

**SOUTH BEND REDEVELOPMENT COMMISSION  
REGULAR MEETING**

June 25, 2015

9:30 a.m.

Presiding: Marcia Jones, President

227 West Jefferson Boulevard  
South Bend, Indiana

The meeting was called to order at 9:31 a.m.

**1. ROLL CALL**

Members Present:	Marcia Jones, President David Varner, Vice President Don Inks, Secretary Greg Downes Gavin Ferlic
Members Absent:	John Anella
Legal Counsel:	Benjamin Dougherty, Esq.
Redevelopment Staff:	David Relos, Associate II Debrah Jennings, Associate I Tracy Oehler, Recording Secretary
Others Present:	Chris Fielding, Assistant Executive Director Beth Inks, Director Brock Zeeb, Director Jitin Kain, Director Aaron Kobb, Associate III Michael Divita, Associate I Laura Mazur, Analyst I John Murphy, City Controller Cecil Eastman, Financial Specialist Senior Rich Hill Conrad Damian Zach Crenshaw

**2. APPROVAL OF MINUTES**

**A. Approval of Minutes of the Regular Meeting of Thursday, June 11, 2015.**

Upon a motion by Commissioner Downes, seconded by Secretary Inks and unanimously carried, the Commission approved the Minutes of the Regular Meeting of Thursday, June 11, 2015.

**3. APPROVAL OF CLAIMS**

**324 Fund River West Development Area**

Tri County News	52.06	Notice to Bidders Chase Plastics Improvements
Pelley Excavating	27,807.00	Ignition Park South Demolition Phase II
Abonmarche	4,720.00	Ignition Park Infrastructure Phase 1C, Buildings 1 & 2
Torti Gallas & Partners	536.00	Downtown Mixed Usage Block City
Sterling Products Inc.	11,815.00	Purchase Equipment for Norres North American Inc.
Hull & Associates	31,019.94	Assessment & Remediation at Oliver Industrial/Ignition Park
South Bend Community School Corporation	170,000.00	Implementation of the Project Lead the Way Program
Barnes & Thornburg LLP	1,434.80	Legal Services
US Bank	43,175.00	Debt Service SB Redevelopment District Special Taxing District Refunding Bonds
Jones Petrie Rafinski	1,700.00	Former St. Joseph St. Parking Phase I
Christopher B. Burke Engineering LLC	1,055.75	High and Ireland Intersection Improvements
Jones Petrie Rafinski	270.00	Inspection Services for Catalyst 1 & 2
RLR Associates Inc.	6,082.20	Ignition Park Identity & Wayfinding Signage

**429 Fund River East Development Area**

Abonmarche	2,150.00	Colfax & Hill Drainage Improvements
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**430 Fund South Side TIF Area No. 1**

Lawson-Fisher Associates P.C.	18,729.36	South Main to Lafayette Construction Consultation
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\$320,547.11

Upon a motion by Commissioner Downes, seconded by Commissioner Ferlic and unanimously carried, the Commission approved the Claims submitted June 25, 2015.

**4. COMMUNICATIONS**

None.

**5. OLD BUSINESS**

None.

**6. NEW BUSINESS**

The Commission agreed to hear Agenda Item 6.H.(1) as the first order of business.

## H. Other

### **(1) Changes to Agency Agreements with Board of Public Works**

Mr. Relos stated in order to carry out Commission projects, Indiana Code allows it to contract for the construction of local public improvements. For years, the Commission has used the Board of Public Works (BPW) to oversee its projects, to ensure the public bid process is followed, and that projects are done to City standards. This process has been carried out via the Master Agency Agreement in which the Commission appoints the BPW as its agent and the BPW agrees to such appointment.

To notify the BPW of projects and their various components, an Addendum to the Master Agency Agreement system was created whereby the Commission was presented with a Resolution approving the Addendum and both the Resolution and the Addendum were then approved. The Addendum would then go before the BPW for approval. This Addendum process is not required by law, but served as a notification process.

In order to simplify this process, the Department of Community Investment (DCI) and Engineering staff have worked together to create a shared Project Communication log. Through this log, DCI will communicate with Engineering by updating Commission approved projects, including dollar amounts along with professional services and other agreements tied to specific projects. This process should reduce staff time and paperwork for both departments.

A discussion followed clarifying the Commission's approval is still required by state law and a request was made for staff to report back to the Commission on how the new process is working.

