



South Bend

Redevelopment Commission

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

Agenda

Regular Meeting, March 8, 2018 9:30 a.m.

1. Roll Call

2. Approval of Minutes

A. Minutes of the Regular Meeting of Thursday, February 22, 2018

3. Approval of Claims

A. Claims Submitted March 8, 2018

4. Old Business

5. New Business

A. River West Development Area

1. Resolution No. 3429 (Disposition Offering Price 2401 W Western Avenue)
2. Approval of Bid Specifications (2401 W Western Avenue)
3. Request to Advertise (2401 W Western Avenue)
4. Budget Request (Gateway Center)
5. Resolution No. 3431 (SBCC SDC)
6. Budget Request (Chocolate Park Sewer Extension)

6. Progress Reports

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

7. Next Commission Meeting:

Thursday, March 22, 2018, 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
227 West Jefferson Boulevard, Room 1308, South Bend,
Indiana

**SOUTH BEND REDEVELOPMENT COMMISSION
REGULAR MEETING**

February 22, 2018
9:30 a.m.
Presiding: Marcia Jones, President

227 West Jefferson Boulevard
South Bend, Indiana

The meeting was called to order at 9:35 a.m.

1. ROLL CALL

Members Present:	Marcia Jones, President Don Inks, Secretary Gavin Ferlic, Commissioner	
Members Absent:	Dave Varner, Vice-President	
Legal Counsel:	Benjamin Dougherty, Esq.	
Redevelopment Staff:	David Relos, RDC Staff Mary Brazinsky, Board Secretary	
Others Present:	James Mueller Dan Buckenmeyer Tim Corcoran Andrew Netter Austin Gammage Elizabeth Leonard Inks Kyle Silveus Caleb Bauer Mark Peterson Eric Watson Charles Hayes Tom Panzica Lisa DeBerry Eric Henderson	DCI DCI DCI DCI DCI DCI Engineering South Bend Tribune WNDU WNDU Five Corners LLC Panzica Building Corp. Prism Environmental

2. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of Thursday, February 8, 2018

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, February 8, 2018.

3. Approval of Claims

A. Claims Submitted February 22, 2018

	Claims submitted	Explanation of Project	Items added after Agenda Distributed
<u>REDEVELOPMENT COMMISSION</u> Redevelopment Commission Claims February 22, 2018 for approval			
<u>324 RIVER WEST DEVELOPMENT AREA</u>			
Plews Shadley Racher & Braun LLP	1,250.50	Environmental - General	
Selge Construction Co, Inc.	143,522.83	Western Ave & Olive	
Kolata Enterprises LLC	540.00	Professional Service	
Hull & Associates Inc.	4,671.97	GW & Vapor Intrusion Evaluation	
Walsh & Kelly Inc.	23,151.25	Monroe St. Parking Lot / Fellows Streetscape	
Aecom	30,123.01	South Shore Line Station Alternatives Feasibility Study	
Joseph A Dzierla & Associates, Inc.	9,500.00	Ziker Bldg.	
<u>422 FUND WEST WASHINGTON DEVELOPMENT TIF</u>			
Robert Tharbs		Rent Assist-Colfax	23,289.42
<u>429 FUND RIVER EAST DEVELOPMENT TIF</u>			
Lawson-Fisher Associates	7,377.73	Corby St. Storms Sewer System Evaluation	
Total	220,137.29		23,289.42
Total Of Both Columns	243,426.71		

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the claims submitted on Thursday, February 22, 2018.

4. Old Business

5. New Business

A. River West Development Area

1. Design Consulting Reimbursement Agreement (SJCPL)

Mr. Corcoran presented the Design Consulting Reimbursement Agreement with the SJCPL. This is a partnership with the St. Joseph County Library and the Community Foundation of St. Joseph County to develop a master plan for the downtown Library block. The master plan will illustrate how and where the library could expand in the future while developing a vision for the remainder of the block.

