



CITY OF SOUTH BEND

REDEVELOPMENT AUTHORITY

Agenda

Scheduled Meeting March 30, 2021 10:00 a.m.

<https://tinyurl.com/RDA033021>

1. Roll Call

2. Election of Officers

3. Approval of Minutes

- A. Approval of Minutes of the Regular Meeting of May 11, 2020

4. New Business

- A. Resolution No. 209 (Authorizing Officer to Execute Certificate re Insurance)
- B. Lease Rental Revenue Refunding Bonds, Series 2013 (Century Center Project)
- C. Lease Rental Revenue Bond of 2015 (Smart Streets Project)
- D. Lease Rental Revenue Refunding Bonds of 2015 (Eddy Street Commons Project)
- E. Lease Rental Revenue Bonds of 2019 (South Shore Double Tracking Project)

5. Adjournment

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CITY OF SOUTH BEND

REDEVELOPMENT AUTHORITY

May 11, 2020
3:00 p.m.
<http://tiny.cc/RDA051120>

County-City Building
227 West Jefferson Boulevard
South Bend, IN 46601

The meeting was called to order at 3:00 p.m.

1. ROLL CALL

Members Present: Erin Linder Hanig, President
Anthony Fitts, Vice-President
Richard Klee, Secretary-Treasurer

Members Absent:

Redevelopment Staff: Mary Brazinsky, Board Secretary

Legal Counsel: Sandra Kennedy, Esq.

Attending: Amanda Pietsch, DCI

2. ELECTION OF OFFICERS

A. A Motion was made by Mr. Klee and seconded by Mr. Fitts to keep the slate of Officer's in 2020 as it was in 2019.

The Authority approved the slate of officers for 2020.

3. APPROVAL OF MINUTES

A. **Approval of Minutes of the Regular Meeting of November 14, 2019**

Upon a motion by Richard Klee, Secretary-Treasurer seconded by

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Anthony Fitts, Vice-President, the motion carried unanimously, the Authority approved the Minutes of the Meeting on November 14, 2019.

4. NEW BUSINESS

A. Resolution No. 208 (Authorizing Transfer of Property from RDA to BPC Howard Park)

Ms. Kennedy presented Resolution No. 208 (Authorizing Transfer of Property from RDA to BPC Howard Park). This resolution authorizes the Redevelopment Authority to transfer the parcel to the park board consolidating ownership of Howard Park. Commission approval is requested.

Upon a motion by Erin Linder Hanig, President seconded by Anthony Fitts, Vice-President, the motion carried unanimously, the Resolution No. 208 (Authorizing Transfer of Property from RDA to BPC Howard Park) submitted on May 11, 2020.

B. Refunding 2015 Annual Officer's Certificate

Ms. Pietsch presented Refunding 2015 Annual Officer's Certificate. This is the annual officer's certificate as presented in previous years.

Upon a motion by Richard Klee, Secretary-Treasurer seconded by Erin Linder Hanig, President the motion carried unanimously, the Refunding 2015 Annual Officer's Certificate submitted on May 11, 2020.

C. Series 2015 Annual Officer's Certificate

Ms. Pietsch presented Series 2015 Annual Officer's Certificate. This is the annual officer's certificate as presented in previous years.

Upon a motion by Richard Klee, Secretary-Treasurer seconded by Anthony Fitts, Vice-President, the motion carried unanimously, the Series 2015 Annual Officer's Certificate submitted on May 11, 2020.

D. 2013 Century Center Annual Officer's Certificate

Ms. Pietsch presented 2013 Century Center Annual Officer's Certificate. This is the annual officer's certificate as presented in previous years.

Upon a motion by Richard Klee, Secretary-Treasurer seconded by Anthony Fitts, Vice-President, the motion carried unanimously, the 2013 Century Center Annual Officer's Certificate submitted on May 11, 2020.

5. ADJOURNMENT

Upon a motion by Anthony Fitts, Vice-President seconded by Richard Klee, Secretary-Treasurer, the motion carried unanimously, the Authority adjourned the meeting at 3:13 p.m.

Mary Brazinsky
Board Secretary,
Community Investment

Tony Fitts, Vice-President
South Bend Redevelopment Authority

RESOLUTION NO. 209

**A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT AUTHORITY
AUTHORIZING AN OFFICER TO EXECUTE CERTIFICATES EVIDENCING
INSURANCE PERTAINING TO CURRENT AND FUTURE BONDS**

WHEREAS, the South Bend Redevelopment Authority (the “Authority”) was created pursuant to I.C. 36-7-14.5 as a separate body corporate and politic serving as an instrumentality of the City of South Bend, Indiana (the “City”), to finance local public improvements; and

WHEREAS, the Authority has issued certain bonds that remain outstanding as of the date of this Resolution, which are known as the following (collectively, the “Bonds”):

South Bend Redevelopment Authority Lease Rental Revenue Refunding Bonds,
Series 2013 (Century Center Project)

South Bend Redevelopment Authority Lease Rental Revenue Bonds of 2015
(Smart Streets Project)

South Bend Redevelopment Authority Lease Rental Revenue Refunding Bonds of
2015 (Eddy Street Commons Project)

South Bend Redevelopment Authority Lease Rental Revenue Bonds of 2019
(South Shore Double Tracking Project); and

WHEREAS, pursuant to the respective trust agreements governing the administration of the Bonds, the Authority is required annually to deliver to the trustee a certification that certain insurance is provided for with respect to the projects financed by the Bonds; and

WHEREAS, the City, through its Department of Administration and Finance, maintains the insurance necessary to comply with the Bonds’ insurance-related covenants; and

WHEREAS, in order to efficiently and timely present to the bond trustee evidence of compliance with insurance-related covenants in connection with the currently outstanding Bonds and any other bonds issued by the Authority after the date of this Resolution, the Authority desires to establish and memorialize its procedure for documenting the City’s compliance with such insurance-related covenants.

