



BOARD OF BUSINESS & NEIGHBORHOOD SERVICES
VIRTUAL WEBEX CONFERENCE
INDIANAPOLIS-MARION COUNTY, INDIANA

January 27, 2022

ATTENDANCE:

The following Board of Business and Neighborhood Services members were present:

Brian Madison, Director
Belinda Drake
Katherin Chi
Camille Blunt

The following staff members were present:

Jessica Knight Board Liaison
Courtney Bennett Deputy Director, Construction and Business Services
Jacqie Heikes Deputy Director, Property and Land Use Services
Katie Trennepohl Deputy Director, Animal Care Services
Katelyn Campbell Assistant Corporation Counsel

INTRODUCTIONS:

Mr. Brian Madison called the virtual meeting to order at 3:02 p.m. and board members Ms. Belinda Drake, Ms. Katherin Chi, and Ms. Camille Blunt were announced.

The following staff introductions were also made: Ms. Jessica Knight, Board Liaison, Ms. Courtney Bennett, Deputy Director, Ms. Jacqie Heikes, Deputy Director, Ms. Katie Trennepohl, Deputy Director, and Ms. Katelyn Campbell, Assistant Corporation Counsel.

ADOPTION OF MINUTES:

The Board of Business and Neighborhood Services approved the business meeting minutes of December 9, 2021. Motion made by Ms. Blunt. Motion seconded by Ms. Drake. Motion carried.

REPORTS:

Ms. Campbell provided a brief presentation regarding the responsibilities and duties of the Board. Board membership information can be found in Section 226-204 of the Revised Code. There are five board members, consisting of the Director of DBNS, two mayoral appointees, and two City-County Council appointees. Regular meetings are held each month, except for November and December. These meetings are combined into one meeting the first week of December to accommodate for the holidays. If there is a need for a special meeting, it can be called for by the Director, Mr. Madison, or by two of the five board members. Three members of the Board must be present for any business to take place and to constitute quorum for all meetings.

Items of business the Board frequently encounters are lien certifications for High Weeds and Grass and Trash. Section 575-4 of the Revised Code lays out what is considered unlawful for occupants or property owners to allow as environmental public nuisances to exist on the property. This includes vegetation that has grown over twelve inches in height. Trash abatement can be located in Section 361-101 of the Revised Code. The goal is to eliminate litter to protect public safety, health and welfare, and enhance the environment for the City's inhabitants. Board action is required under the ordinance to enforce any liens against properties when the City needs to hire contractors to abate the nuisance.

The Board will also deal with contracts needing approval. One of the enumerated powers of the Board is to approve the award or amendment of certain contracts such as, the purchase or lease of Capital equipment, public construction contracts, acquisition and leases for Real Property, and employment of persons for professional or consulting services. Capital equipment contracts will include vehicle purchases for BNS Inspectors or Animal Care Services Officers and any contracts that go through the bidding process for Capital Equipment. Public Construction Contracts are any contracts the involve the construction, alteration, pre-construction, or alteration of a public building, airport facility, or other structure paid for out of a public fund. The acquisition and leases for Real Property would include any lease the department has. The lease of the DBNS offices should be coming up for board approval. Employment of persons for professional or consulting services will include any contracts entered into for veterinarian services for ACS or administrative law judges for DBNS hearings.

Further actions of the Board are to Review the recommended DBNS Budget, establish fees for licenses and permits, and to adopt, amend, and repeal Rules & Regulations. Each year DBNS presents a budget to the City-County Council that is reviewed by the Board prior to the presentation. Section 131 of the Revised Code states maximum allowable fees for license and permit fees so the Board can establish the fees up to the maximum allowable amount. The Board has the ability to adopt the Rules & Regulations. Prior to the adoption, there are publishing

requirements in the newspaper and hearings held. Most importantly, for a rule or regulation to be enforceable, it must be adopted by this Board.

The Open-Door Law, found in Indiana Code (I.C.) 5-14-1.5, is important for the Board to keep in mind. This law states that all official actions of public agencies must be conducted and taken openly because political subdivisions exist only to aid in the conduct of business of the people of Indiana. These rules must be followed above and beyond those laid out in the Revised Code of Indianapolis. Essentially, any meeting minutes, agendas, and recordings should be available to the public to inspect. All meetings of the Board, with very small exceptions, are open to the public to attend.

2022-C10-001 Certification: Trash Liens

Under Chapter 361 of the Revised Code of the Consolidated City of Indianapolis and Marion County the Department of Business and Neighborhood Services (“DBNS”) is responsible for the inspection, abatement, and enforcement of environmental public nuisances. In the event that the property owner does not correct the violation or cannot be found, the City enlists a contractor to abate that property. Section 361-107 of the Revised Code authorizes DBNS to abate the violation and charge the costs related to abatement to the responsible property owner.