Through a joint selection committee that included the Library, Community Foundation and City representatives, the highly distinguished New York firm, RAMSA (Robert A.M. Stern & Associates) was chosen from a pool of four top tier urban design and architecture firms. Today is the site visit with RAMSA. This is a very busy block within South Bend. Total contract amount is \$200,000. Mr. Corcoran states that they will be looking at the broader scheme of how the library can be utilized in the future and the library block as a whole. Commission approval in the amount of \$25,000 is requested.

Mr. Dougherty stated there are two minor adjustments to the Agreement. One is the date has been updated to reflect today's date, and secondly in Recital D a minor typo has been corrected.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved the Design Consulting Reimbursement Agreement (SJCPL) submitted on February 22, 2018.

2. Resolution No. 3428 (Accepting 115 S. Lafayette from BPW)

Mr. Relos presented Resolution No. 3428, which accepts 115 S. Lafayette from the Board of Public Works. This is the Lafayette Building across the street from the County City Building. This week the Board of Public Works received the recorded tax deed. This is the matching Resolution between two municipal entities. This Resolution accepts the property subject to the Board of Public Works approval on February 27th.

Mr. Relos stated in October 2017 the Commission approved a budget of \$1.5 million to stabilize the building. There is a contract through Code Enforcement for a new roof to secure the building. There is asbestos, mold, and pigeon excrement that needs removal on the interior. Kil Architects did a study stating the building would need some tuck pointing and various other renovations, depending on its final use.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved Resolution No. 3428 (Accepting 115 S. Lafayette from BPW) submitted on February 22, 2018.

3. First Amendment to Real Estate Option Agreement (former Studebaker Museum Property & Cove Lot #4)

Mr. Relos presented a First Amendment to the Real Estate Option Agreement on the former Studebaker Museum property & Cove Lot # 4. The Commission approved the original Real Estate Option Agreement on September 29, 2016. Per section 2 of the Agreement the option period ends March 31, 2018 but could be extended to March 31, 2019 with a \$5,000 payment and notice of any development plans by February 1, 2018. Discussions began February 8th with Heading for Home LLC regarding their option extension and on February 12th they paid the \$5,000 to extend their option for one year. Future development plans for this site will be studied once the Ivy at Berlin Place is completed.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved First Amendment to Real Estate Option Agreement (former Studebaker Museum Property & Cove Lot #4) submitted on February 22, 2018.

4. License Agreement for Temporary Parking (Hibberd Development LLC)

Mr. Relos presented a License Agreement for Temporary Parking with Hibberd Development LLC. This Agreement allows Hibberd Development to park eighteen vehicles in the recently acquired parking lot at 322 S. Lafayette. This parking lot is directly behind the Hibberd Building, and will allow construction and ultimately tenant parking for this project. The license fee is \$20 per space per month and may be terminated with a 30 day notification period.

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved License Agreement for Temporary Parking (Hibberd Development LLC) submitted on February 22, 2018.

5. Real Estate Purchase Agreement (Five Corners LLC)

Mr. Buckenmeyer presented a Real Estate Purchase Agreement with Five Corners LLC. Mr. Buckenmeyer presented a map that showed the property next to Ignition Park, bordered by Sample Street, Garst, Franklin, Lafayette. The development will be drawn out into a three phases. The City feels there is a lot of demand for 5,000, 10,000, and 15,000 square foot units. The units will be complimentary to the current buildings and designs that are currently in place within Ignition Park. The sales price for this block is \$84,000, which is the average appraised value. Private investment will be a minimum of \$3 million with the square footage of the initial building being 30,000 square feet. The second and third buildings will be half to 2/3 of that.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved Real Estate Purchase Agreement (Five Corners LLC) submitted on February 22, 2018.

6. Development Agreement (Wharf Partners LLC)

Mr. Mueller presented the Development Agreement with Wharf Partners LLC. This site is on Colfax Avenue on the east side of the river, by Seitz Park and the River Lights. There is a long history on this site. In December 2016 a Development Agreement was approved to build on this site, with a commitment of \$16 million in private investment and \$2.5 million public investment with a completion of June 1, 2018.

We now have a more complete vision with more details for the project. First there will be good faith efforts and cooperation with ND Hydro and the Parks Dept. which is all planned to occur in the next 3 to 4 years. Seitz Park and the river front trails will be reconstructed as part of My SB Parks Program.

