

AGENDA
REDEVELOPMENT COMMISSION
June 1, 2020 at 5:00 p.m.

*Per the Governor's Executive Orders 20-04, 20-08, and 20-09, this meeting will be conducted electronically.
The public may access the meeting at the following link:*

*<https://bloomington.zoom.us/j/98530815204?pwd=TVdjTFlnMlNkOFFCL0o4RFNvbWVbQT09>
Meeting ID: 985 3081 5204
Password: 323301*

- I. ROLL CALL**
- II. READING OF THE MINUTES** –May 18, 2020
- III. EXAMINATION OF CLAIMS** –May 29, 2020 for \$1,071,744.58
- IV. EXAMINATION OF PAYROLL REGISTERS**– May 22, 2020, for \$28,050.16
- 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. Resolution 20-29: Amendment to the CDBG Physical Improvement Funding Agreement with the Bloomington Housing Authority
 - B. Resolution 20-30: No Excess Value in the Allocation Area
- 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, May 18, 2020, at 5:00 p.m. via ZOOM, with Don Griffin, President, Presiding Meeting Recording Available at <http://catstv.net/m.php?q=8207>

I. ROLL CALL

Commissioners Present: Don Griffin, Eric Sandweiss, David Walter, Cindy Kinnarney, and Nicholas Kappas

Commissioners Absent: None

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

Others Present: Larry Allen, Attorney, City Legal Department; Jeff Underwood, Controller; Emily Ernsberger; Mary Morgan; David Askins; Jeff Ryan; Jim Shelton

- II. READING OF THE MINUTES** – David Walter moved to approve the May 4, 2020, minutes. Eric Sandweiss seconded the motion. The board unanimously approved.
- III. EXAMINATION OF CLAIMS** – Cindy Kinnarney moved to approve the claims registers for May 15, 2020, for \$1,218,884.79. David Walter seconded the motion. The board unanimously approved.
- IV. EXAMINATION OF PAYROLL REGISTERS** – Eric Sandweiss moved to approve the payroll register for April 9, 2020, for \$28,050.14; April 24, 2020, for \$28,050.18; May 8, 2020, for \$28,050.14. David Walter seconded the motion. The board unanimously approved.
- V. REPORT OF OFFICERS AND COMMITTEES**
- A.** Director’s Report. Doris Sims reported the HAND Department, through the Community Development Block Grant (CDBG) Program, received an additional allocation under the CARES ACT in the amount of \$525,656. The funding is to be used for activities undertaken for the prevention or responding to the Covid-19 pandemic. Sims said applications became available on May 11. There will be two technical assistance meetings; May 19, at 2pm and May 21, at 5:30 pm. Both meetings will be held via Zoom. Information on how to log into the meeting is on the HAND website at <https://www.bloomington.in.gov/HAND>. Sims said there is a committee in place to review applications. She said we hope to complete the process and bring the proposed projects to the RDC next month.
- B.** Legal Report. Larry Allen was available to answer question
- C.** Treasurer’s Report. Jeff Underwood said bids will be opened this week for phase I of the Fourth Street Garage. He said if bids are acceptable we will have a GMP for Wilhelm Construction. The next phase is in process.
- D.** Business Development Updates. Jeff Underwood was available to answer questions.
- VI. NEW BUSINESS**
- A.** Resolution 20-27: Approval of the Purchase Agreement for 1730 S. Walnut Street. Doris Sims said last year we put out an RFI for proposals to development the property at 1730 S. Walnut. Sims stated 10 development companies responded to the RFI. An internal committee met with all 10 development companies and 4 of the companies were invited back for a second round of consideration. City staff recommends RealAmerica, LLC, as the best, most responsive proposal. RealAmerica is a small, WBE-certified company based

in Indianapolis, Indiana. They have significant experience in financing, building, managing affordable housing within the state, and they have experience in low-income housing tax credits.

RealAmerica has pledged to construct affordable housing on the property and a 99-year commitment to keeping the housing affordable. They have agreed to work with a local architect to design the project and with Stone Belt, which will offer services to clients occupying dedicated units within the building. The project will provide access to Switchyard Park and have space for a retail business that can serve both the residents of the building and the park.

The RDC's contribution to this project as laid out in the offer and agreement is conveyance of the property for \$1. Closing on the property would come after RealAmerica meets several conditions in the agreement, including receiving RDC and governmental land use approvals, performing its due diligence on the property, and securing financing for the project within one year from the date of the agreement.

