman said, "We will be moving forward quickly. We are now looking at when the garage will be built and we want to accomplish the construction of the 'best garage' not the cheapest garage. Design, comfort level, appearance - these aspects are of the highest priority." Executive Director Papp estimates that it will cost between \$100,000 - \$150,000 to prepare a design-build package. Commissioner Jewell asked, "What level of commitment from the City do we need?" Attorney Goldberg responded, "A commitment from the Mayor followed by a signed agreement and Board of Representatives' approval."

7. Agency Administration/Committees

There was a discussion on the merits of one or two person committees. Commissioners Nixon and Jewell spoke in favor of two person committees. Chairman Osman pointed out the positive points of one person committees. Commissioner Jewell said that one of the two (on a two person committee) should be the lead member and keep the other apprised of all developments.

MINUTES OF THE REGULAR URC MEETING MAY 8, 2003 - PAGE FIVE:

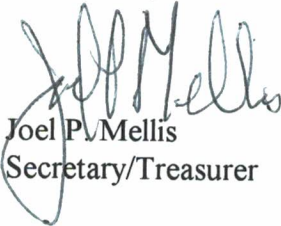
At 8:25PM, Commissioner Nixon made a motion to go into Executive Session to further discuss contract negotiations and matters specifically pertaining to litigation. The motion was seconded by Commissioner Jewell and carried by unanimous vote. Attorney Goldberg and Executive Director Papp participated in the discussion. No motions were made and no votes were taken. At 8:42PM, Commissioner Mellis made a motion to return to Open Session. The motion was seconded by Commissioner Jewell and carried unanimously.

10. Adjournment

The next regular meeting is scheduled for Thursday, June 12, 2003 at 6:00PM.

There being no further business before the Board, Commissioner Nixon made a motion to adjourn. The motion was carried by unanimous vote and the meeting was adjourned at 8:43PM.

Respectfully submitted,



Joel P. Mellis
Secretary/Treasurer



May 8, 2003

Via Facsimile (203) 975-1552

Mr. Laszlo Papp
Urban Redevelopment Commission
City of Stamford
888 Washington Boulevard
Stamford, CT 06904

***Re: Archstone Communities
1050 Washington Boulevard
Stamford, CT***

Dear Laszlo,

On behalf of Archstone Communities, we are requesting the URC extend the start of construction for the above-referenced property to June 12, 2004. The reason for the extension is that the value engineering has not been completed and may necessitate going back to the Zoning Board and URC for modifications.

Archstone also wishes to confirm that they are willing to allow the site to be used by the URC to facilitate interim parking (i.e., Target construction). Details such as grading, gravel or paving, insurance, plowing, maintenance, etc. need to be coordinated.

We will be attending tonight's meeting in order to address any questions the Board may have.

Sincerely,



Richard W. Redniss, AICP

cc: Diego Benites

G:\JOBFILES\3kto4999\3112\Documents\3112URCext2.wpd