



OFFICE OF THE CITY CLERK DAWN M. JONES, CITY CLERK

MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: DAWN M. JONES, CITY CLERK
DATE: TUESDAY, NOVEMBER 22, 2022
SUBJECT: COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **Monday, November 28, 2022:**

Council Chambers
4th Floor County-City Building
227 W. Jefferson Blvd.
South Bend, IN 46601

The Council Chambers will be Open to the Public or Members of the Public May Attend this Meeting Virtually via Microsoft Teams Meeting app here: <https://tinyurl.com/11282022CC>.

- | | | |
|-------------------------|---|----------------------------------|
| <u>3:30 P.M.</u> | <u>COMMUNITY INVESTMENT</u> | CHAIRPERSON, TOMAS MORGAN |
| | 1. Bill No. 22-58 - An Eight-Year Tax Abatement Resolution Confirming Property Located at 511 North Notre Dame Avenue | |
| <u>3:50 P.M.</u> | <u>RULES COMMITTEE</u> | CHAIRPERSON, MCBRIDE |
| | 1. Bill No. 72-22 - An Ordinance Amending Chapter 1, Section 1-4 of the South Bend Municipal Code addressing "Six Councilmanic Districts" | |
| <u>4:00 P.M.</u> | <u>PARCS COMMITTEE</u> | CHAIRPERSON, LEE |
| | 1. Update - Aaron Perri, Executive Director, Venues, Parks, and Arts | |

4:20 P.M.

ZONING & ANNEXATION

CHAIRPERSON, HAMANN

1. Bill No. **64-22** - Zoning Ordinance for Property Located at 613 S. Warren St, Councilmanic District No. 6 - **SUBSTITUTE**
2. Bill No. **65-22** - Zoning Ordinance for Property Located at 1036 and 1044 Lincolnway East, Councilmanic District No. 3
3. Bill No. **66-22** - Zoning Ordinance for Property Located at the Vacant land on the East and West sides of N Lindenwood Dr. E Between W Lindenwood Dr and Auten Rd. Councilmanic District No.

Council President Sharon L. McBride has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Zoning and Annexation Committee Meeting.

INFORMAL MEETING OF THE COMMON COUNCIL

PRESIDENT, MCBRIDE

1. Discussion of Council Agenda
2. Update and Announcements
3. Adjournment

cc: Mayor James Mueller
Committee Meeting
List Media

NOTICE FOR HEARING AND SIGHT-IMPAIRED PERSONS

Auxiliary Aid or Other Services may be Available upon Request at No Charge.
Please give Reasonable Advance Request when Possible



South Bend Common Council

Meeting Agenda

Monday, November 28, 2022

7:00 PM

The South Bend Common Council meeting will be open to the public at the Council Chambers on the 4th floor of the County-City Building, 227 W. Jefferson Blvd., South Bend, IN 46601 or available by way of a virtual meeting using the Microsoft Teams Meeting App. Public access to the meeting can be granted by this Microsoft Teams Link: <https://tinyurl.com/11282022SBCC>

1. **INVOCATION**

FR JIM FENSTERMAKER, C.S.C., HOLY CROSS SCHOOL

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **REPORT FROM SUB-COMMITTEE ON MINUTES**

5. **SPECIAL BUSINESS**

Unity Gardens Update - Sara Steward

6. **REPORTS FROM CITY OFFICES**

Venues, Parks, and Arts Update - Aaron Perri, Executive Director

7. **COMMITTEE OF THE WHOLE**

BILL NO.

[64-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 613 S WARREN ST., COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

[65-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1036 AND 1044 LINCOLNWAY EAST, COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA
(SUBSTITUTE)

[66-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT THE VACANT LAND ON THE EAST AND WEST SIDES OF N LINDENWOOD DR E BETWEEN W LINDENWOOD DR S AND AUTEN RD., COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[72-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING CHAPTER 1, SECTION 1- 4 OF THE SOUTH BEND MUNICIPAL CODE ADDRESSING "SIX COUNCILMANIC DISTRICTS"

8. **RISE AND REPORT**

9. **REGULAR MEETING RECONVENED**

10. **BILLS ON THIRD READING**

BILL NO.

[64-22](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 613 S WARREN ST., COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND, INDIANA

[65-22](#) THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA,

AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1036 AND 1044 LINCOLNWAY EAST, COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA
(SUBSTITUTE)

[66-22](#)

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT THE VACANT LAND ON THE EAST AND WEST SIDES OF N LINDENWOOD DR E BETWEEN W LINDENWOOD DR S AND AUTEN RD., COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[72-22](#)

THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING CHAPTER 1, SECTION 1- 4 OF THE SOUTH BEND MUNICIPAL CODE ADDRESSING "SIX COUNCILMANIC DISTRICTS"

11. **RESOLUTIONS**
BILL NO.

[22-58](#)

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS 511 NORTH NOTRE DAME AVENUE, SOUTH BEND IN 46617 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF AN EIGHT (8) YEAR REAL PROPERTY TAX ABATEMENT FOR ND QOZB LLC

12. **BILLS OF FIRST READING**
BILL NO.

[74-22](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 505 IRELAND RD., 4412 FELLOWS ST., AND 4422 FELLOWS ST., COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND, INDIANA

[75-22](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, ADOPTING AN INVESTMENT POLICY FOR THE CITY OF

SOUTH BEND FOR CALENDAR YEAR 2023

[76-22](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS FOR THE YEAR 2022 OF \$840,000 FROM THE GENERAL FUND (#101), \$968,222 FROM THE PARKS & RECREATION FUND (#201), \$135,000 FROM THE MOTOR VEHICLE HIGHWAY FUND (#202), \$25,000 FROM THE LAW ENFORCEMENT CONTINUING EDUCATION FUND (#220), \$2,300,000 FROM THE CENTRAL SERVICES FUND (#222), \$294,000 FROM THE LIABILITY INSURANCE FUND (#226), \$226,000 FROM THE MVH RESTRICTED FUND (#266), \$875,000 FROM THE SOLID WASTE OPERATIONS FUND (#610), \$210,000 FROM THE WATER WORKS OPERATIONS FUND (#620), \$224,165 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), AND \$550,000 FROM THE CENTURY CENTER OPERATIONS FUND (#670)

[77-22](#)

FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2022

- 13. UNFINISHED BUSINESS
- 14. NEW BUSINESS
- 15. PRIVILEGE OF THE FLOOR
- 16. 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 if and when possible.



2022 COMMON COUNCIL STANDING COMMITTEES (Rev. 09-22-2022)

COMMUNITY INVESTMENT COMMITTEE

Oversees the various activities of the Department of Community Investment. This Committee reviews all real and personal tax abatement requests and works closely with the Business Development Team.

Rachel Tomas Morgan, Chairperson
Henry Davis, Jr., Vice-Chairperson
Thomas Kurzhal, *Citizen Member*

Eli Wax, Member
Kaine Kanczuzewski, *Citizen Member*

COMMUNITY RELATIONS COMMITTEE

Oversees the various activities of the Engagement and Economic Empowerment, Neighborhood Development, and Community Resources Teams within the City's Department of CI and is charged with facilitating partnerships and ongoing communications with other public and private entities operating within the City.

Troy Warner, Chairperson
Eli Wax, Vice-Chairperson
Citizen Member

Canneth Lee, Member
Lori K. Hamann, Member

COUNCIL RULES COMMITTEE

Oversees the regulations governing the overall operation of the Common Council, as well as all matters of public trust. Its duties are set forth in detail in Section 2-10.1 of the *South Bend Municipal Code*.

Sharon L. McBride, Member
Sheila Niezgodski, Member

Eli Wax, Member

HEALTH AND PUBLIC SAFETY COMMITTEE

Oversees the various activities performed by the Fire and Police Departments, EMS, Department of Code Enforcement, ordinance violations, and related health and public safety matters.

Eli Wax, Chairperson
Karen L. White, Vice-Chairperson
Rachel Tomas Morgan, Member

Troy Warner, Member
Canneth Lee, Member
Desmont Upchurch, *Citizen Member*

INFORMATION AND TECHNOLOGY COMMITTEE- Innovation

Oversees the various activities of the City's Department of Innovation, which includes the Divisions of Information Technology and 311 so that the City of South Bend remains competitive and on the cutting edge of developments in this area. Reviewing and proposing upgrades to computer systems and web sites, developing availability and access to GIS data and related technologies are just some of its many activities.

Rachel Tomas Morgan, Chairperson
Lori K. Hamann, Vice-Chairperson
Maria Gibbs, *Citizen Member*

Canneth Lee, Member
Scott Matthew Coats, *Citizen Member*

PARC COMMITTEE- Venues Parks and Arts (Parks, Recreation, Cultural Arts & Entertainment)

Oversees the various activities of the Century Center, College Football Hall of Fame, Four Winds Stadium, Morris Performing Arts Center, Studebaker National Museum, South Bend Regional Museum of Art, Potawatomi Zoo, My SB Trails, DTSB relations, and the many recreational and leisure activities offered by the Department of Venues Parks and Arts.

Canneth Lee, Chairperson
Troy Warner, Vice-Chairperson
Chris Hagstrom-Jones, *Citizen Member*

Henry Davis, Jr., Member
Rachel Tomas Morgan, Member
Citizen Member



PERSONNEL AND FINANCE COMMITTEE

Oversees the activities performed by the Department of Administration and Finance, and reviews all proposed salaries, budgets, appropriations, and other fiscal matters, as well as personnel policies, health benefits and related matters.

Sheila Niezgodski, Chairperson
Eli Wax, Vice-Chairperson
Rachel Tomas Morgan, Member

Troy Warner, Member
Henry Davis, Jr., Member

PUBLIC WORKS AND PROPERTY VACATION COMMITTEE

Oversees the various activities performed by the Building Department, the Department of Public Works and related public works and property vacation issues.

Sheila Niezgodski, Chairperson
Lori K. Hamann, Vice-Chairperson
Jason Piontek, *Citizen Member*

Karen L. White, Member
Carl Littrell, *Citizen Member*

RESIDENTIAL NEIGHBORHOODS COMMITTEE

Oversees the various activities and issues related to neighborhood development and enhancement.

Karen L. White, Chairperson
Canneth Lee, Vice-Chairperson
Amika Micou, *Citizen Member*

Henry Davis, Jr., Member
Sheila Niezgodski, Member
Citizen Member

UTILITIES COMMITTEE

Oversees the activities of all enterprise entities including but not limited to the Bureau of Waterworks, Bureau of Sewers, and all related matters.

Henry Davis, Jr., Chairperson
Troy Warner, Vice-Chairperson
Citizen Member

Eli Wax, Member
Lori K. Hamann, Member
Citizen Member

ZONING AND ANNEXATION COMMITTEE

Oversees the activities related to the Board of Zoning Appeals, recommendations from the Area Plan Commission and the Historic Preservation Commission, as well as all related matters addressing annexation and zoning.

Lori K. Hamann, Chairperson
Henry Davis, Jr., Vice-Chairperson
James Snodgrass, *Citizen Member*

Sheila Niezgodski, Member
Karen L. White, Member

SUB-COMMITTEE ON MINUTES

Reviews the minutes prepared by the Office of the City Clerk of the regular, special, and informal meetings of the Common Council and makes a recommendation on their approval/modification to the Council.

Troy Warner, Member

Eli Wax, Member



2022 COMMON COUNCIL STANDING COMMITTEES (Rev.01-06-2022)

CANNETH LEE, 1ST District Council Member

Chairperson, Committee of the Whole

PARC Committee, Chairperson

Residential Neighborhoods Committee, Vice-Chairperson
Community Relations Committee, Member

Health & Public Safety Committee, Member
Information & Technology Committee, Member

HENRY DAVIS, JR. 2ND District Council Member

Utilities Committee, Chairperson

Community Investment Committee, Vice-Chairperson
Zoning & Annexation Committee, Vice-Chairperson
PARC Committee, Member

Residential Neighborhoods Committee, Member
Personnel & Finance Committee, Member

SHARON L. MCBRIDE, 3RD District Council Member

President

Council Rules Committee, Member

TROY WARNER, 4TH District Council Member

Community Relations Committee, Chairperson

Utilities Committee, Vice-Chairperson
PARC Committee, Vice-Chairperson

Health & Public Safety Committee, Member
Personnel & Finance Committee, Member
Sub-Committee on the Minutes, Member

ELI WAX, 5TH District Council Member

Health & Public Safety Committee, Chairperson

Community Relations, Vice-Chairperson
Personnel & Finance, Vice-Chairperson
Committee Investment, Member

Utilities, Member
Sub-Committee on Minutes, Member
Council Rules Committee, Member

SHEILA NIEZGODSKI, 6TH District Council Member

Vice-President

Personnel & Finance Committee, Chairperson

Public Works & Property Vacation, Chairperson
Council Rules Committee, Member

Residential Neighborhoods Committee, Member
Zoning & Annexation Committee, Member

RACHEL TOMAS MORGAN, AT LARGE Council Member

Information & Technology Committee, Chairperson

Community Investment Committee, Chairperson

Health & Public Safety Committee, Member

PARC Committee, Member
Personnel & Finance Committee, Member

KAREN L. WHITE, AT LARGE Council Member

Residential Neighborhoods Committee, Chairperson

Health & Public Safety Committee, Vice-Chairperson

Public Works & Property Vacation, Member
Zoning & Annexation Committee, Member

LORI K. HAMANN, AT LARGE Council Member

Zoning & Annexation Committee, Chairperson

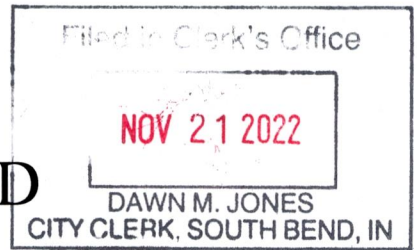
Public Works & Property Vacation, Vice-Chairperson
Information & Technology Committee, Vice-Chairperson

Community Relations Committee, Member
Utilities Committee, Member



CITY OF SOUTH BEND

COMMUNITY INVESTMENT



November 21, 2022

Council Member Rachel Tomas Morgan
Chairperson, Community Investment Committee
South Bend Common Council
4th Floor, County City Building
South Bend, IN 46601

RE: Multi-Family Residential Real Property Tax Abatement Petition for **ND QOZB LLC**

Dear Council Member Tomas Morgan:

Please find the enclosed information pertaining to a multi-family residential real property tax abatement petition submitted by ND QOZB LLC, an Idaho Limited Liability Company, to rehabilitate a building at **511 North Notre Dame Avenue**. On November 14, 2022, the Common Council approved Resolution No. 4991-22, the Declaratory Resolution. **The Department of Community Investment will present the Confirming Resolution on November 28 for the Common Council's consideration.**

This petition package includes:

- Department of Community Investment's summary report
- Petition
- Statement of Benefits form (SB-1 / Real Property)
- Supporting information

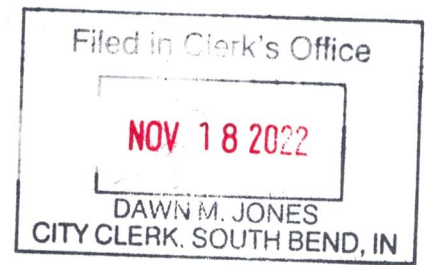
The report contains the Department's findings relative to the above petition. The petitioner plans to remodel and convert the vacant property to a 69-unit apartment building. The total private investment to rehabilitate and modernize the existing real property is \$27.6 million. The project meets the qualifications for an eight-year (8) multi-family residential real property tax abatement, and a representative from ND QOZB LLC will be available to meet with the Committee on Monday, November 28, 2022.

Should you or any of the other Council members have any questions concerning the report, or need additional information, please feel free to call me at (574) 235-5898.