There will also be a land conveyance; at the SE Corner of the Wharf site that the Commission owns will transfer to Wharf and in return, a part of the western Wharf property along the river that will transfer to the Parks Department so the trail system can be wider with more public access.

The Agreement contemplates \$38.5 million dollars in private investment, which is almost 2 ½ times more than the 2016 Agreement, with public investment increasing to \$5 million. New jobs are targeted at 20, with a possibility of a hotel or multi-family units. The commencement date for Phase I is April 30, 2018 with a completion 24 months later. Phase II has a commencement date of June 30, 2021 with completion of 2023. There is a provision that if the Phase I commencement is not met there will be a force sale of the property to the City. There is a 60% local labor agreement.

Tom Panzica, a member of Wharf Partners, commented this has been the most studied site in the City of South Bend. When the site was first acquired in 2011 it was a much different vision; it was scaled down, a less risky development. The market is better today and mixed use is the best use based on the market. His team thinks by delaying the project it will be a much better use of the property. They do think there is a market for upscale apartment's downtown. That will benefit the City as it is taxed differently. Depending on how Phase II goes, there may not be a Phase III as it will occupy all of the space for a mixed use. They have figured out parking with a common ramp without building the whole site as a whole underground parking garage.

Mr. Dougherty noted that the form of easement in the Development Agreement was omitted, which is a temporary easement. It will be added at a later date once its dimensions are fully known.

Upon a motion by Commissioner Ferlic, seconded by Secretary Inks, the motion carried unanimously, the Commission approved the Development Agreement (Wharf Partners LLC) submitted on February 22, 2018.

B. Other

1. Second Amendment Engineering Services Agreement

Mr. Buckenmeyer presented the Second Amendment Engineering Services Agreement. This updates the Engineering Services Agreement by amending the personnel and fees for the employees who spend their time on TIF related projects.

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the Second Amendment Engineering Services Agreement submitted on February 22, 2018.

2. First Amendment to Redevelopment Supervisory Services Agreement

Mr. Buckenmeyer presented the First Amendment to Redevelopment Supervisory Services Agreement. This updates the Redevelopment Supervisory Services Agreement by amending the staff who spend their time on TIF related projects.

Upon a motion by Secretary Inks, seconded by Commissioner Ferlic, the motion carried unanimously, the Commission approved the First Amendment to Redevelopment Supervisory Services Agreement submitted on February 22, 2018.

6. Progress Reports

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

Mr. Dougherty mentioned this is his last meeting with the Commission and thanked them for everything. He will be transitioning to a new position with the City as Deputy City Controller.

Commissioner Jones thanked Ben and said we will all be sad to see him go and miss his diligence. She stated in her opinion he has been the best City Attorney on the Commission, just phenomenal, not only in the quality of work but in his demeanor and his approach toward to the many things we throw on his plate so Thank You.

Commissioner Inks seconded Commissioner Jones' words and stated if you ever want to come back, we would gladly take you back.

Commissioner Ferlic thanked Ben for everything and he agrees with the words from everyone.

Mr. Buckenmeyer stated that in the last few weeks we have flooded Ben with work and he has done more than his due diligence staying up all hours of the night to be sure it was all done. That is the kind of work ethic we have grown to respect and we're going to miss him.

Mr. Relos recalled that Ben's first meeting was a public hearing held at the Recital Hall in Century Center when we were doing the TIF Realignment in 2014, and he thought Ben must be thinking - what am I getting myself into? It's been an absolute pleasure working with Ben, and he will be deeply missed.

7. Next Commission Meeting:

Thursday, March 8, 2018, 9:30 a.m.

8. Adjournment

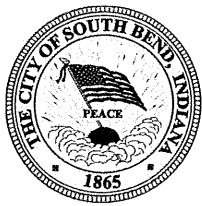
Thursday, February 22, 2018, 10:08 a.m.

