

DRAFT
MINUTES OF THE NEW HAVEN PARKING AUTHORITY BOARD MEETING
MONDAY, APRIL 27, 2020
5:30 PM
LOCATION: WEB BASED MEETING VIA ZOOM

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one-tap:

Meeting <https://newhavenct.zoom.us/j/92879480329?pwd=SVRLYTM3QXN2eW50b3RPSXVYYm1aUT09>
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Meeting 928 7948 0329

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Meeting ID: 928 7948 0329

International numbers

Skype for Business (Lync)

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Members Present: Mr. Forrester, Mr. Hausladen, Mr. Orefice, Mr. Rivera, Ms. Curran

Members Absent: Mr. Stewart

Staff Present: Mr. Parry, Mr. Seholm, Mr. Staniewicz

Counsel Present: Attorney Rini, Attorney Merin

Guests: Ms. Fusco representing Temple Street Associates
The Honorable: Alder DeCola, Alder Antunes, Alder Roth

Mr. Hausladen welcomed all and said he will moderate the meeting that is being published live on Facebook. He opened the meeting at 5:39 PM and asked the Chairman, Norman Forrester, to announce Item I on the Agenda.

APPROVAL OF THE MINUTES

Chairman Forrester said this Motion is twofold. The Authority is requesting the Board to ratify the Minutes from the February 18, 2020 meeting that were approved at the March 16, 2020 Board meeting and to approve the Minutes from the March 16, 2020 Board meeting. *Mr. Hausladen shared the links.*

Chairman Forrester asked Attorney Rini to explain the reason for the ratification. Attorney Rini said the Governor published an Executive Order requiring new protocol that was released after the Authority's February agenda was posted. The agenda did not conform to the Executive Order making the vote ineffective; hence the ratification.

Chairman Forrester asked if there was any further discussion on the reason for the ratification. Mr. Hausladen said to confirm due to the timing of the Executive Order it was felt to be prudent to ratify these Minutes.

Commissioner Hausladen moved to ratify the February 18, 2020 Minutes, Commissioner Orefice seconded, and the Minutes were unanimously ratified by those present.

Chairman Forrester asked for any discussion or exceptions to the March 16, 2020 Minutes. Hearing none, Commissioner Hausladen moved to approve, Commissioner Curran seconded, and the Minutes were unanimously approved by those present.

MOTIONS

MOTION A (Discussed and Tabled for Vote)

Mr. Hausladen said due to the amount of information related to this Motion, he wanted to introduce it to the Board tonight giving them enough time to review so it could be voted on next month.

Chairman Forrester said with this Motion the Authority is requesting approval to enter the development and land disposition agreement (DLDA) by and between WE 101 College Street LLC, the City of New Haven and the New Haven Parking Authority (NHPA) in regard to certain provisions applicable to the Parking Authority only and the approval of the parking agreement by and between WE 101 College Street LLC, the City of New Haven (as to applicable terms) and the New Haven Parking Authority. He deferred to Attorney Rini to explain the development agreement.

Attorney Rini made the following points for discussion:

-He said there were two components.

1. The development agreement is what provides the terms and conditions that the City will allow relating to the building on the east side of the College Street bridge.

2. This is all being undertaken and done in conjunction with the Downtown Crossing Projects Phases II and III on the Route 34 location.

-The development agreement has three parties: The City, the developer – WE 101 College Street LLC and the New Haven Parking Authority.

-The Parking Authority is only in for certain conditions.

-WE 101 College Street LLC will construct the building and none of that involves the Parking Authority.

-The Parking Authority needs to make certain the access roads under Air Rights Garage are maintained. *Mr. Hausladen shared Exhibits M & N of the agreement that showed the changes that will occur to this area.*

-There will be a number of pedestrian bridges that will be connected to the project. The bridge from 101 College Street to Temple Medical will require easements that will be provided for review, approved and signed by our partner TSA II – this includes the insurance provisions. Schedule N shows the pedestrian bridge from 101 College Street to Temple Medical Garage.

-There is a dispute resolution that is part of the agreement that states first a meeting between the parties to resolve the dispute will be held, followed by mediation then the matter will go to court.

-Exhibit T includes the procedure to follow in regard to working on plans for various easements.

-NHPA has the authority to protect what is necessary to them.

-NHPA will be part of the construction logistics as actual construction takes place.

-The major part for the Authority is the Parking Agreement.

Discussion/Questions

-Mr. Hausladen asked Ms. Fusco, representing TSA II, for any comments. Ms. Fusco said they are very much in favor of the bridge in principle; however, they have not yet had an opportunity to review all the documents.

