Agenda

Regular Meeting, February 23, 2017 9:30 a.m.

- 1. Roll Call
- 2. Approval of Minutes
 - A. Minutes of the Regular Meeting of Thursday, February 9, 2017
- 3. Approval of Claims
 - A. Claims Submitted February 23, 2017
- 4. Old Business
- 5. New Business
 - A. Receipt of Bids
 - 1. Receipt of Bids: 701 Portage Avenue
 - B. River West Development Area
 - 1. Resolution No. 3377 (Disposition Offering Price 722-724 S Michigan Street)
 - 2. Approval of Bid Specifications (722-724 S Michigan Street)
 - 3. Request to Advertise (722-724 S Michigan Street)
 - 4. Resolution No. 3382: Acceptance of Michigan Street Shops
 - 5. Resolution No. 3383 (Disposition Offering Price 117-131 S. Michigan Street)
 - 6. Approval of Bid Specifications (117-131 S. Michigan Street)
 - 7. Request to Advertise (117-131 S. Michigan Street)
 - 8. Resolution No. 3384 (Ivy Tech)
 - 9. AEP Utility Easement Ignition Park South
 - 10. Budget for Public Works Infrastructure Projects
 - 11. Third Amendment to REPA (Heading for Home LLC)
 - C. Other
 - 1. Resolution No. 3378 (Setting Public Hearing: March 23, 2017)



2. Resolution No. 3381 (Redevelopment Commission Appointing One Member to the Riverfront License Application Review Committee)

6. Progress Reports

- A. Tax Abatement
- B. Common Council
- C. Other

7. Next Commission Meeting:

Thursday, March 9, 2017, 9:30 a.m.

8. Adjournment

NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS

Auxiliary Aid or Other Services are Available upon Request at No Charge.
Please Give Reasonable Advance Request when Possible.



SOUTH BEND REDEVELOPMENT COMMISSION **REGULAR MEETING**

February 9, 2017

9:30 a.m.

Presiding: Marcia Jones, President

227 West Jefferson Boulevard South Bend, Indiana

The meeting was called to order at 9:33 a.m.

1. ROLL CALL

Members Present:

Marcia Jones, President

Dave Varner, Vice President

Don Inks, Secretary

Gavin Ferlic, Commissioner John Anella, Commissioner

Members Absent:

Legal Counsel:

Benjamin Dougherty, Esq.

Redevelopment Staff:

David Relos. Associate

Mary Brazinsky, Recording Secretary

Others Present:

Brian Pawlowski

DCI Aaron Kobb DCI

Elizabeth Leonard Inks

SB Tribune Erin Blasko WNDU-TV Mark Peterson WNDU-TV

Eric Watson Site Scapes, Inc. Pat Brown SB Career Academy Alex Hammel **ABRO Industries** Jon Cook

728 Whitehall Drive SB IN Will Smith Newmark Grubb Cressy Ed Bradley Newmark Grubb Cressy Kasey Watkins **WSBT**

DCI

Molly Jirasek

2. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of Thursday, January 26, 2017

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the minutes of the regular meeting of Thursday, January 26, 2017.

3. Approval of Claims

A. Claims Submitted February 9, 2017

REDEVELOPMENT COMMISSION Redevelopment Commission Claims February 9, 2017 for approval	Gaims submitted	Explanation of Project	Items added after Agenda Distributed
324 RIVER WEST DEVELOPMENT AREA Hebard & Hebard Architects, Inc. Christopher B. Burke Engineering, LLC Jones Petrie Rafinski Jones Petrie Rafinski Christopher B. Burke Engineering, LLC GLC Kolata Emprises, LLC Weaver Consultants Group	3,522.44 2,536.25 67.50 3,318.00	Special Check JMS North Stair Tower St. Joseph River Low Head Dam CIP Covelesk Utility Relocate Construction Courtyard by Marriot Chet Waggoner Court Inspection Services January Base Rent Professional Services Ivy Tower/Parking Lot	1,597.50 149.00
429 FUND RIVER EAST DEVELOPMENT TIF SmithGroup JJR	35,144.00	So. Bend Riverfront Parks and Trails Master Plan	
430 FUND SOUTH SIDE TIF AREA #1 McCormick Engineering, LLC Total	540.00 104,205.84	1670 Bowen St. Drainage Improvement	1,746.50
Total Of Both Columns			105,952.34

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the claims as submitted to the regular meeting of Thursday, February 9, 2017.

4. Old Business

None

5. New Business

A. River West Development Area

1. Real Estate Purchase Agreement (Newmark Grubb Cressy & Everett) Brian Pawlowski presented the Real Estate Purchase Agreement (Newmark Grubb Cressy & Everett). Mr. Pawlowski presented the history of the city's efforts in the past ten years in attempts to sell the properties at Blackthorn. The city sold the golf course at Blackthorn approximately three years ago. Since then, after many diligent attempts to sell the properties, the city put out an RFP last year with only one response, which did not move forward. The city has been in many conversations with various developers since. Newmark Grubb Cressy & Everett brought forward a proposal to take the property out of city hands and put it into private hands with a plan to develop a portion of the property. The sales price is \$175,000 with a commitment to build a building for a minimum amount of \$1M. If the building is not built, a payment in lieu of taxes would be paid to the city. With the lots going into private hands it places the 60 acres on the tax roll. Mr. Pawlowski re-iterated that efforts were made to sell various parcels for several years in different manners. The city feels this is the best option moving forward. Looking at the momentum of Portage Prairie and the surrounding area, with a shift

Ed Bradley, Newmark Grubb Cressy & Everett introduced himself. Mr. Bradley noted that Cressy will now be paying Association dues and property taxes on the properties. Mr. Bradley spoke about Cressy's development of other corporate parks such as Edison Lakes in Mishawaka, while understanding this is a different park located on the northwest side of the City and with unique amenities such as being near major highways.

in ownership at Blackthorn it is expected momentum can occur there as well.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved Real Estate Purchase Agreement (Newmark Grubb Cressy & Everett) submitted on February 9, 2017.

