



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Meeting Minutes - Approved COMMUNITY DEVELOPMENT AUTHORITY

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Thursday, January 14, 2010

4:30 PM

East Madison Community Center  
8 Straubel Court

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### CALL TO ORDER / ROLL CALL

**Present:** 6 -

Julia S. Kerr; Tim Bruer; Kevin M. O'Driscoll; Gregg T. Shimanski; Alice J. Fike and Stuart Levitan

**Excused:** 1 -

Kelly A. Thompson-Frater

### SCHEDULED MEETINGS:

Allied Development Subcommittee: Thurs., Jan. 21, 4:30 p.m., 313 MMB

Community Development Subcommittee: Tues., Jan. 26, Noon, 313 MMB

CDA Special Meeting: Thurs., Jan. 28, 4:30 p.m., 313 MMB

Housing Operations Subcommittee: Wed., Feb. 10, 4:30 p.m., 120 MMB

CDA REGULAR MEETING: Thurs., Feb. 11, 4:30 p.m., 260 MMB

**CDA BOARD MEMBERS:** If you are unable to attend any of these meetings, please contact Percy Brown at 266-6558 or [pbrown@cityofmadison.com](mailto:pbrown@cityofmadison.com)

**1 APPROVAL OF MINUTES: December 10, 2009**

A motion was made by Levitan, seconded by Fike, to Approve the Minutes.  
The motion passed by voice vote.

**2 PUBLIC COMMENT: None**

**3 COMMUNICATIONS: None**

**4 HOUSING OPERATIONS SUBCOMMITTEE REPORT**

**4a [17030](#) Housing Operations Monthly Report**

Olvera presented the Housing Monthly Report

- 2009 vacancy rate at 4.4% or 38 units
- Additional funding received from HUD to address the Housing Assistance Payment funding shortage

**A motion was made by Levitan, seconded by Kerr, to Accept. The motion passed by voice vote.**

**4b [17031](#) Mt. Zion Services to CDA Residents**

The CDA received the Mt. Zion report and thanked and commended Mt. Zion for its services.

**4c [17033](#) CDA Resolution No. 2917 - Authorizing the signing of a contract for 3-1 Baird Fisher Apartment / Parking Lot and Driveway Repaving.**

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

**4d [17034](#) CDA Resolution No. 2918 - Authorizing the signing of a contract for 3-1 Gay Braxton Apartments / Parking Lot and Driveway Repaving.**

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

**4e [17035](#) CDA Resolution No. 2919 - Authorizing the signing of a contract for 3-13 - 4309 Doncaster Drive / Driveway Repaving.**

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

**4f [17036](#) CDA Resolution No. 2920 - Authorizing the signing of a contract for 3-09 Frazier Avenue / Parking Lot and Driveway Repaving.**

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

**4g [17037](#) CDA Resolution No. 2921 - Authorizing the signing of a contract for 3-07 Greenway Cross Apartments / Parking Lot and Driveway Repaving.**

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

4h      [17038](#)      CDA Resolution No. 2922 - Authorizing the signing of a contract for 3-09 - 5309 Shaw Court / Driveway Repair and Replacement.

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

4i      [17039](#)      CDA Resolution No. 2923 - Authorizing the signing of a contract for 3-07 Turbot Drive / Parking Lot and Driveway Repaving.

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

4j      [17040](#)      CDA Resolution No. 2924 - Authorizing the signing of a contract for 3-13 / Capital Avenue Apartments / Pavement Repair and Replacement with Storm Drain Additions.

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

4k      [17041](#)      CDA Resolution No. 2925 - Authorizing the signing of a contract for 3-06 Brittingham Apartments / Pavement Repair and Replacement.

Mr. Jon Hoffmann, representing Hammersley Stone Company, registered and appeared before the CDA Board. Hammersley's bid was rejected by CDA staff because it did not contain a bid bond to the CDA. Mr. Hoffman indicated that he was under the impression that the bid bond he has on file with the City, was adequate. The bid bond with the City is not acceptable as a separate bond is required for the CDA since it is a separate entity from the City. All bids submitted were reviewed by CDA staff. A tie bid was resolved by a draw of the cards. Levitan asked Olvera if rebidding would affect the American Recovery and Reinvestment process. Olvera didn't feel that it would affect the process.

