

AGENDA
REDEVELOPMENT COMMISSION
McCloskey Conference Room
January 6, 2020
5:00 p.m.

- I. ROLL CALL**
- II. READING OF THE MINUTES** –December 16,2019
- III. EXAMINATION OF CLAIMS** –December 27, 2019 for \$3,825,435,.42
- IV. EXAMINATION OF PAYROLL REGISTERS**–December 20, 2019 for \$31,170.15
- V. REPORT OF OFFICERS AND COMMITTEES**
 - A. Director’s Report
 - B. Legal Report
 - C. Treasurer’s Report
 - D. Business Development Updates
- VI. NEW BUSINESS**
 - A. Election of Officers
 - B. Resolution 20-01: Approval of 2020 RDC Meeting Schedule
 - C. Resolution 20-02: Approval of Maintenance Funds for RDC Properties
 - D. Resolution 20-03: Approval of First Amendment to Inspection Contract for 2nd Street/Bloomfield Road Multimodal Improvements
- VII. BUSINESS/GENERAL DISCUSSION**
- IX. ADJOURNMENT**

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call [812-349-3429](tel:812-349-3429) or e-mail human.rights@bloomington.in.gov.

THE REDEVELOPMENT COMMISSION OF THE CITY OF BLOOMINGTON, INDIANA MET on Monday, December 16, 2019, at 5:00 p.m. in the Showers City Hall, McCloskey Conference Room, 401 North Morton Street, with Don Griffin, presiding.

I. ROLL CALL

Commissioners Present: Don Griffin, Sue Sgambelluri, David Walter, Elizabeth Ruh, and Eric Sandweiss

Commissioners Absent: Mary Alice Rickert

Staff Present: Doris Sims, Director; Housing and Neighborhood Development (HAND); Christina Finley, Financial Specialist, HAND

Others Present: Jeff Underwood, Controller; Larry Allen, Attorney; Alex Crowley, Director, Economic & Sustainable Development, Craig Shonkwiler, Transportation & Traffic Engineer, Planning & Transportation; Jen Pearl, Bloomington Economic Development Corporation; Lucas Brown, The Kiln Collective; Don Weiler, The Kiln Collective; Mike Trotzke, The Kiln Collective

- II. READING OF THE MINUTES** – Sue Sgambelluri moved to approve the November 18, 2019, minutes and the November 18, 2019, memorandum of executive session. Eric Sandweiss seconded the motion. The board unanimously approved.
- III. EXAMINATION OF CLAIMS** – David Walter moved to approve the claim register for November 27, 2019, for \$1,128,320.37 and December 13, 2019, for \$2,693,781.09. Sue Sgambelluri seconded the motion. The board unanimously approved.
- IV. EXAMINATION OF PAYROLL REGISTERS** – Eric Sandweiss moved to approve the payroll register for November 22, 2019, for \$32,107.79 and December 6, 2019, for \$32,072.59. Sue Sgambelluri seconded the motion. The board unanimously approved.
- V. REPORT OF OFFICERS AND COMMITTEES**
- A.** Director’s Report. Doris Sims was available to answer questions.
 - B.** Legal Report. Larry Allen was available to answer questions.
 - C.** Treasurer’s Report. Jeff Underwood was available to answer questions.
 - D.** Business Development Updates. Alex Crowley stated as part of the Dimension Mill Inc. (DMI) funding agreement, \$10,000 was set-aside for DMI to acquire technology to help make the Mill operational. DMI is finalizing their list of purchases to submit for reimbursement which will be processed for payment before the end of the year.
- VI. NEW BUSINESS**
- A.** Resolution 19-96: CDBG Physical Improvement Funding Agreement between the RDC and Planning & Transportation. Doris Sims stated this funding agreement approves the use of Community Development Block Grant funds that were approved in this year’s allocation of Block Grant Funding. The funds will be used for sidewalk improvements on the eastside of Adams Street between 5th/Third/Patterson.