2. Budget Request (Cove Lot 4 Paving)

Brian Pawlowski presented a Budget Request for Cove Lot 4 Paving. The city held off paving the lot at the southwest corner of Lafayette & Monroe (the old Michiana Lock & Key site) until utility relocations around the Cove were completed. With savings from this utility work, we would like to now plan the paving of this lot. We ask for Commission approval of a not-to-exceed amount of \$250,000.

Upon a motion by Vice President Varner, seconded by Secretary Inks, the motion carried unanimously, the Commission approved the Budget Request for Cove Lot 4 Paving submitted on February 9, 2017.

3. Request for Allocation for FUSE Permanent Supportive Housing Project Brian Pawlowski presented the Request for Allocation for FUSE Permanent Supportive Housing Project. This project is group housing for the chronically homeless, to be built at Indiana & Kemble on the old Oliver School site. The project began about a year ago, and during the construction process it was discovered the city charges tap fees for sewer and water connections. The city feels this is a good project and would like to support and cover the burden of these fees. We ask Commission approval in the amount of \$30,000.

Upon a motion by Secretary Inks, seconded by Vice President Varner, the motion carried unanimously, the Commission approved the Request for Allocation for FUSE Permanent Supportive Housing Project submitted on February 9, 2017.

B. River East Development Area

1. Budget Request (River Walk LLC_Michiana Brick)

David Relos presented a Budget Request (River Walk LLC_Michiana Brick). The former Michiana Brick site is planned to be incorporated with the old Transpo site along Northside, which is becoming a new housing development area. In August 2016 the Commission approved a Development Agreement with River Walk LLC, with a not-to-exceed budget of \$170,000. At the time it was thought funding from the East Bank CSO Phase 5 project would cover this cost, however that project encountered contaminated soil which depleted the money earmarked for this project. This budget request of \$170,000 is for the demolition and remediation of the Michiana Brick site, and we ask Commission approval of a separate budget in the same amount of \$170,000.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved a Budget Request (River Walk LLC_Michiana Brick) submitted on February 9, 2017.

2. Budget Increase for East Bank Infrastructure Project

Jitin Kain presented a Budget Increase for East Bank CSO 5 Infrastructure Project. \$30,000 remained from the prior budget, but needs to be re-appropriated since it did not roll over from year end. Since there are soil contamination issues that need to be addressed, an additional \$20,000 to cover any contingencies is requested. We ask Commission approval for a total budget of \$50,000.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved a Budget Increase for East Bank Infrastructure Project submitted on February 9, 2017.

C. South Side Development Area

1. Resolution No. 3376 (Termination of SS Allocation Area No. 3)

Ben Dougherty presented Resolution No. 3376. Allocation Area No. 3 South Side Development Area, relates to Erskine Village and was created to support debt service payments on the bond that was issued in 2005 for that project. February 1, 2017 was the first opportunity to pay-off the bonds to redeem them early at significant savings to the city, which was done. This Resolution will now formally close that area, releasing its assessed value to other taxing units and allows staff to work with the auditor to do so.

Beth Leonard Inks noted that a public hearing will be set in March 2017 to allocate funds remaining in Allocation Area No. 3 to the South Side Allocation Area No. 1 and a new appropriation to allow for the transfer of funds.

Upon a motion by Vice President Varner, seconded by Secretary Inks, the motion carried unanimously, the Commission approved a Resolution No. 3376 (Termination of SS Allocation Area No. 3) submitted on February 9, 2017.

6. Progress Reports

A. Tax Abatement

Mr. Pawlowski stated that a committee meeting is planned with the Common Council to discuss tax abatements. In 2013 the State Law that governed the schedule ended. Mr. Pawlowski wants to bring forth how it was governed and methods that may be more applicable today.

B. Common Council

C. Other

Mr. Pawlowski stated by statue the Redevelopment Commission appoints a member of The Riverfront Liquor License Board. The Board only meets when there is an application or they expand the area. Former Redevelopment Commissioner Greg Downes was our representative. He asked for a volunteer or nominations to fill the position. Gavin Ferlic stated he is already on the Board for the Common Council. John Anella volunteered and was unanimously approved by the Commission.

South Bend Redevelopment Commission Regular Meeting – February 9, 2017

7. Next Commission Meeting:

Thursday, February 23, 2017, 9:30 a.m.

8. Adjournment

Thursday, February 9, 2017, 10:04 a.m.

Aaron Kobb, Director of Economic Resources

Marcia I. Jones, President

ITEM: 3A

Claims submitted

Explanation of Project

REDEVELOPMENT COMMISSION

Redevelopment Commission Claims February 23, 2017 for approval

324 RIVER WEST DEVELOPMENT AREA GLC

324 RIVER WEST DEVELOT WENT AREA		
GLC	48,922.65	January Base Rent
Lincoln Electric	4,057.32	Equipment Purchase for Nello
Hull & Associates Inc.	8,402.77	General Consultant/Groundwater & Monitoring at Oliver Industrial PK
ACM Engineering & Environmental	248.00	325 S Frances Suspect Asbestos
At&t	13,086.53	Monroe St West of Lafayette Blvd. Relocate Buried Cables
Abonmarche	10,500.00	Howard and Seitz Parks
Weaver Consultants Group	2,800.00	Indoor Air Sampling & Testing Curtis Product Building
IDEM	112.50	Profession Services
Weaver Consultants Group	149.00	Ivy Tower
Area Plan Commission	505.00	Rezoning Martins/Ignition Park
City of South Bend	100.00	Rezoning Martins/Ignition Park
Engineering	75.00	Rezoning Martins/Ignition Park

435 FUND DOUGLAS ROAD DEVELOPMENT AREA TIF

Major Moves 150,000.00 Douglas Rd

Total 238,958.77



Memorandum

February 23, 2017

TO:

South Bend Redevelopment Commission

FROM:

David Relos, Economic Resources

SUBJECT:

Resolution No. 3377

722 - 724 S. Michigan St. Disposition Offering Price

Attached is Resolution No. 3377, which sets the disposition offering price for two vacant lots at 722 – 724 S. Michigan St.

The proposed fair market value of the property, as derived by two independent appraisals, is found in "Exhibit A" in the attached resolution.

Staff requests approval of Resolution No. 3377.

