



South Bend

Redevelopment Commission

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

Agenda

Regular Meeting, May 9, 2019 9:30 a.m.

1. Roll Call

2. Approval of Minutes

- A. Minutes of the Regular Meeting of Thursday, April 25, 2019

3. Approval of Claims

- A. Claims Submitted May 9, 2019

4. Old Business

5. New Business

A. River West Development Area

- 1. Budget Request (Cleveland/Brick Road) – D1
- 2. License Agreement for Temporary Use of Private Property (113-117 North Main Street) – D2

B. Other

- 1. Resolution No. 3484 (Determining Tax Increment to be Collected in Year 2020) – All
- 2. Resolution No. 3482 Commending Dr Varner - All

6. Progress Reports

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

7. Next Commission Meeting:

Thursday, May 23, 2019, 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, IN

**SOUTH BEND REDEVELOPMENT COMMISSION
REGULAR MEETING**

April 25, 2019
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 Don Inks, Vice-President Quentin Phillips, Secretary Todd Monk, Commissioner Leslie Wesley, Commissioner	
Members Absent:	Gavin Ferlic, Commissioner	
Legal Counsel:	Sandra Kennedy, Esq.	
Redevelopment Staff:	David Relos, RDC Staff Mary Brazinsky, Board Secretary	
Others Present:	Daniel Buckenmeyer Tony Sergio Kara Boyles Kyle Silveus Zach Hurst Jim Finan Corey Cressy David Ziker Mark Petersen Ryan Biggs	DCI DCI Engineering Engineering Engineering Abonmarche Cressy Ziker's WNDU Bigg Solutions

South Bend Redevelopment Commission Regular Meeting – April 25, 2019

2. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of Thursday, April 11, 2019

Upon a motion by Secretary Phillips, seconded by Vice-President Inks, the motion carried unanimously, the Commission approved the minutes of the regular meeting of Thursday, April 11, 2019.

3. Approval of Claims

A. Claims Submitted April 25, 2019

	Claims submitted	Explanation of Project
REDEVELOPMENT COMMISSION Redevelopment Commission Claims April 25, 2019 for approval		
<u>324 RIVER WEST DEVELOPMENT AREA</u>		
C&S Masonry Restoration LLC	152,415.63	Lafayette Building Skylight & Masonry Repairs
R&R Excavating, Inc	398,525.00	Fat Daddy's Building Demolition
Zach Hurst, P.E.	5,320.00	Consultant Engineering Services
City of South Bend	22,321.00	Legal Services
Jones Petrie Rafinski	8,672.25	Downtown East-West Streetscapes
Kil Architecture Planning	5,140.32	Architectural Consultation for the Lafayette Building Skylight & Masonry Repairs
Slatile Roofing & Sheet Metal Co., Inc.	99,412.56	Liberty Tower Exterior Renovations - Division A
<u>429 FUND RIVER EAST DEVELOPMENT TIF</u>		
Precision Wall Systems	223,772.50	Three Twenty at The Cascade-Glazed Assemblies
Christopher B, Burke Engineering LLC	60.65	East Race Sewer Analysis
<u>430 FUND SOUTH SIDE TIF AREA #1</u>		
HRP Construction, Inc.	136,659.39	Miami St. Basin Drainage Improvements
<u>452 TIF PARK BOND CAPITAL</u>		
Lochmueller Group	54,928.38	Historic Leeper Park Improvements
Lawson-Fisher Associates P.C	78,916.06	SBN-West Bank Corridor Improvements Final Design
Smithgroup	135,894.25	Seitz Park Prelim & Final Eng.
Alliance Architects	34,288.00	Howard Pk Redevelopment
Total	1,052,299.30	

Upon a motion by Vice-President Inks, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved the claims submitted on Thursday, April 25, 2019.