Sincerely,

Caleb Bauer
Executive Director
Department of Community Investment

BILL NO. 22-58
RESOLUTION NO. 4992-22



A RESOLUTION CONFIRMING THE ADOPTION OF A DECLARATORY RESOLUTION DESIGNATING CERTAIN AREAS WITHIN THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS **511 North Notre Dame Avenue, South Bend IN 46617** AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF AN EIGHT (8) YEAR REAL PROPERTY TAX ABATEMENT FOR

ND QOZB LLC

WHEREAS, the Common Council of the City of South Bend, Indiana, has adopted a Declaratory Resolution designating certain areas within the City as Economic Revitalization Areas for the purpose of tax abatement consideration; and

WHEREAS, a Declaratory Resolution designated the area commonly known as 511 North Notre Dame Avenue, South Bend, Indiana 46617, and which is more particularly described as:

Parcel ID: 018-5024-086001
Parcel Number: 71-08-01-476-033.000-026
Legal Description: Lot 2 St Joseph Regional Medical Center Cedar St Minor
Sub NP #5012 7-13-10

and which has Key Number 71-08-01-476-033.000-026 be designated as an Economic Revitalization Area; and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrances and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for multi-family real property tax abatement only and is limited to three (3) calendar years from the date of adoption of the Declaratory Resolution by the Common Council.

SECTION II. The Common Council hereby determines that the property owner is qualified for and is granted real property tax deduction for up to a period of eight (8) years as shown by the schedule outlined below as well as the attachment pursuant to Indiana Code 6-1.1-12.1-17 and further determines that the petition, the Memorandum of Agreement between the Petitioner and the City of South Bend, and the Statement of Benefits comply with Chapter 2, Article 6, of the Municipal Code of the City of South Bend and Indiana Code 6-1.1-12 et seq.

Year 1 - 100%
Year 2 - 95%
Year 3 - 90%
Year 4 - 85%
Year 5 - 80%
Year 6- 75%
Year 7- 70%
Year 8 - 65%

SECTION III. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approved by the Mayor.

Sharon McBride, Council President
South Bend Common Council

Attest:

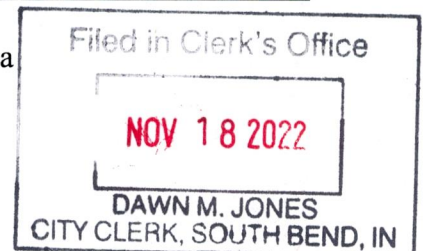
Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2022, at _____ o'clock ____ . m.

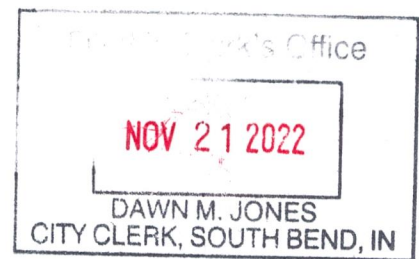
Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ____ o'clock ____ m

James Mueller, Mayor
City of South Bend, Indiana



TAX ABATEMENT REPORT



TO: South Bend Common Council

FROM: Erik Glavich, Director, Growth and Opportunity

SUBJECT: Multi-Family Residential Real Property Tax Abatement Petition
for **511 North Notre Dame Avenue (ND QOZB LLC)**

DATE: November 9, 2022

On October 21, 2022, a petition for tax abatement from ND QOZB LLC was filed with the Office of the City Clerk. The petition seeks consideration for a multi-family residential real property tax abatement for property at 511 North Notre Dame Avenue, located on the northwest corner of Cedar Street and North Notre Dame Avenue (and formerly assigned the address of 837 Cedar Street).

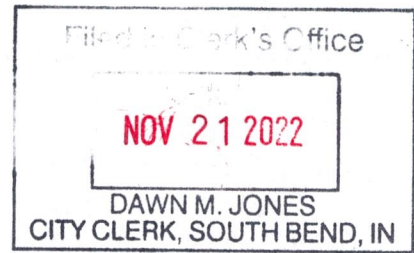
ND QOZB LLC, an Idaho Limited Liability Company, is a partnership between Public Development Partners LLC, a Utah Limited Liability Company, and GPWM Funds, a qualified opportunity zone fund managed by an Idaho Limited Liability Company.

Pursuant to Chapter 2, Article 6, Section 2 84.2 of the Municipal Code of the City of South Bend, this petition was referred to the Department of Community Investment for purposes of investigation and preparation of a report determining whether the area qualifies as an Economic Revitalization Area pursuant to I.C.6 1.1 12.1 and all zoning requirements have been met.

The Department of Community Investment has reviewed the petition (a copy of which is attached), investigated the area, and makes the following report.

Project Summary

- The developer, ND QOZB LLC, plans to rehabilitate the old medical office building located at the corner of Cedar Street and North Notre Dame Avenue. The building has been vacant since July 2014.
- ND QOZB LLC will convert the building into a 69-unit apartment building, consisting of studio and one-bedroom apartments. The building, including the basement, is just under 60,000 square feet. The interior of the building will be totally gutted, and all new interior framing, mechanical, plumbing, fire, and electrical infrastructure will be installed. The exterior of the building will undergo a total revamp as well.
- The developer is investing a total of \$27.6 million to rehabilitate and modernize the existing real property.
- In addition to the investment above, the developer plans to construct 25 new owner-occupied townhouses on the property. Note that the petition for abatement applies to the rehabilitation and conversion of the existing vacant building and does not apply to any planned new construction.
- The apartment building will fill a void of high-density housing between the Notre Dame campus area and downtown.



Tax Estimates

- Total estimated taxes during the eight-year (8) abatement period: \$2,142,143
- Estimated taxes being abated during the abatement period: \$1,028,241
- Estimated total taxes to be paid during the abatement period: \$1,113,902

Employment Impact

Per this petition, it is estimated that the company will create:

- Upon completion of the current building's rehabilitation and conversion, at least eight (8) new full-time jobs with an estimated total annual payroll of \$528,000.
- By the end of 2025, at least ten (10) full-time jobs with an estimated annual payroll of \$760,000.

Abatement Qualification

1. A review of the tax abatements previously granted, finds that the petitioner has not been granted or is associated with a previous abatement.
2. The property is properly zoned for the proposed project.
3. Taxes on the property have been paid in full.
4. A review of the South Bend Redevelopment designation areas finds that the property is in the River East Development Area.
5. A review of the Tax Abatement Ordinance No. 9394-03 finds that the petitioner meets the qualifications for a (8) eight-year multi-family residential real property tax abatement under Division 2 (Residential Development Real Property Tax Abatement), Section 2-77 (Multi-Family Residential Developments).

ND QOZB LLC

South Bend Portage Township
Residential Real Property Tax Abatement Schedule *

Type of Dwelling: Multi-Family Residence - 69 units -
Estimated Project Cost: \$ 27,600,000 Rehabilitation

Property Address: 511 N. Notre Dame Avenue
Tax Key Number: 018-5024-086001

	Current	Without Abatement	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8
Assessed Value (AV)										
Land	\$ 95,500	\$ 95,500	\$ 95,500	\$ 95,500	\$ 95,500	\$ 95,500	\$ 95,500	\$ 95,500	\$ 95,500	\$ 95,500
Structure (38% AV of Project Cost)	680,100	11,060,100	11,060,100	11,060,100	11,060,100	11,060,100	11,060,100	11,060,100	11,060,100	11,060,100
Gross Assessed Value	775,600	11,155,600	11,155,600	11,155,600	11,155,600	11,155,600	11,155,600	11,155,600	11,155,600	11,155,600
Abatement			100%	95%	90%	85%	80%	75%	70%	65%
Abatement Deduction		-	(10,380,000)	(9,861,000)	(9,342,000)	(8,823,000)	(8,304,000)	(7,785,000)	(7,266,000)	(6,747,000)
Net Assessed Value	775,600	11,155,600	775,600	1,294,600	1,813,600	2,332,600	2,851,600	3,370,600	3,889,600	4,408,600
Property Taxes										
Assume constant tax rate of 5.8190%										
Gross Tax (Tax Rate x Net AV)	45,132	649,144	45,132	75,333	105,533	135,734	165,935	196,135	226,336	256,536
Local Tax Credit (8.2562% of GT-DS)	(3,470)	(49,908)	(3,470)	(5,792)	(8,114)	(10,436)	(12,757)	(15,079)	(17,401)	(19,723)
Circuit Breaker Credit	(15,290)	(331,469)	-	-	-	-	-	-	-	-
Taxes Due	\$ 26,373	\$ 267,768	\$ 41,662	\$ 69,541	\$ 97,420	\$ 125,298	\$ 153,177	\$ 181,056	\$ 208,935	\$ 236,813
	3%	2%	2%	2%	2%	2%	2%	2%	2%	2%
Circuit Breaker Cap	23,268	223,112	223,112	223,112	223,112	223,112	223,112	223,112	223,112	223,112
Debt Service (0.4003% of Net AV)	3,105	44,656	3,105	5,182	7,260	9,337	11,415	13,493	15,570	17,648
Max Tax Under the Cap	26,373	267,768	226,217	228,294	230,372	232,449	234,527	236,605	238,682	240,760

Year	Abatement	Current Taxes Due	New Projected Tax	Combined Current & New Taxes	Taxes Abated	Net Taxes Paid
1	100%	\$ 26,373	\$ 241,395	\$ 267,768	\$ (226,106)	\$ 41,662
2	95%	26,373	241,395	267,768	(198,227)	69,541
3	90%	26,373	241,395	267,768	(170,348)	97,420
4	85%	26,373	241,395	267,768	(142,469)	125,298
5	80%	26,373	241,395	267,768	(114,591)	153,177
6	75%	26,373	241,395	267,768	(86,712)	181,056
7	70%	26,373	241,395	267,768	(58,833)	208,935
8	65%	26,373	241,395	267,768	(30,955)	236,813
Total:		210,982	1,931,161	2,142,143	(1,028,241)	1,113,902

* This schedule is for estimation purposes only and assumes constant tax rates equal to those for 2021 Payable 2022.
The true tax values will ultimately be determined by the actual assessed valuation and the then current tax rates.



Department of Community Investment
City of South Bend

DAN M. JONES
 CITY CLERK SOUTH BEND, IN
 NOV 21 2022
 City Office

Filed in Clerk's Office

OCT 21 2022

DAWN M. JONES
CITY CLERK SOUTH BEND, IN

City of South Bend Petition for Incentives

Petition must include a \$250 filing fee payable to the City Clerk's Office or online via the City's website at <http://southbendin.gov/government/content/tax-abatement> before processing can be complete

General Information		Project Name	The Lots at Notre Dame	Project Number
Legal name as registered with Secretary of State	ND QOZB LLC (registered in Idaho)			
Business structure	limited liability company (partnership between GPWM Funds and Public Development Partners)			
Company website	gpwmfunds.com, publicdevelopment.com			
Proposed Project Information				
Proposed project address	511 Notre Dame Ave.		Parent company name	
City, State, Zip	South Bend, IN, 46617		Legal owner	
Site acreage or acreage required	2.1	Is the real estate owned or leased	Owned	
Square feet of facility	50,000 sf		If leased by whom	
Primary Contact Information				
Primary company contact name	Griffin Johnson		Title	Manager
Address of company contact	2556 E Arbor Dr		Phone	(801) 910-9341
City, State, Zip	St. George, UT, 84790		Email	griff@publicdevelopment.com
Senior Official Information				
Company senior official name			Title	
Address of company contact (if different from above)			Phone	
City, State, Zip			Email	
Consultant Information/Agent				
Hired business consultant/agent name	Shive-Hattery		Consultant release (Y/N)	N
Address	321 S. Main St, Suite 103		Local economic development partners approval (Y/N)	N
City, State, Zip	South Bend, IN, 46601		Email	kcopelin@shive-hattery.com
Project Overview				
Brief description of your company, project, and why the property is necessary for economic growth	Public Development Partners is a small development firm with experience in various types of development and real estate including mixed-use residential. We are partnering with an opportunity zone fund called GPWM Funds, which has projects across the country. Together will will acquire the existing defunct medical office building and convert it to apartment homes. We will also construct townhomes on the surplus portions of the property (the north and east perimeter). This property, redeveloped, fills the void between campus and downtown. The project has good visibility and access to both areas and is a key piece to bring vibrancy and continuity to the area. The transition from the small single-family row homes to our new townhomes and apartments is good planning and converting the office look to a residential one will help the area feel more inviting and cohesive.			
Certified Technology Park appropriate	No			
Is the project in a Tax Incremental Financing (TIF) area? If so, which?	Yes, River East			
Certify that the Building Permit has not been issued (Y/N)	Y	Number of residential units created by project	69	
If this is a petition for personal property tax abatement, has the equipment been installed	No			

Investment Details			
Public Infrastructure needs (Off-site of project in dollars)	Has any 504 funding been received?	What is the value of any equipment being purchased in Indiana for the project?	What is the value of any equipment being purchased from out of state for the project?
No	No	0	0

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New Project Investments								
Calendar Year	2022	2023	2024	2025	2026	2027	2028	2029
Land Acquisition	\$ 2,450,000.00							
Building Lease Payments								
Building Purchase Costs								
New Building Construction								
Existing Building Improvements	\$ 8,000,000.00							
New Machinery & Equipment	\$ 2,000,000.00							
Special Tooling/Retooling	\$ 1,000,000.00							
New Furniture/Fixtures	\$150,000							
New Computer/IT Hardware	\$75,000							
New Software	\$110,000							
On-site Rail Infrastructure								
On-site Fiber Infrastructure	\$50,000							
TOTAL	\$13,835,000	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

2023 AAWN #29 JONES
CITY CLERK, SOUTH BEND, IN

Full-Time Permanent Indiana-Resident Positions by Calendar Year						
Calendar Year	Jobs retained	Total hourly wage w/o fringe or bonuses	Cumulative # of net NEW full time permanent jobs created at project	Hourly average wage, w/o benefits or bonuses, of cumulative net new jobs	Total training expenditure - not cumulative	Total # to be trained - not cumulative
2022						
2023			8	\$33		
2024			9	\$35		
2025			10	\$38		
2026						
2027						
2028						
2029						
2030						
2031						
2032						
2033						

Provide hourly wage information for new employees in the following positions.

	Full time	Part time
Laborers	\$25	
Technical	\$50	
Managerial	\$35	
Administrative	\$30	

Who will be the individual responsible for coordinating with WorkOne on recruiting? No

Does your company have an EEO hiring policy? Yes

Are you an EEO employer? Yes

Please list the number of full time and part time minority and/or female employees for each of the last three years:							Please describe your commitment to diversity and inclusion by detailing your outreach and recruitment efforts for the last three years as well as current policies.
Year	2021		2020		2019		
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	
Black							
Hispanic							
Asian							
Indian							
Female							
Other							

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DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Complete below for Real or Personal Property Tax Abatement only.
Please sign for all requested incentives.

Public Benefit Item:

Information is required on both the construction companies and the companies which will provide materials purchased for this project. Please complete the table below with the appropriate information. If you qualify for the points, please enter the full amount of available points.

		Qualify (Yes or No)	Earned Points	Available Points
1	Construction Related (Contractors):			
	A.	Employ Local Companies (75%)	Yes 20	20
	B.	Purchase Materials from Local Companies (75%)	Yes 20	20
	C.	Require Employees vs. Independent Contractors	Yes 19	19
	D.	Require Prevailing Wage (Davis Bacon)	No 0	22
	E.	Require Health Benefits	Yes 22	22
	F.	Require Pension Benefits	Yes 18	18
	G.	Maintain Affirmative Action Plan	Yes 20	20
		Sub-total Construction Related:		119 0
2	Wage & Benefit Related (Owner):			
	A.	Pay Target Wage Levels	Yes 33	33
	B.	Provide Health Benefits	Yes 34	34
	C.	Provide Pension Benefits	Yes 29	29
	D.	Provide Training	Yes 28	28
	E.	Provide Child Care	No 0	15
	F.	Provide Transportation Assistance	No 0	14
	G.	Provide Employer Assisted Housing program	No 0	9
	Sub-total Wage & Benefit Related:		124 0	162
3	Workforce Related:			
	A.	Create New Jobs	Yes 42	42
	B.	Retain Existing Jobs	Yes 0	41
	C.	Maintain Affirmative Action Plan	No 0	35
	D.	Provide Targeted Hiring Preference	NO	34
	Sub-total Workforce Related:		42 0	152
4	Support a Municipal Facility:			
	A.	Support a SB Municipal Facility (donations to the zoo, conservatory, museum, etc.)	No 0	84
	Name of Facility			
	Sub-total Municipal Facility:		0 0	84
Sub-total from Above:			285 0	539

The undersigned owner(s) of real property, located within the City of South Bend, hereby petition the Common Council of the City of South Bend for a real and/or personal property tax abatement consideration and pursuant to I.C., 6-1.1-12.1-1, et seq., and South Bend Municipal Code Sec. 2-76 et seq., for this petition state the above.