INTERNAL USE ON	LY: Project Code	·
Total Amount new	in budget:0	; broken down by:
Acct #none		
Going to BPW for C	ontracting? No	Is this item ready to encumber now? No
Existing PO#	Inc/Dec	2\$



RESOLUTION NO. 3377

RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION ESTABLISHING THE OFFERING PRICE OF PROPERTY IN THE RIVER WEST DEVELOPMENT AREA

WHEREAS, the South Bend Redevelopment Commission (the "Commission"), the governing body of the City of South Bend, Department of Redevelopment, exists and operates pursuant to I.C. 36-7-14 (the "Act"); and

WHEREAS, the Commission may dispose of real property in accordance with Section 22 of the Act; and

WHEREAS, the real property identified at <u>Exhibit A</u> attached hereto and incorporated herein has been appraised by two qualified, independent, professional real estate appraisers and a written and signed copy of their appraisals is contained in the Commission's files; and

WHEREAS, each such appraisal has been reviewed by a qualified Redevelopment staff person, and no corrections, revisions, or additions were requested by such reviewer.

NOW, THEREFORE, BE IT RESOLVED by the Commission, pursuant to Section 22 of the Act, that based upon such appraisals, the offering price of the property described at Exhibit A is hereby established as stated therein, which amount is not less than the average of the two appraisals, and all documentation related to such determination is contained in the Commission's files.

ADOPTED at a meeting of the South Bend Redevelopment Commission held on February 23, 2017, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

SOUTH BEND REDEVELOPMENT

	COMMISSION
ATTEST:	Marcia I. Jones, President
Donald E. Inks, Secretary	_

EXHIBIT A TO RESOLUTION NO. 3377

Property	Size	Minimum Offering Price	Proposed Use
722 - 724 S. Michigan St.	.37 acre +/-	\$29,500	Commercial projects that are permitted within the Mixed Use zoning designation. Strong emphasis will be placed during the review process on compatibility with the goals and objectives of the River West Development Area; the redevelopment efforts of the Central Business and Renaissance Districts; and the surrounding businesses and neighborhood.



Memorandum

February 23, 2017

TO:

Redevelopment Commission

FROM:

David Relos, Economic Resources

SUBJECT: Approval of Bid Specifications and Design Considerations

722 - 724 S. Michigan St

Attached are the Bid Specifications and Design Considerations for the disposition of two vacant lots at 722 - 724 S. Michigan St.

The Bid Specifications outline the uses and development requirements that will be considered for this site.

Staff requests approval of the Bid Specifications and Design Considerations for the eventual disposition of this property.

INTERNAL USE ONLY: Project Code	e:
Total Amount new in budget:0	; broken down by:
Acct #none	
Going to BPW for Contracting? No	Is this item ready to encumber now? No
Existing PO#Inc/De	ec \$



Bid Specifications & Design Considerations

Sale of Redevelopment Owned Property 722 - 724 S. Michigan St. River West Development Area

- 1. All of the provisions of I.C. 36-7-14-22 will apply to the bidding process.
- 2. All offers must meet the minimum price listed on the Offering Sheet.
- 3. Proposals for redevelopment are required to be for projects that are permitted within the Mixed Use zoning designation. All proposals must conform to the existing zoning provisions as outlined in the South Bend Zoning Ordinance Title 21 of the City of South Bend Municipal Code.
- 4. Proposals for the reuse of the property must include a basic reuse plan for the site and a project timeline detailing aspects of the site redevelopment and site improvements. During the review process, emphasis will be placed on compatibility with the goals and objectives of the surrounding businesses and neighborhood; the Development Plan for the River West Development Area, and the redevelopment efforts of the Central Business and Renaissance Districts.
- 5. Bidders are prohibited from the use of the property for speculation or land-holding purposes.
- 6. All other provisions of the River West Development Area Development Plan must be met.



Memorandum

February 23, 2017

TO:

South Bend Redevelopment Commission

FROM:

David Relos, Economic Resources

SUBJECT:

Request to Advertise

722 – 724 S. Michigan St. Disposition

Attached is the Notice of Intended Disposition of Property (Notice) for two vacant lots at 722 – 724 S. Michigan St., in the River West Development Area.

This Notice will be advertised in both the <u>South Bend Tribune</u> and the <u>Tri-County News</u> on March 3 and March 10, 2017.

Staff requests approval of this Notice and the Request to Advertise, for the eventual disposition of this property.

INTERNAL USE ONLY: Project Cod	e:
Total Amount new in budget:0	; broken down by:
Acct # _408-1050-460-39.89	
Going to BPW for Contracting? No	Is this item ready to encumber now? No
Existing PO#Inc/De	ec \$



Notice of Intended Disposition of Property

RIVER WEST DEVELOPMENT AREA 722 - 724 S. Michigan St. South Bend, Indiana

Notice is hereby given that the Redevelopment Commission of the City of South Bend, Indiana, will receive sealed offers for the purchase of certain property situated in the River West Development Area until 9:00 a.m. (local time) on the 23rd day of March 2017 in the Office of the Department of Redevelopment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana, 46601. All offers will be publicly opened and read aloud at 9:30 a.m. (local time) on the 23rd day of March 2017 at the Regular Meeting of the Redevelopment Commission to be held that date and time in Room 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601, or in the event of cancellation or rescheduling, at the Redevelopment Commission's subsequent regular meeting or rescheduled regular meeting held at a time and place given by public notice. Bid proposals for the purchase of the property offered will be considered.

The property being offered is located at 722 - 724 S. Michigan St., in the River West Development Area, South Bend, Indiana. Any proposal submitted must be for the entire site. The required re-use of the property is for projects that are permitted within the Mixed Use zoning designation. Strong emphasis will be placed during the review process on compatibility with the River West Development Area; the redevelopment efforts of the Central Business and Renaissance Districts; and the surrounding businesses and neighborhood.

A packet containing bid forms, the Offering Sheet and other pertinent information may be picked up at the Department of Community Investment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601.

