



# CITY OF SOUTH BEND

## REDEVELOPMENT AUTHORITY

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### **Agenda**

Scheduled Meeting  
November 22, 2021 – 9:00 am  
<http://tiny.cc/RDA112221>

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**1. Roll Call**

**2. Approval of Minutes**

A. Approval of Minutes of the Scheduled Meeting March 30, 2021

**3. New Business**

A. Resolution No. 210 (Approving Lease – South Bend Morris Civic 2021)

**4. Adjournment**



# CITY OF SOUTH BEND

## REDEVELOPMENT AUTHORITY

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March 30, 2021,  
10:00 a.m.  
<https://tinyurl.com/RDA033021>

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

The meeting was called to order at 10:06 am

### 1. ROLL CALL

Members Present: Erin Linder Hanig, President  
Anthony Fitts, Vice-President

Members Absent: Richard Klee, Secretary-Treasurer

Redevelopment Staff: Mary Brazinsky, Board Secretary

Legal Counsel: Sandra Kennedy, Esq.

Attending: Ben Dougherty, Admin & Finance  
Jenna Throw, Legal  
Renata Matousova, Treasury

### 2. ELECTION OF OFFICERS

- A. Ms. Linder Hanig nominated Anthony Fitts for President, seconded by Mr. Fitts. The motion carried on March 30, 2021.
- B. Ms. Linder Hanig nominated Richard Klee as Vice-President, seconded by Mr. Fitts. The motion carried on March 30, 2021.
- C. Ms. Linder Hanig nominated herself as Secretary, seconded by Mr. Fitts. The motion carried on March 30, 2021.

**3. APPROVAL OF MINUTES**

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

Upon a motion by Mr. Fitts, President seconded by Ms. Linder Hanig, Secretary, the motion carried unanimously, the Authority approved the Minutes of the Meeting May 11, 2020.

**4. NEW BUSINESS**

**A. Resolution No. 209 (Authorizing Officer to Execute Certificate re Insurance)**

Mr. Dougherty presented Resolution No. 209 (Authorizing Officer to Execute Certificate re Insurance). This resolution is authorizing the City Controller or the designee to execute any appropriate certificate or other documents confirming the Authority's compliance with insurance requirements by the governing documents of outstanding bonds. This will help to streamline the process to bond holders and makes the Authority more flexible. Going forward the Controller's office will sign off on the yearly certificates and submit them to the appropriate governing bodies. Commission approval is requested.

Upon a motion by Mr. Fitts, President seconded by Ms. Linder Hanig, Secretary, the motion carried unanimously, the Authority approved Resolution No. 209 (Authorizing Officer to Execute Certificate re Insurance) on March 30, 2021.

**B. Lease Rental Revenue Refunding Bonds, Series 2013 (Century Center Project) Officer's Certificate**

Ms. Kennedy presented Lease Rental Revenue Refunding Bonds, Series 2013 (Century Center Project) Officer's Certificate. This is the annual officer's certificate as presented in previous years.

Upon a motion by Mr. Fitts, President seconded by Ms. Linder Hanig, Secretary, the motion carried unanimously, the Authority approved Lease Rental Revenue Refunding Bonds, Series 2013 (Century Center Project) Officer's Certificate on March 30, 2021.

**C. Lease Rental Revenue Bond of 2015 (Smart Streets Project) Officer's Certificate**

Ms. Kennedy presented Lease Rental Revenue Bond of 2015 (Smart Streets Project) Officer's Certificate. This is the annual officer's certificate as presented in previous years.

Upon a motion by Mr. Fitts, President seconded by Ms. Linder Hanig, Secretary, the motion carried unanimously, the Authority approved Lease Rental Revenue Bond of 2015 (Smart Streets Project) Officer's Certificate on March 30, 2021.

**D. Lease Rental Revenue Refunding Bonds of 2015 (Eddy Street Commons Project) – Annual Certificate**

Ms. Kennedy presented Lease Rental Revenue Refunding Bonds of 2015 (Eddy Street Commons Project) – Annual Certificate. This is the annual officer's certificate as presented in previous years.

Upon a motion by Mr. Fitts, President seconded by Ms. Linder Hanig, Secretary, the motion carried unanimously, the Authority approved Lease Rental Revenue Refunding Bonds of 2015 (Eddy Street Commons Project) – Annual Certificate on March 30, 2021.

**E. Lease Rental Revenue Bonds of 2019 (South Shore Double Tracking Project) – Annual Certificate**

Ms. Kennedy presented Lease Rental Revenue Bonds of 2019 (South Shore Double Tracking Project) – Annual Certificate. This is the annual officer's certificate as presented in previous years.