4. Old Business

5. New Business

A. River West Development Area

1. Resolution No. 3483 Declaring Certain Property Blighted (431 N Allen Street)

Mr. Relos presented Resolution No. 3483 Declaring Certain Property Blighted at 431 N Allen Street, South Bend. This Resolution is for the vacant lot at 431 N Allen Street. Last year a new Section 19.5 was added to the Redevelopment Statute. This Section allows the Commission to acquire property that is blighted, unsafe, abandoned, foreclosed, or structurally damaged from a willing seller. The property is in a target area east of the City Cemetery. Commission approval is requested.

Upon a motion by Vice-President Inks, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved Resolution No. 3483 Declaring Certain Property Blighted (431 N Allen Street) submitted on Thursday, April 25, 2019.

2. Agreement to Buy and Sell Real Estate (431 N. Allen Street)

Mr. Relos presented an Agreement to Buy and Sell Real Estate for 431 N Allen. The City currently owns the lots on each side of this property, and the purchase of this lot for \$1,000 allows the consolidation of all three. Commission approval is requested.

Upon a motion by Vice-President Inks, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved Purchase Agreement (431 N Allen Street) submitted on Thursday, April 25, 2019.

3. First Amendment to License Agreement for Temporary Use (Electric Conduit Construction Company)

Mr. Relos presented a First Amendment to License Agreement for Temporary Use for Electric Conduit Construction Company, who is running new lines in the downtown area. This Amendment will extend the License Agreement for Temporary Use until July 1, 2019. Commission approval is requested.

Upon a motion by Secretary Phillips, seconded by Vice-President Inks, the motion carried unanimously, the Commission approved First Amendment to License Agreement for Temporary Use (Electric Conduit Construction Company) submitted on Thursday, April 25, 2019.

4. Second Amendment to Development Agreement (Ziker Sample Street LLC)

Mr. Buckenmeyer presented a Second Amendment to Development Agreement for the old Ziker location on E. Sample. In November of 2017 the Commission agreed to \$100,000 from the River West TIF to help with local public improvements to the building on Sample Street. With the additions of several new occupants, the City would like to add \$200,000 in funding to help pay for a new roof on the building. Mr. Ziker is putting profits from tenants back into the building. Tenants include businesses such as Sew Loved, Hurry Home and Invanti.

David Ziker, Ziker Sample Street, LLC thanked the Commission for their support in this project that houses so many small start-up companies (15 currently). He has a new tenant bringing manufacturing back to Indiana and will be taking roughly 70,000 square feet of the building for a new manufacturing business.

Ryan Bigg, owner of Bigg Solutions Manufacturing is bringing his business back home to South Bend in a one stop business solution. He will be printing on 3D objects and printing all different kinds of objects. He has worked with several shoe companies through the years and is excited to bring his manufacturing business here.

Upon a motion by Secretary Phillips, seconded by Vice-President Inks, the motion carried unanimously, the Commission approved Second Amendment to Development Agreement (Ziker) submitted on Thursday, April 25, 2019.

5. Third Amendment to Development Agreement (Great Lakes Capital Development LLC)

Mr. Buckenmeyer presented the Third Amendment to Development Agreement (GLC). This amendment is to move funding around but not ask for additional dollars. A year ago, the Tech Resource Center was approved for TIF funding and GLC's Catalyst III building was approved for Certified Tech Park funding. To be better aligned for the funds intended use, this Amendment reverses these two funding options. Commission approval is requested.

Upon a motion by Vice-President Inks, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved Third Amendment to Development Agreement (GLC) submitted on Thursday, April 25, 2019.

6. Fifth Amendment to Real Estate Purchase Agreement (Franklin Street Technology Park, LLC)

Mr. Buckenmeyer presented the Fifth Amendment to Real Estate Purchase Agreement (Franklin Street Technology Park, LLC). Franklin Street Technology Park, LLC is asking for an additional 90 days to close on the purchase of the property. Commission approval is requested.

Upon a motion by Secretary Phillips, seconded by Commissioner Monk, the motion carried unanimously, the Commission approved Fifth Amendment to Real Estate Purchase Agreement (Franklin Street Technology Park, LLC) submitted on Thursday, April 25, 2019.

