

**I. Project Status Review:**

a. **Public Comment:** None.

b. **Work Plan Review:** The status of each of the Working Groups, expected outcomes, actions taken thus far, major issues, and current activities are outlined in the work plan review.

B. Joiner stated that the Work Plan Review should reflect the federal dollars that are generated to see how RDA dollars are leveraging other sources.

c. **Regional Bus Authority:** L. Martinez acknowledged and congratulated S. Sefton on his appointment to the RBA Board. The PB Report was not released to the public at the RBA meeting due to a lack of a quorum.

d. **Lake Shore Redevelopment:** Before the Board meeting was called to order SEH on behalf of the City of Hammond provided an update to the Board. C. Fleming with the Town of Porter also gave an update.

e. **Expansion of the Gary/Chicago Airport:** L. Morris stated that an agreement has been made on how the development of the GYY Business plan will be financed, and the RDA and GYY are ready to move forward. C. Curry referenced the cooperative agreement between the RDA and GYY. The Airport Authority has agreed to fund half the cost of the business plan. The kickoff meeting is to begin the first week of August. The project will last approximately seven months. Speaking on behalf of the Airport Authority, C. Curry reported that the Authority is excited with the relationship and partnership with the RDA Board to help expand the Airport.

f. **Extension of South Shore Commuter Service:** H. Snyder stated additional information is forthcoming in terms of figures taken out of context in comments made a week earlier. An update from NICTD may be forthcoming.

H. Snyder reported on NICTD's quarterly progress report.

**II. Call to Order:** The RDA meeting was called to order at 10:30 a.m. on Tuesday, July 21, 2009 with Chairman Leigh Morris presiding.

**III. Roll Call:** Present: Leigh Morris, Harley Snyder, Lou Martinez, Bill Joiner, and Carmen Fernandez. Five members were present constituting a quorum.

**IV. Public Comment:** T. Torres commended the RDA on its open position to public comments. She also commented on Everybody Counts opposition to the passage of the referendum. It was a difficult discussion after 10 years of attempting to work with local leaders, and hopes that the RDA is willing to understand; they remain willing to work with anyone with shared objectives.

**V. Consent Agenda:** L. Martinez moved to approve the consent agenda. The motion was seconded by B. Joiner. All were in favor, and the consent agenda was approved.

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| a. <b><u>Minutes of the Board Meeting of 6/23/09:</u></b>               | <b>Approved</b>  |
| b. <b><u>Minutes of the Working Group of the Whole of 7/9/2009:</u></b> | <b>Approved</b>  |
| c. <b><u>Treasurer's Report – June, 2009:</u></b>                       | <b>Approved</b>  |
| d. <b><u>Consultants Report:</u></b>                                    | <b>Approved</b>  |
| e. <b><u>MBE/WBE Compliance Update:</u></b>                             | <b>No Update</b> |
| f. <b><u>Executive Directors Report:</u></b>                            | <b>Approved</b>  |
| g. <b><u>Chairman's Report:</u></b>                                     | <b>Approved</b>  |

**VI. Action on Recommendations from Working Groups:**

- a. Public Comment:** None.
- b. Updated Administrative Policy:** S. Shabaz stated that the staff has reviewed the RDA's policy and procedure manual; mostly grammatical changes and title updates. S. Shabaz suggested adding four new policies:
- i.** Public Comment Policy
  - ii.** Freedom of Information Request Policy
  - iii.** Buy-Indiana Policy
  - iv.** MBE/WBE Program Requirements

Implemented in the policy is the auditor's suggestions; making the appropriate changes as it relates to the internal and financial control audit.

H. Snyder asked for a timeline to achieve the procedures for Buy-Indiana. D. Rosetti set the timeline for October 1, 2009.

B. Joiner moved to approve the updated administrative policy manual with all changes made, and commended the RDA staff for a job well done; seconded by C. Fernandez. All were in favor of the motion and the updated administrative policy manual was approved.

Signatures by the Executive Director will be added to the policies, and a master copy will be kept in the RDA office.

**VII. Unfinished Business:**

- a. Status of Responses to Request for Proposals for General Consulting:** B. Hanna stated that the RDA is currently going through the process of hiring a General Consultant. There are currently three firms for consideration. Executive Session will convene following the Board meeting to discuss personnel issues as it pertains to the General Consultant position. B. Hanna expressed his appreciation to all firms going through the process.
- b. MIC Coordinator Position:** B. Hanna stated that with the assistance of Policy Analytics and RDA Board members along with several other agencies, he has created a MIC Coordinator position description. B. Hanna would like to begin the advertising and hiring process. Responsibilities include other RDA initiatives.