**A motion was made by O'Driscoll, seconded by Kerr, to deny, reject all bids and direct staff to rebid the projects. The motion passed by voice vote.**

**Excused:** 1 -  
Kelly A. Thompson-Frater

**Ayes:** 5 -  
Julia S. Kerr; Tim Bruer; Kevin M. O'Driscoll; Alice J. Fike and Stuart Levitan

**Noes:** 1 -  
Gregg T. Shimanski

4l      [17042](#)      CDA Resolution No. 2926 - Authorizing the signing of a contract for 3-04 / Bjarne Romnes Apartments / Pavement Repair and Replacement.

Mr. Jon Hoffmann, representing Hammersley Stone Company, registered and appeared before the CDA Board. Hammersley's bid was rejected by

CDA staff because it did not contain a bid bond to the CDA. Mr. Hoffman indicated that he was under the impression that the bid bond he has on file with the City, was adequate. The bid bond with the City is not acceptable as a separate bond is required for the CDA since it is a separate entity from the City. All bids submitted were reviewed by CDA staff. A tie bid was resolved by a draw of the cards. Levitan asked Olvera if rebidding would affect the American Recovery and Reinvestment process. Olvera didn't feel that it would affect the process.

**A motion was made by Levitan, seconded by Fike, to deny, reject all bids and direct staff to rebid the project. The motion passed by the following vote:**

**Excused:** 1 -

Kelly A. Thompson-Frater

**Ayes:** 5 -

Tim Bruer; Kevin M. O'Driscoll; Alice J. Fike; Julia S. Kerr and Stuart Levitan

**Noes:** 1 -

Gregg T. Shimanski

4m [17043](#)

CDA Resolution No. 2927 - Authorizing the submission of a request to the U. S. Department of Housing and Urban Development (HUD) to deprogram unit number 234, at 540 West Olin Avenue (Romnes Apartments), for lease to Meriter Hospital for use by nursing staff to provide health services to Romnes residents.

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

4n [17044](#)

CDA Resolution No. 2929 - Authorizing the execution of a lease with Meriter Hospital for the use of an apartment unit at Brittingham Apartments, located at 755 Braxton Place, for the purpose of providing health support services for public housing residents.

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

4o [17045](#)

CDA Resolution No. 2930 - Authorizing the execution of a lease with Meriter Hospital for the use of an apartment unit at Parkside Apartments, located at 245 South Park Street, for the purposes of providing health support services for public housing/multi-family housing residents.

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

- 4p      [17046](#)      CDA Resolution No. 2931 - Authorizing the execution of a lease with Meriter Hospital for the use of an apartment unit at Romnes Apartments, located at 540 West Olin Avenue, for the purpose of providing health support services for public housing residents.

**A motion was made by O'Driscoll, seconded by Kerr, to Approve. The motion passed by voice vote.**

- 5            [16999](#)            **ECONOMIC DEVELOPMENT STATUS REPORT - DECEMBER 2009**

Brown presented the Economic Development Status Report:

- The Reservoir, Duplex and Revival Ridge are fully occupied.
- Monona Shores has an 84% occupancy rate, yet is cash flowing.
- Broihahn Management is aggressively marketing the property with a goal of reaching occupancy in the 90% range by this spring.
- Staff has arranged for a meeting with the Monona Shores and Revival Ridge on-site management staff to discuss ways to refer potential applicants to Monona Shores from the Revival Ridge waiting list which has over 150 names.
- Shimanski noted that on the Loan Loss report, he wanted to see a new column added on the percent of total.

**A motion was made by Shimanski, seconded by Kerr, to Accept. The motion passed by voice vote.**

- 5a            [12318](#)            Lake Point Condominiums Update

Brown provided a brief update on the Lake Point Condominiums:

- Sunday's open house was well attended.
- Expecting two offers by end of week.
- Nine units sold in 2009, bringing total number of sold units to 29.
- \$250,000 of sale proceeds was transferred to Fannie Mae to pay down the CDA loan, bringing the balance to \$1.4 million.
- Hope to have the budget and projections for 2010 ready for the February 11 meeting.
- The budget report on the actual vs. projected for 2009 was included in the December 2009 report. At the request of Kerr, it will be presented at the February 11 meeting.