Submitted By: Griffin Johnson Date: 10/19/2022

OCT 21 2022

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

For Staff Use Only Below This Line					
What is the current assessed value?	Real Property:	\$680,100	Personal Property:		
What is the projected assessed value?	Real Property:	\$8,730,100	Personal Property:		
What is the tax key number for this project?	018-5024-086001				
What is the six digit NAICS code?	531110				
Please attach a Google map and street view of the location.					
Please list the amount of real and personal property taxes paid for the last five years when applicable.		Real Property Taxes:	Personal Property Taxes:		
Year One		\$41,533.18 (2022)			
Year Two		\$14,438.53 (2021)			
Year Three		\$25,482.00 (2020)			
Year Four		\$28,774.26 (2019)			
Year Five		\$32,244.02 (2018)			
Please fill out the following Public Benefit Summary Information and add to total from above.					
			(Y or N)	Points	Points
Public Benefit Item:					
<u>Project Related:</u>					
5	A.	Redevelop a Site that has Special Needs	Y	49	49
	B.	Develop Based on Local University Research	N	0	35
	C.	Achieve a Physical Element of a Plan	Y	36	36
	Sub-total Project Related:			85	120
6	<u>Super Size Projects (point values are cumulative):</u>				
	A.	100% to 199%	Y	25	25
	B.	200% to 299%	Y	68	68
	C.	300% to 399%	Y	65	65
	D.	400% and Over	Y	52	52
Sub-total Super Size Projects:			210	210	
7	<u>Pay for Municipal Infrastructure:</u>				
	A.	Pay for Oversizing or Upgrading	N	0	14
	B.	Pay for 26-50% of Extension Cost	N	0	26
	C.	Pay for 51-75% of Extension Cost	N	0	39
	D.	Pay for 76-100% of Extension Cost	N	0	52
	Sub-total Infrastructure Related:			0	131
Total from Applicant Section:				285	539
Total from Staff Section:				295	461
Total Public Benefit Points:				580	1000



**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

Filed in Clerk's Office
OCT 21 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

20__ PAY 20__
FORM SB-1 / Real Property
PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1		TAXPAYER INFORMATION			
Name of taxpayer ND QOZB LLC (registered in Idaho)					
Address of taxpayer (number and street, city, state, and ZIP code) 2556 E Arbor Dr.					
Name of contact person Griffin Johnson		Telephone number () 801-910-9341		E-mail address griff@publicdevelopment.com	
SECTION 2		LOCATION AND DESCRIPTION OF PROPOSED PROJECT			
Name of designating body				Resolution number	
Location of property 511 Notre Dame Avenue, South Bend, IN 46617		County St. Joseph		DLGF taxing district number 18-South Bend- Portage	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) <small>Public Development Partners is a small development firm with experience in various types of development and real estate including mixed-use residential, medical office building and convert it to apartment homes. We will also construct townhomes on the surplus portions of the property (the north and east perimeter). This property, redeveloped, fills the void between campus and downtown. The project has good visibility and access to both areas and is a key piece to bring vibrancy and continuity to the area. The transition from the small, single-family row homes to our new townhomes and apartments is good planning and converting the office look to a residential one will help the area feel more inviting and cohesive.</small>				Estimated start date (month, day, year) 11/01/22	
				Estimated completion date (month, day, year) 07/01/22	
SECTION 3		ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT			
Current number	Salaries	Number retained	Salaries	Number additional	Salaries
				8	\$549,120
SECTION 4		ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT			
		REAL ESTATE IMPROVEMENTS			
		COST		ASSESSED VALUE	
Current values		\$2,450,000		\$850,000	
Plus estimated values of proposed project		\$11,385,000			
Less values of any property being replaced		\$2,000,000			
Net estimated values upon completion of project		\$11,835,000			
SECTION 5		WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER			
Estimated solid waste converted (pounds) NA		Estimated hazardous waste converted (pounds) NA			
Other benefits The project will employ dozens of local contractors through the construction phase. Once operational, the building will be managed and maintained by a local company. While Notre Dame and the City of South Bend continue to expand and improve their presence, we feel this project is in an area that will spur development between Eddy Street Commons and the riverfront.					
SECTION 6		TAXPAYER CERTIFICATION			
I hereby certify that the representations in this statement are true.					
Signature of authorized representative <i>Griffin Johnson</i>				Date signed (month, day, year) 10/19/22	
Printed name of authorized representative Griffin Johnson			Title manager		

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 CITY CLERK, SOUTH BEND, IN

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, as amended, under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
 - 1. Redevelopment or rehabilitation of real estate improvements Yes No
 - 2. Residentially distressed areas Yes No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (specify) _____.
- E. Number of years allowed:

<input type="checkbox"/> Year 1	<input type="checkbox"/> Year 2	<input type="checkbox"/> Year 3	<input type="checkbox"/> Year 4	<input type="checkbox"/> Year 5 (* see below)
<input type="checkbox"/> Year 6	<input type="checkbox"/> Year 7	<input type="checkbox"/> Year 8	<input type="checkbox"/> Year 9	<input type="checkbox"/> Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
 - Yes No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

**IC 6-1.1-12.1-17
 Abatement schedules**

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

511 North Notre Dame Avenue

Tax Key Number: 018-5024-086001

City Clerk's Office
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View from Cedar Street looking northeast



View from Cedar Street looking north



View from Notre Dame Avenue looking west



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View from Miner Street looking south-southwest



View from Miner Street looking south-southeast



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CITY CLERK, SOUTH BEND, IN

Project Renderings

Exterior

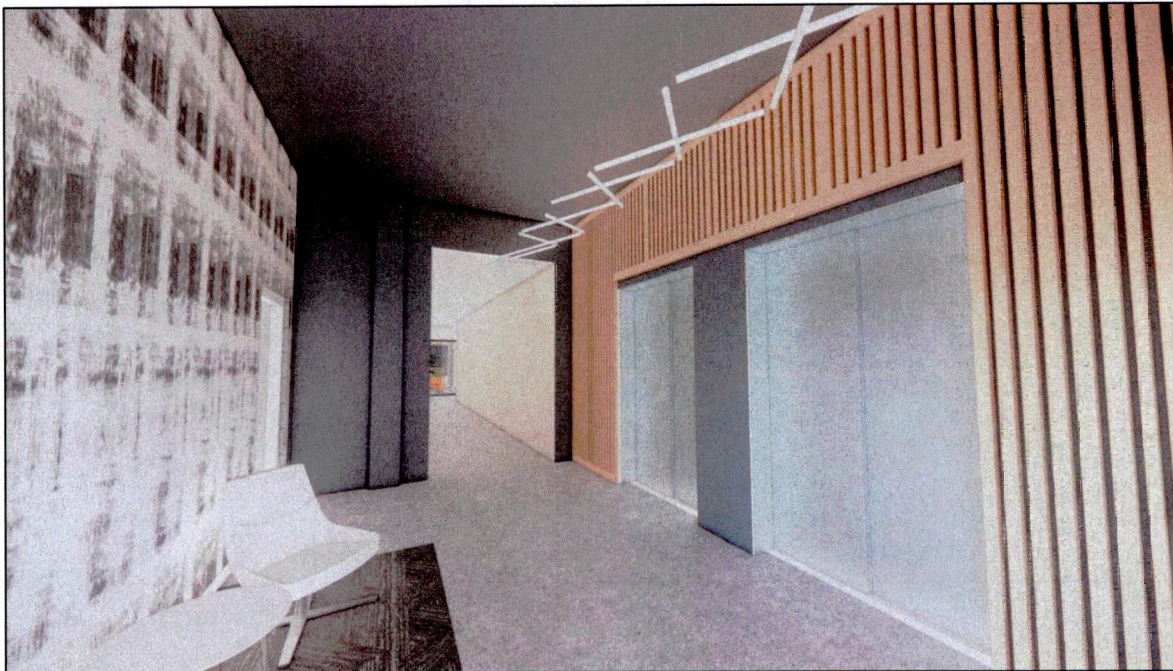
City Clerk's Office
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CITY CLERK SOU. BEND, IN



Living Space



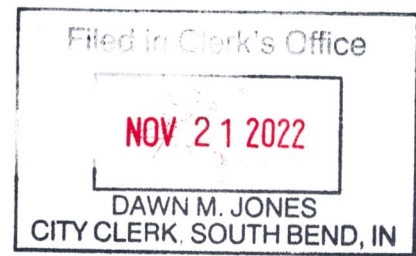
Elevator Lobby



Lounge Area



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DAWE M. JONES
CITY CLERK, SOUTHBEND, IN



MEMORANDUM OF AGREEMENT

(MULTI-FAMILY RESIDENTIAL REAL PROPERTY TAX ABATEMENT)

This Memorandum of Agreement (Agreement) dated as of November 15, 2022, serves as confirmation of a commitment by ND QOZB LLC and/or its Permitted Assign (as defined below) (the "Applicant"), pending a November 28, 2022, public hearing, to comply with the project description, job creation and retention (and associated wage rates and salaries) figures contained in its petition, Statement of Benefits, and attachments and this Agreement (the "Commitments").

1. Commitments of City and Applicant. Subject to the adoption of a Declaratory Resolution and a Confirmatory Resolution by the South Bend Common Council (the "SBCC"), the City of South Bend, Indiana, (the "City") commits to provide an **eight-year (8) multi-family residential real property tax abatement** for the Applicant, based on the Applicant's commitment set forth in its Application. The property is located at 511 N. Notre Dame Ave., South Bend, IN 46617. The Applicant commits to a capital expenditure of approximately \$10,380,000 associated with the rehabilitation and conversion of existing real property to an affordable multi-family apartment complex. The Applicant guarantees that, for the duration of the abatement, at least twenty (20) percent of the units shall be available for use by low- and moderate-income individuals or families. This real property project will create approximately ten (10) permanent full-time jobs with a total estimated annual payroll of \$760,000 within three years of the tax abatement.

2. Applicant's Compliance with City and State Laws. During the term of the abatement, the Applicant shall comply with Chapter 2, Article 6, of the South Bend Municipal Code, entitled "Tax Abatement Procedures," and all governing provisions of the Indiana Code. During the term of this abatement, the City may annually request information from the Applicant concerning the nature of the Project, the approved capital expenditure of the Project, the number of full-time permanent positions newly created by the Project, and the average wage rates and salaries (excluding benefits & overtime) associated with the positions, and the Applicant shall provide the City with adequate written evidence thereof within fifteen (15) days of such request (the "Annual Survey"). The City shall utilize this information and the information required to be filed by the Applicant in the CF-1 Compliance with the Statement of Benefits form to verify that the Applicant has at all times complied with the Commitments after the Commitment Date and during the duration of the abatement and for no other purpose. The Applicant further agrees to provide the City with such additional information as may be reasonably requested by the City to determine Applicant's compliance with the Commitments and with local and state requirements within a reasonable time following any such request. Notwithstanding anything herein to the contrary, the Applicant acknowledges that the City may be required to disclose certain documents provided by the Applicant as required by a court order or applicable law.

3. Substantial Compliance and Rights of Termination. The City, by and through the SBCC, reserves the right to terminate the Economic Revitalization Area designation and associated property tax abatement deductions if it reasonably determines that the Applicant has not made reasonable efforts to substantially comply with all the Commitments, and the Applicant's failure to substantially comply with the Commitments was not due to factors beyond its reasonable control. As used in this Agreement, "substantial compliance" shall mean the Applicant's compliance with the following: (a) making real property expenditures of no less than Ten Million Three Hundred Eighty Thousand dollars

(\$10,380,000) for the rehabilitation and conversion of property to an affordable multi-family apartment complex; (b) guaranteeing that for the duration of the abatement at least twenty (20) percent of the units shall be available for use by low- and moderate-income individuals or families; and (c) creating through this real property project ten (10) permanent full-time jobs with a total estimated annual payroll of Seven Hundred Sixty Thousand dollars \$760,000 within three (3) years of the tax abatement.

4. Factors Beyond Control. As used in this Agreement, factors beyond the control of the Applicant shall only include factors not reasonably foreseeable at the time of designation application and submission of Statement of Benefits which are not caused by any act or omission of the Applicant, and which materially and adversely affect the ability of the Applicant to substantially comply with this Agreement.

5. Repayment of Tax Abatement Savings. If at any time during the term of this Agreement the Applicant shall: (a) be delinquent or in default with respect to any tax payment in St. Joseph County, Indiana; or (b) cease operations at the facility for which the tax abatement was granted; or (c) announce the cessation of operations at such facility, then the City may immediately terminate the Economic Revitalization Area designation and associated tax abatement deductions, and upon such termination, require Applicant to repay all of the tax abatement savings received through the date of such termination.

6. Notice/Hearing of Termination. In the event that the City determines that the Economic Revitalization Area designation and associated tax abatement deductions should be terminated or that all or a portion of the tax abatement savings should be repaid, it will give the Applicant notice of such determination, including a written statement calculating the amount due from the Applicant, and will provide the Applicant with an opportunity to meet with the City's designated representatives to show cause why the abatement should not be terminated and/or the tax savings repaid. Such notice shall state the names of the person with whom the Applicant may meet and will provide that the Applicant shall have thirty (30) days from the date of such notice to arrange such meeting and to provide its evidence concerning why the abatement termination and/or tax savings repayment should not occur. If, after giving such notice and receiving such evidence, if any, the City determines that the abatement termination and/or the tax repayment action is proper, the Applicant shall be provided with written notice and a hearing before the SBCC before any final action shall be taken terminating the abatement and/or requiring repayment of tax benefits. The Applicant shall be entitled to appeal that determination to a St. Joseph County Superior or Circuit Court.

7. Repayment. In the event the City requires repayment of the tax abatement savings as provided hereunder, it shall provide Applicant with a written statement calculating the amount due (the "Statement"), and Applicant shall make such repayment to the City within one hundred twenty (120) days of the date of the Statement. If the Applicant does not make timely repayment, the City shall be entitled to all reasonable costs and attorneys' fees incurred in the enforcement and collection of the tax abatement savings required to be repaid hereunder.

8. Modification/Entire Agreement. This Agreement and the schedules attached here to contain the entire understanding between the City and the Applicant with respect to the subject matter hereof, and supersede all prior and contemporaneous agreements and understandings, inducements, and conditions, expressed or implied, oral, or written, except as herein contained. This Agreement may

not be modified or amended other than by an agreement in writing signed by the City and the Applicant. The Applicant understands that any and all filings required to be made or actions required to be taken to initiate or maintain the abatement are solely the responsibility of the Applicant.

9. Waivers. Neither the failure nor any delay on the part of the City to exercise any right, remedy, power, or privilege under this Agreement shall operate as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power, or privilege preclude any other or further exercise of the same or of any other right, remedy, power, or privilege with respect to any occurrence or be construed as a waiver of such right, remedy, power, or privilege with respect to any other occurrence. No waiver shall be effective unless it is in writing and is signed by the party asserted to have granted such waiver.

10. Governing Laws of Indiana. This Agreement and all questions relating to its validity, interpretation, performance, and enforcement shall be governed by the laws and decisions of the courts of the State of Indiana.

11. Applicant's Consent to Jurisdiction. The Applicant hereby irrevocably consents to the jurisdiction of the Courts of the State of Indiana and of the St. Joseph County Circuit or Superior Court in connection with any action or proceeding arising out of or relating to this Agreement or any documents or instrument delivered with respect to any of the obligations hereunder, and any action related to this Agreement shall be brought in such County and in such Court.