Upon a motion by Commissioner Downes, seconded by Secretary Inks and unanimously carried, the Commission approved the new Master Agency Agreement with the Board of Public Works.

## A. River East Development Area

### **(1) Budget for East Bank Combined Sewer Overflow Phase V – Jefferson Boulevard to Eddy Street to St. Joseph River**

Mr. Kain stated the City of South Bend through its Department of Public Works, continues to work on improving the sewer system to solve chronic sewage backups in basements and eliminate raw sewage overflows into the St. Joseph River.

As part of the City's Clean River initiative to keep the St. Joseph River clean, construction is set to begin in summer on a sewer separation project in the East Bank neighborhood which is Phase V of the Combined Sewer Overflow (CSO) Long

Term Control Plan. Part of the plan includes installation of new storm sewers in the public right-of-way on the streets south of Jefferson Boulevard and west of Eddy Street. The CSO project construction covers the side of the street that is being disturbed while the other side of the street is left as is. In addition, the former Transpo site, which is approximately 10 acres, lies within the project limits and is being purchased by Century Builders from Transpo in order to construct new housing. Staff is requesting the use of River East Development Area funds to supplement the CSO work as well as support the new residential development on the former Transpo site. The funds will be used in the construction of new sidewalks, curbs, tree lawns, and trees within the project area.

Upon a motion by Vice President Varner, seconded by Commissioner Ferlic and unanimously carried, the Commission approved the project budget in the amount of \$2.5 million dollars from the River East Development Area fund for the East Bank Combined Sewer Overflow Phase V (Jefferson Boulevard to Eddy Street to St. Joseph River).

## **(2) Resolution No. 3298 – 2008 Eddy Street Commons Refunding Bonds**

Mr. Relos stated Resolution No. 3298 approves an Addendum to the original lease with the Redevelopment Authority for the 2008 Eddy Street Commons Project Bonds, which financed the City's local public improvements for the Eddy Street Commons project, i.e., the parking garage, reconstruction of certain streets and alleys, and alley upgrades.

The anticipated refunding of the 2008 Bonds is being pursued because at current rates it could save approximately \$3 million dollars over the 18 year life of the bonds. The bond refunding will only occur if it can save \$1 million dollars, which means rates would have to increase 70 basis points between now and the expected closing at the end of August. The current rate for bonds of this nature is 3.34%.

Upon a motion by Commissioner Downes, seconded by Commissioner Ferlic and unanimously carried, the Commission approved Resolution No. 3298 approving the issuance, sale, and delivery of the refunding bonds by the Redevelopment Authority; to keep and maintain funds and accounts to pay the rentals owed; and to enter into a Second Amendment to the Original Lease with the Redevelopment Authority regarding the Eddy Street Commons Project.

## **(3) Certification of Annual Financial Information Regarding 2008 Eddy Street Commons Bonds**

Mr. Zeeb stated the Redevelopment Commission and Redevelopment Authority are required to certify certain financial information annually under the bond's Continuing Disclosure Undertaking Agreement. This information is compiled and verified by the City Controller.

Upon a motion by Secretary Inks, seconded by Commissioner Downes and unanimously carried, the Commission approved the Certification of the Annual Financial Information Disclosure for the 2008 Eddy Street Commons Bonds.

## **B. River West Development Area**

### **(1) Decommission of Utilities in Ignition Park South (Water Works)**

Mr. Relos stated the South Bend Water Works has provided a cost to decommission their water, sanitary, and storm sewer lines at Indiana Avenue located in Ignition Park South. The lines will then be removed as part of the removal of the streets, sidewalks, and curbs at a later date. This is part of the larger effort to vacate the streets and alleys and relocate utilities in the area bounded by Indiana Avenue, Scott Street, the Norfolk Southern Railroad tracks, and Kemble Avenue in order to make it a developable site next to Ignition Park. Once this work is completed, South Bend Water Works can release their easements.

Upon a motion by Vice President Varner, seconded by Commissioner Downes and unanimously carried, the Commission approved the South Bend Water Works' proposal in the amount of \$10,000 to decommission utilities in Ignition Park South.

### **(2) License Agreement for Temporary Use of Redevelopment Commission Property (Sounds By South Bend, LLC)**

Mr. Zeeb stated Sounds By South Bend LLC has requested approval of a License Agreement for Temporary Use of the top level of the Wayne Street parking garage on Friday, July 3<sup>rd</sup> for a fireworks viewing party. The event will be open to the public and is free of charge.