-Mr. Forrester had a question in regard to the resolution agreement. If there was a dispute that could not be resolved, what would the ramifications be for the Authority. Attorney Rini said in the DLDA our obligation is to review, commit and approve. The Authority has no responsibility for any construction.

-Mr. Forrester asked what happens if the Authority can't accommodate all parkers that are requested in the two garages. Attorney Rini said the Authority does not have any obligations other than review and approve the easements. If the amount of parking for the structure they want to build cannot be accommodated, the Authority cannot approve. The Authority will only participate in easements and review them to be structurally acceptable to the common elements to TSA II and the Authority.

Attorney Merin thanked staff at the Authority that worked on review of the DLDA and parking agreement (Exhibit Z to the DLDA) and provided an overview as follows:

- He said the DLDA is for the construction of a medical use facility developed by WE 101 College Street.
- The Authority is involved in the agreement to supply parking for that mixed use facility.
- The parking agreement has a twenty-year term with three successive options.
- The amount of permits is based on the size of the building. In no case will there be more than 550 permits issued.
- Parking rates will be at the monthly market rate.
- Spaces will be available first at Temple Medical and then Temple Street Garage.
- Both parties will have the right to terminate. If WE 101 College Street LLC terminates in the first seven years, they will need to pay a penalty.
- The disposition resolution process is part of the parking agreement.
- All parties are required to meet quarterly on the agreement.

COMMISSIONER HAUSLADEN MOVED TO POSTPONE MOTION A FOR APPROVAL SUBSEQUENT TO THE COMMISSIONERS HAVING TIME TO REVIEW THE INFORMATION, COMMISSIONER RIVERA SECONDED THE MOTION THAT WAS UNANIMOUSLY APPROVED BY THOSE PRESENT.

RESOLUTION B

Chairman Forrester said with this Motion the Authority is requesting approval to confirm the terms of an extension to the agreement with Temple Street Associates II limited partnership for an additional ten years with successive mutually acceptable five-year options thereafter. He deferred to Attorney Rini for further explanation.

Attorney Rini explained this new Motion will replace the one that was approved at the March 16, 2020 meeting. Approval of this Motion is basically repassing the agreement that is now in final form. Every term remains the same as in the original agreement that has already been approved. The only change is the extension of the term to ten years with two five year extensions following that. It has the consent of the Counsel for Temple Street Associates (TSA) II, and they have requested that we repass the agreement.

RESOLUTION OF THE NEW HAVEN PARKING AUTHORITY TO CONFIRM THE TERMS OF AN EXTENSION AGREEMENT WITH TEMPLE STREET ASSOCIATES II LIMITED PARTNERSHIP FOR AN ADDITIONAL TEN YEARS WITH SUCCESSIVE MUTUALLY ACCEPTABLE FIVE-YEAR OPTIONS THEREAFTER.

The above Motion was moved by Commissioner Hausladen, seconded by Commissioner Orefice, put to vote, and unanimously approved by those present. (A copy of said Motion is attached hereto for the record).

MOTION C

Chairman Forrester said with this Motion the Authority is requesting approval to authorize a rent abatement for retail tenants at Union Station Transportation Center impacted by the COVID 19 closures for the period April 1, 2020 through June 30, 2020. He deferred to Mr. Seholm for further explanation.

Mr. Seholm said he is asking the Commissioners to authorize the recommendation he received from the Joint Advisory Committee (JAC) for Union Station Transportation Center to abate the rent for retail tenants at Union Station due to the dramatic drop in rail commuters and pedestrian traffic through the Station. There has been a 95% drop in commuters at Union Station. Tenants include New Haven Union News, Sbarro, and Dunkin Donuts. The Authority is asking that they all be provided abatement through June 30, 2020.

Additional recommendations will be brought to the Board at a later date.

Discussion/Questions: Mr. Forrester asked how this will impact the Authority. Mr. Seholm said there would be a loss of \$31,094 for the quarter that would directly affect the State of CT which is associated with their disbursement from surplus funds that is part of the Lease & Funding Agreement for Union Station. There would be no impact to the Authority.

MOTION RE: TO AUTHORIZE THE RENT ABATEMENT FOR RETAIL TENANTS AT UNION STATION TRANSPORTATION CENTER IMPACTED BY THE COVID 19 CLOSURES FOR THE PERIOD APRIL 1, 2020 THROUGH JUNE 30, 2020.

The above Motion was moved by Commissioner Hausladen, seconded by Commissioner Orefice, put to vote and unanimously approved by those present. (A copy of said Motion is attached hereto for the record.)