The Commission reserves the right to reject any and all bids, and to make the award to the highest and best bidder. In determining the best bid, the Commission will take into consideration the following:

- 1. The use of the improvements proposed to be made by each bidder on the property, and their compatibility with the proposed re-use as described in the Offering Sheet
- 2. Each bidder's ability to improve the property with reasonable promptness
- 3. Each bidder's proposed purchase price
- 4. Any factors which will assure the Commission that the sale, if made, will further the carrying out of the Development Plan for the River West Development Area and will best serve the interest of the community from the standpoint of human and economic welfare
- 5. The ability of each bidder to finance the proposed improvements to the property with reasonable promptness

The Commission further reserves the right to waive any formalities in bidding which are not mandatory requirements.

A bid submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each:

- (A) beneficiary of the trust; and
- (B) settlor empowered to revoke or modify the trust.

To secure the execution of the disposition agreement, the purchase of the property and the redevelopment thereof in accordance with the agreement, the bidder must submit with the proposal a faithful performance guaranty, in the sum of ten percent (10%) of the amount offered for the purchase of the property. The guaranty sum may be in the form of a certified check, a cashier's check, surety bond, letter of credit from a bank or trust company as approved by the Redevelopment Commission, or by other sufficient security, but the form, substance and terms of the performance guaranty must be approved as satisfactory by the Redevelopment Commission. The performance guaranty, if by certified check, shall be deposited in any account of the Department of Redevelopment, City of South Bend, in a bank or trust company selected by the Redevelopment Commission.

CITY OF SOUTH BEND, INDIANA DEPARTMENT OF COMMUNITY INVESTMENT Brian Pawlowski, Acting Executive Director Publish Dates: March 3 and March 10, 2017

RESOLUTION NO. 3382

A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION ACCEPTING THE TRANSFER OF REAL PROPERTY FROM THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND

WHEREAS, the South Bend Redevelopment Commission, the governing body of the City of South Bend, Indiana, Department of Redevelopment (the "Commission"), exists and operates pursuant to Ind. Code 36-7-14 (the "Act"); and

WHEREAS, the City of South Bend, Indiana, Board of Public Works (the "Board") has custody of real property owned by the City of South Bend, Indiana (the "City") pursuant to Ind. Code 36-9-6-3; and

WHEREAS, the Board holds certain real property located in the City, comprised of storefront units situated within the Leighton Parking Garage building, commonly known as the Michigan Street Shops (the "Property"); and

WHEREAS, the Board desires to convey the Property to the Commission pursuant to Ind. Code 36-1-11-8 for the purpose of making the Property available for re-use and redevelopment in accordance with the Commission's purposes and powers under the Act; and

WHEREAS, the Board adopted its Resolution No. 05-2017 on February 14, 2017, approving the conveyance of the Property to the Commission following the final approval and recordation of the proposed subdivision plat accomplishing the subdivision of the Property and the Leighton Parking Garage building of which the Property is a part; and

WHEREAS, upon the execution and delivery of a deed conveying the Property to the Commission, the Commission desires to accept the Property from the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH BEND REDEVELOPMENT COMMISSION AS FOLLOWS:

- 1. The Commission approves and accepts the Board's conveyance of the Property to the Commission.
- 2. The Commission authorizes David Relos of the City's Department of Community Investment to accept and present for recordation in the Office of the Recorder of St. Joseph County any deed for the Property received from the Board.
 - 3. This Resolution will be in full force and effect upon its adoption.

[Signature page follows.]

ADOPTED at a meeting of the South Bend Redevelopment Commission held on February 23, 2017, at 227 West Jefferson Boulevard, Room 1308, South Bend, Indiana 46601.

SOUTH BEND REDEVELOPMENT COMMISSION	Γ
Marcia I. Jones, President	
ATTEST:	
Donald E. Inks, Secretary	
4000.0000038 70106348.001	



Memorandum

February 23, 2017

TO: South Bend Redevelopment Commission

FROM: David Relos, Economic Resources

SUBJECT: Resolution No. 3383

117 – 131 S. Michigan St. Disposition Offering Price

Attached is Resolution No. 3383, which sets the disposition offering price for 117 – 131 S. Michigan St., commonly known as the Michigan St. retail spaces.

The proposed fair market value of the property, as derived by two independent appraisals, is found in "Exhibit A" in the attached resolution.

Staff requests approval of Resolution No. 3383.

INTERNAL USE ONLY:	Project Code	:no encumbra	nce item
Total Amount new/cha	ange (inc/dec) in budget:	; broken down by:
Acct #			
Going to BPW for Cont	racting? No	Is this item read	dy to encumber now? No
Existing PO#	Inc/Ded	\$	<u></u>



RESOLUTION NO. 3383

RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION ESTABLISHING THE OFFERING PRICE OF PROPERTY IN THE RIVER WEST DEVELOPMENT AREA

WHEREAS, the South Bend Redevelopment Commission (the "Commission"), the governing body of the City of South Bend, Department of Redevelopment, exists and operates pursuant to I.C. 36-7-14 (the "Act"); and

WHEREAS, the Commission may dispose of real property in accordance with Section 22 of the Act; and

WHEREAS, the real property identified at <u>Exhibit A</u> attached hereto and incorporated herein has been appraised by two qualified, independent, professional real estate appraisers and a written and signed copy of their appraisals is contained in the Commission's files; and

WHEREAS, each such appraisal has been reviewed by a qualified Redevelopment staff person, and no corrections, revisions, or additions were requested by such reviewer.

NOW, THEREFORE, BE IT RESOLVED by the Commission, pursuant to Section 22 of the Act, that based upon such appraisals, the offering price of the property described at Exhibit A is hereby established as stated therein, which amount is not less than the average of the two appraisals, and all documentation related to such determination is contained in the Commission's files.

ADOPTED at a meeting of the South Bend Redevelopment Commission held on February 23, 2017, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

	SOUTH BEND REDEVELOPMENT COMMISSION
ATTEST:	Marcia I. Jones, President
Donald E. Inks, Secretary	-

EXHIBIT A TO RESOLUTION NO. 3383

Property	Size	Minimum Offering Price	Proposed Use
117 – 131 S. Michigan St. Lots 2 – 9 of the Leighton Plaza First Minor Subdivision	8 parcels ranging in size from 1,172 SF to 2,082 SF +/-	\$867,000	Commercial projects that are permitted within the Central Business District zoning designation. Strong emphasis will be placed during the review process on compatibility with the goals and objectives of the River West Development Area; the redevelopment efforts of the Central Business District; the surrounding businesses and neighborhood; and the current leases in place.