Larry Allen stated there was a formal round of offerings in accordance with RDC statutes. He said this purchase agreement is being conducted more than 30 days after the opening of the official bids on the property. As a whole project, RealAmerica's proposal was deemed to be the most comprehensive for the affordability requirements and the Redevelopment Commission's plan near Switchyard Park. Allen said this conveyance is in compliance with the statutory requirements of the RDC.

Eric Sandweiss asked for more information on the conveyance of the property. He said we had the property appraised for its fair value but conveying the property for \$1. Jeff Underwood said in totality of what we are trying to accomplish, this was the best overall proposal. It might not have been the best fiscal proposal but it met all of the other attributes we were seeking. The property will aid in the development of the area near Switchyard Park, which will enhance the development and economic development of the Consolidated TIF.

David Walter said that we are conveying the property for \$1, and in exchange we are getting 99 years of affordable housing.

Cindy Kinnarney asked what happens if the financing falls through and the property has already been conveyed. Larry Allen said the funds must be secured before it is conveyed. Kinnarney also asked if the timeline is still accurate. Jeff Ryan said due to the coronavirus, everything shifted approximately 6 weeks. Kinnarney asked for an updated timeline. Sims said she will include an updated schedule in the next RDC packet.

Don Griffin asked how many units and bedrooms will be available. Jeff Ryan said there will be 54 affordable units with a mix of 1, 2, and 3 bedroom apartments. He said there will also be some market rate units. He stated there is a cap on tax credits so the most we can afford with the tax credits for the affordable units is 54 but the total units will be in the low sixties.

Eric Sandweiss ask if there are any consequences if the project is not completed and leasing has not begun by the proposed timeline. He also asked if the public right of way will be available as a public entry into Switchyard Park. Doris Sims said there is a public entrance that is north of this site but is currently under construction and would not affect the development of this lot. Sims and Jeff Ryan each stated that there are strict guidelines both from a statutory program and from the investor to complete the project on time.

Nicholas Kappas asked what is considered affordable housing. What is the affordable housing range? Jeff Ryan said they have 5 different levels of affordability that range from 30% to 80% of Area Median Income (AMI).

David Walter moved to approve Resolution 20-27 via a roll-call vote. Eric Sandweiss seconded the motion. The motion passed unanimously.

- B.** Resolution 20-28: Approval of Lease Addendum for College Square Parking Lot. Larry Allen said stated the RDC previously purchased the real estate located a 216 S. College Avenue, which included a lease for two parcels of that that made up a portion of the parking lot. Staff has brought the RDC an addendum to the parking lease. The addendum lays out that monthly rent for the property with an option to purchase the property after one year.

David Walter moved to approve Resolution 20-28 via a roll-call vote. Cindy Kinnarney seconded the motion. The motion passed unanimously.

C. BUSINESS/GENERAL DISCUSSION

D. ADJOURNMENT

Don Griffin, President

Cindy Kinnarney, Secretary

Date

20-29
RESOLUTION OF THE
REDEVELOPMENT COMMISSION
OF THE
CITY OF BLOOMINGTON, INDIANA

WHEREAS, in Resolution 19-84, the Redevelopment Commission approved a Funding Agreement with the Bloomington Housing Authority to construct accessible sidewalks at 1218-1224 West 11th Street; 1201-1207 and 1217-1223 West 12th Street, and

WHEREAS, the project was due to be completed by June 30, 2020 in accordance with the Funding Agreement, and

WHEREAS, complications have arisen as a result of the COVID-19 pandemic which have necessitated an extension of the June 30, 2020, deadline to September 30, 2020;

NOW, THEREFORE BE IT RESOLVED that the Redevelopment Commission hereby approves the Amendment to the Agreement attached hereto as Exhibit A.

BLOOMINGTON REDEVELOPMENT COMMISSION

Donald Griffin, President

ATTEST:

Cindy Kinnarney, Secretary

Date

**FIRST AMENDMENT TO PHYSICAL IMPROVEMENT
COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT**

This *First Amendment to Physical Improvement Community Development Block Grant Agreement* (“First Amendment”) is hereby entered by and between the City of Bloomington Housing and Neighborhood Development Department (“Grantee”), and Bloomington Housing Authority Resident Council, Inc., a non-profit domestic corporation duly incorporated by the State of Indiana with its principal place of business located at 1007 N. Summit Street, Bloomington, Indiana 47404 (“Subrecipient”) on this ____ day of _____, 2020.