Don Griffin asked for public comment. There were no comments from the public.

Sue Sgambelluri moved to approve Resolution 19-96. Eric Sandweiss seconded the motion. The board unanimously approved.

- B. Resolution 19-104: Approval of Project Review and Approval Form for the Convention Center Parking Garage.** Jeff Underwood stated that City Council appropriated funds from Food and Beverage for the design of a parking garage. He said the project review and approval form is simply stating that the RDC will agree to reimburse food and beverage if the RDC agrees to spend TIF funds on a garage. The approval of the project review form will show a willingness to potentially allocate some funding for design services. It does not approve any funding. Larry Allen stated the project review form is limited to garage design.

Sandweiss asked if the design is based on a site. Allen replied yes, however the site has not yet been determined. Underwood said the City owns enough parcels that are large enough for a garage.

Sgambelluri asked if the RDC will be obligated to provide \$30,000 for design services. Allen stated the \$30,000 is just an estimate for design services. He said there is not a financial obligation, just a willingness to consider potentially allocating funds for design services, in the future.

Don Griffin asked for public comment. There were no comments from the public.

Sue Sgambelluri moved to approve Resolution 19-104. Eric Sandweiss seconded the motion. The board unanimously approved.

- C. Resolution 19-105: Approval of Guaranteed Maximum Price (GMP) for the Trades District Garage.** City staff have negotiated a GMP with Garmong for the construction of the Trades District Parking Garage for an amount not to exceed \$12,516,794. The cost includes Garmong's fee, sub-contractors, and contingency funds. The amount of bonds sold to finance the GMP was \$12,700,000. If this Resolution is approved, mobilization will begin before the end of the year; construction will begin after the first of the year.

Don Griffin asked for public comment. There were no comments from the public.

Eric Sandweiss moved to approve Resolution 19-105. David Walter seconded the motion. The board unanimously approved.

- D. Resolution 19-106: Approval of Amended Project Review and Approval Form for Consultant for Fourth Street and Trades District Garages.** Underwood stated this amendment will add fees primarily for the Fourth Street Garage for additional time, testing, and commissioning services. The commissioning service will confirm that all building requirements are done in accordance to the design features. Underwood said this is an important element for the ParkSmart certification. ParkSmart is the LEED version for parking garages. Underwood said these will be the first two garages in Indiana to get ParkSmart certification. The cost for additional services shall not exceed \$299,070.

Underwood said we will get pricing for testing and commissioning services on the Trades District Garage and come back to the RDC for an additional amendment.

Don Griffin asked for public comment. There were no comments from the public.

Eric Sandweiss asked if the additional \$156,000 for due diligence, site surveys, and Technical/Environmental studies is due to unforeseen circumstances. Underwood said the additional funds are needed for items not covered through the EPA Brownfield Grant. Alex Crowley stated the EPA Brownfield Grant is for Phase I and II and is just for research and

not remediation. One of the limitations of the grant is it cannot be spent on public right of way. A portion of the work that was done on site was covered by the EPA grant and a portion of the work that had to be done in the public right of way was not covered and had to be billed outside of the EPA Grant.

Eric Sandweiss asked if there is anything in the disposition of the eminent domain claim that is effected by or would change this contract moving forward. Underwood said it there would not be a major financial impact. It would be the exact same scope, just a possible smaller footprint.

Sue Sgambelluri moved to approve Resolution 19-106. David Walter seconded the motion. The board unanimously approved.

- E. Resolution 19-107: Approval of Purchase Agreement for Showers Dry Kiln. Alex Crowley stated the agreement in the packet is a draft. He said Section 6 still needs to be worked out. Crowley said staff is authorized to negotiate on behalf of the RDC.

Crowley introduced Don Weiler, Lucas Brown, and Mike Trotzke. Weiler said the vision for the Kiln is to create a graduation space for the Mill. A sketch of the proposed plan was displayed via PowerPoint. There is a number of local businesses that are in need of local space, some of which are currently housed at the Mill. The Kiln Collective was formed with residents from local businesses all of which will be owner occupants of the building. Weiler said we want to have a mix of space for new companies that are growing and tenants that are more established.