Memorandum

February 23, 2017

TO: Redevelopment Commission

FROM: David Relos, Economic Resources

SUBJECT: Approval of Bid Specifications and Design Considerations

117 – 131 S. Michigan Street

Attached are the Bid Specifications and Design Considerations for the disposition of 117 – 131 S. Michigan St.

The Bid Specifications outline the uses and development requirements that will be considered for this site.

Staff requests approval of the Bid Specifications and Design Considerations for the eventual disposition of this property.

INTERNAL USE OF	NLY: Project Code	:no encumb	rance item_	
Total Amount new	//change (inc/dec) in budget:		_; broken down by
Acct #				
Going to BPW for	Contracting? No	Is this item re	eady to encu	ımber now? No
Existing PO#	Inc/Dec	c \$		



Bid Specifications & Design Considerations

Sale of Redevelopment Owned Property 117 – 131 S. Michigan St. River West Development Area

- 1. All of the provisions of I.C. 36-7-14-22 will apply to the bidding process.
- 2. All offers must meet the minimum price listed on the Offering Sheet.
- 3. Proposals for redevelopment are required to be for projects that are permitted within the Central Business District zoning designation. All proposals must conform to the existing zoning provisions as outlined in the South Bend Zoning Ordinance Title 21 of the City of South Bend Municipal Code.
- 4. Proposals for the reuse of the property must include a basic reuse plan for the site and a project timeline detailing aspects of the site redevelopment and site improvements. During the review process, emphasis will be placed on compatibility with the goals and objectives of the surrounding businesses and neighborhood; the current leases in place; the Development Plan for the River West Development Area, and the redevelopment efforts of the Central Business District.
- 5. Bidders are prohibited from the use of the property for speculation or land-holding purposes.
- 6. All other provisions of the River West Development Area Development Plan must be met.



Memorandum

February 23, 2017

TO:

South Bend Redevelopment Commission

FROM:

David Relos, Economic Resources

SUBJECT:

Request to Advertise

117 – 131 S. Michigan Street Disposition

Attached is the Notice of Intended Disposition of Property (Notice) for 117 – 131 S. Michigan St., in the River West Development Area.

This Notice will be advertised in both the <u>South Bend Tribune</u> and the <u>Tri-County News</u> on March 3 and March 10, 2017.

Staff requests approval of this Notice and the Request to Advertise, for the eventual disposition of this property.

INTERNAL USE ONL'	Y: Project Code:_		_
Total Amount new/c	hange (inc/dec) i	n budget:	; broken down by
Acct # 408-1050-4	60-39.89 for adve	ertising fees	
Going to BPW for Co	ntracting? No Is	s this item ready to	encumber now? No
Existing PO#	Inc/Dec \$	5	



Notice of Intended Disposition of Property

RIVER WEST DEVELOPMENT AREA 117 – 131 S. Michigan St. South Bend, Indiana

Notice is hereby given that the Redevelopment Commission of the City of South Bend, Indiana, will receive sealed offers for the purchase of certain property situated in the River West Development Area until 9:00 a.m. (local time) on the 23rd day of March 2017 in the Office of the Department of Redevelopment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana, 46601. All offers will be publicly opened and read aloud at 9:30 a.m. (local time) on the 23rd day of March 2017 at the Regular Meeting of the Redevelopment Commission to be held that date and time in Room 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601, or in the event of cancellation or rescheduling, at the Redevelopment Commission's subsequent regular meeting or rescheduled regular meeting held at a time and place given by public notice. Bid proposals for the purchase of the property offered will be considered.

The property being offered is 117 – 131 S. Michigan St., in the River West Development Area, South Bend, Indiana. Any proposal submitted must be for the entire site. The required re-use of the property is for projects that are permitted within the Central Business District zoning designation. Strong emphasis will be placed during the review process on compatibility with the River West Development Area; the redevelopment efforts of the Central Business District; the surrounding businesses and neighborhood; and the current leases in place.

A packet containing bid forms, the Offering Sheet and other pertinent information may be picked up at the Department of Community Investment, 1400 S. County-City Building, 227 West Jefferson Boulevard, South Bend, IN 46601.

The Commission reserves the right to reject any and all bids, and to make the award to the highest and best bidder. In determining the best bid, the Commission will take into consideration the following:

- 1. The use of the improvements proposed to be made by each bidder on the property, and their compatibility with the proposed re-use as described in the Offering Sheet
- 2. Each bidder's ability to improve the property with reasonable promptness
- 3. Each bidder's proposed purchase price
- 4. Any factors which will assure the Commission that the sale, if made, will further the carrying out of the Development Plan for the River West Development Area and will best serve the interest of the community from the standpoint of human and economic welfare
- 5. The ability of each bidder to finance the proposed improvements to the property with reasonable promptness

The Commission further reserves the right to waive any formalities in bidding which are not mandatory requirements.

A bid submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each:

- (A) beneficiary of the trust; and
- (B) settlor empowered to revoke or modify the trust.

To secure the execution of the disposition agreement, the purchase of the property and the redevelopment thereof in accordance with the agreement, the bidder must submit with the proposal a faithful performance guaranty, in the sum of ten percent (10%) of the amount offered for the purchase of the property. The guaranty sum may be in the form of a certified check, a cashier's check, surety bond, letter of credit from a bank or trust company as approved by the Redevelopment Commission, or by other sufficient security, but the form, substance and terms of the performance guaranty must be approved as satisfactory by the Redevelopment Commission. The performance guaranty, if by certified check, shall be deposited in any account of the Department of Redevelopment, City of South Bend, in a bank or trust company selected by the Redevelopment Commission.

CITY OF SOUTH BEND, INDIANA DEPARTMENT OF COMMUNITY INVESTMENT Brian Pawlowski, Acting Executive Director Publish Dates: March 3 and March 10, 2017



Redevelopment Commission Agenda Item

DATE:

February 23, 2017

FROM:

David Relos, Economic Resources

SUBJECT:

AEP Utility Easement - Ignition Park South

As part of preparing Ignition Park South as a developable site, streets and alleys have been vacated and utilities throughout the site are being cleared to its perimeter. Currently AEP has a redundant feed to Ignition Park that is on the west side of Scott St. and needs to be relocated to the east side. Once the AEP work is completed AT&T can them come in and remove their lines on these shared poles, which should complete the utility removal in this ~ 12 acre site.