Section 361-107(b)(3) of the Revised Code provides that in the event these abatement costs are unpaid, the City shall place a lien upon the property.

Financial Information: There are a total of 94 trash cases with a total amount owed of \$52,881.83. The cases reflect outstanding fees 30 days past due as of January 27, 2022.

Funding Source: N/A

Mr. Sam Khosrawi, Financial Analyst, reviewed the January Trash Lien Presentation with the Board. The average case amount was \$562.57. The highest lien case was VIO21-007119, located at 2914 West Sinclair Street. This is a vacant residential lot on .039 acres and owned by a business. The abatement took 32 hours with 10.5 tons of trash removed by our vendor. The items disposed of included mattresses, housing items, and miscellaneous debris. The three highest zip codes in this cycle are 46201, 46218, and 46208.

The year-to-date comparison of January 2022 to January 2021 showed a decrease of 26 trash cases in 2022, resulting in a decrease in lien dollars of \$17,094.00.



MOTION: Ms. Blunt moved to adopt Resolution 2022-C10-001. Seconded by Ms. Drake. Motion carried.

2022-C10-002 Certification: High Weeds and Grass Liens

Under Chapter 575 of the Revised Code of the Consolidated City of Indianapolis and Marion County the Department of Business and Neighborhood Services (“DBNS”) is responsible for the inspection, abatement, and enforcement of environmental public nuisances. In the event that the property owner does not correct the violation or cannot be found, the City enlists a contractor to mow and/or clean that property. Section 575-7(a) of the Revised Code authorizes DBNS to abate the violation and charge the costs related to abatement to the responsible property owner.

Section 575-7(3)(b) of the Revised Code provides that in the event these abatement costs are unpaid, the City shall place a lien upon the property.

Financial Information: There are a total of 169 mowing cases with a total amount owed of \$98,093.00. The cases reflect outstanding fees 30 days past due as of January 27, 2022.

Funding Source: N/A

Mr. Sam Khosrawi, Financial Analyst, continued the discussion with the January High Weeds and Grass portion of the lien presentation. The average lien case amount was \$580.43. This certification is carried over from the 2021 season. The highest single mow for this certification was for case HWG21-05233 at 3055 North Mitthoefer Road. The property is owned by an individual and is a vacant residential lot with 1.364 acres. The four highest zip codes for this cycle were 46218, 46208, 46222, and 46225.

There was not a comparison for the year-to-date January High Weeds and Grass cases since there were no clean up cases in January 2021.

Ms. Blunt asked for clarification that zip codes areas like 46254, not listed on the graphs in the presentation, had no cases for the certification. Mr. Khosrawi clarified that the graphs in the presentation only pick up any lien cases that are being certified. Ms. Blunt asked Mr. Khosrawi for clarification that the bills are put as a lien against the property that must be paid by the owner upon selling the property. Mr. Khosrawi shared that after the Board approves the certification, he sends a file of cases to the County Treasure’s Office to be added to PED, their system of record, so they can add the cases to the tax bill. Anything Mr. Khosrawi sends will be added to the 2022 Spring tax installment.



Ms. Blunt asked Mr. Madison about any consideration given to elderly citizen's having issues with high weeds and grass and maintaining their properties, especially in the 46208 and 46218 zip code areas. Ms. Heikes gave a brief explanation of the high weeds and grass program. Notices go out with a ten-day compliance period. The notice does encourage citizens to reach out to the department if they need additional time to come into compliance before the ten-day period expires for extensions. Ms. Heikes stated that most mows take place on vacant properties. If anyone calls and asks for more time, the department is always more than happy to work with them. Ms. Heikes does not remember hearing of any cases like what Ms. Blunt described, but the mow cases have been declining steadily in the last five years. The program appears to be working and vacancy levels have gone down.

Ms. Blunt asked if the department would give a report, at a later date, to show how much of the lien funds are actually recovered. Mr. Khosrawi stated that the department typically gets back 30 – 35% of what is certified for High Weeds and Grass liens and about 40 – 45% from the Trash liens. It takes four to six cycles, or two to three years, to see those collection rates. Much of this depends on when liens are certified to the tax bill and, especially with COVID, a tax sale happening during the normal course of business for the County Treasurer's Office. Mr. Madison added that there many scenarios that can happen that will affect the recovery amounts such as payment to the initial invoice and any properties or land that is purchased by the City of Indianapolis or end up in a land bank.

MOTION: Ms. Blunt moved to adopt Resolution 2022-C10-002. Seconded by Ms. Drake. Motion carried.

