



South Bend

Redevelopment Commission

227 West Jefferson Boulevard, Room 1308, South Bend, Indiana

SOUTH BEND REDEVELOPMENT COMMISSION REGULAR MEETING

August 10, 2017

9:30 a.m.

Presiding: Marcia Jones, President

227 West Jefferson Boulevard
South Bend, Indiana

The meeting was called to order at 9:30 a.m.

1. ROLL CALL

Members Present: Marcia Jones, President
Dave Varner, Vice President
Gavin Ferlic, Commissioner
Kintae Lark, Commissioner

Members Absent: Don Inks, Secretary
John Anella, Commissioner

Legal Counsel: Benjamin Dougherty, Esq.

Redevelopment Staff: David Relos, Associate
Mary Brazinsky, Recording Secretary

Others Present: James Mueller DCI
Elizabeth Maradik DCI
Dan Buckenmeyer DCI
Elizabeth Leonard Inks DCI
Mark Peterson WNDU
Eric Watson WNDU
Bryan Glendening IngenAE
Mark Seaman Prism
Ed Bradley Newmark Cressy
Sue Kesin

2. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of Thursday, July 27, 2017

Upon a motion by Commissioner Ferlic, seconded by Commissioner Lark, the motion carried unanimously, the Commission approved the minutes of the regular meeting of Thursday, July 27, 2017.

3. Approval of Claims

A. Claims Submitted August 10, 2017

	Claims submitted	Explanation of Project	Items added after Agenda Distributed
REDEVELOPMENT COMMISSION			
Redevelopment Commission Claims August 10, 2017 for approval			
<u>324 RIVER WEST DEVELOPMENT AREA</u>			
Jones Petrie Rafinski	20,175.01	Downtown East West Streetscapes	
Hull & Associates	9,924.72	GW Assessment & Remedy Evaluation at Ignition Pk	
IDEM	450.00	Remediation	
Abonmarche	1,250.00	Portage Prairie Area Sewer Study	
Tri County News	61.20	Marriott Hotel Site Development at HOF	
Prairie Ave Brownfield Loan		Prairie Ave Brownfield Loan	100,000.00
<u>435 FUND DOUGLAS ROAD DEVELOPMENT AREA TIF</u>			
Major Moves Fund 412	185,608.00	Douglas Rd. Project	
Total	217,468.93		

Upon a motion by Commissioner Ferlic, seconded by Commissioner Lark, the motion carried unanimously, the Commission approved the claims submitted on Thursday August 10, 2017.

4. Old Business

1. Recommendation (505-513 S. Michigan St. – Fat Daddy’s)

Mr. Relos stated that staff has a recommendation for 505 – 513 S. Michigan Street. At the last Commission meeting bids were due, with one received from Commonwealth Development Corporation. Commonwealth’s bid met the minimum offering price. Commission approval to accept the bid amount and have DCI staff and Legal proceed with a Real Estate Purchase Agreement is requested.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the recommendation for 505-513 S. Michigan Street submitted on August 10, 2017.

5. New Business

A. River West Development Area

1. Resolution No. 3398 (Conveyance of Certain Equipment to F Cubed LLC)

Mr. Relos presented Resolution No. 3398 (Conveyance of Certain Equipment to F Cubed LLC). On November 8, 2012 the Commission approved an Economic Development Memorandum of Understanding with F Cubed LLC, and on April 23, 2014 entered in to an Equipment Lease Agreement, where the Commission acquired and leased certain equipment to F Cubed, a start-up at Innovation Park.

F Cubed has entered in to a five year lease with Studebaker Building 84, within the Renaissance District. Upon meeting those two requirements, the Lease allows F Cubed an option to purchase the equipment for \$1, which they are exercising. Staff requests approval of Resolution No. 3398, which includes a Bill of Sale, conveying to F Cubed the equipment included in the Lease.

Upon a motion by Commissioner Ferlic, seconded by Vice President Varner, the motion carried unanimously, the Commission Resolution No. 3398 (Conveyance of Certain Equipment to F Cubed LLC) submitted on August 10, 2017.