Staff requests approval of this AEP utility easement, allowing them to move their Ignition Park feed from the west side of Scott to the east side of Scott.

INTERNAL USE ONLY	: Project Code:	
Total Amount new in	budget:0	; broken down by:
Acct #none		
Going to BPW for Cor	ntracting? No Is this	item ready to encumber now? N
Existing PO#	Inc/Dec \$	



EASEMENT & RIGHT OF WAY

Parcel ID No. 018-8026-1035 (71-08-14-255-008.000-026) 018-8026-1054 (71-08-14-278-001.000-026), 018-8026-1055 (71-08-14-278-002.000-026) 018-8026-1058 (71-08-14-278-003.000-026) & 018-8026-1059 (71-08-14-278-004.000-026) Easement No. IN161094 Map No. 575

THIS INDENTURE, made by and between THE DEPARTMENT OF REDEVELOPMENT OF THE CITY OF SOUTH BEND, for the use and benefit of the DEPARTMENT OF REDEVELOPMENT, by and through its governing body, the South Bend Redevelopment Commission, 1400 S. County-City Building, 227 W. Jefferson Boulevard, South Bend, Indiana 46601, (hereinafter referred to as "GRANTOR"), and INDIANA MICHIGAN POWER COMPANY, an Indiana Corporation, whose post office address is P.O. Box 60, One Summit Square, Fort Wayne, Indiana 46801 ("GRANTEE").

WITNESSETH, that for One (\$1.00) Dollar and other good and valuable consideration in hand paid, the receipt and sufficiency of which Grantor hereby acknowledges, Grantor does hereby grant and convey to Grantee an THIRTY (30') FOOT WIDE EASEMENT AND RIGHT-OF-WAY (see Exhibit "A" attached hereto for the specific dimensions and location identification) for the construction, operation, use, maintenance, repair, renewal, and removal of a line or lines of overhead and underground facilities and equipment for the transmission of electrical energy and for communication purposes, including the right to permit attachments of others to said facilities, in, on, along, under, over, across, and through the said easement, which easement is located on the following described REAL ESTATE, to-wit:

A parcel of land located in the Northeast Quarter of Section 14, Township 37 North, Range 2 East, Portage Township, St. Joseph County, Indiana, and more particularly described as follows:

Lot 1 of RAFF'S THIRD ADDITION as recorded in Plat Book 9, Page 29, in the Office of the Recorder of St. Joseph County, Indiana. <u>AND</u> Lots 28 and 29 of STULL'S FOURTH ADDITION as recorded in Plat Book 8, Page 180, in the Office of the Recorder of St. Joseph County, Indiana.

Being the same (or a part of the same) property conveyed to THE DEPARTMENT OF REDEVELOPMENT OF THE CITY OF SOUTH BEND, for the use and benefit of the DEPARTMENT OF REDEVELOPMENT, by and through its governing body, the South Bend Redevelopment Commission, 1400 S. County-City Building, 227 W. Jefferson Boulevard, South Bend, Indiana, by Quit Claim Deed recorded as Document Record 1512713 on May 27, 2015, in the Office of the Recorder of St. Joseph County, Indiana.

TOGETHER with the right of ingress and egress to, from, and over said premises, and also the right to cut, trim, and/or remove any trees or bushes which may endanger the safety or interfere with the construction, maintenance, or use of said facilities.

GRANTEE shall promptly repair or replace all physical damage on the premises proximately caused by the construction, operation, and maintenance of Grantee's facilities.

GRANTOR warrants that no structure or building shall be erected upon said easement.

AFTER the completion of said system, the Grantor reserves the full use of the land which is not inconsistent with the existence and maintenance of said facilities but does agree not to change elevation or grade within the area of said easement without the written prior consent of Grantee.

IT IS AGREED that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions and shall be binding on their respective representatives, heirs, successors, and assigns.

THE UNDERSIGNED PERSON executing this document on behalf of Grantor represents and certifies that he is duly authorized and has been fully empowered by the Grantor to execute and deliver this document; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, the Grantor has hereunto set his/her hand and seal.

DEPARTMENT OF REDEVEOPMENT OF THE CITY OF SOUTH BEND, by and through its governing body:

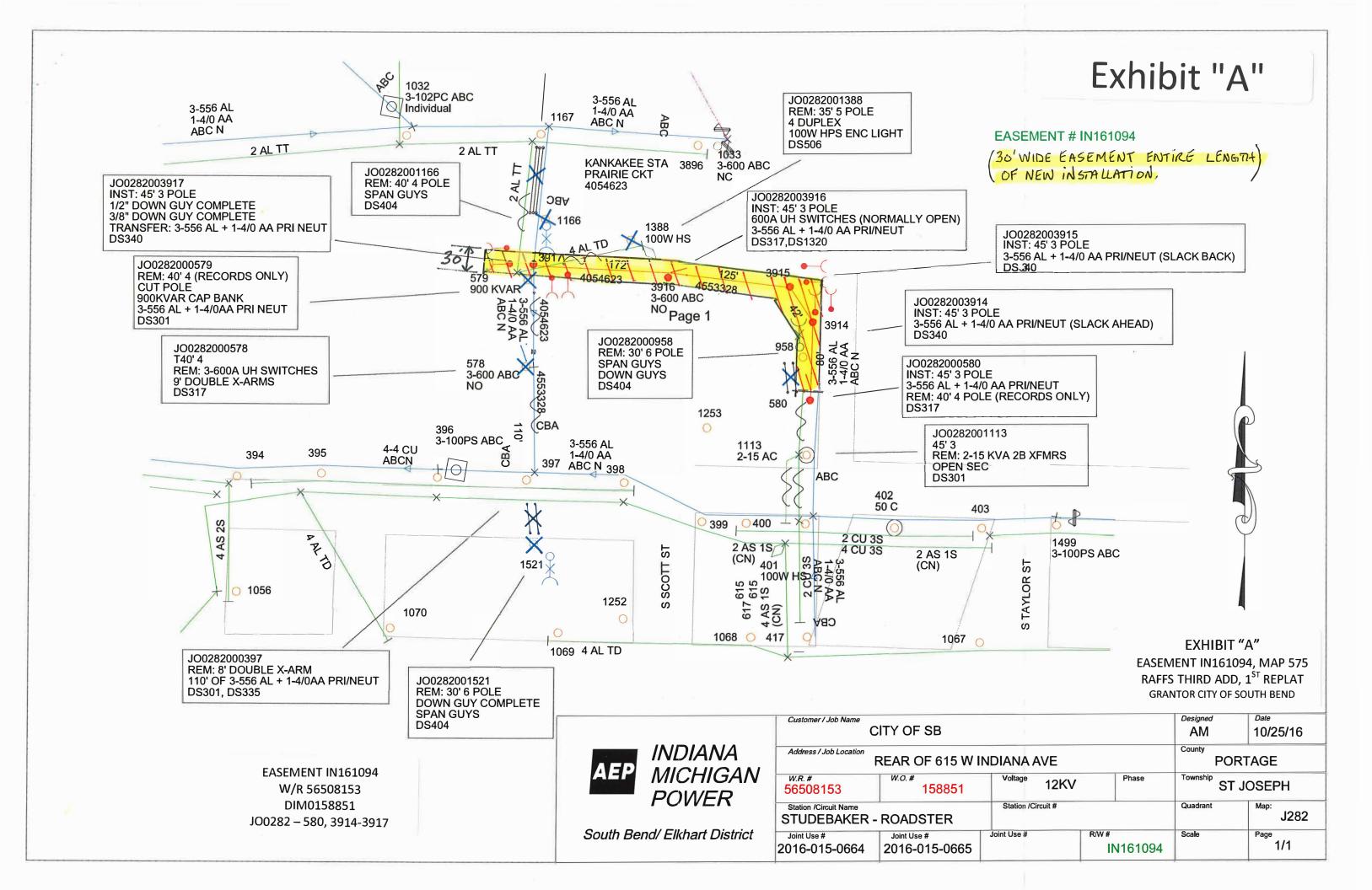
THE SOUTH BEND REDEVELOPMENT COMMISSION

DATED:	By:
	, its
	(Please print your name and title on this line exactly as it appears above.)
	ATTEST:
DATED:	Ву:
	(Please print your name and title on this line exactly as it appears above.)
	ATTEST:
DATED:	By:
	its
	(Please print your name and title on this line exactly as it appears above.)

)		
COUNTY OF) SS.)		
	Before me, a Nota	ry Public in and for said County	and State, on	, 20, personally
appeared	th	e	, and	
	the	, and	the	, of THE CITY
OF SOUTH BE	END, INDIANA, acting	by and through its Board of Pub	lic Works, and acknowledged	d execution of the foregoing
document for a	and on behalf of said 0	Grantor, and who, having been d	uly sworn, stated that the rep	resentations therein contained
are true.			•	
	WITNESS my han	d and Notarial Seal.		
	(SEAL)	Notai	y Public,	
	, ,			

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Sylvia M. Durham

Prepared by: Sylvia M. Durham, Right of Way Agent, AEP – Indiana Michigan Power Company, 2929 W. Lathrop, South Bend, IN 46628 574.283.1870





Memorandum

February 21, 2017

TO:

Redevelopment Commission

FROM:

Jitin Kain, Public Works

SUBJECT:

Budget for Public Works Infrastructure Projects

In working with Redevelopment staff, Public Works has identified a list of improvement projects that will enhance access and create a more positive environment for business development and expansion. The improvement projects are:

- 1. Downtown Cross Streets Streetscape
- 2. Leighton Plaza Improvements
- 3. Intersection Improvements at Sample & Sheridan
- 4. Olive Street Metronet Conduit
- 5. Tucker Drive

The budget funds will be utilized for project engineering and implementation, including construction inspection. Staff requests approval of \$2.5 Million from the RWDA for the above projects.

NTERNAL USE OF	NLY: Project Code:			
Total Amount new/	change (inc/dec) in bu	udget:	; broken down by:	
Acct #	Amt:	; Acct #	Amt:	;
Acct #	Amt:	; Acct #	Amt:	;
Going to BPW for C	ontracting? Y/N Is t	his item ready to enc	umber now?	
visting PO#	Inc/Dec \$			



THIRD AMENDMENT TO REAL ESTATE PURCHASE AGREEMENT

This Third Amendment To Real Estate Purchase Agreement (this "Third Amendment") is made on February 23, 2017 (the "Effective Date"), by and between the South Bend Redevelopment Commission, the governing body of the City of South Bend Department of Redevelopment ("Seller"), and Heading for Home LLC, a Delaware limited liability company with its principal place of business at 501 W. South St., South Bend, Indiana 46601 ("Buyer") (each a "Party," and collectively the "Parties").

RECITALS

- A. Seller and Buyer entered into that certain Real Estate Purchase Agreement dated August 25, 2016, as amended by the First Amendment To Real Estate Purchase Agreement dated October 27, 2016, and as further amended by the Second Amendment To Real Estate Purchase Agreement dated December 15, 2016 (collectively, the "Purchase Agreement"), for the purchase and sale of the Property located in the City of South Bend.
- B. Buyer continues its examination of the Property pursuant to Section 3 of the Purchase Agreement and has requested an extension of the Due Diligence Period to facilitate its continuing environmental review of the Property.
 - C. Seller desires to grant the requested extension as stated in this Third Amendment.
- NOW, THEREFORE, in consideration of the mutual promises and obligations in this Third Amendment and the Purchase Agreement, the adequacy of which consideration is hereby acknowledged, the Parties agree as follows:
- 1. In Section 3.B. of the Purchase Agreement, the term "one hundred eighty (180)" is deleted and replaced by the term "two hundred ten (210)."
- 2. Unless expressly modified by this Third Amendment, the terms and provisions of the Purchase Agreement remain in full force and effect.
- 3. Capitalized terms used in this Third Amendment will have the meanings set forth in the Purchase Agreement unless otherwise stated herein.

[Signature page follows.]