12. Notices. All notices, requests, demands, and other communications required or permitted under this Agreement shall be in writing and shall be deemed to have been received when delivered by hand or by facsimile (with confirmation by registered or certified mail) or on the third business day following the mailing, by registered or certified mail, postage prepaid, return receipt requested, thereof, addressed as set forth below:

If to Applicant:	ND QOZB LLC 2556 E. Arbor Drive St. George, Utah 84790 Attn: Griffin Johnson, Manager
If to the City:	City of South Bend, Indiana 227 W. Jefferson Boulevard, Suite 1400S South Bend, Indiana 46601 Attn: Erik Glavich, Department of Community Investment

13. Assignment and Transfer Prohibited. This Agreement shall be binding upon and inure to the benefit of the City and the Applicant and their successors and assigns, except (a) that no party may assign or transfer its rights or obligations under this Agreement without the prior written consent of the other party hereto, in which consent shall not be unreasonably withheld, and (b) Applicant may assign and transfer its rights under this Agreement to the Permitted Assign without prior written consent. "Permitted Assign" means the affiliated single purpose entity created for purposes of designing, constructing, owning, operating, and maintaining the apartment complex which is the subject of this Agreement.


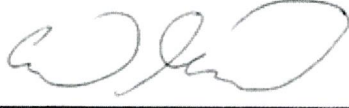
14. Valid and Binding Agreement. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original as against any party whose signature appears thereon, and all of which shall together constitute one and the same instrument. By executing this Agreement, each person so executing affirms that he has been duly authorized to execute this Agreement on behalf of such party and that this Agreement constitutes a valid and binding obligation of the party.

15. Severability. The provisions of this Agreement and of each section or other subdivision herein are independent of and separable from each other, and no provision shall be affected or rendered invalid or unenforceable by virtue of the fact that for any reason any other or others of them may be invalid or unenforceable in whole or in part unless this Agreement is rendered totally unenforceable thereby.

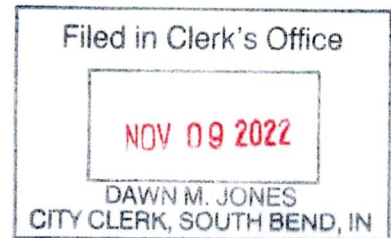
16. No Personal Liability. No official, director, officer, employee, or agent of the City shall be charged personally by the Applicant, its employees, or its agents with any liabilities or expenses of defense or be held personally liable to the Applicant under any term or provision of this Agreement or because of the execution by such party of this Agreement or because of any default by such party hereunder.

[Remainder of page intentionally blank.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

<p>“Applicant”</p> <p>ND QOZB LLC</p> <p>By: </p> <p>Griffin Johnson Manager</p> <p>Approved as to Legal Adequacy and Form this _____ day of _____, 2022.</p> <p>Counsel, South Bend Common Council</p>	<p>“City”</p> <p>City of South Bend, Indiana</p> <p>By: _____</p> <p>Sharon McBride President, South Bend Common Council</p> <p>By: _____</p> <p>Rachel Tomas Morgan Chairperson, Community Investment Committee</p> <p></p>
<p>Counsel for Applicant</p>	<p>By: _____</p> <p>Erik Glavich Department of Community Investment</p>
	<p>By: _____</p> <p>James Mueller Mayor</p>

BILL NO. 22-57
RESOLUTION NO. 4991-22



A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF SOUTH BEND DESIGNATING CERTAIN AREAS WITHIN
THE CITY OF SOUTH BEND, INDIANA, COMMONLY KNOWN AS

511 North Notre Dame Avenue, South Bend IN 46617

AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF AN
EIGHT (8) YEAR REAL PROPERTY TAX ABATEMENT FOR

ND QOZB LLC

WHEREAS, a petition for real property tax abatement has been filed with the City Clerk for consideration by the Common Council of the City of South Bend, Indiana, requesting that the area located at 511 North Notre Dame Avenue, South Bend IN 46617, which is more particularly described as:

Parcel ID: 018-5024-086001
Parcel Number: 71-08-01-476-033.000-026
Legal Description: Lot 2 St Joseph Regional Medical Center Cedar St Minor
Sub NP #5012 7-13-10

and which has Key Number 71-08-01-476-033.000-026 be designated as an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1 et seq., and South Bend Municipal Code Sections 2-76 et seq., and;

WHEREAS, petitioner has agreed to and has accepted responsibility to report any changes in the final legal description and to report the final, appropriate Key Number to the Department of Community Investment and to the Office of the City Clerk; and

WHEREAS, the Department of Community Investment has concluded an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area under Indiana Code § 6-1.1-12.1, et seq., and South Bend Municipal Code Sections 2-76, et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Community Investment Committee of the Common Council has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The Common Council hereby determines and finds that the Petition for Real Property Tax Abatement and the Statement of Benefits form completed by the Petitioner meet the requirements of Indiana Code § 6-1.1-12.1 et seq., for tax abatement.

SECTION II. The Common Council hereby determines and finds the following:

A. That the description of the proposed redevelopment or rehabilitation meets the applicable standards for such development;

B. That the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of this nature;

C. That the estimate of the number of individuals who will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed described redevelopment or rehabilitation;

D. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed redevelopment or rehabilitation;

E. That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation; and

F. That the totality of benefits is sufficient to justify the requested deduction, all of which satisfy the requirements of Indiana Code § 6-1.1-12.1-3.

SECTION III. The Common Council hereby determines and finds that the proposed described redevelopment or rehabilitation can be reasonably expected to yield benefits identified in the Statement of Benefits, Sections 1 through 3 of the Petition for Real Property Tax Abatement Consideration and the Memorandum of Agreement between the Petitioner and the City of South Bend, and that the Statement of Benefits form completed by the petitioner, said form being prescribed by the State Board of Accounts, are sufficient to justify the deduction granted under Indiana Code § 6-1.1-12.1-3.

SECTION IV. The Common Council hereby accepts the report and recommendation of the Community Investment Committee that the area herein described be designated as an Economic Revitalization Area and hereby adopts a Resolution designating this area as an Economic Revitalization Area for purposes of real property tax abatement.

SECTION V. The designation as an Economic Revitalization Area shall be limited to three (3) calendar years from the date of the adoption of this Resolution by the Common Council.

SECTION VI. The Common Council hereby determines that the property owner is qualified for and is granted property tax deduction for a period of eight (8) years as shown by the schedule outlined below as well as the attachment pursuant to Indiana Code 6-1.1-12.1-17.

- Year 1 - 100%
- Year 2 - 95%
- Year 3 - 90%
- Year 4 - 85%
- Year 5 - 80%
- Year 6- 75%
- Year 7- 70%
- Year 8 - 65%

SECTION VII. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for Real Property Tax Abatement to be published pursuant to Indiana Code § 5-3-1 and Indiana Code § 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration.

SECTION VIII. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Sharon McBride, President,
South Bend Common Council

Attest:

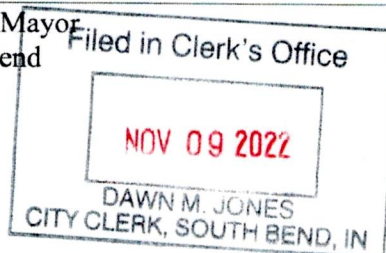
Dawn M. Jones, City Clerk
Office of the City Clerk

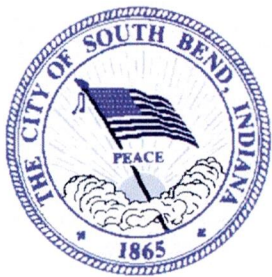
Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of November 2022 at ___ o'clock __. m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and Signed by me, on the _____ day of November 2022, at ___ o'clock __. m.

James Mueller, Mayor
City of South Bend





City of South Bend Common Council

441 County-City Building • 227 W. Jefferson Blvd
South Bend, Indiana 46601

(574) 235-9321
Fax (574) 235-9173
TDD (574) 235-5567
<http://www.southbend.in.gov>

Sharon L. McBride
President

Sheila Niezgodski
Vice-President

Canneth Lee
Chairperson, Committee
of the Whole

Canneth Lee
First District

Henry Davis, Jr.
Second District

Sharon L. McBride
Third District

Troy Warner
Fourth District

Eli Wax
Fifth District

Sheila Niezgodski
Sixth District

Karen L. White
At Large

Rachel Tomas Morgan
At Large

Lori K. Hamann
At Large

November 9, 2022

Members of the Common Council
4th Floor – County City Building
South Bend, Indiana 46601

Filed in Clerk's Office

NOV 09 2022

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Re: Proposed Re-Districting Ordinance

Dear Council Members:

As you know, the Common Council is required to pass a redistricting ordinance in the second year after each federal census. I am pleased to submit this proposed ordinance for your consideration.

A bi-partisan special committee that is diverse in race, gender and location of their residences has been named to make recommendations for the redistricting.

This proposed ordinance meets the state law criteria which require each Council District to be:

1. Composed of contiguous territory
2. Reasonably compact
3. Have, as nearly as possible, equal population.

It is my understanding that a Council Rules Committee will hold a public hearing on at a time and place to be announced between November 14 and November 25, with an additional Council Rules Committee meeting being held on November 28 with the Council taking final action on the proposed ordinance that evening at its 7:00 p.m. meeting.

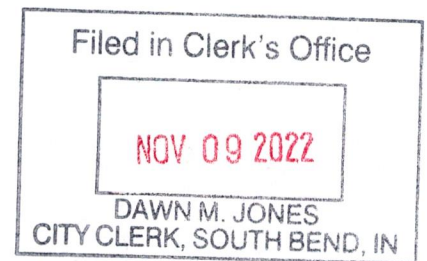
Additional information will be made known as it becomes available.

Thank you for your consideration.

Sincerely yours,

Sharon McBride, President,
South Bend Common Council

BILL NO. 72-22
ORDINANCE NO. 10906-22



**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING CHAPTER 1, SECTION 1- 4 OF THE SOUTH BEND
MUNICIPAL CODE ADDRESSING "SIX COUNCILMANIC DISTRICTS"**

STATEMENT OF PURPOSE AND INTENT

Redistricting of the Common Council's six (6) councilmanic districts is required every ten (10) years based on data from the most recent U.S. federal census. The 2020 U.S. Census data revealed that the population for the City of South Bend, Indiana, was 103,453.

Indiana Code § 36-4- 6- 3 sets forth the governing state law addressing the division of six (6) districts for second class Indiana cities. It requires the city legislative body to pass an ordinance addressing councilmanic districts during the second year after the year in which a federal decennial census was conducted. It further requires that six (6) districts be established which are:

1. Composed of contiguous territory, except for territory that is not contiguous to any other part of the city;
2. Reasonably compact;
3. Do not cross precinct boundary lines, except as authorized by law; and
4. Contain, as nearly as is possible, equal population.

A special committee was appointed to make advisory recommendations to the Council Rules Committee. The membership of the volunteers on this special committee is bi-partisan, diverse in age, race, and ethnic backgrounds.

The following ordinance is consistent with governing laws and is believed to be in the best interests of the City of South Bend, Indiana.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, as follows:

Section I. Chapter 1, Section 1- 4 of the *South Bend Municipal Code* entitled Six Councilmanic Districts" is amended to read in its entirety as follows:

Sec. 1- 4 Six Councilmanic Districts.

a) The City of South Bend, Indiana, is divided into six (6) Councilmanic Districts which shall be known as the: First Councilmanic District, Second Councilmanic District, Third Councilmanic District, Fourth Councilmanic District, Fifth Councilmanic District, and Sixth Councilmanic District, with the legal description for each such district being set forth in "Exhibit A" which is attached hereto and included herein by reference and maintained on file in the Office of the City Clerk. "Exhibit B" sets forth a map of the six (6) Councilmanic Districts depicting the 2022 Councilmanic Redistricting Ordinance precincts contained in each, which is attached hereto and included herein by reference and maintained on file in the Office of the City Clerk. Each such district shall consist of the following precincts:

1) **South Bend First Councilmanic District** consisting of the following precincts, presently numbered by the St. Joseph County Election Board as follows:

Precincts: 130101, 130102, 130103, 130104, 130105, 130106, 130107, 130108, 130110, 130111, 130112, 130113, 130114, and 130115.

2) **Second Councilmanic District** consisting of the following precincts, presently numbered by the St. Joseph County Election Board as follows:

Precincts: 130201, 130202, 130203, 130204, 130205, 130206, 130207, 130208, 130209, 130210, and 130211.

3) **Third Councilmanic District** consisting of the following precincts, presently numbered by the St. Joseph County Election Board as follows:

Precincts: 130301, 130302, 130303, 130304, 130305, 130306, 130307, 130308, 130309, 130310, 130311, 130312, 130313, and 130314.

4) **Fourth Councilmanic District** consisting of the following precincts, presently numbered by the St. Joseph County Election Board as follows:

Precincts: 130401, 130402, 130403, 130404, 130405, 130406, 130407, 130408, 130409, 130410, 130411, 1304012, 130413, 130414, 130415, and 130416.

5) **Fifth Councilmanic District** consisting of the following precincts, presently numbered by the St. Joseph County Election Board as follows:

Precincts: 130501, 130502, 130503, 130504, 130505, 130506, 130508, 130509, 130510, 130511, 130512, 130513, 130514, 130515, 130516, 130517, and 130518.

6) **Sixth Councilmanic District** consisting of the following precincts, presently numbered by the St. Joseph County Election Board as follows:

Precincts: 130601, 130602, 130603, 130604, 130605, 130606, 130607, 130608, 130609, 130611, and 130612.

b) Any annexation which occurs subsequent to the passage of this ordinance shall be deemed to be part of that district with which it is most contiguous. All linear descriptions are understood to be " more or less" when stated in linear dimensions.

Section II. Repeal of Conflicting Ordinances: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section III. Severability: If any part, subsection, sentence, clause or phrase of this ordinance is for any reason declared to be unconstitutional or otherwise invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section IV. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor and legal publication.

PASSED AND ADOPTED by the Common Council of the City of South Bend, Indiana this _____ day of _____, 2022.

Sharon L. McBride, Council President
South Bend Common Council

Attest:

Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of November, 2022, at _____ o'clock ____ . m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of November, 2022, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

NOV 09 2022

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

EXHIBIT "A"

City of South Bend Common Council Districts

(1)

South Bend First Councilmanic District: Beginning at the intersection of the center lines of the St. Joseph River and Colfax Avenue; thence West along said line of Colfax Avenue to its intersection with the centerline of William Street; thence South along said line to its intersection with the centerline of Wayne Street; thence West along said line to its intersection with the centerline of Taylor Street; thence North along said line to its intersection with the centerline of Wayne Street; thence West along said line to its intersection with the centerline of Chapin Street; thence North along said line to its intersection with the centerline of Washington Street; thence West along said line to its intersection with the centerline of La Porte Avenue; thence Northwesterly along said line to its intersection with the centerline of Walnut Street; thence northeasterly along said line to its intersection with the centerline Lincolnway West; thence Southeasterly along said line to its intersection with the centerline of Cleveland Avenue; thence North along said line to its intersection with the centerline of Van Buren Street; thence East along said line to its intersection with the centerline of Blaine Street; thence North along said line to its intersection with the centerline of California Avenue; thence West along said line to its intersection with the centerline of Lawndale Avenue; thence North along said line to its intersection with the centerline of Vassar Avenue; thence East along said line to its intersection with the centerline of Diamond Avenue; thence Northeasterly along said line to its intersection with the centerline of Portage Avenue; thence Northwesterly along said line to its intersection with the centerline of Elwood Avenue; thence West along said line and said line extended to the West to its intersection with the centerline of Bendix Drive; thence South along said line to its intersection with the centerline of Lincolnway West; thence Northwesterly along said line to its intersection with the Portage and German Township boundary line; thence South along said boundary line to its intersection with the centerline of Edison Road; thence West along said line 198.33 feet; thence North 428.31 feet; thence East 200.00 feet to the intersection with the Portage and German Township boundary line; thence North along said boundary line to its intersection with the Lincolnway West Northerly right-of-way line; thence Northwesterly 2,945 feet along said North right-of-way line; thence South 533.83 feet; thence West 1,229.54 feet to the East right-of-way line of Mayflower Road; thence North 915.94 feet along