David Relos, Property Development Manager

Marcia I. Jones, President

ITEM: 3A

	Claims submitted	Explanation of Project
REDEVELOPMENT COMMISSION Redevelopment Commission Claims March 8, 2018 for approval		
<u>324 RIVER WEST DEVELOPMENT AREA</u>		
HGR	96,477.51	JMS Façade Work
Gibson-Lewis, LLC	220,786.20	Fire Station #4
Abonmarche	12,200.00	Lincoln Way W and Charles Martin Sr. Intersection
DLZ	5,215.00	Sample-Sheridan Signs
DLZ	6,680.00	Tucker Drive
United Consulting	2,435.01	Coal Line Trail (Ph. I)
Kolata Enterprises LLC	607.50	Professional Services
Jones Petrie Rafinski	9,422.50	Downtown East-West Streetscape
<u>429 FUND RIVER EAST DEVELOPMENT TIF</u>		
Armory LLC	31,444.00	Refund to Developer Armory Project
The Robert Henry Corporation	16,991.48	Newman Center Site Development Division A and Alternate A
Abonmarche	4,155.00	Perley Primary Center Safe Routes to School Construction Inspection Srvc
<u>430 FUND SOUTH SIDE TIF AREA #1</u>		
McCormick Engineering	4,252.50	Bowen St. Improvements
Walsh & Kelly Inc.	6,696.10	Bowen St. Drainage
Total	320,885.29	



Department of
Community Investment

Memorandum
March 08, 2018

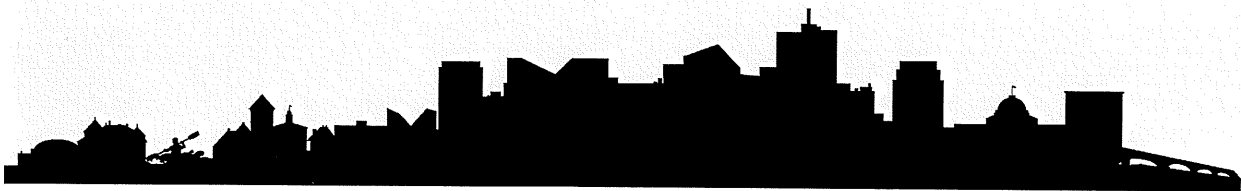
TO: South Bend Redevelopment Commission
FROM: David Relos, Economic Resources *DR*
SUBJECT: Resolution No. 3429
2401 Western Avenue Disposition Offering Price

Attached is Resolution No. 3429, which sets the disposition offering price for 2401 Western Avenue.

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. 3429.

INTERNAL USE ONLY: Project Code: _____
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/Dec \$ _____



RESOLUTION NO. 3429

**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 Exhibit A 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 March 08, 2018, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

**SOUTH BEND REDEVELOPMENT
COMMISSION**

Marcia I. Jones, President

ATTEST:

Donald E. Inks, Secretary

**EXHIBIT A
TO RESOLUTION NO. 3429**

Property	Size	Minimum Offering Price	Proposed Use
2401 Western Avenue	<u>39,212 sf +/-</u>	<u>\$63,000</u>	<p>Commercial projects that are permitted within the Mixed Use zoning designation.</p> <p>Strong emphasis will be placed during the review process on compatibility with the goals and objectives of the River West Development Area, the West Side Main Streets Plan and Design Guidelines, and the surrounding businesses and neighborhood.</p>



Department of
Community Investment

Memorandum

March 08, 2018

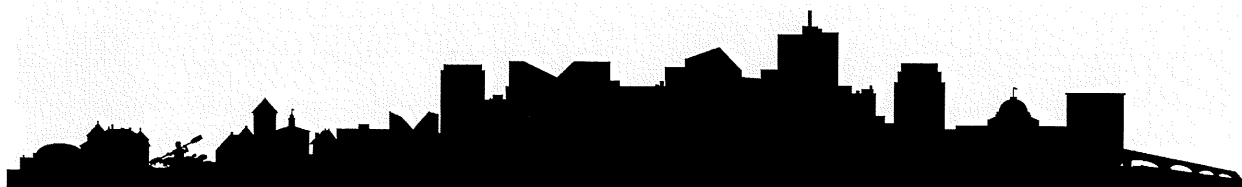
TO: Redevelopment Commission
FROM: David Relos, Economic Resources *DR*
SUBJECT: Approval of Bid Specifications and Design Considerations
 2401 Western Avenue

Attached are the Bid Specifications and Design Considerations for the disposition of 2401 Western Avenue.