IN WITNESS WHEREOF, the Parties hereby execute this Third Amendment To Real Estate Purchase Agreement to be effective on the Effective Date stated above.

BUYER:	
Heading for Home LLC, a Delaware limited liability company	
Printed: Andrew Berlin Its: Manager	
SELLER:	
City of South Bend, Department of Redevelo by and through its governing body, the South Redevelopment Commission	-
Marcia I. Jones, President	
ATTEST:	
Donald E. Inks, Secretary	

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ITEM: 5C1



Redevelopment Commission Agenda Item

DATE:	February 23, 2017

FROM: Beth Leonard Inks

SUBJECT: Resolution #3378 Setting March 23, 2017 Public Hearing for Additional 2017 TIF

Appropriations

PURPOSE OF REQUEST:

Attached is a resolution setting the public hearing on additional appropriations for 2017 TIF funds. The public hearing will be on March 23, 2017.

I would be happy to answer any questions you may have on this matter.

INTERNAL USE ONL	Y: Project Code: N/	'A		
Total Amount new/	change (inc/dec) in	budget:	; broken down by:	
Acct #	Amt:	; Acct #	Amt:	;
Acct #	Amt:	; Acct #	Amt:	
Going to BPW for C	ontracting? Y/N Is	s this item ready to	encumber now?	
Existing PO#	Inc/Dec \$	-		



RESOLUTION NO. 3378

A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION SETTING A PUBLIC HEARING ON THE ADDITIONAL APPROPRIATION OF TAX INCREMENT

FINANCING REVENUES FROM VARIOUS ALLOCATION AREAS FOR THE PAYMENT OF CERTAIN OBLIGATIONS AND EXPENSES RELATED TO THEIR RESPECTIVE ALLOCATION AREAS AND OTHER RELATED MATTERS

WHEREAS, the South Bend Redevelopment Commission (the Commission"), the governing body of the Department of Redevelopment of the City of South Bend, Indiana (the "City") and the City of South Bend, Indiana, Redevelopment District (the "District"), exists and operates under the provisions of Indiana Code § 36-7-17, as amended (the "Act"); and

WHEREAS, the Commission, from time to time, has declared, confirmed and established allocation areas for areas needing redevelopment and economic development areas within the District for purposes of tax increment financing pursuant to the Act; and

WHEREAS, the Commission has further created allocation area funds for the purpose of receiving tax increment financing revenues received from the allocation areas; and

WHEREAS, there have been presented to the Commission Resolutions No. 3379 through 3380 appropriating the funds from various allocations areas of the District (collectively, the "Resolutions"): and

WHEREAS, the Commission desires to appropriate the allocation area funds to pay certain expenses incurred by it or the City for local public improvements that are in or serving their respective allocation areas, which appropriations are set forth in more detail in the Resolutions; and

WHEREAS, such appropriations are subject to the provisions of Indiana Code § 6-1.1-18-5; and

WHEREAS, the proposed appropriations are not for the operating expenses of the Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH BEND REDEVELOPMENT COMMISSION AS FOLLOWS:

1. The Commission desires to approve the use of additional funds of the various allocation areas, as set forth in their respective Resolutions, which allocation areas, resolutions and not-to-exceed appropriation amounts are set forth below:

Allocation Area and Fund	Resolution No.	Not-to-Exceed
River West Development Area, Allocation Area No. 1 Fund	Resolution No. 3379	\$9,000,000
South Side #3 Development Area	Resolution No. 3380	\$30,000

2. The President and Secretary of the Commission are each hereby authorized and directed to take all necessary steps to obtain approval of the expenditures of such funds pursuant to Indiana Code § 6-1.1-18-5, including the publication in accordance with Indiana Code §5-3-1 of notice of a hearing on the appropriation of such funds to be held at 9:30 a.m. on March 23, 2017 at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

	SOUTH BEND REDEVELOPMENT COMMISSION	
	Signature	
	Printed Name and Title	
ATTEST:		
Signature		
Printed Name and Title		

ITEM: 5C2

RESOLUTION NO. 3381

A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION APPOINTING ONE OF ITS MEMBERS TO THE RIVERFRONT LICENSE APPLICATION REVIEW COMMITTEE

WHEREAS, the South Bend Redevelopment Commission (the "Commission") is the governing body of the City of South Bend Department of Redevelopment (the "Department") and exists and operates under the provisions of IC 36-7-14, commonly known as the "Redevelopment of Cities and Towns Act of 1953," as amended from time to time (the "Act"); and

WHEREAS, under the authority of the Act, the Commission has adopted and declared the South Bend Central Development Area ("Area"), subsequently partitioned and realigned as parts of the River East Development Area and the River West Development Area, respectively, to be an area in need of redevelopment within the meaning of the Act; and

WHEREAS, on June 25, 2012, the South Bend Common Council passed an Ordinance establishing the boundaries of a municipal riverfront development project (the "Riverfront District"); and

WHEREAS, the Ordinance requires the Commission to develop policies and procedures concerning applications for a riverfront license pursuant to IC 7.1-3-20; and

WHEREAS, on June 28, 2012, the Commission adopted the "Local Approval Process for Downtown South Bend 221-3 Riverfront License," which established a five-person Riverfront License Application Review Committee (the "Committee"); and

WHEREAS, a member of the Commission is to be one of the members of the Committee; and

WHEREAS, during its public meeting on February 9, 2017, the Commission appointed John Anella, a Commission member serving as the Commission's nonvoting adviser, to serve on the Committee; and

WHEREAS, the Commission now desires to confirm Mr. Anella's appointment to serve on the Committee by this written Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the South Bend Redevelopment Commission as follows:

- 1. The Commission hereby appoints John Anella, a member of the South Bend Redevelopment Commission, to serve at the pleasure of the Commission as a member of the Riverfront License Application Review Committee for a term of three (3) years commencing on February 9, 2017, and until his successor is duly appointed and qualified.
 - 2. This Resolution shall be in full force and effect after its adoption by the

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ADOPTED at a regular meeting of the South Bend Redevelopment Commission held on February 23, 2017, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

	SOUTH BEND REDEVELOPMEN COMMISSION	
	Marcia I. Jones, President	
ATTEST:		
Donald E. Inks, Secretary		

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