MOTION D

Chairman Forrester stated with this Motion the Authority is requesting approval to authorize the Joint Advisory Committee to abate the monthly permit fees to parkers at Union Station Garage due to the impact of COVID 19 closures for the period April 1, 2020 through June 30, 2020 on a month-to-month basis. This action is in accordance with the statewide actions of Connecticut Rail for monthly parking fees. He deferred to Mr. Seholm for further explanation.

Mr. Seholm said this Motion is associated with Motion C that requested rent abatement and is in line with other CDOT policies. The Authority is requesting an abatement on monthly parking fees for our patrons for the same period - April 1, 2020 through June 30, 2020.

Discussion/Questions: Ms. Curran asked what impact this would have on the Authority. Mr. Seholm said this will affect the budget for Union Station; however, it would not directly affect the Authority due to how the

Authority makes the annual disbursement to the State of Connecticut as required by the Lease & Funding Agreement as noted in Motion C.

MOTION RE: TO AUTHORIZE THE JOINT ADVISORY COMMITTEE TO ABATE THE MONTHLY PERMIT FEES AT UNION STATION GARAGE DUE TO THE IMPACT OF COVID 19 CLOSURES FOR THE PERIOD APRIL 1, 2020 THROUGH JUNE 30, 2020 ON A MONTH-TO-MONTH BASIS TO MATCH THE STATEWIDE ACTIONS OF CONNECTICUT RAIL RELATED TO MONTHLY PARKING FEES.

The above Motion was moved by Commissioner Hausladen, seconded by Commissioner Rivera, put to vote and unanimously adopted by those present. (A copy of said Motion is attached hereto for the record.)

EXECUTIVE DIRECTOR'S REPORT

Mr. Hausladen said most of what he has been working on will be presented in the staff reports.

-Issues Relating To COVID 19

He has been having conversations with staff each day in response to COVID 19 challenges they are facing and how they relate to the Authority being an essential business.

Mr. Hausladen said he has scheduled bi-weekly zoom meetings for all staff to keep everyone informed of what is taking place. The next meeting is scheduled for May 6 at 11:30 AM. A calendar invite will be sent to the Commissioners, and he would appreciate any input/collaboration they could provide.

Mr. Forrester said the Authority is essential. He thanked Mr. Hausladen and staff, and wanted all to know he appreciates their efforts to maintain operations while dealing with the unprecedented environmental issues that are being experienced.

-DLDA Agreement/101 College Street

Mr. Forrester thanked Attorneys Rini and Merin and Mr. Hausladen and NHPA staff on the extra efforts they put forth to get the development agreement completed. This contract provides a bright future for the Authority.

SENIOR STAFF REPORTS

CHIEF OPERATING OFFICER'S REPORT

Mr. Parry presented an overview of activity in Operations for the month of March.

•OCCUPANCY

Mr. Parry said the occupancy numbers indicate the impact of COVID 19. All facilities are open with very limited activity. Occupancy numbers at Air Rights Garage are the exception; however, it is not at normal occupancy. Parkers are up to the seventh level versus level nine where they typically are. Activity at Union Station is almost non-existent.

•SECURITY

Mr. Parry said on the security front, roving security is provided 24 hours a day.

-COVID Safety Measures

In regard to safety measures being taken for COVID 19, the Authority continues to decontaminate the facilities including cashier booths, as well as the administrative offices at George Street, Temple Street and Temple Medical Garage.

PPE supplies have been provided for employees including face masks, hand sanitizers, and gloves. It was made mandatory that when employees are on site masks are worn.

-Incidents

Four break-ins occurred – two at the Court and Olive Lot and two at the 270 State Street Garage.

At Union Station Building there were nine requests for medical assistance. The majority of these were due to the increased presence of the homeless. This was a challenge; however, we have worked with the City and various agencies and it now appears to be under control.

-Maintenance

Mr. Parry said roving maintenance staff is provided at Union Station and all facilities to ensure trash is collected and maintenance issues are addressed.

-Valet Operations

Mr. Parry said the valet operation at Union Station ceased early in March due to COVID 19 impact on occupancy.

Mr. Parry said other than what he reported, Operations is maintaining and observing pending the return of a full complement of staff.

Mr. Forrester asked what have we heard from the other Parking Authorities in regard to capacities, etc. Mr. Parry said all report they are down about 95% across the board.

CHIEF FINANCIAL OFFICER'S REPORT

Mr. Seholm provided an overview of the Financial report for the month of March and made the following points for discussion.

-Mr. Seholm called attention to page 2 of the CFO report that shows **Year-To-Date Revenue – Budget to Actual for March 2020**. The chart indicates that at this point YTD numbers are still looking fairly good. We have been hit with repercussions from COVID 19 while results are running ahead of budget. At Union Station that was still not enough to keep it up to date.

