

**An Ordinance Authorizing the Acquisition by Negotiation or Eminent Domain of Real Property and All Improvements Located at 836 Park Avenue, Bloomfield, Connecticut for Development under Chapter 132 of the Connecticut General Statutes; The Creation of the Bloomfield Town Center Economic Development Commission As The Town's Sole Development Agency for the Town Center, Including 836 Park Avenue, Bloomfield, Connecticut, Subject To The Approval Of The Commissioner Of The Connecticut Department of Economic And Community Development; And The Construction And Development Of The Town Center To Include 836 Park Avenue, Bloomfield, Connecticut In Conformance With Chapter 132, Of The Connecticut General Statutes And The Approved Development Plan.**

**NOW THEREFORE, BE IT RESOLVED THAT THE TOWN COUNCIL UPON DUE NOTICE AND PUBLIC HEARING DOES HEREBY ADOPT THIS ORDINANCE AMENDING ARTICLE IV OF CHAPTER 15 OF THE BLOOMFIELD CODE OF ORDINANCES**

**Section 15-52 Legislative Findings of Fact Relative to Bloomfield, Connecticut.**

Bloomfield has a varied and diverse population of 21,301. It is currently one of the most diverse communities in the Connecticut Capitol region, if not the entire State of Connecticut. Bloomfield's diversity is critically important to its self-identity as a community.

Bloomfield Town Center stands at the confluence of two primary arteries, Route 178 (Park Avenue and Mountain Avenue) and Route 189 (Bloomfield Avenue and Tunxis Avenue). The Bloomfield Town Center is a key component of the economic development of the community.

Bloomfield Town Center is an older, post-war suburban-era town center that was developed at a low-to-moderate density. The buildings are older, suburban-strip style, single-story, with front-field parking.

Since the 2012, Bloomfield Plan of Conservation and Development (POCD) was adopted, the development of the Town Center has been a top municipal and community priority.

The Bloomfield Town Center has an oversupply of commercial space but lacks workforce housing. Workforce housing will provide the consumer demand that will encourage owners to continue updating and improving their commercial properties in Bloomfield Center and encourage the development of entertainment/recreational/cultural venues in Bloomfield Town Center that meet the needs and preferences of Bloomfield's diverse and vibrant population. This will enable Bloomfield to better compete for economic opportunities and enhance the quality of life in Bloomfield.

There are approximately 9,377, housing units in the Town of Bloomfield and 27% of those housing units are multifamily units.

The National Council of State Legislatures has conducted a survey and found that as of December 6, 2023, there were roughly 37 housing units available for every 100 families seeking workforce housing in Connecticut.

Connecticut has seen the fourth highest rate of home price increases in the nation since the third quarter of 2022, and there is a dwindling inventory of workforce homes in Connecticut.

The creation of adequate workforce housing is critically important to the prevention of homelessness, overcrowding and unemployment. It is a matter of public health and economic development.

The development of workforce housing in locations that are accessible to public transportation, shopping, entertainment, and public amenities, such as parks, have been shown to add to community inclusiveness, the growth of business opportunities, the revitalization of municipal central business districts, and reduces incidences of homelessness and residential overcrowding that are detrimental to the public health.

The improved property known as 836 Park Avenue, Bloomfield, Connecticut located in the Bloomfield Business Center is near public transportation, shopping, parks, schools, the main Library, and places of worship. The Governor of the State of Connecticut has recognized that Connecticut currently faces a workforce housing shortage, and the Governor has called upon Connecticut's municipalities to actively support the development of workforce housing units in the municipal downtown/town center areas.

**Section 15-53 Town Center Economic Development Commission Established as the Exclusive Economic Development Commission for The Town Center, including property located at 836 Park Avenue, Bloomfield, Connecticut.**

There shall be a Town Center Economic Development Commission ("TCEDC") that shall have exclusive jurisdiction over the development of the real property and improvements known as 836 Park Avenue, Bloomfield, Connecticut. The TCEDC shall consist of five Commissioners who shall be appointed by the Town Manager from among a list of Bloomfield electors that has been compiled and approved by a majority of the Town Council. Bloomfield residents who currently serve on any Bloomfield Municipal Board or Commission shall be eligible for concurrent service on the TCEDC. No more than three TCEDC Commissioners may belong to the same political party. The Town Manager shall select a Chair and a Vice Chair from a list prepared and approved by a majority of the Town Council. A meeting of three TCEDC Commissioners, in person or over Zoom, shall constitute a quorum. The Commissioners shall serve terms of five years. Any vacancy in the membership of the Commission shall be filled by the Town Manager from among a list compiled and approved by a majority of the Town Council for the unexpired portion of the prior commissioner's term of office. The Town Manager, as the chief executive authority, and in accordance with his/her authority under Conn. Gen. Stat. 7-136(a) and Section 703 of the Bloomfield Town Charter, may, for cause, remove any TCEDC Commissioner following a public Hearing. The TCEDC Commissioners shall receive no compensation for their services but shall be reimbursed for necessary expenses incurred in the performance of their official duties.