said East right-of-way line; thence Northeasterly perpendicular to the R/W of Lincolnway West, 150 feet to the Northerly right-of-way line of Lincolnway West; thence Northwesterly along said right-of-way line 4,000 feet to the interchange with the US 20/31; thence South 300 feet; thence Southwesterly along said US 20/31 right-of-way line 2,107 feet; thence East 2,025 feet to the East right-of-way line of Oak Road; thence South 1,950 feet along said East right-of-way line; thence West 1,340.51 feet; thence South 700 feet to the South line of Edison Road; thence West 413 feet along the South right-of-way line of Edison Road to the East line projected of I.P.C. Minor Subdivision; thence North 510.3 feet to the Northeast corner of I.P.C. Minor Subdivision; thence West 496.73 feet to the Northwest corner of I.P.C. Minor; thence continuing West to the West right-of-way line of the US 20/31; thence North 2,511 feet along the West right-of-way line of the US 20/31 to the interchange with Lincolnway West; thence Northwesterly 2,640 feet along said interchange right-of-way line; thence Northeasterly 800 feet along said interchange right-of-way line to the North-South centerline of Section 30, Township 38 North, Range 2 East; thence North 4,630 feet to the Northeast corner of Lot 1, Miller-Owens Minor Subdivision; thence West 1,173.60 feet along the North line of said lot; thence South 27.31 feet; thence West 148.50 feet to the intersection with the centerline of Olive Road; thence North 256 feet along said centerline; thence West 185 feet; thence North 380 feet to the South right-of-way line of Cleveland Road; thence West along the South line of Cleveland Road, 925.82 feet; thence North along the West line of said Section 19, 1,401.89 feet; thence N89-27-12W, 1,865.95 feet; thence N81-17-18W, 103.20 feet; thence N89-27-12W, 706.79 feet to the North-South quarter line of Section 24, Township 38 North, Range 1 East; thence N00-08-51E, 1,672.56 feet to the North right-of-way line of Indiana East-West Toll Road; thence N89-20-23E, 3,715 feet along said North right-of-way line of the Indiana East-West Toll Road the West right-of-way line of Olive Road; thence north 2,500 feet to the South line of Brick Road; thence West along the South right-of-way line of Brick Road 500 feet; thence North 40 feet to the North right-of-way line of Brick Road; thence East along the North right-of-way line of Brick Road, 820 feet more or less; thence Northeasterly along the North right-of-way line of Brick Road 196.91 feet; thence East 68.28 feet along the North right-of-way line of Brick Road to the West right-of-way line of Orange Road; thence East 60 feet to the East right-of-way line of Orange Road; thence South along the East right-of-way line of Orange Road 12.81 feet to the Southwest corner of Rolling Oaks County Estates, Section 2; thence East 347 feet along the North right-of-way line of Brick Road; thence Northeasterly 301.49 feet along the North right-of-way line of Brick Road; thence North 97.06 feet; thence East 12.96 feet along the North right-of-way

line of Brick Road to the West right-of-way line of Lake Blackthorn Drive; thence North 181.22 feet along the West right-of-way line of Lake Blackthorn Drive to the South right-of-way line of The Villas at Lake Blackthorn, Section One; thence west 323.58 feet along said line to the Southwest corner of The Villas at Lake Blackthorn, Section One; thence North 805.23 feet to the Southeast corner of The Villas at Lake Blackthorn, Section Two; thence West 388.00 feet along the South line of The Villas at Lake Blackthorn, Section Two to the intersection of the centerline of Orange Road; thence North 296.75 feet along said centerline to the North line of The Villas at Lake Blackthorn, Section Two; thence 387.00 feet east along said line to the East right-of-way line of Portside Drive and the West line of The Villas at Lake Blackthorn, Section One; thence North 903.26 feet along said line to Northwest corner of The Villas at Lake Blackthorn, Section One; thence 100.00 feet east along the North line of The Villas at Lake Blackthorn, Section One to the West line of Lot 56 The Villas at Lake Blackthorn, Section One; thence North along said line 251.56 feet to the centerline of Orange Road; thence Northeasterly along said centerline 112.92 feet; thence South 70.83 feet to a point on the East line of Lot 56 in The Villas at Lake Blackthorn, Section One; thence Southeasterly 66.96 feet to the Lot Corner common to Lots 55 and 56 of The Villas at Lake Blackthorn, Section One; thence East 556.25 feet to the West line of Lot 34 of The Villas at Lake Blackthorn, Section One; thence North 80.00 feet along said lot line to the North line of The Villas at Lake Blackthorn Section One; thence East along said line 729.56 feet to the West right-of-way line of the US 31 ; thence Northeasterly 736.17 feet along said right-of-way line to the East corner of Lot 43 in Rolling Oaks Country Estates, Section 5; thence North 612.59 feet to the North Line of Rolling Oaks Country Estates, Section 3; thence West 883.66 feet along said line to the Kertes Minor Subdivision East Line; thence North 1,309.78 feet along said line to the South right-of-way line of Adams Road; thence West 1,736.65 along said right-of-way line to the extended East line of Portage Prairie Cemetery; thence North 218.00 feet along said line; thence East 183.50 feet; thence North 214.50 feet; thence West 264.00 feet; thence North 775.54 feet; thence East 3657.70 feet to the West right-of-way line of the US 31; thence Northeasterly 3657.70 feet along said right-of-way line to the North line of the West Half of Fractional Section 8, Township 38 North, Range 2 East and the Monumented Indiana State Line; thence East along said Indiana State line 2,420.44 feet; thence South 21.63 to the Eastern right-of-way line of Mayflower Road; thence Southerly 639.62 feet along said right-of-way line to the South line of Arbor Pointe, Section 6; thence West 20 feet; thence South 980.41 feet along the East right-of-way line of Mayflower Road ; thence East 20.00 feet to the Northwest Corner of

Lichtenbarger Minor Subdivision; thence South 158.97 feet along the west line of Lichtenbarger Minor Subdivision and the East right-of-way line of Mayflower Road to the North Line of Cherokee Gardens Subdivision extended and the North line of Wagner's Replat extended; thence West 1,846.60 feet along said line to the Northwest Corner of said Cherokee Gardens; thence South 1,280.00 feet to the North right-of-way Line of Adams Road; thence East 1,844.57 feet along said North right-of-way line to the East right-of-way line of Mayflower Road; thence South 1,166.32 feet along said East right-of-way line to the Northwest Corner of Lot 3 of Church's Minor Subdivision; thence East 287.61 feet along the North line of said Lot 3 to its Northeast Corner; thence South 203.85 feet along the East line of said Lot 3 to its Southeast Corner; thence East 1,433.07 feet; thence South 253.00 feet; thence West 1,721.20 feet to the East right-of-way line of Mayflower Road; thence South 279.00 along said right-of-way line; thence East 20.00 feet along said line; thence South 133.00 feet along said right-of-way line; thence West 20.00 feet along said line; thence South 665.75 feet along said right-of-way line; thence 1,298.64 feet West to the Northeast Corner of the Southwest Quarter of Section 17, Township 38 North, Range 2 East; thence South 2,465.70 feet along the East Line of U.S. 31 Industrial Park, Phase II; thence West 400.00 feet along the South line of Lot 10 in said Subdivision; thence South 200.00 feet to the centerline of Brick Road ; thence East 200.00 feet along said centerline; thence South 240.00 feet; thence East 200.00 feet; thence North 240 feet to the centerline of Brick Road; thence East 1,320 feet along said centerline to its intersection with the centerline of Mayflower Road; thence continuing East along said centerline of Brick Road, 905.61 feet; thence North 20 feet to the North right-of-way line of Brick Road; thence East 75.16 feet along said right-of-way line; thence North 20 feet along said line; thence East 162.84 feet along said right-of-way line; thence South 20 feet along said line; thence East 182 feet along said right-of-way line; thence South 1,040 feet to the South line of Hartman & DeMaegt Subdivision; thence East along said South line 1,384.95 feet; thence North 1,020 feet along the East line of Hartman & DeMaegt Subdivision to the centerline of Brick Road; thence East 2,231.96 feet along said centerline to the east line of Harvest Pointe Subdivision Section 2, thence South 662.95 feet to the South line of Fuerbringer's Minor Subdivision; thence East 329.62 feet along said line; thence North 21.09 feet; thence East 1,326.57 feet to the West line of Field Pointe Subdivision; thence North 1,062.16 feet along said line to the centerline of Brick Road; thence continuing East 2650.83 feet along said centerline; thence South 429.40 feet; thence West 800.00 feet to the East right-of-way line of Portage Road; thence South 280 feet along said right-of-way line to the South right-of-way line of Maple Road extended;;

thence along the Southerly right-of-way line of Maple Road along a 313.06 foot radius curve to the left, an arc distance of 254.00 feet, more or less; thence S89-45-13E 328.02 feet to the Easterly right-of-way line of Portage Road; thence S20-22-43E 130 feet along said Easterly right-of-way line of Portage Road; thence N89-45-13W, 395.58 feet to the East line of Section 21, Township 38 North, Range 2 East; thence South along said East line of Section 21, 1,100 feet; thence East 940 feet to the Easterly right-of-way line of Portage Road; thence Southerly 310 feet along said right-of-way line; thence East 1,614.09 feet to the Northeast Corner of Lot 2 Hurwich Farms Minor Subdivision; thence South 2,422.63 feet along the east line of said subdivision; thence West 99 feet; thence South 172.71 feet to the North right-of-way line of Cleveland Road; thence East 487.6 feet along said right-of-way line to the West right-of-way line of Lynnewood Avenue; thence North 411 feet along said right-of-way line; thence East 460 feet; thence South 93 feet; thence East 80 feet; thence South 318 feet to the North right-of-way line of Cleveland Road; thence West 1,167 feet along the North right-of-way line of Cleveland Road to the centerline of Lilac Road; thence North 443 feet along said centerline; thence East 510 feet; thence North 224.1 feet; thence East 192.42 feet to the West line of Riverside Manor 1st Section; thence North 165.9 feet along said subdivision line; thence West 532.52 feet along the South line of said subdivision to the centerline of Lilac Road; thence North 1,811.8 feet along said centerline; thence West 2,288.82 feet along the south line of Cross Creek Subdivision; thence North 650 feet along the West line of said subdivision; thence West 438 feet along the South line of the Oaks Subdivision; thence North 1,989 feet along the West line of said subdivision to the North right-of-way of Brick Road; thence East thence East 1,191 feet along said right-of-way line to the East line of Cross Creek Subdivision; thence South 1,551.04 feet along said East line; thence East 1,253.27 feet along said subdivision North line; thence South 233.74 feet along said subdivision East line; thence East 254.08 feet along said subdivision North line to the centerline of Lilac Road; thence South 168.54 feet along said centerline; thence West 272.48 feet; thence South 160.00 feet; thence East 274.10 feet to the centerline of Lilac Road; thence South 175 feet along said centerline; thence East 684.25 feet along the North line of Darden Crossings Subdivision; thence South 413.21 feet along the East line of said subdivision to the South right-of-way line of Darden Road; thence Easterly along said South right-of-way line 1,192.38 feet abutting Riverside Manor 2nd and 3rd Sections; thence continuing Easterly crossing the St. Joseph River along said South right-of-way line, 1,285 feet to the intersection of the West right-of-way line of Laurel Road (extended) and said South line of said Darden Road; thence North along said West right-of-way line of Laurel Road, 5,300 feet to

the centerline of Auten Road; thence East 1,720 feet along said centerline; thence South 963.3 feet; thence West 1,700 feet to the East right-of-way line of Laurel Road; thence South along said East right-of-way line of Laurel Road, 4,337 feet to the South right-of-way line of Darden Road; thence East 1,302.2 feet along said South right-of-way line of Darden Road; thence South 2,332.69 feet to the North right-of-way line of Cleveland Road; thence West along said North right-of-way line to the intersection of said North line and the East bank of the St. Joseph River; thence southerly along the St. Joseph River 24,000 feet, more or less to the intersection with the centerline of Colfax Avenue; thence West along said line to its intersection with the centerline of the St. Joseph River; thence Southerly along said centerline to the place of beginning.

(2)

South Bend Second Councilmanic District: Beginning at the intersection of the centerlines of the St. Joseph River and The George Cooper Memorial Bridge; thence Westerly along the centerline of the George Cooper Memorial Bridge to its intersection with the centerline of Sample Street; thence West along said line to its intersection with the centerline of Michigan Street; thence South along said line to its intersection with the centerline of Indiana Avenue; thence West along said line to its intersection with the centerline of the main Penn Central Railroad right-of-way line on the West side of Franklin Street; thence Westerly along said line to the centerline of Olive Street; thence North along said line to the intersection with the main Grand Trunk and Western Railroad right-of-way line; thence Easterly along said line to the intersection Walnut Street; thence North along said line to its intersection with the centerline of the main Conrail Railroad right-of-way line; thence Westerly along said line to its intersection with the centerline of Olive Street; thence South along said line to its intersection with the centerline of Western Avenue; thence West along said line to its intersection with the centerline of Mayflower Rd.; thence North along said line to its intersection with the Northerly right-of-way line of the main Conrail Railroad; thence Southeasterly along said line to its intersection with the centerline of Woodland Avenue extended; thence North approximately 2,500 feet along said line; thence West 660 feet; thence North 1,320 feet; thence East 660 feet; thence North 687 feet to its intersection with the centerline of Lincolnway West; thence Southeasterly along said line to its intersection with the centerline of Bendix Drive; thence North along said line to its intersection with the centerline of Elwood Avenue as extended from the East; thence East along said line as extended and said line to its intersection with the centerline of Portage Avenue; thence Southeasterly along said line to its intersection with the centerline of Diamond Avenue; thence Southwesterly along said line to its

intersection with the centerline of Vassar Avenue; thence West along said line to its intersection with the centerline of Lawndale Avenue; thence South along said line to its intersection with the centerline of California Avenue; thence East along said line to its intersection with the centerline of Blaine Avenue; thence South along said line to its intersection with the centerline of Van Buren Street; thence West along said line to its intersection with the centerline of Cleveland Avenue; thence South along said line to its intersection with the centerline of Lincolnway West; thence Northwesterly along said line to its intersection with Walnut Avenue; thence Southwesterly along said line to its intersection with the centerline of La Porte Avenue; thence Southeasterly along said line to its intersection with the centerline of Washington Street; thence East along said line to its intersection with the centerline of Chapin Street; thence South along said line to its intersection with the centerline of Wayne Street; thence East along said line to its intersection with Taylor Street; thence South along said line to its intersection with Wayne Street; thence East along said line to its intersection with Williams Street; thence North along said line to its intersection with the centerline of Colfax Avenue; thence East along said line to the centerline of the St. Joseph River; thence Southerly along said line to the place of beginning.

(3)

South Bend Third Councilmanic District: Beginning at the Northeast corner of Section 8, Township 37 North, Range 3 East, said point also being the intersection of the centerlines of McKinley Avenue and Logan Street; thence South along the East line of Section 8, Township 37 North, Range 3 East, 5,294.81 feet to the Northeast corner of Section 17, Township 37 North, Range 3 East; thence South along the East line of said Section 17, 1,931.8 feet to the centerline of the Saint Joseph River; thence Westerly along the centerline of the St. Joseph River 5,615 feet to the West line of Section 17 (the centerline of Ironwood Drive extended); thence South along said West line of Section 17 to its intersection with the centerline of Ridgedale Road; thence West along said line to its intersection with the centerline of Southridge Drive; thence Northerly along said line to its intersection with the centerline of Hilltop Drive; thence Northwesterly along said line to its intersection with the centerline of York Road; thence Northerly along said line to its intersection with the centerline of Altgeld Street; thence West along said line to its intersection with the centerline of High Street; thence North along said line to its intersection with the centerline of Ewing Avenue; thence West along said line to its intersection with the centerline of Main Street; thence North along said line to its intersection with the centerline of Indiana Avenue; thence East along said line to its intersection with the centerline of Michigan

Street; thence North along said line to its intersection with the centerline of Sample Street; thence East along said line to its intersection with the George Cooper Memorial Bridge; thence Northeasterly along said line to its intersection with the centerline of Eddy Street; thence North along said line to its intersection with the centerline of Jefferson Boulevard; thence Easterly along said line to its intersection with the centerline of Greenlawn Avenue; thence Southerly to the intersection of the centerline of the Mainline of the Grand Trunk and Western Railroad right-of-way; thence Easterly along said rail line to its intersection with the Centerline of 26th Street; thence Northerly along said centerline to Jefferson Boulevard; thence Easterly along said line to its intersection with the centerline of the West intersection of Rue de Ville; thence Northerly along said line to its intersection with the centerline of Rue de la Paix; thence Northerly along said line to its intersection with the centerline of McKinley Avenue; thence Easterly along said line to its intersection with the centerline of Logan Street; thence South along said centerline to the place of beginning.