The idea with the design is to highlight the historical aspects. The upper level would be stepped back from the current brick façade and remain the major design feature of the building.

Eric Sandweiss asked if the historical and architectural significance of the property that is recited in the conveyance agreement will go through the purview of the Historic Preservation Commission (HPC). Weiler replied yes, it will go through the HPC.

Eric Sandweiss asked for comment regarding the \$50,000 purchase price. Larry Allen stated the offering price of the average of the two appraisals was \$432,500. Crowley stated the purchase price is substantially lower than the asking price. He said the issue with the building is the needed renovation. Crowley said finding the right developer and use of the building is our highest priority and it is a critically important building given its proximity to the Mill.

Lucas Brown explained the extra cost of rehabbing an historic building verses building new.

Jeff Underwood said we will see the investment pay off in the long term, turning a non-taxable property into a taxable property and it will bring investments back to the RDC

Sue Sgambelluri said the Mill is a physical space but also a collection of programming and activities. She asked if the Kiln will have the same vision. Trotzke said he does not foresee the Kiln having its own unique programming efforts.

Eric Sandweiss said he fears the project will be seen as the City giving away property for 15% of assessed value. He would have preferred that the City presented ultimate return value of a short term surrender of potential value.

Sandweiss asked how we ensure that the buyer will follow through with their plans as described. Underwood and Allen explained that the buyer will have deadlines and governmental processes to follow. The use restriction is for 10 years.

Don Griffin asked for public comment. There were no comments from the public.

David Walter moved to approve Resolution 19-107. Sue Sgambelluri seconded the motion. The board unanimously approved.

- F. Resolution 19-108: Approval of First Amendment to Inspection Contract for 2nd Street/Bloomfield Road Multimodal Improvements. Larry Allen said the Planning Staff asked that this resolution be postponed until January. Staff is out of town this week and unable to speak to the resolution. This is going to be heard by the Board of Public Works in January.

Craig Shonkwiler introduced himself as the new City Engineer.

Eric Sandweiss moved to postpone Resolution 19-108. Sue Sgambelluri seconded the motion. The board unanimously approved.

G. BUSINESS/GENERAL DISCUSSION

H. ADJOURNMENT

President

Secretary

Date

**20-01
RESOLUTION
OF THE
REDEVELOPMENT COMMISSION
OF THE
CITY OF BLOOMINGTON, INDIANA**

WHEREAS, the Redevelopment Commission of the City of Bloomington is authorized under Indiana Code § 36-7-14-8 to set the dates of its regular, annual, and special meetings; and

NOW, THEREFORE, BE IT RESOLVED BY THE BLOOMINGTON REDEVELOPMENT COMMISSION THAT:

The regularly scheduled Redevelopment Commission meetings for 2020 are set as described in the "REDEVELOPMENT COMMISSION 2020 MEETING SCHEDULE," attached hereto.

BLOOMINGTON REDEVELOPMENT COMMISSION

President

ATTEST:

Secretary

Date

2020 REDEVELOPMENT COMMISSION SCHEDULE

All Meetings will be held in the McCloskey Conference Room, Suite 135
@ 5:00 p.m. unless otherwise noted.

January 6

January 21 (Tuesday)

February 3

February 17

March 2

March 16

April 6

April 20

May 4

May 18

June 1

June 15

July 6

July 20

August 3

August 17

September 7

September 21

October 5

October 19

November 2

November 16

December 7

December 21

January 4, 2021

**20-02
RESOLUTION
OF THE
REDEVELOPMENT COMMISSION
OF THE
CITY OF BLOOMINGTON INDIANA**

**APPROVAL OF MAINTENANCE OF PROPERTY OWNED BY THE
REDEVELOPMENT COMMISSION OF THE CITY OF BLOOMINGTON**

WHEREAS, the Redevelopment Commission of the City of Bloomington (“RDC”) has purchased real property throughout the allocation area known as the Consolidated TIF and buildings within the Trades District (“RDC Property”); and

