

- I. **Call to Order:** The RDA meeting was called to order at 1:00 p.m. on Thursday, January 8, 2009 with Chairman Leigh Morris presiding.
- II. **Roll Call:** Present: Leigh Morris, Harley Snyder, Lou Martinez, Bill Joiner, Carmen Fernandez, and Gus Olympidis. Six members were present constituting a quorum. Howard Cohen was present telephonically but unable to vote.
- III. **Consent Agenda:** H. Cohen requested to defer the treasurer’s report until the February meeting. B. Joiner requested the removal of the MBE/WBE report from the consent agenda for the purpose of discussion. The February 17, 2009 meeting will be held in Indianapolis at 3:00 p.m. EST. L. Martinez moved to approve the consent agenda with a second by H. Snyder. All were in favor and the consent agenda was approved.

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| a. <u>Minutes of the Board Meeting of 11/13/2008:</u> | Approved |
| b. <u>Minutes of the Shoreline W.G. Meeting of 12/15/2008:</u> | Approved |
| c. <u>Treasurer’s Report – October, 2008:</u> | Deferred until February, 2009 |
| d. <u>Treasurer’s Report – November, 2008:</u> | Deferred until February, 2009 |
| e. <u>Consultants Report:</u> | Approved |
| f. <u>Minority Compliance Report:</u> | Deferred for Discussion |
| g. <u>Executive Directors Report:</u> | Approved |
| h. <u>Chairman’s Report:</u> | Approved |
| i. <u>2009 Future Meeting Dates:</u> | Approved |

IV. **Action from Board:**

- a. **Banking Relationships:** After meeting on several separate occasions, the Banking Committee recommended to the full RDA Board the use of three northwest Indiana banks. One bank will serve as the lead bank supplying checking, internet, and general banking needs including some investment balances. The lead bank will hold 60% of the available RDA funds. Two other banks will split the remaining 40% in the form of investment account balances. These funds will be invested and available for use by the RDA as required. After careful consideration, B. Joiner on behalf of the Banking Committee moved to accept Horizon Bank as the lead bank, with Harris Bank and Peoples Bank providing investment services. With a second my H. Snyder all were in favor of the motion and the motion was approved.
- b. **MBE/WBE Compliance:** B. Joiner offered a motion that the RDA strongly affirms its support as a matter of policy for the 15% MBE and 5% WBE spending goals contained in the enabling RDA legislation. Accordingly, moving forward, every grantee approved for funding, or operational consultant utilized by the RDA will achieve these spending goals in the completion of projects funded or services provided to the development organization. Failure to comply will result in; payment curtailment pending a corrective action plan to remediate spending deficiencies; curtailment of funding pending compliance; and/or suspension of future funding. The motion was seconded by C. Fernandez.

Gordon White, attorney, expressed concern that while the motion identified MBE/WBE compliance as goals and objectives, if the motion is approved as proposed, these goals and objectives will become mandates and requirements.

G. Olympidis proposed “may result” instead of “will result”.

H. Cohen requested that a sub-committee be formed and Board discussions take place before voting on this matter. There are legal and strategic issues for the RDA. H. Snyder agreed with the H. Cohen and moved to table this motion until the next meeting for the purposes of having a discussion within a committee to examine and make a recommendation to the Board at the next meeting. The motion was seconded by L. Morris.

Roll call vote on the motion to table:

C. Fernandez	No
B. Joiner	No
L. Morris	Yes
H. Snyder	Yes
L. Martinez	No
G. Olympidis	Yes

The motion to table failed.

L. Morris offered a substitute motion to delete the last sentence of the proposed motion and substitute the following: Documentation of efforts made to meet these goals must be apart of every grant application, and the adequacy of these efforts will be taken into account when the RDA Board acts on any funding request. If at anytime during a grant cycle the RDA review reveals that a grantee is not achieving the goals agreed to at the time of the grant, further distributions to the grantee will be suspended until the grantee submits a corrective action plan acceptable to the RDA Board. The motion was seconded by H. Snyder.

G. Olympidis asked that the word **will** be replaced by the word **may** in the fifth sentence of the substitute motion. L. Morris with approval of H. Snyder changed will to may in the fifth sentence of the substitute motion.

B. Joiner author of the original motion accepted L. Morris's substitute motion under the condition that **will** not replaced with **may**.

L. Morris suggested leaving it at **will**. H. Snyder, as seconder of the substitute motion, did not accept the change.

L. Morris suggested the language remain **may** unless there is an amendment made to the substitute motion to change **may** to **will**. The amendment to change **may** to **will** in the substitute motion was so moved by L. Martinez with a second by B. Joiner.