7. Budget Request (Michigan Street Reconstruction)

Ms. Boyles presented a Budget Request for the reconstruction of Michigan Street. This request is a continuing effort to implement Complete Streets in South Bend. Recently completed was Colfax between Main Street and Michigan Street and in front of the Morris Civic. These improvements will reconstruct Michigan between Colfax and Western, and new curbs, sidewalks, and updated lighting between Wayne and Western. Improvements will vary block by block depending on need. Current parking will be changed to front-angle parking.

South Bend Redevelopment Commission Regular Meeting – April 25, 2019

A study is currently under way on the lights at Jefferson and Washington, which may have the traffic lights removed and 4 way stops installed. Commission approval in the amount of \$2M is requested.

Upon a motion by Vice-President Inks, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved Budget Request (Michigan Reconstruction) submitted on Thursday, April 25, 2019.

8. Development Agreement (Cressy & Everett Commercial Corporation)

Mr. Buckenmeyer presented a Development Agreement with Cressy & Everett Commercial Corporation for the building at 315 Jefferson Street, which has been empty for approximately two years since Family and Children's Center moved out. Cressy Commercial Real Estate will be working on renovating the building, with plans to make \$1.4M in improvements, which includes bringing 40 jobs to downtown. Part of this Agreement is TIF funding in the amount of \$230,000, to be used toward repairs to windows, roof, and exterior façade, parking lot repairs and striping, and fencing. Commission approval is requested.

*Note: Marcia Jones, President abstained from the vote due to being on the board of Family and Children Center.

Upon a motion by Secretary Phillips, seconded by Vice-President Inks, the motion carried unanimously, the Commission approved Development Agreement (Cressy & Everett Commercial Corporation) submitted on Thursday, April 25, 2019.

9. License Agreement (Beacon Health & Fitness)

Mr. Relos presented a License Agreement with Beacon Health & Fitness. Beacon Health and Fitness is hosting a final medical fitness challenge during their Association Week. They are asking to use the Gridiron on Saturday, May 11, 2019 for 3 classes 30 minutes each from 7:00 am to 12:00 pm. Commission approval is requested.

Upon a motion by Vice-President Inks, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved License Agreement (Beacon Health & Fitness) submitted on Thursday, April 25, 2019.

B. West Washington Development Area

1. Budget Request (Danch Harner – Charles Martin, Washington to LWW)

Mr. Relos presented a Budget Request with Danch Harner. The budget request is to clean up Charles Martin Sr. Drive between W. Washington and Lincoln Way West. This section of street was not dedicated when it was constructed decades ago, and therefore property lines and alleys appear throughout the street. Danch Harner & Associates will provide survey services, prepare legal descriptions and a subdivision plat to create outlets that may then be transferred to abutting property owners, vacate two alleys that cross the current street, and dedicate the street. Commission approval for a budget not-to-exceed \$16,000 is requested.

Upon a motion by Vice-President Inks, seconded by Secretary Phillips, the motion carried unanimously, the Commission approved Budget Request (Danch Harner – Charles Martin, Washington to LWW) submitted on Thursday, April 25, 2019.

C. Administrative

1. Third Amendment to Engineering Services Agreement

Ms. Boyles presented the Third Amendment to Engineering Services Agreement. This amendment is to pay for an additional Engineer for Redevelopment in 2019 and 2020. Zach Hurst will become a full-time City employee along with our other two Engineers Kyle Silveus and Charlotte Brach. Official start date of this agreement is May 13, 2019. Commission approval is requested.

Upon a motion by Secretary Phillips, seconded by Vice-President Inks, the motion carried unanimously, the Commission approved Third Amendment to Engineering Services Agreement submitted on Thursday, April 25, 2019.