WHEREAS, the RDC recognizes that there are ongoing maintenance costs associated with these properties; and

WHEREAS, in Resolution 19-03, the RDC provided funding for the maintenance of property it owns, including properties within the Certified Technology Park through December 31, 2019; and

WHEREAS, the RDC wishes to approve the funding for the maintenance of RDC-owned property through December 31, 2020; and

WHEREAS, the funding for the maintenance shall come from the 444 Account, which is where rent has been deposited; and

WHEREAS, there is sufficient revenue in the 444 Account to pay for these expenditures.

**NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT
COMMISSION OF THE CITY OF BLOOMINGTON, INDIANA, THAT:**

1. The RDC authorizes the Housing and Neighborhood Development staff to receive, process, and approve invoices to expend funds on utility bills and maintenance costs associated with the RDC Property. Invoices for maintenance costs associated with the RDC Property that are more than Five Thousand Dollars (\$5,000) must be specifically approved by the RDC in advance of their expenditure. In the event that a utility bill exceeds Two Thousand Five Hundred Dollars (\$2,500), Housing and Neighborhood Development staff will inform the RDC at its next scheduled meeting.
2. For the avoidance of doubt, the RDC authorizes the City of Bloomington Controller to directly pay for or reimburse the requests to expend funds on utility bills and maintenance costs associated with the RDC Property that have been

approved by the RDC out of the 444 Account. The City of Bloomington Controller shall not directly pay for or reimburse expenditures totaling more than One Hundred Thousand Dollars (\$100,000).

3. The authorizations provided by this Resolution shall commence on January 7, 2020, and shall expire on December 31, 2020.

BLOOMINGTON REDEVELOPMENT COMMISSION

President

ATTEST:

Secretary

Date

20-03
RESOLUTION
OF THE
REDEVELOPMENT COMMISSION
OF THE
CITY OF BLOOMINGTON, INDIANA

**APPROVAL OF FIRST AMENDMENT TO INSPECTION CONTRACT FOR
2ND STREET / BLOOMFIELD ROAD MULTIMODAL IMPROVEMENTS**

- WHEREAS, pursuant to Indiana Code 36-7-14 *et seq.*, the Redevelopment Commission of the City of Bloomington (“RDC”) and the Common Council of the City of Bloomington created an economic development area known as the Consolidated Economic Development Area (“Consolidated TIF”); and
- WHEREAS, tax increment from the Consolidated TIF may be used—among other things—to reimburse the City for expenditures made by it for local public improvements that are physically located in the Consolidated TIF or that are physically connected to the Consolidated TIF; and
- WHEREAS, on December 5, 2016, the RDC approved in Resolution 16-78 a Project Review and Approval Form (“Form”) that would complete multimodal safety improvements along West 2nd Street / West Bloomfield Road (“Project”); and
- WHEREAS, the Project is located within what was formerly known as the Adams Crossing Economic Development Area and is now within and serves the Consolidated TIF; and
- WHEREAS, City negotiated an agreement with HWC Engineering for inspection of the multimodal improvements (“Agreement”) for an amount not to exceed \$173,407.40, which the RDC approved in Resolution 18-62; and
- WHEREAS, the Project was slated for substantial completion in October of 2019, but has not yet been deemed substantially complete; and
- WHEREAS, the City now seeks approval of funds for a first amendment to the Agreement (“Amendment”), which is attached to this Resolution as Exhibit A, that covers the expense of the delay in substantial completion in an additional amount not to exceed \$18,434.29, and a grant total not to exceed \$191,841.69; and
- WHEREAS, the RDC has available funds in the Consolidated TIF to cover the costs of the Amendment in Exhibit A; and
- WHEREAS, the City has brought the RDC an Amended Project Review and Approval Form (“Amended Form”) which is attached to this Resolution as Exhibit B.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE CITY OF BLOOMINGTON, INDIANA, THAT:

