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**AD HOC REPORT – CHARLES IVES AUTHORITY
FOR THE PERFORMING ARTS**

NOVEMBER 27, 2006

Chairman Ted Cutsumpas called the meeting to order at 5:30 p.m. In attendance were council members Shay Nagarsheth and Paul Rotello. Also in attendance was President James W. Schmotter of WCSU, Steve Greenberg, Board of Directors of the Charles Ives Center, Bob Parker, Chairman of the Board of Directors of the Charles Ives Center, Liz Durkin-Salavador, Executive Director of the Charles Ives Center, Beth Amyot, Vice President of Finance/Administration at WCSU, Mayor Mark Boughton, Les Pinter, Corporation Counsel, Dena Diorio, Director of Finance and Ben Chianese and Mary Saracino, ex officio.

Mr. Cutsumpas stated that this meeting was called to consider an ordinance for the creation of the Charles Ives Authority for the Performing Arts.

Mr. Boughton presented the draft proposal and the history of the Charles Ives Center. He stated the proposal would create a strategic partnership between the City of Danbury and Western Connecticut State University called the Charles Ives Authority for the Performing Arts. This partnership would offer a true performing arts venue for the residents of the City and the greater Danbury area. Ms. Diorio presented a strategic plan that was handed out and had been presented to WCSU and the Charles Ives Center. Mayor Boughton went over some highlights of the strategic plan. The City has asked WCSU to provide a five-year lease for the site for the authority that will take approximately 18 months to generate through the State system. The authority would purchase from the current Ives Board the assets which include furniture, fixtures and equipment, and the purchase of the targeted direct mailing database, the logo, domain name and website for \$75,000. This entity could then begin to develop and market for the 2007 season. The city is proposing a board of nine members, three of whom will be recommended by the University President and the remaining six members will be recommended by the Mayor. These members will not have to live in the City of Danbury.

Mr. Nagarsheth asked if the land is leased. Mrs. Diorio stated that the land is owned by the State of Connecticut. The Ives Center owns one acre of park land.

Mr. Rotello is concerned about the financial cost to the City as well as capital improvements. Mayor Boughton stated one benefit of having an authority is that this will allow the authority to bond capital improvements instead of the City.

Mayor Boughton explained how an authority is autonomous from the current Board of Directors.

Discussion took place regarding a short-term lease versus a long-term lease.

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Mayor Boughton stated that the authority and WCSU would negotiate in the lease a period of time in which the authority will lease the property.

Mr. Chianese asked if authority employees would be employed by the City. Mrs. Diorio stated that the employees in the City's other authorities are not city employees. They work for the authority and are paid by authority dollars. Health insurance is purchased through the City and the authority employees buy it. There is no additional expense to the City and these employees do not participate in the City pension.

Mr. Nagarsheth moved to recommend that the Common Council at its next regular scheduled meeting adopt this ordinance as presented subject to a public hearing. Seconded by Mr. Rotello. Mr. Rotello wanted to add an amendment to have corporation counsel research who has control of the property. Mayor Boughton stated that the City will continue to research and suggested there was no need to amend the ordinance. Mr. Rotello withdrew his amendment. Motion carried unanimously. Mr. Nagarsheth moved to adjourn at 6:30 p.m. Seconded by Mr. Rotello. Motion carried unanimously.

Respectfully submitted,

Ted Cutsumpas, Chairman

Shay Nagarsheth, Councilman

Paul Rotello, Councilman



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ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

Sec. 13A-56. Creation; powers and responsibilities.

- (a) *Creation.* The common council of the City of Danbury (hereinafter referred to as "city"), a municipality of the State of Connecticut, hereby creates a public body politic and corporate under the name and style of the Charles Ives Authority of the Performing Arts (hereinafter referred to as "authority").
- (b) *Powers.* Such authority shall have the following powers and responsibilities:
- (1) In conjunction with Western Connecticut State University, to administer, operate and maintain Ives Concert Park, including all structures;
 - (2) To contract and be contracted with in order to administer, operate and maintain said park consistent with facilities use and lease agreements entered into with Western Connecticut State University ;
 - (3) To make, amend and repeal bylaws, rules and regulations not inconsistent with general law to carry out its purposes;
 - (4) To construct and reconstruct park facilities as authorized by law only within said park;
 - (5) To fix and revise from time to time and to charge and collect fees, rents and other charges for the use of any project or facilities thereof on behalf of the authority and in an amount sufficient to pay operating and maintenance expenses, the annual principal and interest on bond heretofore or hereafter issued by the authority to finance the construction and reconstruction of park facilities within said park and the principal and interest of any obligations the authority may incur;
 - (6) To make an annual audit, consistent with general law, of the financial transactions of the authority. The treasurer elected by the members of the commission shall be bonded in an amount determined pursuant to Section 7-148 of the General Statutes of Connecticut, as amended;
 - (7) To issue its bonds, notes or other obligations as authorized by Connecticut General Statutes, Sections 7-130a to 7-130x, inclusive, as amended, to be paid solely from the revenues of the authority;
 - (8) To accept loans or grants from the city or any other person, government or agency thereof, for the purposes of the authority; and,
 - (9) To appoint or dismiss an executive director and to adopt an annual budget for the administration of the park under the overall direction of the authority, the fiscal year of said budget to commence on October 1 of each year.

Sec. 13A-57. Articles of Incorporation.

The articles of incorporation of the authority are as follows:

- (a) The name of the authority and the address of its principal office shall be: Charles Ives Authority of the Performing Arts, City Hall, Danbury, Connecticut.