

Meeting Agenda
State College Borough Redevelopment Authority
January 19, 2017
Room 241 / 12 p.m

- I. Call to Order**
 - II. Roll Call**
 - III. Approval of Minutes**
 - IV. Chair Report**
 - V. Public Hour - Hearing of Citizens**
 - VI. Election of Officers**
 - A. Elections of Chairman, Vice-Chairman and Secretary/Treasurer
 - VII. Community and Economic Development**
 - A. Homestead Investment Program (HIP) Update
 - VIII. Official Reports and Correspondence**
 - IX. Upcoming Meetings**
 - X. Adjournment**
- Documents:

[Complete Redevelopment Authority Agenda Packet 1-19-17.pdf](#)

**Meeting Agenda
State College Borough Redevelopment Authority
January 19, 2017
Room 241 / 12 p.m.**

- I. Call to Order**
- II. Roll Call**
 - Sally Lenker, Chair
 - Donald Hahn, Vice-Chair
 - Silvi Lawrence
 - Colleen Ritter
 - James Shincovich
- III. Approval of Minutes – October 26, 2016 and November 30, 2016**
- IV. Chair Report**
- V. Public Hour - Hearing of Citizens**
- VI. Election of Officers**

A. Elections of Chairman, Vice-Chairman and Secretary/Treasurer

The officers of the Redevelopment Authority (RDA) include the Chair, Vice-Chair, and Secretary/Treasurer. Officers are elected for two-year terms and may serve more than a single term.

As contained in the Authority's bylaws, the duties and responsibilities of the officers are:

A R T I C L E III. OFFICERS.

Section 1. Officers.

The officers of the Authority shall be a Chair, Vice-Chair, and Secretary-Treasurer.

Section 2. Chair and Vice-Chair.

The Chair shall preside at all meetings of the Authority. Except as otherwise authorized by Resolution of the Authority, the Chair is authorized to sign all contracts, deeds, and other instruments made by the Authority. At each meeting, the Chair shall submit such recommendations and information as the Chair may consider proper concerning the business, affairs, and policies of the Authority.

Section 3. Vice Chair.

The Vice-Chair shall perform the duties of the Chair in the absence or incapacity of the Chair; and in case of the resignation or death of the Chair, the Vice-Chair shall perform such duties as are imposed on the Chair until such time as the Board shall elect a new Chair.

Section 4. Secretary-Treasurer

The Secretary-Treasurer shall keep the records of the Authority, shall act as Secretary of the meetings of the Authority and record all votes, shall cause to have a record kept of all the proceedings of the Authority, shall cause the preparation of meeting agendas, correspondence and Board Resolutions. In all of the foregoing duties, the Secretary-Treasurer shall be assisted by and may delegate these responsibilities to the Borough Manager of the Borough of State College, or his or her designee, who shall function as an Executive Director and Secretary of the Authority. In addition to the foregoing duties, the Secretary shall keep in safe custody the Seal of the Authority and shall have the power to affix such seal to all contracts and other written instruments authorized to be executed by the Authority.

The Secretary-Treasurer of the Authority shall have the care and custody of all funds of the Authority and shall cause to deposit the same in the name of the Authority in such banks or trust companies as the Authority may by Resolution provide. The Secretary-Treasurer shall cause the keeping of regular books of accounts, showing receipts and expenditures, and shall provide to the Authority an account of all transactions and also of the financial condition of the Authority at least twice annually and oftener when so requested by the Authority. The Secretary-Treasurer shall be permitted to delegate to the Borough Manager or his or her designee, the duties of keeping the books of accounts, showing receipts and expenditures, of presenting financial reports to the Board, or of the hiring of an independent auditor when so directed by the Authority.

Redevelopment Authority Action: Members are requested to nominate and elect officers at this meeting.

VII. Community & Economic Development

A. Homestead Investment Program (HIP) Update

Staff will review proposed changes to the program to better focus resources. Staff will also review the timeline for Council decision-making on establishing a new three-year line-of-credit in support of the program and provide RDA members with recommendations for program revisions made by the Real Estate Advisory Committee at their January 13, 2017 meeting.