WHEREAS, the Grantee and Subrecipient entered into that certain *Physical Improvement Community Development Block Grant Agreement Between Bloomington Housing Authority Resident Council, Inc. and Housing and Neighborhood Development Department City of Bloomington* (“Agreement”) on or about September 25, 2019;

WHEREAS, Subrecipient was required under the Agreement to remove and replace specified sidewalks and ramps to increase accessibility for all persons on or before June 30, 2020;

WHEREAS, Complications have arisen as a result of the COVID-19 pandemic which have necessitated an extension of the June 30, 2020, deadline in the Agreement;

WHEREAS, Grantee and Subrecipient mutually agree to extend the deadline in the Agreement to September 30, 2020; and

WHEREAS, an extension of the deadline in the Agreement is necessary and in the public interest.

NOW, THEREFORE, Grantee and Subrecipient agree to amend the Agreement, as follows:

1. Article I. A. 2. e. shall be amended as follows:
Delete “June 30, 2020” in its entirety and replace with “September 30, 2020”.

In all other respects, the rest and remainder of the Agreement shall remain unchanged and in full force and effect as originally executed.

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to the Agreement to be executed the day and year first written above.

Don Griffin Jr., President
Redevelopment Commission

Date

Cindy Kinnarney, Secretary
Redevelopment Commission

Date

Doris Sims, Director
Housing and Neighborhood Development

Date

Amber Skoby, Executive Director
Bloomington Housing Authority

Date

William Hosea, Chairman
Bloomington Housing Authority
Board of Commissioners

Date

20-30
RESOLUTION OF THE
REDEVELOPMENT COMMISSION OF THE
CITY OF BLOOMINGTON, INDIANA

DETERMINATION OF NO EXCESS ASSESSED VALUE IN THE ALLOCATION
AREAS

WHEREAS, the City of Bloomington currently has two allocation areas for purposes of capturing tax increment revenues pursuant to Indiana Code § 36-7-14-39 and Indiana Code § 36-7-14-39.3: (1) the Consolidated Allocation Area and (2) the North Kinser Road and Prow Road Allocation Area; and

WHEREAS, both the Consolidated Allocation Area and the North Kinser Road and Prow Road Allocation Area were created by the Redevelopment Commission of the City of Bloomington ("RDC") and the Common Council of the City of Bloomington ("Common Council") pursuant to Indiana Code 36-7-14; and

WHEREAS, the Consolidated Allocation Area was created by consolidating several new and existing allocation areas, including: (1) the Adams Crossing Allocation Area (as originally created in 1993 and as expanded in 2000 and 2009); (2) the Downtown Allocation Area (as originally created in 1985 and as expanded in 1990 and 2010); (3) the Tapp Road Allocation Area (as originally created in 1993 and as expanded in 2003); (4) the Thomson/Walnut-Winslow Allocation Area (as originally created in 1991 and as expanded in 1993 and 2002); (5) the Whitehall/West Third Street Allocation Area (as originally created in 1998 and as expanded in 2000); (6) the West 17th Street Allocation Area (as originally created in 2015); (7) the Seminary Allocation Area (as originally created in 2015); (8) the West Third Street Allocation Area (as originally created in 2015); (9) the Bloomfield Road Allocation Area (as originally created in 2015); (10) the Thomson/Walnut-Winslow Expansion #1 Allocation Area (as originally created in 2015); (11) the Thomson/Walnut-Winslow Expansion #2 Allocation Area (as originally created in 2015); (12) the Thomson/Walnut-Winslow Expansion #3 Allocation Area (as originally created in 2015); (13) the South Walnut Allocation Area (as originally created in 2015); (14) the Tapp Road Expansion #2 Allocation Area (as originally created in 2015); (15) the Tapp Road Expansion #3 Allocation Area (originally created in 2015); and (16) the Fullerton Pike Allocation Area (originally created in 2015); and

WHEREAS, pursuant to Indiana Code § 36-7-14-39(b)(4), the RDC is required to determine the amount, if any, by which the assessed value of the taxable property in the allocation area for the most recent assessment date minus the base assessed value, when multiplied by the estimated tax rate of the allocation area, will exceed the amount of assessed value needed to produce the property taxes necessary to make, when due, principal and interest payments on bonds described in Indiana Code §

36-7-14-39(b)(3), plus the amount necessary for the other purposes described in Indiana Code § 36-7-14-39(b)(3);