2022-C10-003 Contract: Legal Services

Authorizes the Director of the Department of Business and Neighborhood Services to amend the legal services agreement with Lewis & Kappes, P.C.

Financial Information: \$90,000.00

Funding Source: BNS Permits Fund

Mr. Jacob Miller, Chief Project Coordinator—Financial Operations, informed the Board that DBNS had entered into a professional service agreement with the law firm of Lewis & Kappes, P.C. in December of 2020. Under this agreement, Lewis & Kappes, P.C. is representing and defending the interests of the City of Indianapolis in proceedings filed in Federal, Marion County Circuit, and Marion County Superior Court arising from decisions regarding the grant or denial of variance requests for permit requests for the deployment of small cell wireless facilities. Additionally, Lewis & Kappes, P.C. will assist the city with the preparation of an ordinance to



address the deployment of small cell wireless facilities. This \$75,000.00 legal services agreement contract is due to expire December 31, 2022. DBNS now wishes to increase the contract compensation limit by \$15,000.00 for a new compensation limit of \$90,000.00.

MOTION: Ms. Chi moved to adopt Resolution 2022-C10-003. Seconded by Ms. Blunt. Motion carried.

2022-C10-004 2022 DE&I Plan

Adopts the 2022 BNS DE&I Annual Agency Plan.

Financial Information: N/A

Funding Source: 15001 General Fund
 15009 Permits Fund

Mr. Jacob Miller, Chief Project Coordinator—Financial Operations, informed the Board that this was the second annual Inclusion Plan. The inaugural plan was adopted last year with the assistance of Ms. Blunt in her previous role with the Office of Minority and Women Business Development. Mr. Miller provide a presentation for the Board to review the 2022 DE&I Annual Agency Plan. The presentation highlighted the 2021 DBNS XBE utilization data, upcoming DBNS procurements, and a break down of the 2022 DE&I Plan components.

DBNS exceeded the City’s goal of 15% in Minority Business Enterprise utilization by .03% and exceeded the City’s goal of 3% in Veteran Business Enterprise utilization by 1.80%. The VBE field was primarily filed by a single vendor that handles the department’s trash abatement. There was a decline in the Women-Owned Business Enterprise utilization of 3.54% from the City’s goal of 8%. Mr. Miller stated that the data does not fully represent the effort that was taken to make procurements in the WBE category and that he would explain later in the presentation. The one area that the department tends to struggle with is the procurement of Disable-Owned Business Enterprises for a variety of reasons. The number of certified vendors is far fewer than other categories and they are in specific industries so finding a match is difficult.

Ms. Drake asked Mr. Miller if he could share which category would include the LGBTQ-owned businesses, if at all. Mr. Miller stated that LGBTQ-owned businesses were not one of the categories certified by the Office of Minority and Women Business Development (OMWBD). Ms. Blunt added that the City’s program does not focus on this category yet. It was considered for certification in the past, but the groups that were being tracked by the City were not meeting the levels of utilization the City wanted to see so they decided to focus on improving the existing categories before adding new ones. There currently is not a certification for the LGBTQ category yet. Mr. Miller stated that DBNS would enthusiastically participate in the program and reporting of an LGBTQ category if one were to come about on a citywide level. Ms. Drake asked Ms. Blunt if she had any idea when the categories would be revisited/refreshed. Ms. Blunt stated that

OMWBD was looking to do a disparity study, so it could be added to the program based on the results of the study. The Board could possibly invite the new Director, Mr. David Fredricks, come and talk about his plans or thoughts about adding new categories to the program. It would have to show up in the next disparities study to be added to the program.

Mr. Miller highlighted the MBE, VBE, and WBE companies that currently participate in the Department's vendor programs. The WBE participation for the 2021 year did not accurately show the Department's participation because there was a WBE, Renascent, Inc., awarded \$340,000.00+ of demolition work at the end of the year. The work will be invoiced and recorded for 2022.

Mr. Miller shared a chart of contracts that were up for expiration in 2022, that would need to be bid. The Department will request qualifications, bids, quotes, and proposal for these contracts. The High Weeds and Grass vendors will be up for procurement since they have been utilized for two years. Two of the five companies currently utilized have XBE certifications. One of Mr. Millers big 2022 projects will be to get new contracts for plan review and inspection services. This is a huge component for Deputy Director Courtney Bennett's group, so we must have reliable contractors for these services. Jacobi, Toombs & Lanz, Inc. is an MBE vendor that does plan review and the has done nearly one million dollars' worth of work for the department. Another large project will be the procurement of a towing company. Since it is a rather large contract that will be up in 2023, the footwork will start this year. There are several demolition programs up for bid as well. The Department worked with OMWBD last year to award smaller demolition packages to give smaller companies and XBE certified vendors more opportunities to be awarded these bids. At least two demolition projects should be up for bid this year.