Roll call vote on amended substitute motion:

C. Fernandez	yes
B. Joiner	yes
L. Morris	yes
H. Snyder	no
L. Martinez	yes
G. Olympidis	no

The amended substitute motion failed.

Roll call vote on the substitute motion (includes the word **may** rather than **will**):

C. Fernandez	no
B. Joiner	no
L. Morris	yes
H. Snyder	yes
L. Martinez	no
G. Olympidis	yes

The substitute motion failed.
Roll call vote on original motion:

C. Fernandez	yes
B. Joiner	yes
L. Morris	no
H. Snyder	no
L. Martinez	yes
G. Olympidis	no

The original motion failed.

L. Morris called for a sub-committee to come up with a solution that can be supported by this Board. This will be an agenda item at the next RDA Board meeting.

- c. **Hammond Lakefront Project:** The Shoreline Working Group met and offered a recommendation to the RDA Board to approve \$31.4 million in terms of the Hammond Lakefront Project which would expand over three years. Subsequent to that vote there were several amendments attached to that motion.

Tina Rongers of Policy Analytics reported that G. Olympidis at the Shoreline Working Group recommended to that further discussion with SEH, Hammond, and PALLC take place to discuss development issues indicated in the PALLC memo of November 18, 2008. In a subsequent meeting with SEH, the City of Hammond, Port Authority, Policy Analytics, and Tim Sanders to discuss the cities application. Through a line item review, in phase one there are no items that are transportation related. There are no recommendations to the board to review any items. Potentially there can be additional funds. If additional funding is identified during this three year program, the Board would need to determine how that would impact RDA funding of the project.. It was noted that the RDA is looking for additional public and private investment, and the City of Hammond is looking at that as situations arise. The City is also addressing MBE/WBE issues. The Hammond port authority will be the oversight lead agency; they feel that they have a dedicated long term funding source.

B. Joiner moved to approve up to \$31.4 million to cover three phases for the Hammond Shoreline Project. There will be a continuation of the search for additional diversified funding, ongoing meetings to meet the 15% MBE 5% WBE goals, and after the first year the City of Hammond will be required to come back to the RDA to review the extent in which Hammond has met the 15% MBE 5% WBE goals before disbursement of the second year and then again the third year with a second by L. Martinez.

Mayor Thomas McDermott was present and assured the Board of the city's dedication to compliance with the MBE/WBE goals.

G. Olympidis offered an amendment to the original motion that, with the Mayor's consent and support from the staff, that we will aggressively pursue and application with the federal government to secure as much as we possibly can because it seemed like a qualified project for the stimulus package and the proceeds will be returned to the RDA so they can be reinvested throughout northwest Indiana. The motion was seconded by H. Snyder. B. Joiner suggested making the amendment apart of the original motion. G. Olympidis, B. Joiner, H. Snyder and L. Martinez all agreed.

Roll call vote on the motion to approve the Hammond Lakefront Project:

C. Fernandez	yes
B. Joiner	yes
L. Morris,	yes
H. Snyder	yes

L. Martinez yes
 G. Olympidis yes

The motion was approved.

V. Project Status Review:

- a. **Work Plan Review:** The status of each of the working groups, expected outcomes, action take thus far, major issues, and current activity is outlined in this document.
- b. **Regional Bus Authority:** No report.
- c. **Lake Shore Redevelopment:** No report.
- d. **Expansion of the Gary/Chicago Airport:** No report.
- e. **Extension of South Shore Commuter Service:** H. Snyder reported that the extension of the South Shore Commuter Service continues to be a discussion item. Transportation Summit meetings have been ongoing to discuss the continuation of public bus service in Gary, East Chicago and Hammond. There have been efforts to collaborate between the bus service and the Northern Indiana Commuter Transportation District (NICTD) and identify sources of additional funding to help support a better bus and rail system in northwest Indiana. A special report was completed by Parsons Brinkerhoff to supplement earlier studies of bus service to provide updated guidance facilitate continued (and upgraded) public transportation services.

VI. Unfinished Business:

- a. **MBE/WBE Program Requirement:** T. Davis stated that we need to begin to move forward with the policy that will be implemented and the guidelines that will be adhered to by the staff of the RDA. T. Davis requested that the Board adopt this document as amended, as items can be altered on a case by case basis. She said she felt it was flexible enough to allow consideration of special circumstances that may arise but still adhere to the overall program goals

B. Joiner offered a motion to defer this document until the RDA Board has agreed on a policy position with a second by H. Snyder

Roll call vote on the motion to defer:

C. Fernandez yes
 B. Joiner yes
 L. Morris yes
 H. Snyder yes
 L. Martinez yes
 G. Olympidis yes

- b. **Little Calumet River Basin Project Funding:** B. Sheldrake reported that the audit of the Little Calumet River Basin project ordered by members of the general assembly, Hold funds until audit was completed, and the report was clean. T. Sanders approved the distribution of approx. \$1.7 million dollars
- c. **Retreat Follow-Up:** L. Morris reported that a summary was provided to the full Board on the outcomes of the RDA Retreat.