VIII. Official Reports and Correspondence

A. Borough Council

B. Planning Commission

C. Staff Reports

D. 2017 Conflict of Interest Policy

IX. Upcoming Meetings

February 22, 2017 at 12:00 p.m.

X. Adjournment

**Meeting Minutes
State College Borough Redevelopment Authority
October 26, 2016**

The State College Borough Redevelopment Authority (RDA) met on Wednesday, October 26, 2016 in the State College Municipal Building, 243 South Allen Street in Room 241. Chairman Lenker called the meeting to order at 12:00 p.m.

Members Present

Sally Lenker, Chairman; Donald Hahn, Vice-Chairman and Colleen Ritter

Others Present

Ed LeClear, Planning Director; Anne Messner, Planner/Zoning; Jenna Wargo, Planner; Robert Sweet and Michael Gavahan, National Development Council (NDC); Sandra Lieb, Staff Assistant and other interested parties

Approval of Minutes

There were no minutes to approve.

Chair Report

Ms. Lenker asked to have a compost bin for their property. Mr. LeClear stated he already asked Mr. Tom Brown to deliver a compost bin.

Public Hour

No citizens were present to discuss items not on the agenda.

Community & Economic Development

State College Town Centre Project: Mr. Sweet and Mr. Gavahan discussed the State College Town Centre Project.

Mr. Gavahan presented the priorities and qualification points for the Requests for Quotations (RFQ) and what has been done to date.

- Discovery Space had shared their financial projections which did not suggest that they would be a paying tenant of this space.
- Mr. Gavahan proposed the Borough be flexible with how they accommodate space.
- Talked to initial developers to get an idea of what the market looked like and if people are interested.
- There are a few sites that are outside of the Borough's control. The Borough has control of the former Verizon Building and the service lot.
- They have had conversations with Verizon with what it might look like to go above their building. The site is a critical infrastructure for

the region. The building appears to be able to accommodate two or three more floors.

- Some site constraints are the geographical barriers under the site. These barriers could increase costs when they start digging. They will work with the Borough engineer on appropriate testing to see what is under the surface.
- Parking restrictions include what the market might demand which might be more than what the CID Zoning District required and replacement of existing spaces. They need to explore ways parking may be accommodated off-site because of the size of the site.
- They also want to show that there is a clean title and that site control agreements have been completed by the Borough. Mr. LeClear will meet with Mr. Terry Williams, the Borough Solicitor, to discuss this issue.
- The method of solicitation would be a request for qualifications. They would like to select someone who understands the vision. This does not disqualify doing a formal request for proposals.
- The RFQ draft is under review. The RFQ will be finalized with feedback from the RDA.
- The most important part is the evaluation process for the RFQ.
- The evaluation criteria would include:
 - Project viability – experience, feasibility, financial capacity
 - Compatibility and integration with the Redevelopment Plan – compatibility with the Borough and the surrounding neighborhood’s vision; integration with the surrounding neighborhood and consistency with prior planning efforts
 - Community benefits – ability to deliver community benefits required by the Borough.
 - Fiscal impact to the Borough – proposed structure for Borough land contributions; value the Borough will realize on the site.
 - Completeness and quality of the proposal.

Mr. LeClear stated that they are looking for feedback on these criteria.

- Compatibility and integration with Redevelopment Plan – option to have space for Discovery Space.
- Replacement of 32 public parking spaces in addition to the parking required
- Uses that bridge the town/gown divide; residential use other than student housing.
- New or enhanced public gathering spaces along Allen Street.

Mr. Gavahan reviewed the schedule of the project

- Late fall 2016 – finalize site control & parking agreement.
- Late fall 2016 - pre-marketing RFQ.
- Early winter 2017 - issue RFQ.
- Winter 2017 – review responses and interview candidates.
- Late Winter 2017 – issue formal request for proposals for RFQs.

- Early Spring 2017 – Review RFP responses.
- Spring 2017 p award of master developer.
- Spring 2017 - negotiate Memorandum of Understanding and disposition agreement.
- Summer 2017 – finalize MOU and Developer Agreement.

Mr. LeClear stated the RDA Committee does not have the authority to enter into an agreement, so any agreement with a developer would go before Borough Council.