2. Second Amendment to Temporary Use and Management Agreement (DTSB)

Mr. Relos presented the Second Amendment (DTSB). The Second Amendment with DTSB is to update the list of parking lots they manage and add the Board of Public Works, who will pay DTSB a monthly management fee for their services (parking enforcement, maintenance of landscaping, cleaning, safety patrols, signage, and snow and ice removal, etc.). Several of the parking lots DTSB has managed for the Commission are no longer available, with others now being added. Commission approval of this Second Amendment is requested.

Upon a motion by Commissioner Ferlic, seconded by Vice President Varner, the motion carried unanimously, the Commission approved the Second Amendment (DTSB) submitted on August 10, 2017.

3. Memorandum of Assignment and Assumption of Ground and Airspace Lease

Mr. Relos presented the Memorandum of Assignment and Assumption of Ground and Airspace Lease. This underlying 1998 Lease was for the development of the north office building in the Leighton Complex, and includes airspace rights. In an effort to consolidate the City's parking garage ownership and management, on September 15, 2016 the Commission approved the assignment to the Board of Public Works leases that were in its name related to the parking garages. Because the original Lease was recorded, the recording of this Memorandum will put on record that it was assigned to the Board of Public Works. Commission approval is requested.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the Memorandum of Assignment and Assumption of Ground and Airspace Lease submitted on August 10, 2017.

4. Memorandum of Assignment and Assumption of Ground Lease

Mr. Relos presented the Memorandum of Assignment and Assumption of Ground Lease. This underlying 1998 Lease with Memorial Hospital was for the development of the south office building in the Leighton Complex. In an effort to consolidate the City's parking garage ownership and management, on September 15, 2016 the Commission approved the assignment to the Board of Public Works leases that were in its name related to the parking garages. Because the original Lease was recorded, the recording of this Memorandum will put on record that it was assigned to the Board of Public Works. Commission approval is requested.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the Memorandum of Assignment and Assumption of Ground Lease submitted on August 10, 2017.

5. Real Estate Purchase Agreement (Leighton & Wayne St. Garage Retail Spaces)

Mr. Relos presented the Real Estate Purchase Agreement (Leighton & Wayne St. Garage Retail Spaces). This Real Estate Purchase Agreement is for the Leighton and Wayne St. garage retail spaces, which have been subdivided from their respective parking garages. In late 2016 the Wayne St. garage's retail space was taken through the disposition process, and in early 2017 the Leighton retail spaces, with no bids being received for either.

Cressy & Everett has made an offer to purchase both properties. The Agreement includes a purchase price of \$625,000, earnest money deposit of \$10,000, due diligence period of 120 days, and assumption of the current leases. The Agreement is subject to mutually agreeable forms of agreement with the Board of Public Works regarding ownership and maintenance of the garage's facades and structures, use restrictions for the Leighton spaces, and a mutually agreeable form of agreement with the Park's Board for parking spaces in the Leighton and Wayne St. garages.

Eddie Bradley with Cressy stated the momentum of downtown and their investment and ownership of the neighboring One Michiana Square building, which is 95% full, will help in their marketing efforts for these spaces.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the Real Estate Purchase Agreement (Leighton & Wayne St. Garage Retail Spaces) submitted on August 10, 2017.

B. River East Development Area

1. Agreement with Abonmarche (Seitz Park)

Ms. Maradik presented the Agreement with Abonmarche (Seitz Park). Staff requests approval of a professional services agreement with Abonmarche Consultants, Inc. in an amount not to exceed \$6,200, in order to complete a boundary survey of Seitz Park and the surrounding area. The survey will assist in the development of final plans for Seitz Park and the adjacent portion of the East Bank Trail, furthering the implementation of the Riverfront Parks & Trails Conceptual Framework.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the Agreement with Abonmarche (Seitz Park) submitted on August 10, 2017.

6. Progress Reports

A. Tax Abatement

B. Common Council

1. Vice President Varner welcomed all to the next Common Council meeting where they will be reviewing the City's budgets.

C. Other

7. Next Commission Meeting:

Thursday, August 24, 2017, 9:30 a.m.

8. Adjournment

Thursday, August 10, 2017, 9:43 a.m.



David Relos, Economic Resources

Dave Varner, Vice President