- d. **Language for Buy-Indiana Requirement Statute:** It was reported that the legal counsel for the RDA is working on the Buy-Indiana language.
- e. **Other:** No comment.

VII. Applications Received:

- a. **Gary Bathing Beach Aquatorium Application:** T. Rongers reported that the RDA received an application for financial support to fund \$1 million in funds for the Aquatorium and the bathing beach house. The funds would go towards a memorial garden, completing the kitchen, and museum space. This would be considered under a shoreline development project. T. Sanders' recommendation was that this project be accepted for review. H. Snyder so moved that the application be accepted for review and forwarded to the Shoreline Working Group. The motion was seconded by G. Olympidis. He requested that the Marquette Park Pavilion is a facility that he would also like to see considered in the future. B. Joiner asked if the City of Gary East Side project and this project could be looked at as one application. He said he would prefer to comprehensively look at all pieces. Policy Analytics will come back after a full review of the application and offer a recommendation to the full RDA Board looking for the opportunity to combine the projects is appropriate.

Roll call vote on the motion to accept:

- C. Fernandez yes
- B. Joiner yes
- L. Morris yes
- H. Snyder yes
- L. Martinez yes
- G. Olympidis yes

- b. **High Speed Rail Association Application:** T. Rongers reported that the RDA received a letter of request for \$25,000 from the Indiana High Speed Rail Association. This grant would help host the 10th Annual Spike Seminar at the Radisson Hotel. The purpose of this seminar is to discuss 21st century transportation. They would focus on issues directly associated within the Chicagoland and northwest Indiana area. The grant would support conference materials, the presentation and equipment. Mr. Morris indicated that since this is not one of the four targeted projects (but an important effort) T. Sanders recommended rejection of the application.

B. Joiner offered a motion to deny this application with a second by L. Morris

Roll call vote on the motion to deny:

- C. Fernandez yes
- B. Joiner yes
- L. Morris yes
- H. Snyder yes
- L. Martinez no
- G. Olympidis yes

VIII. New Business:

- a. **Policy Regarding Use of Potential Lake County Food and Beverage Tax:** L. Morris moved that the Board of Directors hereby resolve that in the event the proposal to adopt a 1% Lake County Food and Beverage Tax as provided in IC 6-9-36 is enacted and the revenue generated by the tax is paid to the Northwest Indiana Regional Development Authority (RDA) as provided in IC 6-9-36-8, that subject to

the restrictions of IC 36-7.5-4-1 such revenue will be utilize exclusively to fund and/or enhance public transportation services in Lake County. Likewise, if Porter County utilizes the same statute to enact such a 1% tax in that county, the revenue paid to the RDA will be utilized exclusively to fund and/or enhance public transportation service in Porter County with a second by B. Joiner.

H. Cohen stated that this is a good clarification of what the RDA's intention would be and its important that that it be clear that the RDA is not advocating what taxes or public funds are used to support public transportation .

Roll call vote on the resolution:

C. Fernandez	yes
B. Joiner	yes
L. Morris	yes
H. Snyder	yes
L. Martinez	yes
G. Olympidis	yes

All were in favor and the resolution was adopted.

- b. Budget Committee Presentation:** B. Sheldrake reported that December 8, 2008 the RDA was asked by the State Budget Committee to make a presentation. L. Morris and Policy Analytics discussed the work at the RDA and discussed the projects that have been funded and the comprehensive plan and those projects that were on the horizon. There was a positive response, but also several questions about the RDA's due diligence efforts and finances. The budget committee asked for additional specificity regarding specific grants and the funding generated for those projects from the federal government and other sources.. Policy Analytics has put together a document that responds to those questions.
- c. Other:** The February 17, 2009 Board meeting will be held in Indianapolis at 3:30 p.m. EST. H. Snyder made a motion of the Boards expressed appreciation to T. Sanders for his commitment and dedication to the RDA with a second by B. Joiner. All were in favor of the motion and the motion was approved.

IX. Public Comment: Speros Batistados spoke to the issue of the policy regarding use of potential lake county food and beverage tax. Several public comments addressed the funding of the Little Calumet River Basin Project, and it's devastation to Lake County. Several public comments addressed concerns of the food and beverage tax.

X. Adjournment: Without further business the meeting was adjourned.

Respectfully submitted by Jillian Huber on January 14, 2009