6. Progress Reports

A. Tax Abatement

1. Hopkins Property, LLC aka Truck Center International plans to build a 100,000 square foot facility. This will total 30 new jobs, bringing with them 20 current employees.
2. Catalyst III, LLC plans to build an 83,000 square foot building with a \$16M project. This will house Press Ganey with 500 retained jobs.

B. Common Council

C. Other

1. Daniel Buckenmeyer presented on Smart Growth America. South Bend has been selected by the national organization Smart Growth America to receive technical assistance that will support local efforts to use small-scale manufacturing to develop the community. This assistance is made possible through the support from the U.S. Economic Development Administration. South Bend was chosen from among 63 other organizations and communities in 32 different states. All are welcome to the Wrap Up presentation on Friday, April 26th 1:00 pm at Studebaker/Renaissance Building 113.

7. Next Commission Meeting:

Thursday, May 9, 2019, 9:30 a.m.

8. Adjournment

Thursday, April 25, 2019, 10:14 a.m.

REDEVELOPMENT COMMISSION
 Redevelopment Commission Claims May 9, 2019 for approval

Claims
 submitted

Explanation of Project

324 RIVER WEST DEVELOPMENT AREA

Abonmarche	30,400.00	Western Ave Streetscape from Falcon Street to Dundee St.
Zart Hurst	2,800.00	Consultant Engineering Services Related
United Consulting	6,837.00	Coal Line Trail Phase II
CSB Service, LLC	46,371.39	Berlin Place No. 2 Electrical, Mechanical & Plumbing Division A
City of South bend	91,717.47	Reimburse Engineering for Services Rendered per EAS
Selge Construction Co Inc.	117,152.48	Lincoln Way West & Charles Martin St. Improvements
CBS Service, LLC	46,371.39	Berlin Place No. 2 Electrical, Mechanical & Plumbing Division A
Milestone Fence, LLC	67,419.60	JMS Building, Parking Lot Improvement
Slatiile Roofing & Sheets Metal Co.,	143,234.54	Liberty Tower Exterior Renovations - Division

422 WEST WASHINGTON DEVELOPMENT AREA

Bokon Masonry, Inc.	90,250.00	Gemini at Washington- Colfax Apartment Masonry & Stair Repairs
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429 FUND RIVER EAST DEVELOPMENT TIF

Precision Wall Systems	197,837.50	Three Twentv at The Cascade-Glazed Assemblies
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430 FUND SOUTH SIDE TIF AREA #1

McCormick Engineering	600.00	Bowen Street Improvements
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452 TIF PARK BOND CAPITAL

Walsh & Kelly, Inc.	210,728.61	Lincoln Way East Corridor Improvements
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Total	1,051,719.98	
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CITY OF SOUTH BEND

REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: May 8, 2019

FROM: Kara Boyles, City Engineer

SUBJECT: Budget Request – Cleveland Road Pavement Improvements #119-045

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

PURPOSE OF REQUEST: Budget request in the amount of \$2.0 M for the design and construction of Cleveland/Brick Road over the US 31 By-pass.

Specifics: This request is for the engineering design services and construction of the concrete pavement replacement near the bridge carrying Cleveland/Brick Road over the US 31 By-Pass. As part of the current INDOT project, which will be replacing concrete pavement on the US 31 By-Pass as part of roadway lowering, the City will contract for professional services with the current INDOT design team for our portion of the work to be incorporated in the INDOT letting. The City will enter into an MOU with INDOT to cost-participate in the INDOT contract. Economies of scale will allow the City to realize cost savings in both design and construction.

A PDF showing the project limits is attached to this request. The project area is near the entrance/exit to several industrial areas which are experiencing rapid growth and expansion. The pavement in this location is deteriorated due to the constant heavy, truck traffic. Full-depth replacement of the concrete pavement is anticipated to result in a service life of more than 20 years.