1. The RDC reaffirms its approval of the Project, as set forth in more detail on the Amended Form.
2. The RDC reiterates that the Project is an appropriate use of the Consolidated TIF, because the Project will improve the pedestrian access along West Bloomfield Road, improve entrance and egress from Twin Lakes Recreation Center, which serves the Consolidated TIF, and that the Construction of the Project serves the public's best interests.
3. The RDC hereby approves payment of an amount not to exceed \$191,841.69 from the Consolidated TIF for the inspection contract, which covers the additional \$18,434.29 as detailed in Exhibit A. The funding authorization contained in this Paragraph shall terminate on April 1, 2020.
4. The funding authorizations contained in this Resolution are contingent on the Board of Public Works approving the amendment to the Agreement on January 7, 2020. In the event that the Board of Public Works does not approve the amendment to the Agreement, the funding authorizations contained in this Resolution shall have no effect. Staff is asked to ensure a fully executed copy of the amended Agreement is retained in the RDC's records.

BLOOMINGTON REDEVELOPMENT COMMISSION

Donald Griffin, President

ATTEST:

Mary Alice Rickert, Secretary

Date

LPA – CONSULTING CONTRACT

SUPPLEMENT #1

This is a Supplemental Contract, entered into by the City of Bloomington, a local public agency, (hereinafter referred to as LPA) and Hannum Wagle & Cline Engineering (hereinafter to as CONSULTANT).

WHEREAS, the LPA and CONSULTANT entered into a Contract, providing for the necessary Construction Inspection for Bloomfield Avenue Multitmodal Safety Improvements required in connection with INDOT Project Number 1601851, dated October 02, 2018

WITNESSETH

WHEREAS there exists a need to modify the inspection agreement not to exceed amount to allow for additional inspection. The original substantial completion date for this project was October 18, 2019. As of December 05, 2019, the project is not substantially complete and has not been accepted by INDOT. In an effort to partner with the City of Bloomington, HWC is not requesting the full amount of time between these two dates. We are modifying the inspection agreement to allow for the extra time associated with these items.

THEREFORE, it is necessary to amend the Contract as follows:

1. APPENDIX “D”, Compensation:, A.1 is amended to read as follows:
 1. The CONSULTANT shall receive as payment for the work performed under this Contract the total amount not to exceed \$ 191,841.69, unless a supplement is executed by the parties that increases the maximum amount payable. This adjusted not to exceed fee provides for an additional \$18,434.29 for inspection and travel expenses (mileage).
2. All other matters previously agreed to and set forth in the original Contract dated October 02, 2018 are not affected by this Supplement shall remain in full force and effect.

The undersigned attests, subject to the penalties for perjury, that he/she is the LPA, or that he/she is the properly authorized representative, agent, member or officer of the LPA, that he/she has not, nor has any other member, employee, representative, agent or officer of the LPA, directly or indirectly, to the best of his/her knowledge, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he/she has not received or paid, any sum of money or other consideration for the execution of this Contract other than that which appears upon the face of this Contract.

Hannum, Wagle & Cline
Engineering

City of Bloomington



Signature

Signature

Terry Baker, President

Kyla Cox Deckard, President
Print name and title

Signature

Beth H. Hollingsworth, Vice-President
Print name and title

December 06, 2019
Date

Signature

Philippa M. Guthrie, Corporation Counsel
Print name and title

City of Bloomington
Redevelopment Commission
Project Review & Approval Form

Please Note:

- Approval of the project by the Redevelopment Commission through this Project Review & Approval Form does not represent an authorization to begin work or expend funds.
- Authorization of work and the commitment of funds shall be done when the Redevelopment Commission reviews and approves: (1) a Purchase Order or Contract prepared after complying with the appropriate procurement process for the type of item, service or construction being sought and (2) the estimated costs associated with the Purchase Order or Contract.
- No payment of funds shall be made without a duly authorized and approved Purchase Order or Contract. All claims for payment against a duly authorized Purchase Order or Contract shall be submitted to the Redevelopment Commission for their review and approval along with any required departmental inspections, reviews and approvals prior to the payment of any funds.