(4)

South Bend Fourth Councilmanic District: Beginning at the Northeast corner of the Northeast Quarter Section, Section 5, Township 37 North, Range 3 East said point also being the intersection of the centerlines of Edison Road and Hickory Road; thence South along the centerline of Hickory Road to its intersection with the centerline of McKinley Avenue; thence Westerly along said line to its intersection with the centerline of Rue de la Paix; thence Southerly along said line to its intersection with the centerline Rue de Ville; thence Southerly along said line to its intersection with the centerline of Jefferson Boulevard; thence Westerly along said line to its intersection with the centerline of 26th Street; thence Southerly along said centerline to the intersection with the centerline of the Mainline Grand Trunk and Western Railroad right-of-way; thence Westerly to the intersection of the centerline of Greenlawn Avenue; thence Northerly along said line to the intersection of the centerline of Jefferson Boulevard; thence Westerly along said line to its intersection with the centerline of Eddy Street; thence South along said line to its intersection with the centerline of the George Cooper Memorial Bridge; thence Southwesterly along said centerline to its intersection with the East Bank of the St. Joseph River; thence Northerly along said East Bank of said St. Joseph River to its intersection with the centerline of Angela Boulevard; thence continuing Northerly along the said east bank to the intersection of the West right-of-way line of the Michigan Central Railroad; thence Southerly and Westerly along said right-of-way line to a point that is 200 feet North of the South line of Section 35, Township 38 North, Range 2 East; thence Easterly along a line parallel to said South line 1400 feet; thence North 480

feet; thence East 550 feet to the West right-of-way of SR 933 (old U.S. 33); thence South along said West right-of-way 480 feet; thence East 1563.88 feet; thence South 160 feet; thence East 709.1 feet; thence South 375 feet; thence East approximately 1,100 feet; thence South 154.55 feet to the West right-of-way line of Notre Dame Avenue; thence continuing South along said West line to its intersection with the centerline of Angela Blvd.; thence Northeasterly along said centerline to its intersection with the centerline of Edison Road; thence East along said centerline to its intersection with the East right-of-way line of Ivy Road; thence North along said East right-of-way line of Ivy Road and the East line extended, 348 feet; thence East 181.15 feet; thence North 182 feet; thence West to said West right-of-way line of Ivy Road; thence Northwesterly along said line to the East right-of-way line of Ivy Road; thence East 237 feet to the East line of the Schroederville (Original Town); thence North along said line to the intersection of the North right-of-way line of Vaness Street; thence East 348 feet along said line; thence North 119.8 feet; thence West 88 feet; thence South 37.2 feet; thence thence West 282 feet; thence North 185.25 feet; thence East 202 feet to the West right-of-way line of Burdette Street; thence North on said line 46.9 feet; thence East 356 feet; thence North 64.9 feet; thence East 296 feet to the West right-of-way of Willis Avenue; thence North along said line 61 feet; thence East on the North line of Willis Street Townhomes Minor Subdivision extended 260 feet; thence north along the East line of the Vaness Plat, 813.42 feet to the North right-of-way of Dunn Road; thence East along said North right-of-way line of Dunn Road, 1121.97 feet to the East right-of-way line of Ironwood Road; thence South along said East right-of-way line of Ironwood Road to its intersection with the South right-of-way line of SR 23; thence Northeasterly along said South right-of-way of SR 23, 630 feet to the Northwest corner of Lot 148 of Maple Lane Subdivision; thence North along the West line (and said line extended) of said lot to the South line of Lot 146 of said subdivision (also being the north right-of-way line of SR 23); thence Northeasterly along said North right-of-way line to the intersection of the East right-of-way line of Maple Lane Avenue and SR 23; thence Southwesterly to the Northwesterly corner of Lot 238 of said Maple Lane Subdivision; thence South along the West line of said lot and the West lines of Lot 241 and 242 of said subdivision; thence West to the Southeast corner of Lot 149 of said subdivision; thence West along the South lines of Lots 149 and 148, 152 feet; thence South 495 feet to the North R/W line of Roosevelt Street; thence West 372 feet along said North line of Roosevelt Street; thence South 350 feet; thence East 2,454.63 feet; thence North 1,145.68 feet; thence East 179.97 feet to the centerline of Crestwood Blvd; thence North 181 feet along said centerline of said Crestwood Blvd. to its intersection with the centerline of

Hepler Street; thence East along said centerline of Hepler Street, 1,600 feet; thence North 1,320 feet; thence East 630 feet; thence North 301.19 feet to the North line of McErlain Street and McErlain Street extended; thence Northwesterly along said North line 305.53 feet; thence South, 40.24 feet to the South line of McErlain Street; thence Northwesterly along the South line of McErlain Street 57.47 feet to the extended West line of Douglas Road Partners Minor Lot 5; thence North 267.24 feet to the South line of Douglas Road Partners Lot 4; thence West along the south line of said parcel 510 feet, to the West line of the NE Quarter of the NE Quarter of Section 32, Township 38 North, Range 3 East; thence continuing West 31 feet to the West R/W line of 34th Street (a paper street); thence North along said R/W line 312 feet, more or less, to the North line of Elkins Street; thence East along said R/W line 31 feet to said West line of the NE Quarter of the NE Quarter of Section 32; thence North along said line, 288.53 feet to the South line of a parcel of ground with a Tax Key Number of 02-2023-0548; thence South along said West Line, 20 feet to the South line of said parcel; thence East 135 feet along the North line of Douglas Road Partners Minor Lot 3; thence North along the East line of said parcel 243.72 feet to the South line of Tax parcel 02-2023-054801; thence East along said parcel 187.70 feet; thence North along the East line of said parcel 180 feet to the South line of Douglas Road; thence West along said South right-of-way to the East right-of-way line of SR 23; thence North along to the North right-of-way line of Douglas Road; thence East 200.42 to the West Line of Standard Federal Savings Bank Replat Lot A; thence North 160.00 feet to South line of Standard Federal Bank Replat; thence East 300.00 feet to the West line of Eclipse Douglas Road Minor Subdivision; thence North along said line 186.03 feet to the North Line of Eclipse Douglas Road Minor Subdivision; thence East along said North line, 995.85 feet to the Mishawaka City Line; thence South along said City Line 385.95 feet to the centerline of Douglas Road; thence East 132.80 feet along the centerline of Douglas Road to the East line of Lafree's Douglas Road Minor Subdivision; thence South along said East line of said subdivision 752.00 feet; thence East along the South line of said subdivision 200.00 feet to the East line of Section 32; thence South along said East line of Section 32, 569.79 feet; thence West 240 feet to the East line of Creekwood Villas Section 2; thence South 1,320 feet along said line to the centerline of Hepler Street; thence East along said centerline, 240 feet; thence South 2,665.41 feet to the centerline of Edison Road; thence Easterly along said centerline to the point of beginning.

(5)

South Bend Fifth Councilmanic District: Beginning at the intersection of the centerlines of Main Street and Ewing Avenue; thence East along the

centerline of Ewing Avenue to its intersection with the centerline of High Street; thence South along said line to its intersection with the centerline of Altgeld Street; thence East along said line to its intersection with the centerline of York Road; thence Southerly along said line to its intersection with the centerline of Hilltop Drive; thence Southeasterly along said line to its intersection with the centerline Southridge Drive; thence Southerly along said line to its intersection with Ridgedale Road; thence East along said line to its intersection with the centerline of Ironwood Drive; thence North along said line, 1,324.28 feet to the City of Mishawaka Boundary; thence East 2,902 feet; thence South 5,346.02 feet; thence West 992.58 feet; thence South 1,321.20 feet to the centerline of Ireland Road; thence West 664.66 feet along said centerline of Ireland Road; thence South 40 feet to the South right-of-way line of Ireland Road; thence West 652.57 feet along the South right-of-way line of Ireland Road to a point of intersection with the East line extended of Lot A of Hi-View Original Town 1st Replat; thence South 388.45 feet parallel to the East line of Lot 16 of Hi-View to the North line of Lot 148; thence West 60 feet to the Southeast corner of said Lot 16; thence South 970 feet along the East line of Lots 17 through 31 of said Hi-View to a point 30 feet South of the Northeast corner of Lot 31; thence West 210 feet to the center of Ironwood Road; thence South along said centerline to its intersection with the centerline of Jackson Road; thence East 3,960 feet along said centerline; thence South 237 feet; thence East 200 feet; thence North 237 feet to the centerline of Jackson Rd.; thence East to its intersection with the centerline of Grass Road; thence Southerly on said centerline of Grass Road, 900 feet; thence West 1,320 feet; thence South 3,060 feet; thence Westerly 2,640 feet; thence North 713 feet to the Southeast corner of Deer Hollow Subdivision Lot 8; thence West 1,179.11 feet along the South line of Deer Hollow Subdivision to the Southeast corner of Stonehedge Subdivision Section 3, Part 1; thence Northerly 778.65 feet along the east line of Stonehedge Subdivision Section 3, Part 1 to the North line of said Subdivision; thence Westerly 299.96 feet along said line to the Westerly line of Deer Hollow Subdivision; thence Northerly 405.89 feet to the North line of Stoneridge Subdivision Section 3, Part 2; thence West 924.35 feet along said line Northeast corner of Lot number 26 Stonehedge Subdivision Section 2; thence South 376.68 feet along the east line of said Lot 26; thence Southeasterly 73.94 feet along the North line of said Lot 26 to a point on the West R/W of Bromley Chase; thence S 30-0-00 W, along the West R/W line of said Bromley Chase, a distance of 161.69 feet to a point of curvature of a tangent curve; thence Southwesterly along a curve to the right, said curve having a radius of 30.00 feet and being subtended by a long chord having a bearing of S 72-04-50 W and a length of 40.21 feet an arc distance of 44.07

feet to a point of reverse curve, said point also being on the North R/W line of Killington Way; thence Northwesterly along a curve to the left, said curve having a radius of 245.00 feet and being subtended by a long chord having a bearing of N 77 03-38 W and a length 95.36 feet an arc distance of 95.97 feet; thence South 121.53 feet; thence West 460 feet; thence South 100 feet; thence East 260 feet to the centerline of Ironwood Road; thence South along said centerline, 1,735 feet; thence West 330 feet; thence South 484.44 feet; thence West 2,440 feet to the East R/W line of York Road; thence South 330 feet along said East line to its intersection with the centerline of Kern Road; thence West along said centerline of Kern Road, 30 feet; thence South 2,582 feet; thence West 2,228 feet to the West line of Bailey's Miami Road Minor; thence North 703 feet; thence West 436 feet to the West right-of-way line of Miami Road; thence North 220 feet; thence west 20 feet; thence North 109 feet; thence East 60 feet to the centerline of Miami Road; thence North 692 feet along said centerline ; thence West 304 feet; thence North 199.96 feet; thence East 304 feet to the centerline of Miami Road; thence North 409 feet along said centerline; thence West 250 feet; thence North 1,870 feet to the North line of a tract of land conveyed to Terry A. and Mary Beth Wiseman by deed recorded as Instrument Number 9845973; thence West along the North line of said Wiseman tract, 414.58 feet; thence Southerly along the West line of said Wiseman tract, 327.74 feet to the Southwest corner of the Wiseman tract; thence N 86-41-40 W, 2021.14 feet, thence N 00-11-27 E, 1,600.83 feet; thence S 89-48-33 E, 177.00 feet; thence N 00-11-27 E, 285.12 feet to the North R/W line of Johnson Road; thence West along said North R/W line of Johnson Road, 65 feet to the centerline of Fellows Street; thence North 1744 feet along said centerline to the centerline of Jackson Road; thence West 525.00 feet; thence North 720 feet; thence West 230 feet to the R/W of the US 20/31 By-Pass interchange; thence Southwesterly along said R/W, 1,400 feet to the centerline of Jackson Road; thence South along the West right-of-way of US 31 South (Dixie Highway) to the 109.48 feet South of the South right-of-way line of Dice Street; thence East 155 feet; thence South 235 to the South right-of-way line of Pulling Street; thence West along said right-of-way line 155 feet to the East right-of-way line of US 31 South (Dixie Highway); thence South along said right-of-way line to the North line of Gilmer Park 4th Addition, being also the Southwest corner of Lot 592 of Gilmer Park 2nd Addition; thence East 171 feet, more or less, along said North line of Gilmer Park 4th to the East line of the first North/South alley East of US 31 South; thence South along the East line (and said East line extended) of said alley 200 feet, more or less to the South R/W line of Lucinda Street; thence West along said South line to the first North/South alley East of US 31 South; thence South along the East R/W line of said

North/South alley to the North line of Kern Road; thence South to the Northeast corner of Lot 41 of Whitcomb & Keller's Southmoor Addition, being also on the South line of Kern Road; thence Southwesterly 633.4 feet along the East lines of Lots 41, 42, 42, 44, 129, 130, 131 and 132 of said Whitcomb & Keller's Southmoor Addition to the Southeast corner of said Lot 132; thence Southeasterly to the Northeast corner of Lot 2 Landon-Zimmer Minor Subdivision; thence West 131.5 feet to the Northwest corner of said Lot 2 and the East R/W line of US 31 South; thence Southerly along said East line of US 31 South to a point that is the intersection of a line that is parallel to the North line of Weller Heights Subdivision to a point 165 feet North of the Northeast corner of Lot 39 of Weller Heights Subdivision; thence West along said line to a point that is 165 feet North of the Northeast corner of lot 39 of Weler Heights Subdivision; thence South 165 feet to the Northwest corner of Lot 39 in Weller Heights Subdivision; thence West along the North line of Weller Heights Subdivision to the West line of the Southeast quarter of Section 2, Township 36 North, Range 2 East; thence North 1,131.5 feet along the West line of the Southeast quarter and the Northeast quarter of said Section 2, to the Southeast corner of LaFayette Falls, Phase III, Section Two; thence West 2,635.6 feet to the West line of the Northwest Quarter of said Section 2 ; thence South along said line 647 feet; thence West 1,273 feet; thence North 2,296 feet; thence East 1,273 feet to the West line of Kern Road Estates, Section 2; thence South 300 feet along said line; thence East 960 feet; thence North 1,115 feet; thence East 130 feet; thence North 320 feet; thence East 1,280 feet along the centerline of Kern Road; thence South 1,000 feet along the East line of LaFayette Falls; thence East 1,133 feet; thence North 1,000 feet to the North R/W line of Kern Road; thence East 255.25 feet along said North line of Kern Road; thence South 1,593.99 feet; thence East 572.40 feet along the North line of Landon-Zimmer Minor Subdivision; thence South 132.29 feet; thence East 165.11 feet to the West right-of-way line of US 31 South; thence North 800 along said right-of-way line; thence Westerly 210.95 feet; thence North 121.63 feet; thence East 255 feet to the West right-of-way line of US 31; thence 427.23 feet along said right-of-way line; thence West 222.81 feet; thence North 334.87 feet to the centerline of Kern Road; thence East 160 feet along said centerline; thence Northeasterly 150 feet to the West right-of-way line of US 31 South; thence Northeasterly 70 feet along said right-of-way line; thence West 500 feet; thence North 260 feet; thence 520 feet to the West right-of-way line of Main Street; thence North along the West right-of-way line of Main Street to South line of lot 40 Gillmer's South Michigan Street Addition; thence West along the Southe South line of said Lot 40 136.1 feet ; thence North 120.3feet to the Northwest corner of Lot 38 in said Subdivision; thence East 145.2 feet to the