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

1. The Redevelopment Commission has determined:
 - a. there is no excess assessed value from the Consolidated Allocation Area or the North Kinser Road and Prow Road Allocation Area that may be allocated to the respective taxing units for budget year 2020 pursuant to Indiana Code § 36-7-14-39; and
 - b. all potential captured assessment (as defined in 50 Ind. Admin. Code 8-1-16) with respect to the Consolidated Allocation Area and the North Kinser Road and Prow Road Allocation Area in 2020 shall be captured assessment (as defined in 50 Ind. Admin. Code 8-1-16).
2. The County Auditor, the Common Council, the officers who are authorized to fix budgets, tax rates, and tax levies under Indiana Code § 6-1.1-17-5 for each of the other taxing units that is wholly or partially located within the Consolidated Allocation Area or the North Kinser Road and Prow Road Allocation Area shall be notified by sending Exhibit A via Certified Mail Return Receipt Requested or Hand Delivery with written confirmation of receipt. The Department of Local Government Finance shall be notified by sending Exhibit A or the information contained within Exhibit A electronically. Staff is asked to ensure these notices are provided by June 15, 2020, the deadline set in Indiana Code § 36-7-14-39(b)(4).

BLOOMINGTON REDEVELOPMENT COMMISSION

Donald Griffin, President

ATTEST:

Cindy Kinnarney, Secretary

Date

June 2, 2020

(VIA HAND DELIVERY or VIA CERTIFIED MAIL, RETURN RECEIPT
REQUESTED)

[Address Block]

Re: City of Bloomington Redevelopment Commission

Dear [Officer Authorized to Fix Budgets, Tax Rates, and Tax Levies]:

The City of Bloomington currently has two allocation areas—(1) the Consolidated Allocation Area and (2) the North Kinser Road and Prow Road Allocation Area—for purposes of capturing tax increment revenues pursuant to Indiana Code Section 36-7-14-39 and Indiana Code Section 36-7-14-39.3.

The Consolidated Allocation Area was created in 2015 when sixteen allocation areas were consolidated into the Consolidated Allocation Area. These allocation areas are: (1) the Adams Crossing Allocation Area (as originally created in 1993 and as expanded in 2000 and 2009); (2) the Downtown Allocation Area (as originally created in 1985 and as expanded in 1990 and 2010); (3) the Tapp Road Allocation Area (as originally created in 1993 and as expanded in 2003); (4) the Thomson/Walnut-Winslow Allocation Area (as originally created in 1991 and as expanded in 1993 and 2002); (5) the Whitehall/West Third Street Allocation Area (as originally created in 1998 and as expanded in 2000); (6) the West 17th Street Allocation Area (as originally created in 2015); (7) the Seminary Allocation Area (as originally created in 2015); (8) the West Third Street Allocation Area (as originally created in 2015); (9) the Bloomfield Road Allocation Area (as originally created in 2015); (10) the Thomson/Walnut-Winslow Expansion #1 Allocation Area (as originally created in 2015); (11) the Thomson/Walnut-Winslow Expansion #2 Allocation Area (as originally created in 2015); (12) the Thomson/Walnut-Winslow Expansion #3 Allocation Area (as originally created in 2015); (13) the South Walnut Allocation Area (as originally created in 2015); (14) the Tapp Road Expansion #2 Allocation Area (as originally created in 2015); (15) the Tapp Road Expansion #3 Allocation Area (originally created in 2015); and (16) the Fullerton Pike Allocation Area (originally created in 2015).

This letter is to notify you, pursuant to Indiana Code § 36-7-14-39 and 50 Ind. Admin. Code 8-2-4, on behalf of the Commission, that the Commission has determined that, for budget year 2020, the Commission will need to capture all of the incremental assessed

value from the Consolidated Allocation Area and the North Kinser Road and Prow Road Allocation Area in order to generate sufficient TIF Revenues to meet the Commission's outstanding debt service obligations, to pay for projects that are located in or directly serve or benefit the Consolidated Allocation Area and the North Kinser Road and Prow Road Allocation Area, and to meet other purposes permitted by Indiana Code § 36-7-14-39(b)(3).

Therefore, the Commission has determined that (a) there is no excess assessed value from the Consolidated Allocation Area or the North Kinser Road and Prow Road Allocation Area that may be allocated to the respective taxing units for budget year 2020 pursuant to Indiana Code 36-7-14-39(b), and (b) all potential captured assessment (as defined in 50 Ind. Admin. Code 8-1-16) with respect to the Consolidated Allocation Area and the North Kinser Road and Prow Road Allocation Area in 2020 shall be captured assessment (as defined in 5 Ind. Admin. Code 8-1-10).

Sincerely,

Donald Griffin
President, Bloomington Redevelopment Commission