## **Section 15-54 Designation of TCEDC as Economic Development Commission for the Bloomfield Town Center.**

By operation of this Ordinance, upon the approval of the Commissioner of the Connecticut Department of Economic and Community Development (DECD), acting under Conn. Gen. Stat. Section 8-188, the Town Center Economic Development Commission (TCEDC) shall be the Bloomfield Development Agency, as defined in Conn. Gen. Stat. Section 8-187, for construction and development of 836 Park Avenue, Bloomfield, Connecticut and it shall exercise all of the rights and powers found in Chapter 132 of the Connecticut General Statutes, including the rights to acquire real property by acquisition or eminent domain and all of the rights and powers conferred upon the Town of Bloomfield under Chapter 132 of the Connecticut General Statutes, as hereinafter amended by the Connecticut legislature.

## **Section 15-55 Jurisdiction**

To the extent that anything in this Ordinance conflicts with any provisions of Sections 15-44 through 15-51 of the existing Bloomfield Code of Ordinances, the provisions found herein shall control.

## **Section 15-56 EX-Officio Membership**

Each member of the Town Council shall be ex-officio, nonvoting member(s) of the TCEDC and shall have the right to attend all meetings, receive all notices and attend all deliberations.

## **Section 15-57 Town Council Oversight**

The Town Council, by vote of a majority of its members, may pass binding resolutions setting forth binding deadlines for the TCEDC to meet articulated milestones and objectives and may call the TCEDC into special session to address issues articulated by the Town council.

## **Section 15-58 Development Review**

The TCEDC shall file quarterly progress reports with the Town Council. The TCEDC shall promptly submit its Economic Development Plan and all amendments to that plan to the Town Council for a public hearing, review, deliberation, and a vote. The TCEDC Development Plan and all amendments to that plan shall only become final upon an affirmative vote by a majority of the Town Council, subject to the subsequent review and approval or modification or denial of the Commissioner of the Connecticut DECD. Upon approval by the Town Council and the DECD Commissioner, the TCEDC Development Plan and all amendments to that Plan shall automatically become a part of the Economic Development Plan adopted under Section 15-44 and shall control over any contrary provisions found in the plan approved under Section 15-44. In the event the Town Council rejects the TCEDC Development Plan and/or any amendments to the plan the Town Council shall articulate its reasons and set a deadline for the TCEDC to prepare and submit a new or revised Economic Development Plan and/or amendment. The Town Council's deadlines shall be binding on the TCEDC.

## **Section 15-59 Adoption of Plan of Development**

Before the TCEDC, acting as the Development Authority, approves the Plan of Development, it shall certify that:

1. The Bloomfield Planning Commission has reviewed the — the Plan of Development and found that the Plan of Development is in accord with the then current Bloomfield Plan of Development.
2. The Capital Region Council of Governments has reviewed the Plan of Development and found that the Plan of Development is in accordance with the then current regional plan of development. If the Capital Region Council of Governments has received the Plan of Development and has not taken action on said Plan for a period in excess of 35 days, the shall be deemed compliant with the regional plan of development;
3. The TCEDC, has posted notice and a copy of the Plan of Development at least 35 days beforehand on the Bloomfield town web site and in a newspaper that has a general circulation in Bloomfield and has held a public hearing on the Plan of Development and a recording of that hearing has been delivered to the Bloomfield Town Council;
4. Following the Bloomfield Town Council's approval of the Plan of Development, the Plan of Development shall be received by the DECD Commissioner for his/her review and approval, modification, or disapproval. Upon receipt of the Commissioner's approval, modification or disapproval, a copy of the approval, modifications, or disapproval shall be posted on the Bloomfield town web site and a copy shall be delivered to the Town Council. Where the Commissioner has required substantial modifications of the Plan of Development:
  - a. proper notice shall be given to the public by the Town Clerk such that a public hearing can be held by the TCEDC, and thereafter, the TCEDC shall vote on the Commissioner's modifications;
  - b. If approved, by a majority vote of the TCEDC members, the Town Council shall hold a public hearing and thereafter, by a majority vote of its members, accept or reject, the Commissioner's modifications;
  - c. Once accepted, the Plan of Development shall be posted on the Bloomfield town web site by the TCEDC.

## **Section 15-60 Conflicts of Interest**

No member of the TCEDC or staffer or vendor or independent contractor shall acquire any interest, direct or indirect, in any project undertaken by the Town of Bloomfield or the TCEDC, and if any commissioner and/or staffer or vendor or independent contractor acquires any such interests, direct or indirect, he/she shall immediately disclose the same in writing to both the TCEDC and the Town Manager and such disclosure shall be entered upon the public minutes of the TCEDC. Failure to disclose such interest shall constitute misconduct and may be grounds for suspension or removal from the office or termination of the vendor or independent contractor's contract by the Town Manager.

## **Section 15-61 Administration**

The TCEDC shall ensure that the project complies with Chapter 132 of the Connecticut General Statutes and all governing regulations of the DECD Commissioner and the TCEDC shall regularly update both the Town Council and the DECD Commissioner of the status of the project on an ongoing basis.

The TCEDC may adopt regulations and rules of procedure. The Town Council may, in its discretion, at any noticed meeting, revoke or modify any TCEDC regulations and/or rules of practice.