-He then called attention to the chart on page 4 that showed **NHPA Major Variances - March 2020**. This provides detail for each of the lines that were hit: transient revenue, validations, etc. The negative impact starts to be seen between the 10th and 16th of March.

-Monthly permits remained solid due to our large groups: Yale-New Haven Hospital, Temple Street Associates II, Gateway College, and Yale University.

-On page 6 Mr. Seholm provided a chart that showed **Transient Revenue by Weeks March 1st – April 18th 2020**.

The first week of March, (March 1 through March 7) was fairly normal showing \$56,881 and was the highest week for transient revenue.

A significant impact is seen in the week of March 15 through March 21 where revenue dropped to \$7,067. Results for Union Station went down and remained down.

Slight increases were seen the last week in March, (March 29 through March 31) at Temple Street and Crown although still significantly under the results of first week.

Transient revenue will be less next month.

-Transient Activity is still being seen at Air Rights Garage and is the best of the restricted facilities; but significantly lower as well with a 66.1% drop.

-State Street Garage is showing a 100% decrease.

-All facilities combined show a 99.7% decrease.

-We are obviously concerned on when this will turn around.

-At this point given the date the Governor gave of May 20 for possible reopening of the State, Mr. Seholm said he is working to determine a number for transient revenue for the budget. He is optimistic he will have this information for next month's meeting.

-With the administrative offices closed, the cost to the Authority is approximately \$10,000 per week in additional employee costs.

-The decrease in activity for the construction programs allows some flexibility. Consequently, he has asked for some additional electrical vehicle charging stations. Union Station has a high level of activity at the charging stations and additional ones are desired. The cost is \$20,000 for the design plus contingencies. Mr. Forrester asked if the \$20,000 is in the capital programs budget and in the capital plan. Mr. Seholm said yes, and the capital budget is under.

-He will do his best to develop the best 2020 budget with estimates that are based on what we are currently experiencing in the COVID environment.

CHIEF ENGINEER'S REPORT

Mr. Staniewicz provided an overview of capital projects.

-101 College Street DLDA and Parking Agreement: Mr. Staniewicz said a great deal of time has been devoted over the past couple of weeks with review of the DLDA for 101 College Street and the parking agreement.

-MBE Program: We have put significant effort into cultivating relationships with MBEs. We recently shared with our MBEs a document that Turner Construction prepared on how to cope with COVID 19 issues and certain financial programs that are available.

-COVID Safety: There is a limited amount of construction ongoing due to COVID, and if contractors are on site they have to comply with workplace rules on what is required of employees for COVID safety.

-Annual Condition Surveys: The Annual condition surveys of the facilities prepared by Desman Associates, which are used to prepare the capital budget, are being reviewed.

-Professional Services Agreement for Legal Counsel: This agreement has been completed and ready for signature.

-Design project for 270 State Street: We are working to conclude the design for this project that mainly involves concrete, waterproofing and some elevator/stair tower roof work.

-Downtown Crossing Phase III: Work at Temple Street Garage is involved insofar as it is a component to Phase III of the Downtown Crossing. Egress via MLK will be eliminated and will therefore require modifications to be made to the parking access and revenue control system.

-Air Rights Garage: There is some work going on in regard to ventilation, stair repairs and awnings. Contractor is expecting the material in soon for the awnings and estimates they could start installing the awnings in two to three weeks.

-Union Station Projects: Amtrak wants to modify their ticket window to accommodate handicap access. We have met with CDOT and the State Historical Preservation Society on this. Amtrak has hired an architect and has addressed a lot of detail. The last indication was that Amtrak only received one bidder for the construction work, and it is not known if they will rebid the project.

There are some small projects at Union Station including boiler work, as well as installation of surge protectors on electrical panels, which require a power shut down scheduled for the overnight hours.

NEW BUSINESS

Mr. Forrester said he has received a letter in regard to an opportunity for the Authority to participate in a venture regarding a drone business, picking up food from restaurants and dropping it off at homes. They would like to rent two spaces at Granite Square garage to operate from.

Mr. Hausladen said he was also contacted. After the COVID situation subsides, and we have more information, including FAA certification etc., he will have staff investigate and present to the Commissioners to determine if they want to consider such a venture.

After some discussion, the Commissioners agreed they would like to hear more about it when more information is available.

ADJOURNMENT

Mr. Hausladen asked if there were any other issues for discussion. Hearing none he moved to adjourn the meeting. Commissioner Curran seconded the Motion, and the meeting was adjourned at 6:55 p.m.