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

1. The Authority acknowledges and confirms that the City, through its Department of Administration and Finance, presently maintains and will continue to maintain the insurance required under the governing documents of the Authority’s current and future bonds.

2. The Authority hereby authorizes any officer of the Authority, upon a request of the City Controller (or his or her designee) and without the necessity of a meeting of the

Authority, to execute any appropriate certificate or other document confirming the Authority's compliance with insurance requirements established by the governing documents of any outstanding bonds.

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

Signature Page Follows

ADOPTED at a meeting of the South Bend Redevelopment Authority held on March 30, 2021.

SOUTH BEND REDEVELOPMENT AUTHORITY

ATTEST:

EXHIBIT C
OFFICER’S CERTIFICATE

Reference is made to the Trust Agreement dated as of November 1, 2008, as amended (the “Governing Document”), between the South Bend Redevelopment Authority, a public body corporate and politic, organized and existing under Indiana Code 36-7-14.5, as amended (the “Company”), and U.S. Bank National Association, as trustee (the “Trustee”).

The undersigned officer hereby certifies to the Trustee that:

- (i) I have read all relevant sections of the Governing Documents relating to Insurance and the definitions relating thereto;
- (ii) I have made such examination or investigation as is necessary or appropriate in order to make the statements contained herein;
- (iii) I have made such examination or investigation as is necessary to enable me to express an informed opinion as to whether or not the terms, conditions and covenants in the Governing Documents with respect to insurance matters have been complied with; and
- (iv) Based on examination and review of the Governing Documents, all of the terms, conditions and covenants set forth in the Governing Documents as they relate to Insurance matters have been satisfied and are in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this Officer’s Certificate this ____ day of _____, 20____.

SOUTH BEND REDEVELOPMENT AUTHORITY

By: _____
Name: _____
Title: _____

EXHIBIT A

OFFICER'S CERTIFICATE

(Annual Insurance Compliance Certificate to the Trustee)

Reference is made to the Trust Agreement dated as of April 1, 2015 (the "Governing Document"), between the South Bend Redevelopment Authority, a public body corporate and politic, organized and existing under Indiana Code 36-7-14.5, as amended (the "Company"), and U.S. Bank National Association, as trustee (the "Trustee").

The undersigned officer hereby certifies to the Trustee that:

(i) I have read all relevant sections of the Governing Document relating to Insurance and the definitions relating thereto;

(ii) I have made such examination or investigation as is necessary or appropriate in order to make the statements contained herein;

(iii) I have made such examination or investigation as is necessary to enable me to express an informed opinion as to whether or not the terms, conditions and covenants in the Governing Document with respect to insurance matters have been complied with; and

(iv) Based on examination and review of the Governing Document, all of the terms, conditions and covenants set forth in the Governing Document as they relate to Insurance matters have been satisfied and are in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this Officer's Certificate this ____ day of _____, 20 ____.

SOUTH BEND REDEVELOPMENT AUTHORITY

By: _____

Name: _____

Title: _____

EXHIBIT B
OFFICER'S CERTIFICATE

Reference is made to the Trust Agreement dated as of March 1, 2008, as amended (the "Governing Document"), between the South Bend Redevelopment Authority, a public body corporate and politic, organized and existing under Indiana Code 36-7-14.5, as amended (the "Company"), and U.S. Bank National Association, as trustee (the "Trustee").

The undersigned officer hereby certifies to the Trustee that:

- (i) I have read all relevant sections of the Governing Documents relating to Insurance and the definitions relating thereto;
- (ii) I have made such examination or investigation as is necessary or appropriate in order to make the statements contained herein;
- (iii) I have made such examination or investigation as is necessary to enable me to express an informed opinion as to whether or not the terms, conditions and covenants in the Governing Documents with respect to insurance matters have been complied with; and
- (iv) Based on examination and review of the Governing Documents, all of the terms, conditions and covenants set forth in the Governing Documents as they relate to Insurance matters have been satisfied and are in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this Officer's Certificate this _____ day of _____, 20____.

SOUTH BEND REDEVELOPMENT AUTHORITY

By: _____
Name: _____
Title: _____

EXHIBIT B

FORM OF OFFICER’S CERTIFICATE REGARDING INSURANCE

ANNUAL CERTIFICATE

Pursuant to the Trust Indenture dated as of December 1, 2019 (the “Indenture”), between the South Bend Redevelopment Authority (the “Authority”) and U.S. Bank National Association as trustee (the “Trustee”), the undersigned hereby certifies that:

- 1) I have made such examination or investigation as is necessary or appropriate in order to make the statements contained herein.
- 2) I have read and am familiar with all relevant sections of the Indenture relating to the insurance to be maintained by the Authority and others pursuant to the terms of the Articles VI of the Indenture (collectively, the “Insurance”).
- 3) I have made such examination or investigation as is necessary to enable me to express an informed opinion as to whether or not the terms, conditions and covenants in the Indenture with respect to Insurance matters have been complied with, and based on such examination and review, to my knowledge, all of the terms, conditions and covenants set forth in the Indenture as they relate to Insurance matters have been satisfied and are in full force and effect as of the date hereof.

All terms used herein, which are not otherwise defined herein, shall have the meanings ascribed to them in the Indenture.

Dated this ___ day of _____, 20__.

By: _____

Title: _____