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: _____
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/Dec \$ _____



Bid Specifications & Design Considerations

**Sale of Redevelopment Owned Property
2401 Western Avenue
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.

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 West Side Main Streets Plan and Design Guidelines; and the Development Plan for the River West Development Area.

4. Bidders are prohibited from the use of the property for speculation or land-holding purposes.
5. All other provisions of the River West Development Area Development Plan must be met.



Department of
Community Investment

Memorandum
March 08, 2018

TO: South Bend Redevelopment Commission
FROM: David Relos, Economic Resources *DR*
SUBJECT: Request to Advertise
2401 Western Avenue Disposition

Attached is the Notice of Intended Disposition of Property (Notice) for 2401 Western Avenue, in the River West Development Area.

This Notice will be advertised in the South Bend Tribune on March 16 and March 23, 2018.

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

INTERNAL USE ONLY: Project Code: _____
Total Amount new in budget: ___-0-_____; broken down by:
Acct # _408-1050-460-31.25 _____
Going to BPW for Contracting? No Is this item ready to encumber now? No
Existing PO# _____ Inc/Dec \$ _____



Notice of Intended Disposition of Property

RIVER WEST DEVELOPMENT AREA
2401 Western Avenue
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 12th day of April, 2018 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 12th day of April, 2018 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 2401 Western Avenue, 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 West Side Main Streets Plan and Design Guidelines, 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 cashier's or 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
James Mueller, Executive Director
Publish Dates: March 16 and March 23, 2018



CITY OF SOUTH BEND REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: March 8, 2018

FROM: Pam Meyer/David Relos/James Mueller

SUBJECT: Gateway Center Project

Which TIF? (circle one) River West; River East; South Side; Douglas Road; West Washington

PURPOSE OF REQUEST: Funding of Project 1.5M

Specifics: Per the recommendation of the Mayor's Working Group on Homelessness, efforts to coordinate a site, facility, partners, and operations of a Gateway Center to serve as a Coordinated Entry point (a federally required process for homeless individuals seeking assistance.)

A donation of modular units from Ivy Tech to the City has been approved; units are being considered for the Center; units are to be moved within the next two weeks to a preliminary site for storage.

INTERNAL USE ONLY: Project Code: Please set up new code _____;

Total Amount new/change (inc/dec) in budget: 1,500,000 _____; Break down:

Costs: Engineering Amt: 200,000 _____; Other Prof Serv Amt _____;

Acquisition of land/Bldg (circle one) Amt: 150,000 _____; Street Const Amt _____;

Building Imp Amt 1,000,000 _____; Sewers Amt _____; Other (specify) Amt: 150,000 _____.

Going to BPW for Contracting? Y/N

Is this item ready to encumber now? NO Existing PO# _____ Inc/Dec \$ _____

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

RESOLUTION NO. 3431

**A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION
PLEDGING TAX INCREMENT FINANCE REVENUES
FOR THE PAYMENT OF SYSTEM DEVELOPMENT CHARGES
ON BEHALF OF SBCC DEVELOPMENT CORP.**

WHEREAS, the South Bend Redevelopment Commission (the “Commission”) exists and operates pursuant to Ind. Code 36-7-14 (as amended, the “Act”); and

WHEREAS, the Commission and SBCC Development Corp. (the “Developer”), entered into that certain Real Estate Purchase Agreement dated April 13, 2017 (the “Purchase Agreement”) concerning the Developer’s purchase and development of Property (as defined in the Purchase Agreement), including the construction of new buildings (the “Project”), abutting the River West Development Area (the “Area”) of the City of South Bend (the “City”); and

WHEREAS, as an incentive for and an inducement of the Developer’s construction of the Project, the City intends to assist the development by requesting an appropriation by and approval from the Commission for payment to the City on the Developer’s behalf an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) for the system development charge(s) (the “SDC”) computed and payable under South Bend Municipal Code Sections 17-79 and 17-80 (together, the “SDC Ordinance”) in connection with the Developer’s construction of the Project; and