Mr. Miller discussed the components established by OMWBD and how the Department utilizes each component in the 2022 DE&I Plan. These components are Commitment, Planning, Execution, Outreach, Compliance, and Recognition.

Mr. Madison has drafted a Statement of Commitment to the XBE program, which was included for the Board. This will detail Mr. Madison's mission and vision for the 2022 DE&I Plan. Upon approval and adoption by the Board and OMWBD, DBNS will distribute the statement on social media platforms, discuss the statement and value of the XBE program to the City-County Enterprise in a meeting with the Director's senior leadership team, and notify all DBNS staff of the Director's statement via email.

As a Department, we have reviewed our 2022 contracts and procurement plans with the Board. There will be continued procurement efforts with OMWBD's staff. This includes making sure that our procurement documents are available to the public and vendors and contains the language required by the OMWBD. The OMWBD has a chance to review all documents and give their approval.

DBNS commits to communicate all competitive bid documents to OMWBD. The plan specifically refers to \$250,000.00 and greater bids. However, Mr. Miller takes procurement documents and

award letters to OMWBD on a regular basis, regardless of size. The Department also determines XBE goals for contractors or subcontractors that are at or above the annual XBE goals whenever possible. Not only is the Department responsible for making sure our contracts represent the diversity, equity, and inclusion goals, the Department also requires, per City policy, that our vendors also subcontract to those goals.

For outreach, DBNS participated in the National Center for Racial Equity and Inclusion Community Access Fair at Martin University. DBNS staff helped educate residents and community leaders about the department and opportunities available for jobs and programs. OMWBD representatives attend and engage with vendors at pre-bid/pre-submittal conferences. Mr. Joseph Lee, the Compliance Monitor at OMWBD, is a great resource to vendors and the Department. He attends these pre-submittal conferences and helps Mr. Miller explain the program to potential vendors and helps vendors throughout the process. DBNS staff also reviews the depository of OMWBD vendors on a monthly basis so we remain aware of what vendors are out there and have newly become certified.

To meet compliancy with the program, DBNS submits the XBE utilization monthly summary reports to OMWBD. These reports are to be submitted by the 15th of every month. DBNS submits vendors XBE utilization plans and/or good faith effort waivers to OMWBD staff for review and approval prior to contract awards. Overall, our DBNS and City contract language enforces transparency and compliance with the goals and programs of OMWBD.

The 2021 Accomplishments are the final component to the DE&I Plan. The Department met or exceeded the City's 2021 utilization goals for MBE and VBE categories. WBE certified vendors were awarded \$340,000.00+ demolition projects for work to be completed, invoiced, and reported in 2022. The certifications were successfully renewed for a long-term XBE DBNS mowing vendor with the Department's help. Lastly, DBNS conducted business with 17 XBE vendors in 2021 compared to the 12 XBE vendors in 2020.

Ms. Blunt commended Mr. Miller for the time and effort he puts into intentionally utilizing minority, women, and veteran businesses and continuing to look at ways to utilize the disability-owned businesses. DBNS has consistently been intentional in the way they utilize City resources and spread the them to populations that have been overlooked. DBNS is defiantly a top performer when OMWBD looks at utilization of certified vendors.

MOTION: Ms. Blunt moved to adopt Resolution 2022-C10-004. Seconded by Ms. Chi. Motion carried.

NEW BUSINESS:

Mr. Madison announced that Ms. Katherin Chi and Ms. Camille Blunt were new members to the Board of Business and Neighborhood services and asked that they introduce themselves further.

Ms. Chi is currently the Communications Director at Kiwanis International and just moved from the Zoning Board, Division 3. She enjoyed her time on the Zoning Board and looks forward to the transition as a member on the DBNS Board.

Ms. Drake welcomed the new members to the Board and shared that she is the Director of Youth Services with Indiana Youth Group and that she is an active community member on the Far Eastside of Indianapolis. This is the start of Ms. Drake's second term on the Board.

Ms. Blunt is the Director of Public Affairs at Taft, which involves lobbying the State Legislature on behalf of various clients. Ms. Blunt was the former Director of the Office of Minority and Women Business Development, giving her familiarity with the City and the hard work DBNS does.

Mr. Madison provided an updated on the LUNA Interpretation and Language Services contract that was approved by the Board at the previous meeting. Staff have been going through training this week and services will be available February 1, 2022 for staff in the field and office to utilize when needed. The training sessions were recorded for any staff not available to attend the training session times offered.

ADJOURNMENT:

It was taken by consensus of the Board of Business and Neighborhood Services that the meeting adjourns at 4:11 p.m.

Respectfully submitted,

Jessica Knight
License & Board Liaison