



Land Use-Urban Redevelopment Committee – Board of Representatives

Harry Day, Chair

Committee Report

Date: Tuesday, September 19, 2017
Time: 7:00 p.m.
Place: Democratic Caucus Room, 4th Floor, Government Center

The Land Use-Urban Redevelopment Committee met as indicated above. In attendance were Chair Day and Committee Member Reps. Heaphy, Hoch, Miller, Okun and Patterson. Absent or excused were Reps. McGarry, Ryan and Summerville. Also present were Reps. DePina, Fedeli, Jacobson, McMullen, Nabel, Pratt and Savage; Kathryn Emmett, Corporation Counsel; Lou Casolo, City Engineer; and Ann Brown, Urban Transitway Project Manager. ‘

Chair Day called the meeting to order at 7:10. The following items were on the agenda.

Item No.	Description	Invitee(s) or Designee(s)
1. LU29.085	ORDINANCE <u>for publication</u> ; Amendment of the Demolition Ordinance, Chapter 88 . 04/26/17 – Submitted by Rep. Day 05/31/17 – Held in Committee 07/05/17 – Held in Committee 07/17/17 – Held at Steering 08/30/17 – Held by Committee	WITHDRAWN

The Committee then considered Item No. 3 in order to permit the Personnel Committee to reconvene.

¹ 3. LU29.076	REVIEW; Status of the Urban Transitway, Including a Timeline and Current Status. 12/06/16 – Submitted by Rep. Fedeli	Report Made
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Secondary Committee: Personnel

Mr. Casolo noted that this review was prompted by concerns raised as a result of the renewal of Ms. Brown’s contract as Project Manager and Winston McKenzie as Assistant Project Coordinator. Mr. Casolo and Ms. Brown discussed this with the community as follows:

- The Project is staffed by 3 contract employees: Ms. Brown is responsible for the whole project; Laura Urbanowski, the Project Coordinator, who oversees the day to day operations and compliance with the federal requirements; and Mr. McKenzie, who is out in the field
- The construction should be substantially complete this year

¹ Video Time Stamp 00:02:00

- State requirements limit the speed at which the project can be completed
- In addition to the construction
 - parking lots are being built, which won't happen until the staging equipment is out of the areas
 - intelligent transportation systems ("ITS") are required as part of the project and for the funding (this includes the bus lanes, the electronic boards integrating with the transit system), which won't be integrated until the end of 2019
- There is work to be done to close-out these grants, including paper work which will continue for the life of the project
- The City is interested in a Phase III to extend the project from the Train Station to Exit 9. This phase is not yet funded
- There is a great deal of administrative work that goes with the project
- One of the difficulties has been that the roads could not have been shut down to local traffic, which requires staging and slows down the project
- The project was on target during the final design and property acquisition stage, but was put on hold when a new administration came in to review the project for approximately 1 ½ years. When the project recommenced there were 54 full and partial acquisitions to be completed, but the appraisals needed to be updated and several relocations after the acquisitions took longer than anticipated.
- The project was rebid 3 times; as a result, the bidding process took a year, rather than 3 months.
- Other items that have impacted the schedule are utility relocation delays; the State took 6 months to issue a street opening permit and required changes to the plans and a winter shut-down period for 3 months each winter
- The project is now about 4 years behind schedule
- Unexpected issues arise, such as shallow utilities, after the road is opened, which then requires relocation; the utilities usually do this at no cost and will replace with new infrastructure
- Currently, momentum is good. Many aspects of Phase 2 are almost complete. The road will be finally paved in the springtime. There are still restoration and punch list items to complete.
- The City is well-positioned to get federal funds in the future
- Phase 3, which is only the design phase right now, will result in 2 dedicated lanes on East Main St. up to Exit 9, a bike lane, curb and sidewalks, and a median.
- They will look at increasing communication with the East Side Partnership, making the electronic signs bilingual and having a meeting with the business owners
- Mr. McKenzie deals with every business owner every day
- They are working with the funds currently allocated
- Their goal is to have the road be back in service by the end of the year

2. [LU29.098](#) ORDINANCE for publication; Providing for the Imposition of Fees to Fund the Engagement of Consultants and Experts by the Land Use Bureau. 09/08/17 – Submitted by Mayor Martin; Reps, de la Cruz, Quinones, Nabel, Figueroa, Kolenberg, Pratt, Mitchell, Okun, Ryan, Coleman and Zelinsky. **Approved, as amended, 5-0-0**

Ms. Emmett noted that:

- the proposed ordinance seems to accomplish what the Board members had requested without running afoul of State law by empowering the Land Use Bureau Chief and the

² Video Time Stamp 00:54:50

Land Use Boards to identify when they need outside consultants and require the applicant to pay the cost of these consultants when the City does not have the necessary expertise.

- There is a typo in the title of 123-13 – “fo” should be “of”. This language is based upon ordinances which have been upheld.
- It is clear that the Land Use Chief can make a determination subsequent to the original application that an expert is required
- The five-day period is reasonable, but failure to comply with that date would not bounce the application
- The ordinance should be changed to reflect that “one or more experts” may be needed in Sections 123-11 and 123-13.

A motion to approve this ordinance, as amended, for publication was made, seconded and approved by a vote of 5-0-0 (Reps. Day, Heaphy, Hoch, Patterson and Okun in favor).

As a Secondary Committee:

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| 1. CS29.020 | ORDINANCE <u>for public hearing and final adoption</u> ;
Revising Land Use and Zoning fees.
7/12/17 – Submitted by Mayor Martin | No Action
Taken |
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Chair Day adjourned the meeting at 8:05 p.m.

Respectfully submitted,
Harry Day, Chair

This meeting is on [video](#).