WHEREAS, the Commission desires to pledge tax increment finance revenues collected in the Area (the “TIF Revenues”) in an amount equal to the SDC for the Project, up to Five Hundred Thousand Dollars (\$500,000.00), for the payment of the SDC on the Developer’s behalf and for the completion of local public improvements; and

WHEREAS, pursuant to Section 36-7-14-39(b)(3)(G) of the Act, the Commission may expend the TIF Revenues to reimburse the City for the City’s expenditures made for local public improvements that are physically located in or physically connected to the Area; and

WHEREAS, the Commission anticipates that the City will expend funds for local public improvements that may serve both the Project and future developments in the Project’s vicinity, or other developments within the Area; and

WHEREAS, the Commission desires to establish by this Resolution a procedure under which it will incentivize the construction of the Project by paying the SDC on the Developer’s behalf after qualifying costs are incurred by the City for local public improvements that are physically located in or physically connected to the Area; and

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

1. The Commission hereby pledges the TIF Revenues, in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00), for the payment of the SDC on behalf of the Developer and approves the expenditure of the TIF Revenues to reimburse the City for qualifying costs expended on local public improvements that are physically located in or physically connected to the Area, in accordance with the following procedure:

(a) Upon issuance of a utility verification form, or other invoice for the SDC, by the City's Department of Public Works ("DPW") to the Developer in accordance with the provisions of the SDC Ordinance and DPW's internal operating procedures, the City's Department of Community Investment ("DCI"), acting on behalf of the Commission pursuant to this Resolution, will submit a copy of this Resolution to the City Engineer expressing the Commission's pledge of the TIF Revenues, up to Five Hundred Thousand Dollars (\$500,000.00), for payment of the SDC.

(b) DCI, acting on behalf of the Commission pursuant to this Resolution, will coordinate with DPW and the City Engineer to identify the City's qualifying costs incurred for local public improvements serving the Project, or that are physically located in or physically connected to the Area, for reimbursement by the Commission.

(c) After completion of the local public improvements serving the Project, or that are otherwise physically located in or physically connected to the Area, and payment by the City of the costs of such improvements, the Commission will approve a claim in an amount equal to the SDC, not to exceed Five Hundred Thousand Dollars (\$500,000.00), at the Commission's next regular meeting and pay such sum to the City in the ordinary course of business thereafter.

2. The Commission hereby authorizes and instructs Daniel Buckenmeyer of DCI, in coordination with legal counsel, to take on behalf of the Commission all necessary administrative actions to accomplish the purposes of this Resolution.

3. This Resolution will be in full force and effect upon its adoption by the Commission.

ADOPTED at a regular meeting of the South Bend Redevelopment Commission held on March 8, 2018, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

SOUTH BEND REDEVELOPMENT
COMMISSION

Marcia I. Jones, President

ATTEST:

Donald E. Inks, Secretary

4000.0000035 68,598,924.001



CITY OF SOUTH BEND

REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: March 7, 2018
FROM: Daniel J. Buckenmeyer
SUBJECT: Budget Request (Chocolate Park Sewer Extension)

Which TIF? (circle one) River West; River East; South Side; Douglas Road; West Washington

PURPOSE OF REQUEST: Engineering for TIF Commitment to South Bend "Chocolate Park"

Specifics:

The Department of Community Investment in conjunction with the Department of Public Works, is initiating the next phase of work to connect water and sewer to the "Chocolate Park." On October 26, 2017 the Commission approved a budget of \$50,000 to conduct the initial phase survey work to extend the City's existing sewer system leading to the site.

This budget request in the amount of \$100,000 is for the next phase of professional services in engineering design with sewer and water connection to the site.

INTERNAL USE ONLY: Project Code: 17J044
Total Amount new/change (inc)/dec in budget: \$100,000
Break down:
Costs: Engineering Amt: \$100,000.00
Going to BPW for Contracting? (Y)N
Is this item ready to encumber now? no