B. Joiner moved to approve the position description with a second by H. Snyder.

L. Morris made it clear that other stakeholders will be involved in the process; however the RDA has the final decision.

All were in favor of the motion and the MIC Coordinator position description was approved.

- c. Strategic Plan Review:** B. Hanna stated that the RDA is currently going through the interview process for general consulting services. It is time to update the Strategic plan, however, it will be considered after the general consulting interview process. He will push the strategic plan review along rapidly once the consultant has been decided by the Board.

L. Morris asked that the RDA Board members to look at the current RDA strategic plan to see what they feel needs to be addressed going forward.

- d.* **ADA Compliance/Disabilities Enterprises:** B. Hanna stated that there is nothing in the RDA's language that specifically references ADA compliance. D. Hollenbeck and B. Hanna attached broad language that speaks to compliance of the law.

D. Hollenbeck stated that there is no disability preference contained in the RDA enabling legislation. The State of Indiana has no preference program for individuals with disabilities. However, state and federal law prevent discrimination against people who qualify for coverage under ADA. The best approach is to "call out" compliance with state and federal disability related laws as part of the grant agreement.

D. Hollenbeck proposed amending the language contained in paragraph 5 of the current grant agreement as follows:

That grantee agrees to fulfill its obligations and requirements under this agreement in full and complete compliance with all applicable federal and state laws and administrative regulations including but not limited to full compliance with the provisions of the Americans with Disabilities Act. As to any monies expended or projects undertaken pursuant to this grant agreement, grantee shall immediately notify the RDA of any state or federal agency determination that the grantee has violated the ADA. Violation of any applicable laws or regulations may be considered a material breach of this agreement.

This is a recommendation to add this language to the grant agreement, subsequent G. Whites language out of the State of Indiana's contract manual. This will not change the theory behind this language.

L. Martinez moved to approve the ADA Compliance language, subsequent G. Whites language, with a second by B. Joiner.

T. Torres expressed her appreciation for the RDA's immediate attention to this matter, however she expressed the need to reiterate and explain that this is not about preference or enforcement, evidence is the ongoing lack of understanding of not only what the law is but what she is asking for. She feels that because the Department of Justice is four years behind in handling any ADA cases, in terms of compliance of the law the RDA should be responsive and open to any concerns brought to the Board.

L. Morris stated that there will be a sincere concern on the part of the Board about any situation in terms of non-compliance of ADA regulations. The RDA is putting grantees on notice that this is an expectation of the RDA Board.

All were in favor of the motion.

- e.* **Other:** None.

**VIII. New Business:**

- a.* **Public Comment:** None.

- b.* **Other:** L. Morris stated that the RDA is in need of an employment policy that speaks to equal opportunity employment that sets forth the legal framework in which we want to have employment transactions made. He asked B. Hanna and staff to bring forth a policy for future consideration with legal assistance.

- IX. Future Meeting Planning:** The Board has decided to extend the Executive Directors mid-year review to December, 2009. The strategic plan review has been extended to the September, 2009 Board meeting. B. Joiner asked that the consultants take a look from a tactical stand point in terms of augmenting the revenues. B. Sheldrake will work with B. Hanna to provide an extension of the strategic plan before the actual review,

and Policy Analytics will be prepared to discuss that at the August Board meeting. The meeting August 18<sup>th</sup> is on August 25<sup>th</sup>.

*a.* **8/25/2009:** Porter, Indiana

*b.* **9/22/2009:** Purdue Technology Center, Crown Point

- X.** **General Public Comment:** T. Torres applauded the RDA's stated and operational intent for transparency. To ensure transparency she felt that if someone comes to the meeting it should be summarized in the minutes. T. Torres also thinks it's exceedingly unfortunate that the PB Report has not been released to the public or the RDA. T. Torres provided two documents to the RDA Board; a letter to T. Brown of the RBA and reasoning behind Everybody Counts opposition to the referendum.

After some discussion the RDA Board made a request to the RBA Board to expedite final review and release of the PB document to the public. The RDA Board asked legal counsel to write a letter to the RBA requesting that the RDA have the PB report in hand no later than 15 days from receipt of the correspondence letter.

- XI.** **Adjournment:** Without further business the meeting was adjourned.

Respectfully submitted by Jillian Huber on July 24, 2009