Vice-Chairman Hahn made a motion to authorize subcontracting for geotechnical services and Ms. Ritter seconded the motion. The vote was unanimously in favor.

Upcoming Meetings included:

November 16, 2016 at 12:00 p.m.

December 21, 2016 at 12:00 p.m.

Adjournment

With no further business to discuss, Chairman Lenker made a motion to adjourn the meeting at 1:14 p.m.

Respectfully submitted by,
Sandra Lieb, Staff Assistant

**Meeting Minutes
State College Borough Redevelopment Authority
November 30, 2016**

The State College Borough Redevelopment Authority (RDA) met on Wednesday, November 30, 2016 in the State College Municipal Building, 243 South Allen Street in Room 241. Chairman Lenker called the meeting to order at 12:00 p.m.

Members Present

Sally Lenker, Chairman; Donald Hahn, Vice-Chairman; Silvi Lawrence, Colleen Ritter and James Shincovich

Others Present

Ed LeClear, Planning Director; Jenna Wargo, Planner; Denise Rhoads, Staff Assistant and other interested parties

Approval of Minutes

A motion was made by Mr. Shincovich to approve the minutes of October 13, 2016 as submitted and seconded by Ms. Lawrence. The vote was unanimously in favor.

Chair Report

Chairman Lenker shared that on January 25, 2017 in Altoona there will be a 2017 Candidate Training Academy open to public. She noted it will be \$15 per person. Chairman Lenker stated if anyone is interested to let her know.

Chairman Lenker also reported the Centre County Association of Realtors are working on hosting a Smart Growth Seminar sometime in October 2017.

Public Hour

No citizens were present to discuss items not on the agenda.

Administration

2017 Meeting Calendar

Mr. LeClear presented a draft 2017 meeting calendar with the recommendation that the meetings take place on the 4th Wednesday of each month at 12 p.m.

A motion was made by Vice-Chairman Hahn and seconded by Mr. Shincovich to approve the 2017 meeting calendar. The vote was unanimously in favor.

Work Program

Draft 2017 Work Program

Mr. LeClear noted Borough Council will receive the 2017 ABC Work Programs during their December 5, 2016 meeting and Chairman Lenker will be presenting the Authority's Work Program.

Mr. LeClear's brief overview of the Work Plan included:

- He stated staff is looking at adding a community awareness effort.
- He wants to evaluate some housing programs due to the new government administration.
- Staff wants to expand on their outreach.
- Mr. LeClear noted there will be extensive work on the community & economic development goals.
- There was a brief discussion regarding the State College Town Centre project on South Allen Street. Mr. LeClear noted, as part of the zoning update, they will discuss parking minimums. He noted the current ones need revamped.

Authority's comments included:

- Mr. Shincovich asked if there is going to be a financial analysis done for the State College Town Centre project. Mr. LeClear stated in the past there was some initial, rough analysis done and noted NDC, the group that is our consultant, will do their own analysis.

Mr. LeClear stated they have had a conversation with the current Verizon building owner's regarding the separation of the building. And, the result of that conversation will be put in the Request for Quotations (RFQ).

Mr. LeClear stated he presented the Homestead Investment Program (HIP) to Council on November 21. He noted Council did not have many questions. Mr. LeClear also stated he had \$450,000 budgeted out for next year. He noted Council needs to instruct the RDA on what they want to do with this program.

Mr. LeClear stated he has been asked by the Borough Manager to have a conversation for supportive PSU housing within the Borough. He noted there are many other universities that already have this in place.

Authority's comments included:

- Chairman Lenker shared that the community has Vicki Fong to thank for the starting of entrepreneurship in the Borough.
- Vice-Chairman Hahn stated the West End (WE) is a very sensible place for entrepreneurship.
- Vice-Chairman Hahn noted there is conflicting information concerning rental prices in the area.

Mr. LeClear stated revolving loan fund and microenterprise fund can be looked at in the future.

Mr. LeClear discussed how to encourage redevelopment and noted the wave of interest has begun to ramp up. He noted there are a lot of different visions on how the community wants the downtown to be.