**A motion was made by Shimanski, seconded by Kerr, to Accept. The motion passed by voice vote.**

- 5b     [17047](#)           Consideration of a request from the Home Buyers Round Table of Dane County for a contribution of \$1,000 from the CDA to be a major sponsor of the 12th Annual Home Buyers Fair to be held on Saturday, March 20, 2010. The CDA noted that Keller Williams Realty be given the opportunity to host a booth at the Fair, featuring the Lake Point Condominiums.
- A motion was made by Shimanski, seconded by Kerr, to Approve. The motion passed by voice vote.**

**6           DETAILED BUSINESS: None**

**7           BUSINESS BY THE COMMISSIONERS**

7a     CDA Web Site Update: No report

7b     Housing Merger Planning Committee Status Report - December 2009: No report

7c     CDA Draft 2010 Work Plan  
          Referred to the February 11 meeting.

**8           COMMUNITY DEVELOPMENT SUBCOMMITTEE REPORT - DECEMBER 2009**

**[15322](#)           TRUAX PARK UPDATE**

Olinger provided a brief update on the Project:

- Still working on Gap financing, but struggling.
- Last meeting went well.
- Referred at MDC on Wednesday.
- Team will meet on January 19 to go over Urban Design Commission comments.
- Back to MDC in February.
- Project involves expanding the size of the units, getting the interiors and adding elevators.

**Truman Olson Update**

- 8b     [16765](#)           Adopting the final Legally Binding Agreement (LBA) to accommodate Goodwill Industries of South Central Wisconsin at 4829 Anniversary Lane, amending the City's previously submitted Redevelopment Plan, Homeless Assistance Submission, and Public Comment documents regarding the Truman Olson United States Army Reserve Center (1402 S. Park Street) property accordingly, authorizing submission by the LRA of said revised documents to the Federal Government, and execution of the LBA by the

Mayor and City Clerk upon acceptance by the United States Department of Housing and Urban Development.

Matt Mikolajewski provided a brief update on the Project:

- Porchlight still discussing their revised Land Use Plan internally.
- Kerr stressed that we need to push them toward a goal of reaching a resolution in February 2010.

**A motion was made by Kerr, seconded by Levitan, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by voice vote/other.**

### **Burr Oaks Senior Housing Update**

8c [17022](#)

CDA Resolution No. 2928, accepting the proposal of Horizon Development Group, Inc., awarding a development contract and conditionally authorizing the transfer of property in the Badger-Ann-Park Redevelopment area.

The following persons registered under this item:

1. David Hammonds, 5403 Calico Ct., wished to speak: Expressed that he had lost faith in the City and felt that the CDA should offer the owners the assessed value vs. the appraised value.
2. Armintie Moore Hammonds, 5403 Calico Ct., opposed and wished to speak: She noted that the CDA was putting people of color out of business when only a few exist. She stated that they had been role models in the community. She felt that the owners should be paid at least the assessed value for which they have been taxed.
3. Sherry Lucille, 414 Diving Hawk Trail, wished to speak: Noted that they had invested a lot in their properties, took pride in ownership, and cared for the residents. She felt that the offer should be based on the assessed value at a minimum.
4. John Lucille, 414 Diving Hawk Trail, wished to speak: He felt that the present offering price was unfair and not a reflection of what they had put into the property nor is it adequate to purchase a comparable property to continue his investment.
5. Fred Bobo, 838 Badger Road, opposed and wished to speak: He noted that they had taken dilapidated properties and brought them back to vibrant properties. He felt that the offering price should be more than the assessed value.
6. Nedra Bobo, 838 Badger Road, opposed and wished to speak: She stressed that their properties had been labeled blighted for purposes of the redevelopment district and thus they are being forced out of business. She requested that the CDA consider making the offers more than the assessed value.
7. Kevin John Evanco, 4326 Winley Road, representing Rev. Dr. Alex

Gee, Pastor of Life Worship Center, opposed and wished to speak: He urged the CDA to act fairly and justly within its powers. He recommended that the offer at a minimum be equal to the assessed value.

8. Jerome Dillard, 4415 Crescent Road, wished to speak: Mr. Dillard, who is a former tenant at 826 Badger Road, stated that the owners had walked them through the home buying process to help him become a home owner. He urged the CDA to be fair and hoped that they see justice.
9. Duane Steinhauer, 912 Erin Ct., wished to speak: He raised the question as to who would be the long-term owner. He wanted to see the owners to get a good return on their investment.
10. Dan Fitzgerald, 5201 East Terrace Dr., Ste. 300, supported and available to answer questions.