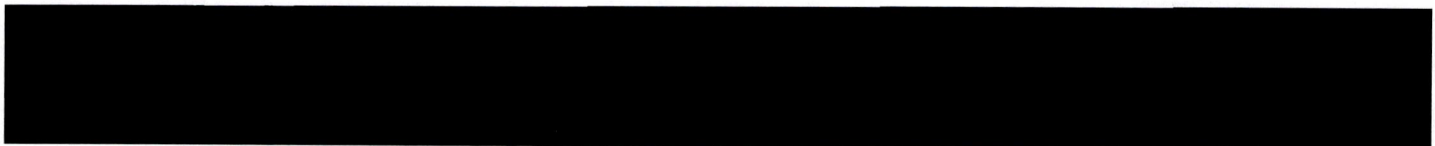
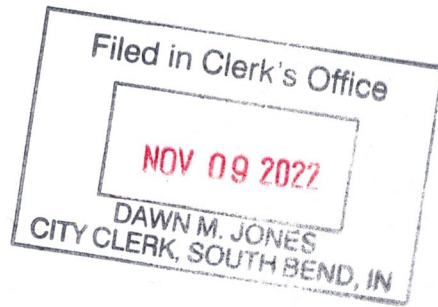
West right-of-way line of Main Street; thence Northerly 196 feet along said right-of-way; thence West 136 feet; thence North 70 feet to the North line of Lot 33 in said Subdivision; thence East 139.4 feet to the West right-of-way line of Main Street; thence North along the West line of Main Street to its intersection with the centerline of Jackson Road; thence West 1,200 feet along said centerline; thence North 300 feet; thence Southwesterly 331.38 feet; thence South 225.00 feet to the centerline of Jackson Road; thence West 2,171.18 feet along said centerline to its intersection with the easterly right-of-way line of Conrail; thence northeasterly along said railroad right-of-way line to its intersection with the centerline of Ireland Road; thence North 2,660 feet North to the intersection with the centerline of Chippewa Avenue; thence West along said centerline to its intersection with the centerline of Linden Road; thence South along said centerline to its intersection with the South right-of-way line of US 20/31; thence Northwesterly, 3,300 feet along the South right-of-way line of US 20/31 to the East right-of-way line of Locust Road; thence South along said East right-of-way line; thence West 200 feet to the West right-of-way line of said Locust Road; thence North to the South right-of-way line of the US 20/31; thence Northwesterly along said right-of-way line to its intersection with the western extension of the centerline of Chippewa Street; thence East along the extension and the centerline of Chippewa Street to the North-South Centre and Portage Townships line; thence South along said Township line to the intersection of the extension of the centerline of Teri Street; thence East along said line extension and the centerline of Teri Street to its intersection with the centerline of Fellows Street; thence North along said centerline to its intersection with the centerline of Southmore Avenue; thence Easterly along said centerline to its intersection with the centerline of Montgolfier Place; thence Easterly and Northerly along said centerline to its intersection with the centerline of Langley Avenue; thence Northerly along said centerline to its intersection with the centerline of Klinger Street; thence Westerly along said centerline to its intersection with the centerline of Fellows Street; thence North along said centerline to its intersection with Dean Street; thence West along said centerline to its intersection with the centerline of St. Joseph Street; thence Northerly along said centerline to its intersection with the centerline of Farneman Street; thence East along said centerline to its intersection with the centerline of Carroll Street; thence North along said centerline to its intersection with the centerline of Donmoyer Avenue; thence West along said centerline to its intersection with the centerline of Michigan Street; thence South along said centerline to its intersection with the centerline of Tasher Avenue; thence West along said centerline to its intersection with the

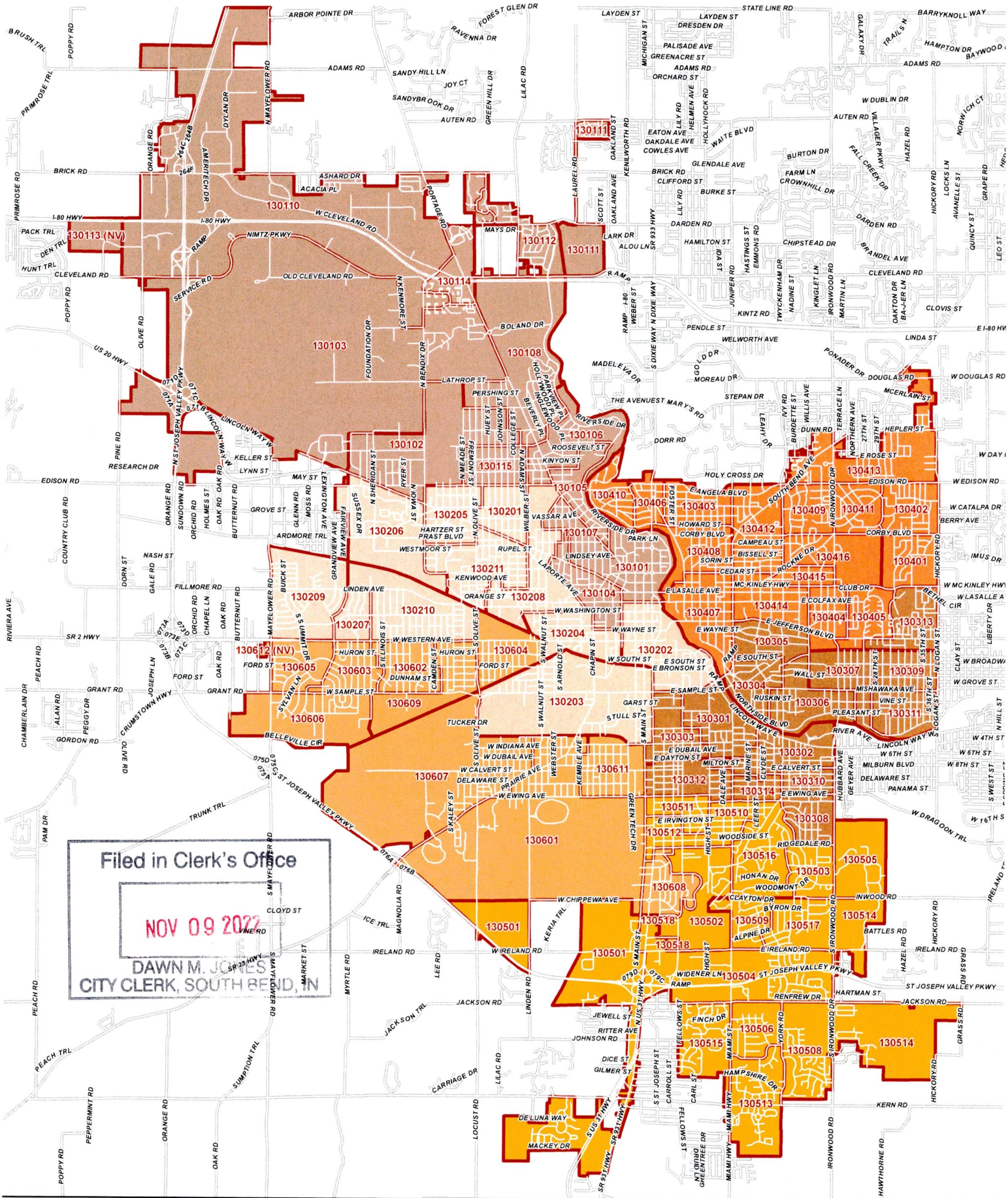
centerline of Main Street; thence North along said centerline to the point of beginning.

(6)

South Bend Sixth Councilmanic District: Beginning at the intersection of the centerline of Chippewa Avenue with the centerline of Linden Road; thence West along the projected centerline of Chippewa Avenue which is also the Boundary line of Centre and Portage Townships to the Southwesterly right-of-way line of US 20/31; thence Northwesterly along the Southwesterly right-of-way line of the US 20/31 to the Southeasterly right-of-way line of SR 23; thence Northeasterly along the Southeasterly right-of-way of SR 23, 2,400, feet more or less to the East property line extended of a lot with Tax Key number 17-1013-0326; thence North 400 feet along said East property line; thence Southwesterly 211.43 feet to the West line of Section 22, Township 37 N, Range 2 East; thence North along the West line of said Section 22, 1,550 feet more or less to a point 210 feet South of the North line of said Section; thence West 200 feet; thence North 210 feet; thence West 2,640 feet; thence North 1,320 feet to the centerline of Calvert Street; thence West along said centerline and said centerline extended, 1,320 feet; thence North 1,720 feet; thence West 1,340 feet to the East line of Matthy's Mayflower Road Second Minor Subdivision; thence South 152.10 feet along said East line; thence West 1,423.53 feet along the South line of said Subdivision; thence Northwesterly 505.66 feet along said boundary line; thence North 68.87 feet along said boundary line; thence Northwesterly 752.90 feet along said boundary line to the East right-of-way line of Mayflower Road; thence North 70.00 feet along said right-of-way line; thence West 2,200 feet; thence North 1,132.3 feet; thence East 788.39 feet; thence North 1,088.7 feet to the North line of Section 17, Township 37 N, Range 2 East, and the centerline of Sample Street; thence East along said centerline, 1,320 feet to its intersection with the centerline of Mayflower Road; thence North along said centerline to its intersection with the centerline of Western Avenue; thence East along said line to its intersection with the centerline of Olive Street; thence North along said centerline to its intersection with the centerline of the main Norfolk and Western Railroad (formerly the Conrail Railroad) R/W; thence Southeasterly along said Norfolk and Western to its intersection with the centerline of Walnut Street; thence South along said centerline to its intersection with the centerline of the main Grand Trunk and Western Railroad R/W; thence Westerly along said centerline to its intersection with the centerline of Olive Street; thence Southerly along said centerline to its intersection with the centerline of the main Penn Central Railroad right-of-way line; thence East along said railroad centerline to its intersection with the centerline of Indiana Avenue; thence East along said centerline to its

intersection with the centerline of Main Street; thence South along said centerline to its intersection with the centerline of Tasher Street; thence East along said centerline to its intersection with the centerline of Michigan Street; thence Northerly along said centerline to its intersection with the centerline of Donmoyer Avenue; thence East along said centerline to its intersection with the centerline of Carroll Street; thence Southerly along said centerline to its intersection with the centerline of Farneman Street; thence West along said line to its intersection with the centerline of St. Joseph Street; thence Southerly along said line to its intersection with the centerline of Klinger Street; thence Easterly along said centerline to its intersection with the centerline of Langley Avenue; thence Southerly along said line to its intersection with the centerline of Montgolfier Place; thence Southerly along said line to its intersection with the centerline of Southmore Avenue; thence Northerly and Westerly along said centerline to its intersection with the centerline of Fellows Street; thence South along said line to its intersection with the centerline of Teri Street; thence Westerly along said centerline line and said line as extended to the West to its intersection with the North-South Centre and Portage Townships line; thence North along said Township line to its intersection with the centerline of Chippewa Street; thence West along said centerline to its intersection with the centerline of Linden Road to the place of beginning.





Filed in Clerk's Office
 NOV 09 2022
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

2022
South Bend City Council
Basemap

EXHIBIT B

Filed in Clerk's Office
NOV 14 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN



**South Bend 2022 Redistricting Advisory Committee
Report to the South Bend Common Council
November 14, 2022**

PREFACE

The South Bend Common Council is required to enact a redistricting ordinance in the second year after each United States Decennial Census. Accordingly, the Council President appointed the South Bend 2022 Redistricting Advisory Committee, a bipartisan special committee whose members are diverse in race, gender, and location of their residences, to make recommendations for redistricting.

The members of the South Bend 2022 Redistricting Advisory Committee are:

Josephine M. Broden

Joseph R. Molnar

Michael P. Divita

Robert J. Palmer

Consuella D. Hopkins

Kathryn R. Schuth

Karl G. King

Patrick D. Shelton

Chairman

Stephen J. Luecke

Emee G. Miller

The Committee respectfully submits the following report presenting its findings and recommendations.

LEGAL REQUIREMENTS FOR REDISTRICTING

County Commissioners Establishment Of Precincts

Indiana Code §3-11-1.5-1 *et seq* requires the County Commissioners to establish Precincts according to specified rules.

South Bend Common Council Establishment Of Six Council Districts

Indiana Code §36-4-6-3 requires the South Bend Common Council to enact an ordinance that divides the City into six Districts, which:

- “(1) are composed of contiguous territory, except for territory that is not contiguous to any other part of the city;
- (2) are reasonably compact;
- (3) do not cross precinct boundary lines, except as permitted in limited situations; and
- (4) contain, as nearly as is possible, equal population.”

ACTION TAKEN BY ST. JOSEPH COUNTY COMMISSIONERS

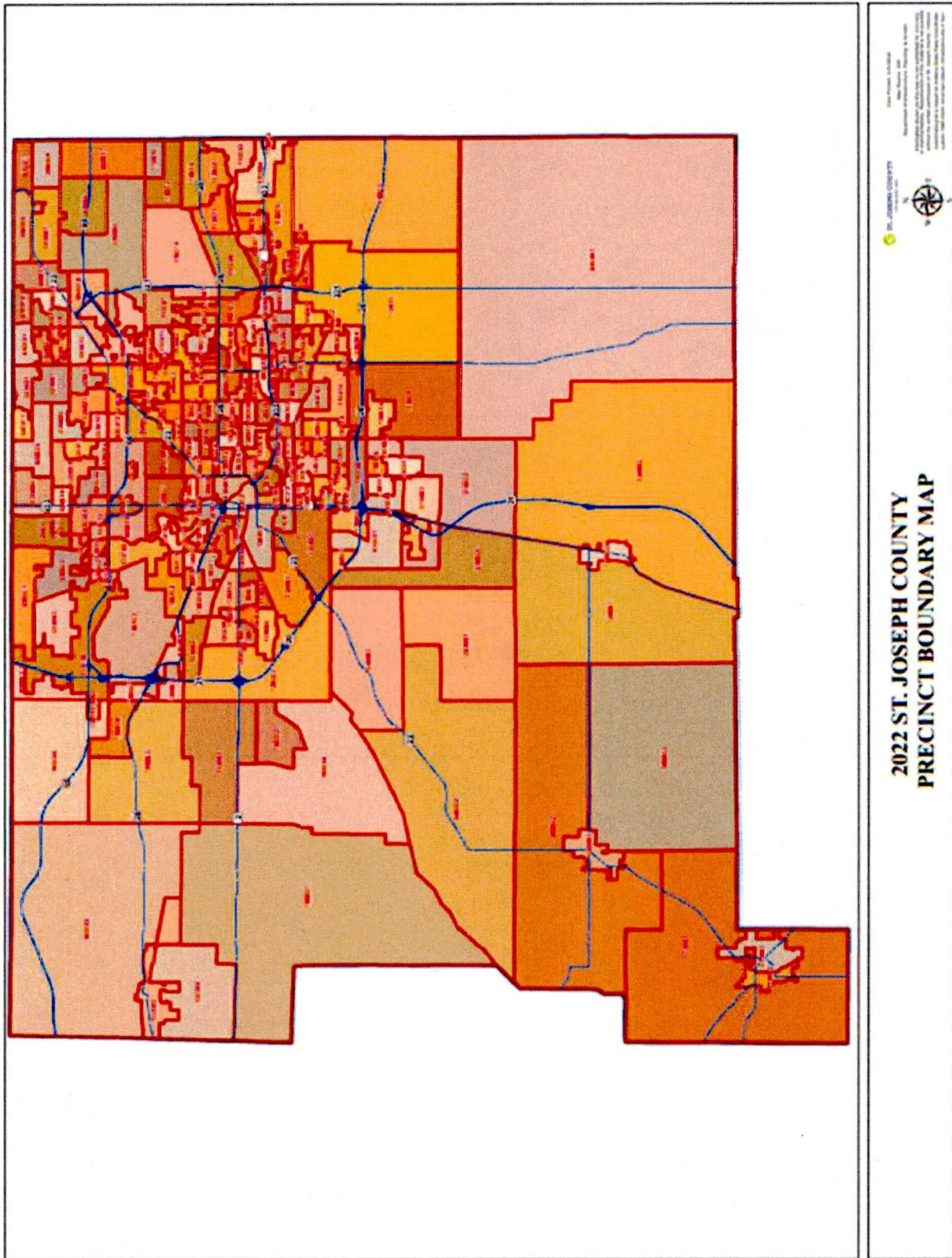
As required after the United States Decennial Census of 2020, the St. Joseph County Commissioners took action to establish Precincts within St. Joseph County's incorporated and unincorporated areas.

The Precincts established by the St. Joseph County Commissioners are listed in the attached Exhibit A, along with the 2020 Census population of each Precinct.