A motion to approve the Work Program and recommend it to Council was made by Ms. Lawrence and seconded by Ms. Ritter. The vote was unanimously in favor.

Official Reports and Correspondence

Staff Reports: Mr. LeClear reported possibly doing a focus group to discuss the line of credit or a loan for HIP.

Upcoming Meeting(s) included:

December 21, 2016 at 12:00 p.m.

Adjournment

With no further business to discuss, Chairman Lenker made a motion to adjourn the meeting at 1:06 p.m.

Respectfully submitted by,
Denise L. Rhoads, Staff Assistant

Borough of State College MEMORANDUM

to: ABC Secretaries and Staff Assistants

from: Ed LeClear

re: Conflict of Interest Policy and Code of Conduct with Regards to HUD Programs

date: November 17, 2016

A Conflict of Interest Policy and Code of Conduct with regards to HUD Programs was adopted by the State College Borough Council in 2005. Elected and appointed officials are to receive a copy of the policy at a regular meeting of their respective council, authority, board or commission annually. Members who are absent should receive a copy by mail.

A copy of the policy is attached. Please include it as an agenda item or as an attachment to the agenda at the first meeting of the ABC in 2017. Also, please be sure to note distribution of the policy in the meeting minutes.

from the desk of... Ed LeClear
Planning Director Borough of
State College ■243 South Allen
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BOROUGH OF STATE COLLEGE

Conflict of Interest Policy and Code of Conduct With Regards to HUD Programs

SECTION 1

CONFLICTS OF INTEREST

COVERED INDIVIDUALS:

Any employee, agent, officer, elected official, appointed official or consultant of the Borough of State College (Participating Jurisdiction) or; any member of an employee's, agent's, officer's, elected official's or appointed official's immediate family; an employee's, agent's, officer's, elected official's or appointed official's partner; or an organization that employs or is about to employ any of the above.

CONFLICTS PROHIBITED:

No person(s) described in Paragraph 1 of section 1 who exercises or has exercised any functions or responsibilities with respect to activities assisted with HOME Investment Partnerships Program (HOME) or Community Development Block Grant (CDBG) or other U.S. Department of Housing and Urban Development (HUD) funds or who is in a position to participate in a decision-making process or gain inside information with regard to these activities may obtain a financial interest or financial benefit from a HOME,- CDBG, or other HUD-assisted activity, or has a financial interest in any contract, subcontract, or agreement with respect HOME,- CDBG, or other HUD-assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild and in-laws of a covered person. Occupancy of a HOME-assisted unit by a covered person constitutes a financial interest.

EXCEPTIONS:

Threshold Requirements - Upon the written request of the participating jurisdiction, the U.S. Housing and Urban Development (HUD) or its successor, may grant an exception to the provisions of the CONFLICTS PROHIBITED of section 1 on a case-by-case basis when it determines that the exception will serve to further the purpose of the HOME, CDBG or other HUD program and the effective and efficient administration of the Borough's program or project. An exception may be considered only after the participating jurisdiction has provided the following:

- a. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure* of the conflict and a description of how the public disclosure was made; and
- b. An opinion from the Borough's attorney that the interest for which the exception is sought would not violate state or local laws.

*The requirements for public disclosure include publication in a local newspaper or disclosure during an advertised public hearing.

Factors to be considered for Exceptions - In determining whether to grant a requested exception after the participating jurisdiction has satisfactorily met the requirements of paragraphs a. and b. above, HUD, or its successors, will consider the cumulative effect of the following factors, where applicable:

- a. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be

- available;
- b. Whether the person affected is a member of a group or class of low-income persons intended to be the beneficiary of the assisted activity, and the exception will permit such person(s) to receive generally the same interests or benefits as are being made available or provided to the group or class;
- c. Whether the affected person(s) has withdrawn from his/her functions or responsibilities or the decision-making process with respect to the specific assisted activity in question;
- d. Whether the interest or benefit was present before the affected person was in a position as described in the COVERED PERSONS Paragraph of this section
- e. Whether undue hardship will result either to the participating jurisdiction or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
- f. Any other relevant considerations.