Upon a motion by Mr. Fitts, President seconded by Ms. Linder Hanig, Secretary, the motion carried unanimously, the Authority approved Lease Rental Revenue Bonds of 2019 (South Shore Double Tracking Project) – Annual Certificate on March 30, 2021.

**5. ADJOURNMENT**

Upon a motion by Mr. Fitts, President seconded by Ms. Linder Hanig, Secretary, the motion carried unanimously, the Authority adjourned the meeting at 10: 21 am.

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Erin Linder Hanig, Secretary  
South Bend Redevelopment Authority

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Tony Fitts, Vice-President  
South Bend Redevelopment Authority

**RESOLUTION NO. 210****A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT AUTHORITY  
ESTABLISHING ITS INTENT TO ISSUE REDEVELOPMENT AUTHORITY LEASE  
RENTAL REVENUE BONDS, APPROVING A PROPOSED LEASE WITH THE SOUTH  
BEND REDEVELOPMENT COMMISSION, AND ALL MATTERS RELATED  
THERE TO IN CONNECTION WITH THE MORRIS PERFORMING ARTS CENTER  
PROJECT**

WHEREAS, the South Bend Redevelopment Authority (the “Authority”) has been created pursuant to Indiana Code 36-7-14.5 as a separate body, corporate and politic, and as an instrumentality of the City of South Bend, Indiana (the “City”), to finance local public improvements for lease to the South Bend Redevelopment Commission (the “Commission”); and

WHEREAS, the City has determined to undertake certain improvements to the Morris Performing Arts Center (the “Performing Arts Center”) consisting of certain energy savings improvements, renovations of the floor and seating, and certain other improvements at the Performing Arts Center (collectively, the “Project”); and

WHEREAS, the Authority has given consideration to (i) financing the cost of all or a portion of the Project; (ii) funding a debt service reserve fund, if necessary in connection with the issuance of the Bonds (defined herein); and (iii) paying costs incurred in connection with the issuance of the Bonds; and

WHEREAS, the Authority desires to express its intent to issue its lease rental revenue bonds (the “Bonds”), in one (1) or more series, in an aggregate principal amount not to exceed Seven Million Two Hundred Fifty Thousand Dollars (\$7,250,000) to: (i) finance all or a portion of the cost of the Project; (ii) fund a debt service reserve fund, if necessary in connection with the issuance of the Bonds; and (iii) pay costs incurred in connection with the issuance of the Bonds; and

WHEREAS, the Authority seeks to approve and enter into a proposed Lease Agreement with the Commission in the form presented at this public meeting (the “Lease”) for the purpose of paying the principal and interest on the Bonds issued pursuant to I.C. 36-7-14.5 to finance the Project, and other costs set forth above; and

WHEREAS, the Authority anticipates that certain expenses may be incurred with respect to the Project (collectively, the “Expenditures”) prior to the issuance of the Bonds, and the Authority expects to reimburse any such Expenditures with proceeds received by the Authority upon the issuance of the Bonds; and

WHEREAS, the Authority now seeks to declare its intent to reimburse the Expenditures pursuant to Treas. Reg. §1.150-2 and Indiana Code 5-1-14-6(c);

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

SECTION 1. The Authority hereby declares its intent to issue the Bonds in an aggregate principal amount not to exceed Seven Million Two Hundred Fifty Thousand (\$7,250,000) Dollars pursuant to Indiana Code 36-7-14.5 for the purpose of financing all or a portion of the cost of the

Project and to reimburse costs related thereto consisting of the Expenditures from proceeds of the sale of such Bonds.

SECTION 2. The Authority hereby approves the proposed Lease between the Authority and the Commission in the form presented at this public meeting. The President and Secretary of the Authority are hereby authorized to execute the Lease on behalf of the Authority following approval of the Lease by the Common Council of the City, with such changes thereto as such Officers shall approve, such approval to be conclusively evidenced by their execution thereof.

SECTION 3. This Resolution shall take effect, and be in full force and effect from and after its passage and approval by the Authority, in conformance with applicable law.

ADOPTED at a meeting of the South Bend Redevelopment Authority held on November 22, 2021, in the Mayor's Conference Room, 14<sup>th</sup> Floor of the County-City Building, 277 West Jefferson Boulevard, South Bend, Indiana 46601.

**SOUTH BEND REDEVELOPMENT AUTHORITY**

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Anthony Fitts, President

ATTEST:

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Richard Klee, Vice President