INTERNAL USE ONLY: Project Code: _____;
Total Amount new/change (inc/dec) in budget: _____ \$2.0M _____; Break down:
Costs: Engineering Amt: _____ \$25,000 _____; Other Prof Serv Amt _____ \$0 _____;
Acquisition of Land/Bldg (circle one) Amt: _____; Street Const Amt _____ \$1,975,000 _____;
Building Imp Amt _____; Sewers Amt _____; Other (specify) Amt: _____
_____. Going to BPW for Contracting? Y/N
Is this item ready to encumber now? no Existing PO# _____ Inc/Dec \$ _____

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

**LICENSE AGREEMENT
FOR TEMPORARY USE OF PRIVATE PROPERTY**

This License Agreement (this “Agreement”) is made on May 9, 2019 (the “Effective Date”), by and between the South Bend Redevelopment Commission, governing body of the City of South Bend Department of Redevelopment (the “Commission”), and 113-117 North Main Street Land Trust (the “Owner”) (each a “Party,” and collectively, the “Parties”).

RECITALS

WHEREAS, the Owner holds title to certain real property and improvements located within the City of South Bend, Indiana (the “City”), located at 113 N Main Street, and more particularly described in **Exhibit A** and depicted on **Exhibit A-1**, attached hereto (the “Property”); and

WHEREAS, the Commission is engaged in a project wherein its contractor will be painting the edifice of a building (the “Project”) commonly known as Liberty Tower, located at 213 W Washington Street within the City, which adjoins the Property (“Liberty Tower”); and

WHEREAS, certain aspects of the Project will require the temporary use of the parking areas located on the Property; and

WHEREAS, the Commission desires temporary access to the Property for the sole purpose of erecting scaffolding, storing equipment, and otherwise performing repairs to Liberty Tower (the “Activity”); and

WHEREAS, the Owner is willing to permit the Commission to gain access to and temporarily use the Property for the Activity, subject to the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. The Owner grants to the Commission, its agents, contractors, employees, and invitees, a temporary, non-exclusive license to enter and use the Property for the sole purpose of conducting the Activity, provided that the Commission’s use of the Property is reasonable at all times and comports with the terms of this Agreement and all applicable laws. The Commission understands that its access to the Property is limited to the areas required to complete the Activity, specifically depicted on Exhibit A-1, and agrees that this Agreement does not allow it to access any structures on the Property.

2. In consideration for the above license, the Commission agrees to provide or cause to be provided the following to Owner:

a. Six Thousand Dollars (\$6,000.00), paid in advance, for three (3) calendar weeks of use, commencing on a date to be provided to Owner in writing at least ten (10) days prior to the start of the Activity ("Activity Period"). For any days the Activity continues on the Property beyond Activity Period, the Commission shall pay Owner Three Hundred Dollars (\$300.00) per day for its continued use of the Property. If Commission expects the Activity Period to be extended, it shall provide Owner with at least three (3) days prior written notice and an estimated number of days of the extension.

b. Five (5) parking passes for Owner's tenants' use of the Liberty Tower parking garage.

c. The installation of a steel plate or other material over an open pit near the south wall of Liberty Tower to safeguard pedestrians and prevent trash accumulation.

d. A Certificate of Insurance from Commission's contractor naming Owner as an additional insured during the term of the Activity.

3. The Commission's license to use the Property for the Activity shall be effective as set forth in this Agreement, and the Commission agrees that it will not use the Property for any purposes except in the furtherance of the Activity. Immediately upon the completion of the Activity, the Commission will remove or cause to be removed from the Property all supplies, materials, goods, and personal property (including trash) used by it or its agents, employees, contractors, or invitees in connection with the Activity. At all times during the period of the Activity and the Project, the Commission will use or cause to be used commercially reasonable efforts to keep the Property in good order and condition.

3. The Commission understands and agrees that the Owner shall not be liable for any loss, damage, destruction, or theft of the Commission's property or the property of the Commission's agents, contractors, employees, or invitees, or any bodily harm or injury that may result from the Commission's use of the Property. The Commission understands and agrees that it will be solely responsible for the safety and security of all persons on the Property and any personal property the Commission or its agents, contractors, employees, or invitees use in connection with the Activity while on the Property.

