



General Assembly

**Amendment**

February Session, 2016

LCO No. 4880



Offered by:

SEN. MARTIN, 31<sup>st</sup> Dist.  
SEN. LINARES, 33<sup>rd</sup> Dist.  
REP. LAVIELLE, 143<sup>rd</sup> Dist.  
REP. BYRON, 27<sup>th</sup> Dist.

REP. ZAWISTOWSKI, 61<sup>st</sup> Dist.  
REP. SIMANSKI, 62<sup>nd</sup> Dist.  
REP. WILMS, 142<sup>nd</sup> Dist.

To: Subst. Senate Bill No. 19

File No. 672

Cal. No. 275

**"AN ACT ESTABLISHING THE TRANSIT CORRIDOR  
DEVELOPMENT ASSISTANCE AUTHORITY."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2016*) (a) For purposes of this  
4 section:

5 (1) "Office development project" means a project occurring within  
6 the boundaries of a development district in which the office is  
7 involved;

8 (2) "Development district" means an area around a transit station,  
9 determined by a memorandum of agreement between the Office of  
10 Policy and Management and the chief executive officer of the  
11 municipality where such transit station is located and approved by the  
12 legislative body of such municipality, provided such area shall not

13 exceed a one-half mile radius of such transit station;

14 (3) "Department" means the Department of Transportation;

15 (4) "Office" means the Office of Policy and Management;

16 (5) "State-wide transportation investment program" means the  
17 planning document developed and updated at least every four years  
18 by the department in compliance with the requirements of 23 USC 135,  
19 listing all transportation projects in the state expected to receive federal  
20 funding during the four-year period covered by the program; and

21 (6) "Transit station" means any passenger railroad station or  
22 Hartford-New Britain busway project station that is operational, or for  
23 which the department has initiated planning or that is included in the  
24 state-wide transportation investment program. "Transit station" does  
25 not mean any Hartford-New Britain busway project station located  
26 wholly within a municipality that (A) is included in the capital region,  
27 as defined in section 32-600 of the general statutes, and (B) has a  
28 Hartford-New Britain busway project station that is operational on  
29 January 1, 2016.

30 (b) The Office of Policy and Management shall: (1) Stimulate new  
31 investment and economic and transit-oriented development, as  
32 defined in section 13b-79kk of the general statutes, within  
33 development districts through cooperation and coordination with the  
34 municipalities wherein each such development district is located; (2)  
35 stimulate tourism, art, culture, history, education and entertainment in  
36 such development districts through cooperation and coordination with  
37 the municipalities wherein each such development district is located,  
38 regional organizations and the Department of Economic and  
39 Community Development; (3) manage facilities through contractual  
40 agreement or other legal instrument; and (4) upon request from the  
41 legislative body of a municipality wherein a development district is  
42 located, work with such municipality to assist in the development and  
43 redevelopment efforts to stimulate the economy of the region.

44 (c) For the purposes enumerated in subsection (b) of this section, the  
45 Office of Policy and Management is authorized and empowered to:

46 (1) Engage consultants, attorneys and appraisers as may be  
47 necessary or desirable to carry out its purposes;

48 (2) Acquire, lease, purchase, own, manage, hold and dispose of  
49 personal property, and lease, convey or deal in or enter into  
50 agreements with respect to such property on any terms necessary or  
51 incidental to carrying out the purposes set forth in this section;

52 (3) Procure insurance against any liability or loss in connection with  
53 its property and other assets, in such amounts and from such insurers  
54 as it deems desirable and to procure insurance for employees;

55 (4) Invest any funds not needed for immediate use or disbursement  
56 in obligations issued or guaranteed by the United States of America or  
57 the state of Connecticut, including the Short Term Investment Fund  
58 and the Tax-Exempt Proceeds Fund, and in other obligations that are  
59 legal investments for savings banks in this state, and in time deposits  
60 or certificates of deposit or other similar banking arrangements  
61 secured in such manner as the office determines; and

62 (5) Enter into memoranda of understanding as the office deems  
63 appropriate to carry out its responsibilities under this section.