OWNERS AND DEVELOPERS:

No owner, developer or sponsor of a project assisted with HOME, CDBG or other HUD funds (or officer, employee, agent, elected or appointed official or consultant of the owner, developer or sponsor or immediate family member of an officer, employee, agent, elected or appointed official, or consultant of the owner, developer or sponsor) whether private, for-profit or non-profit (including a community development organization (CHDO) when acting as an owner, developer or sponsor) may occupy a HOME, CDBG or other HUD-assisted affordable housing unit in a project during the required period of affordability specified in §92.252(e) or §92.254(a)(4). This provision does not apply to an individual who receives HOME, CDBG or other HUD funds to acquire or rehabilitate his or her principal residence or to an employee or agent to the owner or developer of a rental housing project who occupies a housing unit as the project manager or maintenance worker.

EXCEPTIONS:

Upon written request of a housing owner or developer, the Borough may grant an exception to the provisions of the above paragraph of this section on a case by case basis when it determines that the exception will serve to further the purposes of the HOME, CDBG or other HUD program and the effective and efficient administration of the owner's or developer's HOME, CDBG or another HUD-assisted project. In determining whether to grant a requested exception, the Borough shall consider the following factors:

- a. Whether the person receiving the benefit is a member of a group or class of low- income persons intended to be the beneficiaries of the assisted housing, and the exception will permit such person to receive generally the same interest or benefits as are being made available or provided to the group or class:
- b. Whether the person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted housing in question:
- c. Whether the tenant protection requirements of Sec. 92.253 are being observed;
- d. Whether the affirmative marketing requirements of Sec. 92.351 are being observed and followed; and
- e. Any other factor relevant to the Borough's determination, including the timing of the requested exception.

SECTION 2

COVERED INDIVIDUALS:

Any employee, officer, or agent of the Borough of State College (Participating Jurisdiction).
PROCUREMENT

The CDBG, HOME and other HUD Programs follow the procurement policy of the Borough of State College located in the Borough of State College Code of Ordinances, Chapter 1, Part N. If any provisions of CFR 24 85.36, 24 CFR 570.611, 24 CFR 92.356 are not included or conflict with the Borough's Procurement Policy, the provisions of CFR 24 85.36, 24 CFR 570.611, and 24 CFR 92.356 shall supersede the Borough's Procurement Policy.

No Covered Individuals in section 2 may participate in the selection, award or administration of a contract supported by HOME, CDBG or other HUD Program if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following parties has a financial or other interest in the firm selected for award:

- employee, agents, or officer of the Borough of State College;
- any member of an employee's, agent's or officer's immediate family;
- an employee's, agent's or officer's partner; or
- an organization that employs or is about to employ any of the above

No employee, officer, or agent of the Borough or sub recipient may solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to sub agreements.

CODE OF CONDUCT:

Persons covered in section 2, paragraph 1, are expressly forbidden from soliciting or accepting money, gifts, gratuities, services, favors, or anything of monetary value (excepting unsolicited calendars, pens, or other items of nominal value used as an advertising medium) from any person, company, firm, or corporation to which any purchase order or contract is or might be awarded or from a party to any potential subcontract.

The Borough shall also take disciplinary action in accordance with the Borough Personnel Rules and Regulations against any covered persons in section 2 paragraph 1 who violate this conflict of interest policy.

Employees will receive a copy of the conflict of interest policy on an annual basis as a mailer included in a paycheck. Elected and appointed officials will receive a copy of the policy at a regular meeting of their respective council, authority, board or commission. Distribution of the policy will be noted in the minutes of the meeting. Members who are absent will receive a copy by mail. Consultants and agents will be provided a copy of the policy as part of their contracts.

SUB-RECIPIENTS:

Applicable Conflict of Interest and Procurement Policies for the Borough's sub recipients are covered under CFR 24 84.42, 24 CFR 570.611 and CFR 24 92.356. Each sub recipient has developed its own Conflict of Interest Policy and Procurement Policy in accordance with the applicable regulations.

Authorized Official: Ed LeClear, Director of Planning and Community Development 243 S. Allen Street State College, PA 16801 814-234-7109

Adopted by the State College Borough Council on April 18, 2005. Revised by staff on April 30, 2015.