

# **BTV Mall Development Agreement Public Advisory Committee (DAPAC)**

**Thursday, October 1, 2015, 5:30-7:00pm**

**City Hall Conference Room 12**

**City Councilors:** Jane Knodell & Karen Paul

**Planning Commissioners:** Jennifer Wallace-Brodeur & Bruce Baker

**Staff:** Peter Owens, Diana Colangelo, and Ken Braverman, CEDO

## **1. Agenda**

Called to order by K Paul at 5:37pm She noted that agenda needs to be corrected to reflect the last meeting date was July 24 (not 29).

J. Wallace-Brodeur/J. Knodell: Agenda unanimously approved.

## **2. Approval of Minutes of July 8 and July 24, 2015 meeting**

Members expressed need to further review minutes. Approval of minutes tabled until next meeting.

## **3. Staff update**

Per discussion at July 8<sup>th</sup> meeting, city sent July 10<sup>th</sup> communication to Devonwood regarding height, massing, circulation, Cherry St. activation, and public open space. On the same date, a confidential Devonwood financial memo was responded to regarding five key deal parameters. They included: 1) Cherry/Bank issues, 2) resolution on parking, 3) ownership of public improvements, 3) housing mix, and 5) project schedule.

Over the last few weeks, City received a revised communication back from Devonwood on both design issues and deal issues, Staff & City consultants are in process of reviewing and analyzing Devonwood's response.

J. Stevens (a member of the public) asked about the 5 deal terms, and more detail was given by staff.

## **4. Executive Session**

P. Owens recommended an Executive Session following Staff update to discuss further financial information.

J. Knodell expressed concerns about the consistency of the process with public engagement goals outlined in December 2012 City Council resolution. K. Paul shared these concerns.

P. Owens and K. Braverman expressed that this process has been quite open up to this point but acknowledged that some parts of the process needed protected status due to potential harm to City interests. Any agreement plans will also need go before the appropriate public bodies, but we need clarity on where the respective position of the two sides (City and Developer) with respect to prospective deal terms before discussing in public setting.

J Knodell clarified her concerns focused on need to clarify how this process is aligned with resolution language and make adjustments any adjustments needed.

P. Owens agreed that we should look at the spirit of how we're addressing this and make it clear what the public process going forward will be. All agreed the plans should to be presented publically soon to be consistent with intent of resolution.

J. Knodell said she'd be willing to go to Executive Session but there needs to be a presentation from the team about how the public piece will be addressed.

J. Wallace-Brodeur suggested this could be the focus of the next DAPAC meeting.

J. Knodell moved to go into Executive Session because pre-mature disclosure of discussion would be detrimental to the City's financial interests in real estate negotiations. Seconded by J. Wallace-Brodeur. Approved Unanimously.

J. Knodell moved to go into Executive Session based on above finding. Seconded by J. Wallace-Brodeur. Approved Unanimously at 5:55pm.

J. Knodell moved to come out of Executive Session. Seconded by B. Baker. Approved Unanimously at 6:49pm.

## **5. Continued Discussion**

K. Braverman will be meeting with Abe Farkas on evaluation of Devonwood's revised proposal. The ball is in our court on next steps regarding direction and costs for St. Paul improvements. Also suggested we have a discussion with Don's lender on parking if necessary.

B. Baker said there are pros and cons for parking asset ownership.

K. Paul suggested we create a reverse timeline for the TIF vote so we know our deadlines and when things need to happen.

## **6. Adjournment – 6:11 pm**

Next Meeting – TBA