Upon a motion by Commissioner Downes, seconded by Vice President Varner and unanimously carried, the Commission approved the License Agreement for Temporary Use of Redevelopment Commission property with Sounds By South Bend LLC.

### **(3) Project Budget for Western Avenue Corridor Improvements**

Mr. Divita stated as part of the implementation of the West Side Main Streets Revitalization Plan, the City of South Bend will be making a series of infrastructure improvements to Western Avenue to create an environment more inviting to commercial and residential investment.

Part of the 2015 Western Avenue street improvements include revised lane striping between William and Sheridan Streets to be one lane in each direction with a center left-turn lane. As space and demand dictate, on-street parking and bicycle facilities will be added. Sections of sidewalk in poor condition will be replaced throughout the corridor. Additionally, the three block section of Western Avenue between Dundee

Street and Bendix Drive will receive full streetscape work. The curbs, sidewalks, driveway approaches, and street pavement will be replaced. Street trees and decorative lighting will be added, and new sections of water main and sewer will be installed. Construction is expected to start in July and be completed in November 2015.

Upon a motion by Commissioner Downes, seconded by Vice President Varner and unanimously carried, the Commission approved the project budget of \$750,000 from the River West Development Area fund for the Western Avenue Corridor Improvements.

#### **(4) Budget Increase for Chase Plastics**

Mr. Fielding stated in November 2014, staff brought a proposal of terms negotiated with Chase Plastics/CBK Land Development to build a new distribution center. The initial budget amount approved in the development agreement was \$150,000. In addition to the investment in the company, the Commission has the opportunity to maximize the efficiencies of having contractors on site and to permanently resolve the temporary drainage basin built along Dylan Drive. The cost for the design and installation of the new storm sewer pipe is \$48,000, which would be in addition to the previously approved \$150,000.

However, Engineering bid the entire project as one packet and has been able to reduce the overall projected cost to \$170,000 for both projects resulting in a net savings of \$28,000.

Upon a motion by Vice President Varner, seconded by Commissioner Downes and unanimously carried, the Commission approved the increased project budget in the amount of \$20,000 to cover the design and installation of the permanent storm sewer for the current and future development.

#### **C. West Washington-Chapin Development**

None.

The Commission agreed to hear Items 6.D.(1) and 6.H.(2) together.

#### **D. South Side Development Area**

##### **(1) Resolution No. 3296 Releasing Assessed Value for South Side #3 (Erskine Village)**

**H. Other**

**(2) Resolution No. 3295 Authorizing Closure of Certain Unneeded Funds, Specifically Fund 420 (South Bend Central Development Area Fund); Fund 426 (Central Medical District Fund); and Fund 619 (Blackthorn Golf Course Fund)**

Ms. Inks stated Resolution Nos. 3296 and 3297 are for the 2016 tax collection year. Resolution No. 3296 releases the tax increment for South Side #3 (Erskine Village) to be allocated to the respective taxing units and Resolution No. 3297 determines the tax increment to be collected in all the Tax Increment Financing areas (other than South Side #3) is needed to satisfy obligations of the Commission.

Upon a motion by Commissioner Downes, seconded by Secretary Inks and unanimously carried, the Commission approved Resolution No. 3296 determining the tax increment for Erskine Village to be collected in the year 2016 may be allocated to the respective taxing units and other related matters and approved Resolution No. 3297 determining the tax increment which may be collected in the year 2016 is needed to satisfy obligations of the Commission and no excess assessed value may be allocated to the respective taxing units and other related matters.

**E. Douglas Road Development Area**

None.

**F. Ratification of Temporary Use Agreement**

None.

**G. Ratification of Services Contracts**

	<b>Commission Role in Transaction</b>	<b>Contractor</b>	<b>Service Provided</b>	<b>Contract Amount</b>	<b>Staff Member</b>
St. Joseph & Jefferson Parking Lot	HOF Project	Jones Petrie Rafinski	Phase I	\$1,700.00	Relos

Upon a motion by Commissioner Downes, seconded by Commissioner Ferlic and unanimously carried, the Commission approved the ratifications of services contracts.

**7. PROGRESS REPORTS**


Mr. Kain introduced new employee Laura Mazur, Analyst I to the Redevelopment Commission.

**8. NEXT COMMISSION MEETING**

Thursday, July 16, 2015, at 9:30 a.m.

**9. ADJOURNMENT**

President Jones adjourned the meeting at 10:03 a.m.



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Brock Zeeb, Director of Economic Resources

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Marcia I. Jones, President