To Be Completed by Requesting Party:

Project Name: 2nd Street / Bloomfield Road Multimodal Safety Improvements Project

Project Manager: Neil Kopper

Project Description:

This project will improve safety and accessibility for pedestrian, bicycle, and motor vehicle traffic on the West 2nd Street/West Bloomfield Road corridor by:

- Constructing new multiuse path on the north side of the road from South Patterson Drive to South Adams Street
- Providing marked crosswalks, accessible curb ramps, signal heads, and push buttons for pedestrians for the intersection at South Landmark Avenue and at South Patterson Drive
- Improving the signalized intersections at South Landmark Avenue and at South Patterson Drive to reflect current standards (back plates, number of signal heads, flashing yellow arrow signals, appropriate corner radii, etc.)

This project implements elements of numerous adopted City plans and addresses a location (West 2nd Street at South Patterson Drive) that is ranked 19th on the Bloomington/Monroe County Metropolitan Planning Organization's (BMCMPPO) most recent Crash Report for the top fifty crash locations based on crash severity.

The project is included in the BMCMPPO Transportation Improvement Plan (TIP) and is eligible for federal funding through the Highway Safety Improvement Program (HSIP), the Transportation Alternatives Program (TAP) and the Surface Transportation Program (STP). The project is currently programmed to receive \$104,331 in federal funds for preliminary

engineering, \$50,491 for construction engineering, and \$822,429 in federal funds for construction.

Portions of this Project are not in the Consolidated TIF. However, Indiana Code § 36-7-14-39(J) permits Tax Increment to be used to “Pay expenses incurred by the redevelopment commission for local public improvements that are in the allocation area or serving the allocation area.”

This Project will serve the Consolidated TIF’s allocation area by improving connectivity along the West 2nd Street / West Bloomfield Road Corridor, improving access to the Bloomfield Road, Adams Crossing, Thomson, and Downtown portions of the Consolidated TIF, which increases the potential for additional development in those areas.

Project Timeline:

Start Date: January 01, 2017

End Date: September 30, 2020

Financial Information:

Estimated full cost of project:	\$2,041,150.52 \$2,059,584.81
Sources of funds:	
Federal Funding	\$977,251.00 ¹
Consolidated TIF or 2015 TIF Bond	\$1,063,899.52 ² \$1,082,333.81 ²

Project Phases: This breakdown should mirror the contract(s) expected to be issued for this project. Each phase should include a description of the work to be performed, the cost, and the timeline for the contract.

Step	Description	Estimated Cost	Estimated Timeline
1	Preliminary Engineering	\$293,188.12	Jan 2017 – Sept 2020
2	Right-of-Way Acquisition	\$40,785	2018
3	Construction	\$1,533,770	Jan 2019 – Sept 2020
4	Construction Engineering	\$173,407.40 \$191,841.29	Jan 2019 – Sept 2020

TIF District: Consolidated TIF (Adams Crossing)

Resolution History: 16-78 Original Project Review and Approval Form
 17-18 Approval of Preliminary Engineering Contract
 18-06 Approval of Preliminary Engineering Contract Supplement
 18-54 Approval of Preliminary Engineering Contract Supplement 2

¹ INDOT administers the distribution of federal funding to local transportation projects.

² Initial amount expended will be greater, because Federal Highway Administration funding is reimbursed

- 18-55 Reimbursement of Right of Way Acquisition
- 18-62 Approval of Construction Engineering Contract
- 19-16 Approval of Construction Funding
- 20-03 Approval of Amendment #1, Construction Inspection

To Be Completed by Redevelopment Commission Staff:

Approved on _____

By Resolution _____ by a vote of _____