4. The Commission understands and agrees that it will secure in its own name (or the name of the City) and at its own expense all necessary permits and authorizations needed in order to conduct the Activity.

5. The Commission understands and agrees that it will, at its own expense, observe and comply with, or cause to be observed and complied with, all applicable statutes, laws, ordinances, requirements, orders, rules, and regulations of all governmental authorities in relation to the Activity.

6. The Owner reserves the right to use the Property during the term of this Agreement for any purpose that does not substantially interfere with or obstruct the Commission's permitted use of the Property with regard to the Activity and the other terms of this Agreement.

7. To the extent that any portion of the Property is disturbed or damaged in connection with the Commission's use of the Property, the Commission, at its sole expense, shall restore or cause to be restored the Property substantially to the condition that existed immediately prior to such disturbance or damage to the reasonable satisfaction of the Owner.

8. The Commission agrees and undertakes to indemnify and hold the Owner and its agents, employees, successors, assigns, and licensees harmless from any liability, loss, costs, damages or expenses, including attorneys' fees, which the Owner may suffer or incur as a result of any claims or actions which may be brought by any person or entity arising out of the Commission's use of the Property. If any action is brought against the Owner, or its agents, employees, successors, or assigns, in connection with the Activity, the Commission agrees to defend such action or proceedings at its own expense and to pay any judgment rendered therein. Notwithstanding the foregoing or anything herein to the contrary, neither the Commission nor the City waive any governmental immunity or liability limitations available to them under Indiana law.

9. Each undersigned person signing on behalf of his/her respective Party certifies that he/she is duly authorized to bind his/her respective Party to the terms of this Agreement.

IN WITNESS WHEREOF, the Parties have each executed this Agreement to be effective as of the Effective Date stated above.

**SOUTH BEND REDEVELOPMENT
COMMISSION**

By: _____
Marcia I. Jones, President

ATTEST:

Quentin Phillips, Secretary

113-117 NORTH MAIN STREET LAND TRUST

By: Pinnacle Property Management, Inc., Trustee


By:  _____
Timothy P. Sharp, President

EXHIBIT A

Description of Property

The following real property commonly known as 113 North Main Street, South Bend, Indiana, Parcel Key nos. 018-1008-0320 and 018-1008-032101:

A part of Lot 238, Original Plat of the City of South Bend, Indiana, south 22 feet on Main Street by 100 foot deep; and

A part of Lot 238 of the City of South Bend, Indiana, south 22 feet continuing from adjacent portion of Lot 238, Original Plat of the City of South Bend, Indiana, 65 feet.

EXHIBIT A-1

Map (attached)

Area of use is depicted in red.

RESOLUTION NO. 3484

**RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION
DETERMINING THAT THE TAX INCREMENT WHICH MAY BE COLLECTED IN
THE YEAR 2020 IS NEEDED TO SATISFY OBLIGATIONS OF THE COMMISSION
AND THAT NO EXCESS ASSESSED VALUE MAY BE ALLOCATED TO THE
RESPECTIVE TAXING UNITS AND OTHER RELATED MATTERS**

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

WHEREAS, the Commission has previously adopted resolutions, which have been amended from time to time, declaring various portions of the City of South Bend to be economic development areas or redevelopment areas within the meaning of the Act (the "Areas") and designated territory within such Areas as allocation areas (the "Allocation Areas") under Section 39 of the Act, which Allocation Areas are listed in Exhibit A attached hereto; and

WHEREAS, the Commission, in accordance with the Act, has previously established an allocation fund for each of the Allocation Areas (the "Allocation Funds"); and

WHEREAS, Section 39 of the Act requires the Commission to determine the amount, if any, by which the assessed value of the taxable property in the Allocation Areas for the most recent assessment date minus the base assessed value, when multiplied by the estimated tax rate of the respective Allocation Areas, will exceed the amount of assessed value needed to produce the property taxes necessary to make, when due, principal and interest payments on bonds payable from the Allocation Fund, plus the amount necessary for other purposes described in Section 39 of the Act; and