64 (d) The office shall have the following powers with respect to office  
65 development projects:

66 (1) (A) To acquire by gift, purchase, lease or transfer, lands or rights-  
67 in-land and to sell and lease or sublease, as lessor or lessee or sublessor  
68 or sublessee, any portion of its real property rights, including air space  
69 above, and enter into related common area maintenance, easement,  
70 access, support and similar agreements, and own and operate facilities  
71 associated with office development projects, provided such activity is  
72 consistent with all applicable federal tax covenants of the office; (B) to  
73 transfer or dispose of any property or interest therein acquired by the

74 office at any time; and (C) to receive and accept aid or contributions  
75 from any source of money, labor, property or other thing of value, to  
76 be held, used and applied to carry out the purposes of this section,  
77 subject to the conditions upon which such grants and contributions are  
78 made, including, but not limited to, gifts or grants from any  
79 department, agency or instrumentality of the United States or this state  
80 for any purpose consistent with this section;

81 (2) To formulate plans for, acquire, finance and develop, lease,  
82 purchase, construct, reconstruct, repair, improve, expand, extend,  
83 operate, maintain and market facilities associated with office  
84 development projects, provided such activities are consistent with all  
85 applicable federal tax covenants of the office;

86 (3) To contract and be contracted with, provided if management,  
87 operating or promotional contracts or agreements or other contracts or  
88 agreements are entered into with nongovernmental parties with  
89 respect to property financed with the proceeds of obligations, the  
90 interest on which is excluded from gross income for federal income  
91 taxation, the office shall ensure that such contracts or agreements are  
92 in compliance with the covenants of the office upon which such tax  
93 exclusion is conditioned;

94 (4) To fix and revise, from time to time, and to charge and collect  
95 fees, rents and other charges for the use, occupancy or operation of  
96 office development projects, and to establish and revise from time to  
97 time procedures concerning the use, operation and occupancy of  
98 facilities associated with such projects, including parking rates, rules  
99 and procedures, provided such arrangements are consistent with all  
100 applicable federal tax covenants of the office, and to utilize net  
101 revenues received by the office from the operation of such facilities,  
102 after allowance for operating expenses and other charges related to the  
103 ownership, operation or financing thereof, for other proper purposes  
104 of the office, including, but not limited to, funding of operating  
105 deficiencies or operating or capital replacement reserves for such  
106 facilities and related parking facilities, as determined to be appropriate

107 by the office;

108 (5) To engage architects, engineers, attorneys, accountants,  
109 consultants and such other independent professionals as may be  
110 necessary or desirable to carry out office development projects; and

111 (6) To engage in and contract for marketing and promotional  
112 activities for office development projects under the operation or  
113 jurisdiction of the office.

114 (e) The office and the Capital Region Development Authority,  
115 established pursuant to chapter 588x of the general statutes, may enter  
116 into a memorandum of agreement pursuant to which: (1)  
117 Administrative support and services, including all staff support  
118 necessary for the operations of the office pursuant to this section may  
119 be provided by the Capital Region Development Authority, and (2)  
120 provision is made for the coordination of management and operational  
121 activities that may include: (A) Joint procurement and contracting; (B)  
122 the sharing of services and resources; (C) the coordination of  
123 promotional activities; and (D) other arrangements designed to  
124 enhance revenues, reduce operating costs or achieve operating  
125 efficiencies. The terms and conditions of such memorandum of  
126 agreement, including provisions with respect to the reimbursement by  
127 the office to the Capital Region Development Authority of the costs of  
128 such administrative support and services, shall be as the office and the  
129 Capital Region Development Authority determine to be appropriate.

130 (f) Prior to taking any action in a development district, the office  
131 and municipality where such development district is located shall  
132 enter into a memorandum of agreement. Such memorandum shall  
133 include, but not be limited to: (1) Defined responsibilities of the office  
134 and the municipality with regard to such development district; (2)  
135 identification of the properties within such development district that  
136 are controlled or owned by the office, the state, the municipality or a  
137 private entity; (3) long and short range plans for the development  
138 district, including any foreseeable changes of use or control of

139 properties located therein; (4) identification and allocation of revenue  
 140 sources for projects within such development district, including, but  
 141 not limited to, taxes, fees, rental income or parking; (5) agreement as to  
 142 the types of activities that will require a public hearing and the types of  
 143 requests that will require a public hearing, which may include a  
 144 request submitted by the neighborhood revitalization committee for  
 145 the area that includes or is proximate to the development district; (6)  
 146 agreement as to additional methods for soliciting community  
 147 involvement; and (7) specifications regarding how the memorandum  
 148 of agreement may be terminated.

149 (g) Nothing in this section shall be construed as exempting  
 150 development projects of the office on privately or municipally owned  
 151 property from municipal zoning, subdivision or wetland regulations,  
 152 municipal plans of conservation and development or any municipal  
 153 ordinance."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	New section