Marx provided an overview of the process:

- CDA gets an appraisal.
- Makes offer based on appraisal.
- Owner has 60 days to get their own appraisal if so desired.
- Staff reviews appraisals; there was movement upward second time around.
- Staff met with owners.
- Purpose tonight is to determine the wish of the CDA.
- Last offer is jurisdictional offer: The owner can accept, reject or do nothing.
- At the end of 20 days, if no response from the owner, CDA file Award of Compensation with court: Owner can appeal within two years.
- Go before Condemnation Commission.
- Then to trial; decision made by a jury.
- If jury finds value is 15% or greater than what we paid, then, we would be required to pay that amount plus attorney fees.

**A motion was made by Bruer, seconded by Levitan, to Approve. The motion passed by voice vote.**

### The Villager Update

8d

[16646](#)

Discussion/action on the Draft 2010 Operating Budget for The Villager

John Matheson, representing Siegel-Gallagher, presented the proposed 2010 operating budget:

- Includes a total reduction of leasable area of 21,000 square feet.
- Total income is budgeted to decrease by \$48,361 over the 2009 projection due to the loss of this space.
- Total expenses of \$896,852 are just above the 2009 projected year end expenses of \$62,535.
- Net operating income to total \$555,207 or \$4.81 per square foot.



- Includes leasing 10 spaces totaling 18,055 square feet.

**A motion was made by Bruer, seconded by Kerr, to Approve. The motion passed by voice vote.**

8e Discussion/action on the Draft Retail Marketing Strategy

Referred to the next Community Development Subcommittee meeting.

8f [17028](#) CDA Resolution No. 2932, authorizing change orders to contracts for Phases B, C, and D for the remodeling of the Atrium at The Villager and to contracts for Phase E for tenant improvements for space within the Atrium that will be leased to the County of Dane.

**A motion was made by Bruer, seconded by Kerr, to Approve. The motion passed by voice vote/other.**

## 9 ALLIED DEVELOPMENT SUBCOMMITTEE REPORT - DECEMBER 2009

### Allied Drive Update

9a Allied Drive Phase II Update

Olinger gave the Allied Drive update:

- Looking at preliminary plat for owner-occupied housing (Phase 2), which will be introduced in the next month.
- Fitchburg Mayor has responded favorably to direct street connection and will now solicit feedback from Alders.
- Levitan noted that the street connection may not necessarily be a good move from the perspective of livability at Revival Ridge.
- Intention is not to sell the lots where the street is to go.
- Kerr wants to proceed with precautions on Phase 2.
- Shimanski noted that he is comfortable with where we are today.

9b [17050](#) CDA Resolution No. 2933 adopting a relocation order to extinguish a perpetual easement for vehicular and pedestrian travel for the purpose of ingress and egress to the rear of a property located at 4706-10 Crescent Road to facilitate Phase II of the CDA's redevelopment of the Allied Drive Neighborhood.

**A motion was made by Kerr, seconded by Fike, to Approve. The motion passed by voice vote.**

9c      [16903](#)      CDA Resolution No. 2916, authorizing Change Order 7 to the Contract with McGann Construction for Phase 1 of The Allied Drive Redevelopment Project.

**A motion was made by Bruer, seconded by Kerr, to Approve. The motion passed by voice vote.**

10

10a      Discussion regarding the financing application for Wingra Commons, LLC Senior Housing Project.

A motion was made by Kerr, seconded by Bruer, to refer to the next Community Development Subcommittee meeting. The motion passed by voice vote.

**CLOSED SESSION**

**A motion was made by Levitan, seconded by Bruer, to Convene into Closed Session. The motion passed by the following vote:**

**Excused:** 1 -

Kelly A. Thompson-Frater

**Ayes:** 6 -

Kevin M. O'Driscoll; Gregg T. Shimanski; Alice J. Fike; Julia S. Kerr; Tim Bruer and Stuart Levitan

10b      Discussion on negotiations of the acquisition of properties for the proposed Burr Oaks Senior Housing Redevelopment project.

**A motion was made by Levitan, seconded by Bruer, to Reconvene. The motion passed by the following vote:**

**Excused:** 1 -

Kelly A. Thompson-Frater

**Ayes:** 6 -

Gregg T. Shimanski; Alice J. Fike; Julia S. Kerr; Tim Bruer; Kevin M. O'Driscoll and Stuart Levitan

**11      ADJOURNMENT**

The meeting adjourned at 8:05 p.m.

**A motion was made by Fike, seconded by Levitan, to Adjourn. The motion passed by voice vote.**