WHEREAS, Section 39 of the Act requires the Commission to provide to the St. Joseph County Auditor, the Common Council, the Department of Local Government Finance, and the fiscal officers for each taxing unit located wholly or partly within the respective Allocation Areas written notice stating (i) the amount, if any, of excess assessed value that the Commission has determined may be allocated to the respective taxing units in the manner prescribed in Section 39 of the Act, or (ii) that the Commission has determined that there is no excess assessed value that may be allocated to the respective taxing units in the manner prescribed in Section 39 of the Act; and

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

1. The Commission hereby determines that there is no excess assessed value in the Allocation Areas that may be allocated to the respective taxing units in the manner prescribed in Section 39 of the Act because the Commission hereby finds that, for each respective Allocation

Area, the assessed value of the taxable property in the Allocation Area for the most recent assessment date minus the base assessed value, when multiplied by the estimated tax rate of the Allocation Area, will not exceed the amount of assessed value needed to produce the property taxes necessary to make, when due, principal and interest payments on bonds payable from the Allocation Fund of the Allocation Area, plus the amount necessary for other purposes described in Section 39 of the Act. Accordingly, for tax year payable 2020, the Commission determines that no amount of assessed value of the Allocation Areas will be allocated to the respective taxing units in the manner prescribed in Section 39 of the Act. In making this determination, the Commission has considered the effect that such determination will have on the property tax rate in the Redevelopment District.

2. This determination for 2020 shall not be construed to affect any future determination of the Commission with respect to the capture of assessed value of the taxable property in the Allocation Areas in the years following 2020.

3. The President or Vice President of the Commission is hereby authorized and directed to immediately notify or cause to be notified the St. Joseph County Auditor, the South Bend Common Council, the Department of Local Government Finance, and the officers who are authorized to fix budgets, tax rates, and tax levies under Indiana Code 6-1.1-17-5 for each of the other taxing units wholly or partly located within the Allocation Areas of the determinations made herein by the Commission, by way of a letter in substantially the form attached hereto as Exhibit B, which notice is intended to satisfy the requirements of Section 39 of the Act. Further, the Commission acknowledges that, based on its determination herein, no notice is due to the St. Joseph County Auditor under 50 IAC 8-2-4(b).

ADOPTED AND APPROVED at a meeting of the South Bend Redevelopment Commission held on the 9th day of May, 2019, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

**CITY OF SOUTH BEND,
DEPARTMENT OF REDEVELOPMENT**

Marcia I. Jones, President

ATTEST:

Quentin Phillips, Secretary

4000.0000001 64953876.002

EXHIBIT A

Allocation Areas

- 1) River West Development Area
- 2) West Washington Development Area
- 3) River East Development Area Allocation Area #1
- 4) River East Development Area Allocation Area #2
- 5) South Side General Development Area #1

EXHIBIT B

(Form of Letter)

Date

Mr./Ms. [Name]
Taxing Unit Address

Subject: Request Regarding Capture of Incremental Assessed Value for the City of South Bend

Dear Mr./Ms. [Name]:

In accordance with the provisions of IC 36-7-14-39, the Redevelopment Commission of the City of South Bend, Indiana, has determined (by Resolution #3484, passed 5/9/19) that there is no excess assessed value that may be allocated to the respective taxing units in the manner prescribed in subdivision (1) of IC 36-7-14-39(b).

The Allocation Areas of the City of South Bend covered by this letter are as follows:

River West Development Area
West Washington Development Area
River East Development Area Allocation Area # 1
River East Development Area Allocation Area #2
South Side General Development Area #1

Very truly yours,

Marcia Jones,
President

South Bend Redevelopment Commission

RESOLUTION NO. 3482

A RESOLUTION COMMENDING
DAVE VARNER FOR EXTRAORDINARY SERVICE TO THE
SOUTH BEND REDEVELOPMENT COMMISSION

WHEREAS, Dave Varner has been a member of the Redevelopment Commission of the City of South Bend since 2008; and

WHEREAS, during his time with the Commission Dave has had leadership roles in the areas of business assistance, tax abatement, public finance and economic development; and

WHEREAS, Dave was responsible for establishment of the Douglas Road Economic Development Area, River West Development Area, River East Development Area, the Northeast Neighborhood Development Area, the Northeast Neighborhood Residential TIF district, and for combining the Sample-Ewing Development Area with the Airport Economic Development Area; and

WHEREAS, Dave played a leading role in negotiating through the details of many important projects such as Erskine Commons, Erskine Village, AJ Wright, the Renaissance District, Nello, Noble Americas, the South Bend Career Academy, Eddy Street Commons, Hibberd, Barnes and Thornburg, Wharf Project/Cascade, Liberty Towers/Aloft Hotel, Armory; and

WHEREAS, Dave played a key role in securing a Certified Technology Park designation for Ignition Park and Innovation Park. Ignition Park houses Data Realty, Catalyst I, II and a soon to be built Catalyst III with multiple businesses including Notre Dame Turbo, Technology Resource Center and the future home of Press Ganey; and

WHEREAS, Dave's creative approach to funding resulted in a development plan to reconstruct Douglas Road from SR 23 to the Mishawaka city limits, and he has participated in and supported numerous studies and analysis of the downtown, resulting in millions of dollars of new investment; and

WHEREAS, Dave oversaw development of numerous projects with a handful listed of South Bend Chocolate Café, South Bend Chocolate Park, WNIT, Coveleski Park, Berlin Place, Environmental Health Labs, Portage Prairie, Huttsfield Square, Tire Rack, Gibbs Wire, Tech Data, Century Center, Ireland Road improvements, Menards, Main-Lafayette Corridor, Oliver Plow Industrial Park, KeyBank renovation, East Race and River Race Town Homes, the Veterans Administration Clinic, Memorial Home Care, Brown Mackie College, River Front Liquor District, Hall of Fame, Courtyard by Marriott Hotel, Renovation of the former Natatorium, Hansel Center, Rushton, Hotel LaSalle, American Bank & Trust Place, Gateway Center, Fire Station #4, Leighton Plaza, Studebaker Buildings 84, 112 & 113, Stephenson Mills, Lafayette Building, Ziker's, Franklin Street Technology Park, Shambaugh & Sons, LangLab, Unity Gardens, South Well Field, St. Joseph County Library, Western Avenue Streetscape, St Joseph Streetscape, Lincoln Way West-Charles Martin Streetscape Improvements and Smart Streets; and

WHEREAS, Dave helped South Bend grow their green spaces at Howard Park, Seitz Park, Erskine Golf Course, Rum Village, Bowman Creek, Coal Line Trail and the City Cemetery.

WHEREAS, Dave has always been a patient, steady, and reliable source of objective information with facts and figures that have allowed the Commission to make sound decisions without the sometimes-emotional reaction to what is politically popular at the time; and

WHEREAS, Dave has never forgotten the public that he serves, giving unselfishly of his time for the betterment of the community with no concern for individual honor or recognition; and

WHEREAS, Dave has decided the time is right to pursue other endeavors; and

NOW, THEREFORE, BE IT RESOLVED that the South Bend Redevelopment Commission hereby recognizes Dave Varner for his extraordinary commitment and distinguished service to the South Bend Redevelopment Commission and the City of South Bend; thanks him for the outstanding contributions he has made; and declares it will sincerely miss his diligent work and his presence at future meetings.

ADOPTED at a meeting of the South Bend Redevelopment Commission held on May 9, 2019, at 1308 County-City Building, 227 W. Jefferson Boulevard, South Bend, Indiana 46601.

SOUTH BEND REDEVELOPMENT
COMMISSION

By: _____
Marcia I Jones, President

Attest: _____
Quentin Phillips, Secretary