The Precincts and existing South Bend Council Districts are depicted by the printed map on the following page and by an interactive map accessible on the Internet at the following URL:

<https://stjocogis.maps.arcgis.com/apps/webappviewer/index.html?id=c3b788dfcea4055982bd125dd4c06d1>

Figure 1: 2022 St. Joseph County Precinct Map



STATUS OF SOUTH BEND'S COMMON COUNCIL DISTRICTS

Using the Precincts established by the County Commissioners and the population from the 2020 Census, the Committee has set forth in the attached Exhibit B the Precincts and population for South Bend's existing Council Districts. Because Indiana law requires that Districts must contain, as nearly as possible, equal population, the Committee has also shown for each existing District the extent to which the population is over or short compared to target one-sixth of South Bend's total population (i.e., 17,245 and 16.67%).

As shown in Exhibit B, the present status of South Bend's Common Council Districts is very close to the 17,245 and 16.67% targets, as follows:

- District 1 – population of 17,888 (17.30%) is only slightly more than one-sixth of South Bend's total population by 643 (0.63%)
- District 2 – population of 16,546 (16.00%) is only slightly less than one-sixth of South Bend's total population by 699 (0.67%)
- District 3 – population of 17,902 (17.30%) is only slightly more than one-sixth of South Bend's total population by 657 (0.63%)
- District 4 – population of 16,843 (16.30%) is only slightly less than one-sixth of South Bend's total population by 402 (0.37%)
- District 5 – population of 17,279 (16.70%) is only slightly more than one-sixth of South Bend's total population by 34 (0.03%)
- District 6 – population of 17,011 (16.40%) is only slightly less than one-sixth of South Bend's total population by 234 (0.27%)

RECOMMENDATION FOR A 2022 REDISTRICTING PLAN

The Committee respectfully recommends that the South Bend Common Council enact a 2022 redistricting plan that would make no changes in the present Precinct and District assignments. The Committee's reasoning is:

- the population in each District is already very close to the 17,245 and 16.67% targets with less than 1% variance;
- this redistricting plan would comply with Indiana Code (IC 36-4-6-3) requirements that Council Districts “(a) be composed of contiguous territory, (b) be reasonably compact, (c) not cross precinct boundary lines, and (d) contain, as nearly as is possible, equal population”;
- this redistricting plan would avoid unnecessary disruption of existing relationships between Council Members and their constituent neighborhoods and citizens.

The effect of the recommended plan would be as shown in Table 1 below.

Table 1: Effect Of The Suggested Redistricting Plan

District	Population		District Over/Short (-)	
	Number	% to Total	Number	% to Target
1	17,888	17.30%	643	0.63%
2	16,546	16.00%	-699	-0.67%
3	17,902	17.30%	657	0.63%
4	16,843	16.30%	-402	-0.37%
5	17,279	16.70%	34	0.03%
6	17,011	16.40%	-234	-0.27%
Totals	<u>103,469</u>	<u>100.00%</u>		
Targets	17,245	16.67%		

Table 2, on the following page, displays data comparing the effect of the 2022 redistricting plan the Committee recommends to the effects of the redistricting plans enacted by the South Bend Common Council in 2002 and 2012.

As Table 2 illustrates, the effect of the 2022 redistricting plan the Committee recommends compares favorably to the 2002 and 2012 plans.

Table 2: Effect Of The Recommended Redistricting Plan Compared To 2002 And 2012 Plans

District	2002				2012				2022			
	Population		Over/Short (-)		Population		Over/Short (-)		Population		Over/Short (-)	
	Number	% to Total	Number	%	Number	% to Total	Number	%	Number	% to Total	Number	%
1	17,445	16.18%	-530	-0.49%	15,615	15.44%	-1,236	-1.23%	17,888	17.30%	643	0.63%
2	18,784	17.42%	809	0.75%	15,867	15.69%	-984	-0.98%	16,546	16.00%	-699	-0.67%
3	17,667	16.38%	-308	-0.29%	16,020	15.84%	-831	-0.83%	17,902	17.30%	657	0.63%
4	18,158	16.84%	183	0.17%	16,918	16.73%	67	0.06%	16,843	16.30%	-402	-0.37%
5	17,323	16.06%	-652	-0.61%	17,078	16.89%	227	0.22%	17,279	16.70%	34	0.03%
6	18,471	17.13%	496	0.46%	19,610	19.40%	2,759	2.73%	17,011	16.40%	-234	-0.27%
Totals	<u>107,848</u>	<u>100.00%</u>			<u>101,108</u>	<u>100.00%</u>			<u>103,469</u>	<u>100.00%</u>		
Targets	17,975	16.67%			16,851	16.67%			17,245	16.67%		

Exhibit A
South Bend Precincts Established By St. Joseph County Commissioners
and 2020 Population By Precinct

Precinct	Population
130101	1,609
130102	1,561
130103	1,382
130104	1,412
130105	1,138
130106	1,415
130107	1,061
130108	2,144
130110	1,494
130111	515
130112	1,283
130113 (no voters)	0
130114	1,275
130115	1,599
130201	1,637
130202	1,518
130203	1,592
130204	1,548
130205	1,657
130206	1,570
130207	1,037
130208	1,493
130209	1,637
130210	1,378
130211	1,479
130301	1,372
130302	1,910
130303	1,004
130304	948
130305	1,085
130306	1,199
130307	1,518
130308	957
130309	1,770
130310	905
130311	1,505
130312	1,269
130313	1,557
130314	903
130401	930
130402	1,744
130403	971
130404	694

Exhibit A
South Bend Precincts Established By St. Joseph County Commissioners
and 2020 Population By Precinct

Precinct	Population
130405	1,188
130406	511
130407	817
130408	1,534
130409	612
130410	751
130411	945
130412	1,835
130413	1,892
130414	933
130415	853
130416	633
130501	692
130502	1,145
130503	816
130504	1,697
130505	643
130506	744
130508	1,047
130509	792
130510	1,104
130511	1,249
130512	891
130513	1,166
130514	2,065
130515	1,120
130516	1,136
130517	950
130518	22
130601	2,177
130602	1,899
130603	2,027
130604	1,674
130605	1,060
130606	2,107
130607	1,773
130608	1,317
130609	1,289
130611	1,662
130612 (no voters)	26
Total	<u>103,469</u>

Exhibit B
South Bend 2020 Population By District And Precinct - Over And Short

Precinct	Population		District Over/Short (-)	
	Number	% to Total	Number	% to Target
130101	1,609	1.56%		
130102	1,561	1.51%		
130103	1,382	1.34%		
130104	1,412	1.36%		
130105	1,138	1.10%		
130106	1,415	1.37%		
130107	1,061	1.03%		
130108	2,144	2.07%		
130110	1,494	1.44%		
130111	515	0.50%		
130112	1,283	1.24%		
130113 (no voters)	0	0.00%		
130114	1,275	1.23%		
130115	1,599	1.55%		
District 1 Totals	17,888	17.30%	643	0.63%
130201	1,637	1.58%		
130202	1,518	1.47%		
130203	1,592	1.54%		
130204	1,548	1.50%		
130205	1,657	1.60%		
130206	1,570	1.52%		
130207	1,037	1.00%		
130208	1,493	1.44%		
130209	1,637	1.58%		
130210	1,378	1.33%		
130211	1,479	1.43%		
District 2 Totals	16,546	16.00%	-699	-0.67%
130301	1,372	1.33%		
130302	1,910	1.85%		
130303	1,004	0.97%		
130304	948	0.92%		
130305	1,085	1.05%		
130306	1,199	1.16%		
130307	1,518	1.47%		
130308	957	0.92%		
130309	1,770	1.71%		
130310	905	0.87%		
130311	1,505	1.45%		
130312	1,269	1.23%		
130313	1,557	1.50%		
130314	903	0.87%		
District 3 Totals	17,902	17.30%	657	0.63%

Exhibit B
South Bend 2020 Population By District And Precinct - Over And Short

Precinct	Population		District Over/Short (-)	
	Number	% to Total	Number	% to Target
130401	930	0.90%		
130402	1,744	1.69%		
130403	971	0.94%		
130404	694	0.67%		
130405	1,188	1.15%		
130406	511	0.49%		
130407	817	0.79%		
130408	1,534	1.48%		
130409	612	0.59%		
130410	751	0.73%		
130411	945	0.91%		
130412	1,835	1.77%		
130413	1,892	1.83%		
130414	933	0.90%		
130415	853	0.82%		
130416	633	0.61%		
District 4 Totals	16,843	16.30%	-402	-0.37%
130501	692	0.67%		
130502	1,145	1.11%		
130503	816	0.79%		
130504	1,697	1.64%		
130505	643	0.62%		
130506	744	0.72%		
130508	1,047	1.01%		
130509	792	0.77%		
130510	1,104	1.07%		
130511	1,249	1.21%		
130512	891	0.86%		
130513	1,166	1.13%		
130514	2,065	2.00%		
130515	1,120	1.08%		
130516	1,136	1.10%		
130517	950	0.92%		
130518	22	0.02%		
District 5 Totals	17,279	16.70%	34	0.03%
130601	2,177	2.10%		
130602	1,899	1.84%		
130603	2,027	1.96%		
130604	1,674	1.62%		
130605	1,060	1.02%		
130606	2,107	2.04%		
130607	1,773	1.71%		

Exhibit B
South Bend 2020 Population By District And Precinct - Over And Short

Precinct	Population		District Over/Short (-)	
	Number	% to Total	Number	% to Target
130608	1,317	1.27%		
130609	1,289	1.25%		
130611	1,662	1.61%		
130612 (no voters)	26	0.03%		
District 6 Totals	17,011	16.40%	-234	-0.27%
South Bend Totals	<u>103,469</u>	<u>100.00%</u>		
*Districts Target	17,245	16.67%		

Filed in Clerk's Office

NOV 14 2022

DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN



City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627

www.southbend.in.gov/zoning

Filing Clerk's Office

NOV 21 2022

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Monday, November 21, 2022

South Bend Common Council
227 W. Jefferson Blvd., 4th Floor
South Bend, IN 46601

Re: Bill#64-22 - A proposed ordinance of LINDA DAMARIS TINOCO to zone from U1 Urban Neighborhood 1 to UF Urban Neighborhood Flex, property located at 613 WARREN ST, City of South Bend - PC# 0121-22


Dear Council Members:

I hereby Certify that the above referenced ordinance of LINDA DAMARIS TINOCO was legally advertised on November 11, 2022 and that the South Bend Plan Commission at its public hearing on November 21, 2022 took the following action:

Upon a motion by Kyle Copelin, being seconded by Caitlin Stevens and unanimously carried, a proposed ordinance of LINDA DAMARIS TINOCO to zone from U1 Urban Neighborhood 1 to UF Urban Neighborhood Flex, property located at 613 WARREN ST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

The staff report is attached. The deliberations of the Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing, Minutes of the public hearing are available in our office and will be posted on our website once approved.

Sincerely,


Angela M. Smith
Zoning Administrator

Attachment

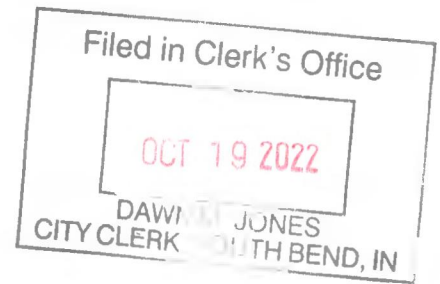
CC: LINDA DAMARIS TINOCO
Bob Palmer

Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President

BILL NO. 64-22
ORDINANCE NO. 10899-22



**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 613
S Warren St., COUNCILMANIC DISTRICT NO. 6 IN THE CITY OF SOUTH BEND,
INDIANA**

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property from U1 Urban Neighborhood 1 District to UF Urban Neighborhood Flex District to allow a beauty salon as an accessory use to a residential use.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. Ordinance No. 10689-19, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

LOT 279 SUMMIT PLACE 2ND

be and the same is hereby established as UF Urban Neighborhood Flex

SECTION II. This ordinance is and shall be subject to commitments as provided by Chapter 21-12.07(f)(7) Commitments, if applicable.

SECTION III. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Sharon McBride, Council President
South Bend Common Council

Attest:

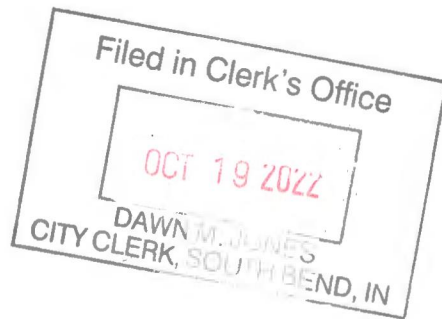
Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2022, at _____ o'clock ____ . m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana



Property Information

Location: 613 WARREN ST
Owner: LINDA DAMARIS TINOCO

Filed in Clerk's Office
NOV 21 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

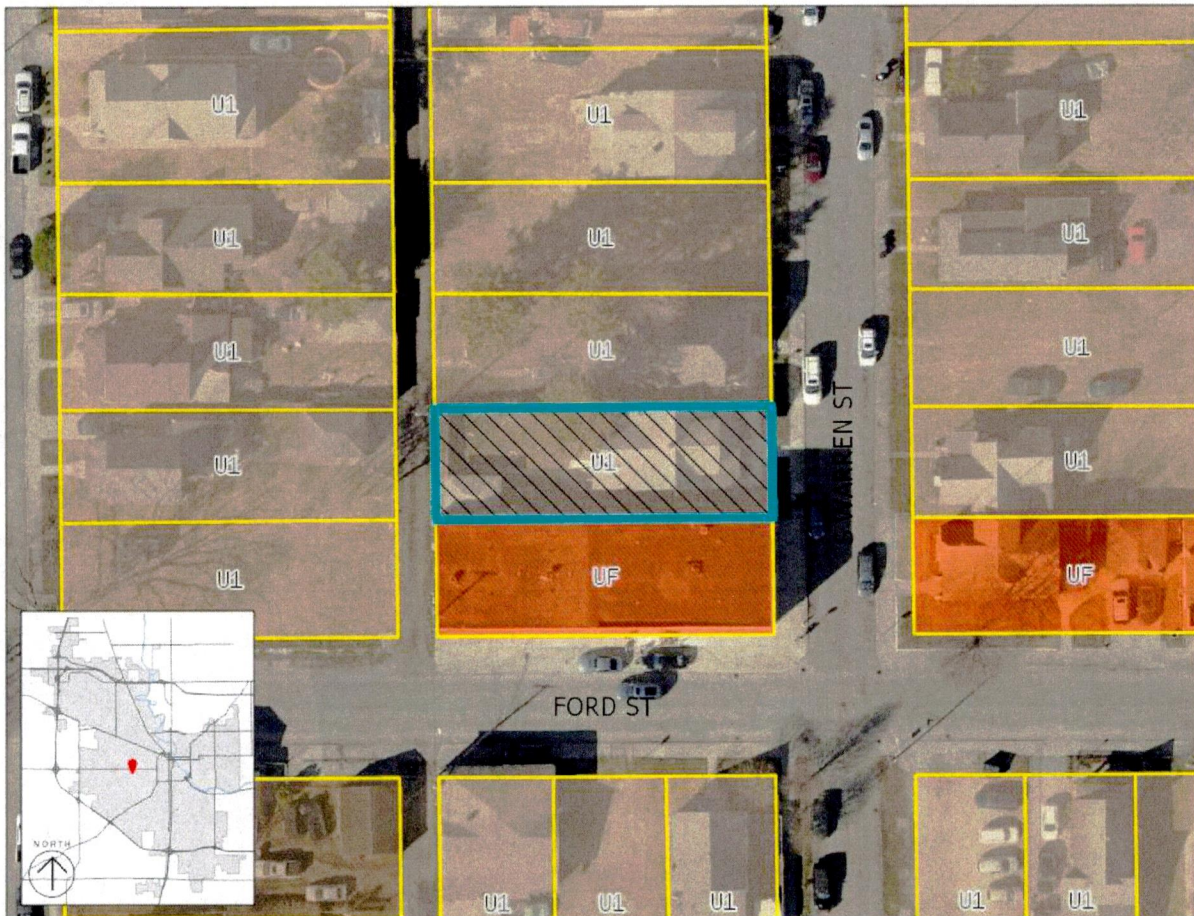
Requested Action

Rezone from U1 Urban Neighborhood 1 to UF Urban Neighborhood Flex

Project Summary

To allow a beauty salon as accessory to a residential use.

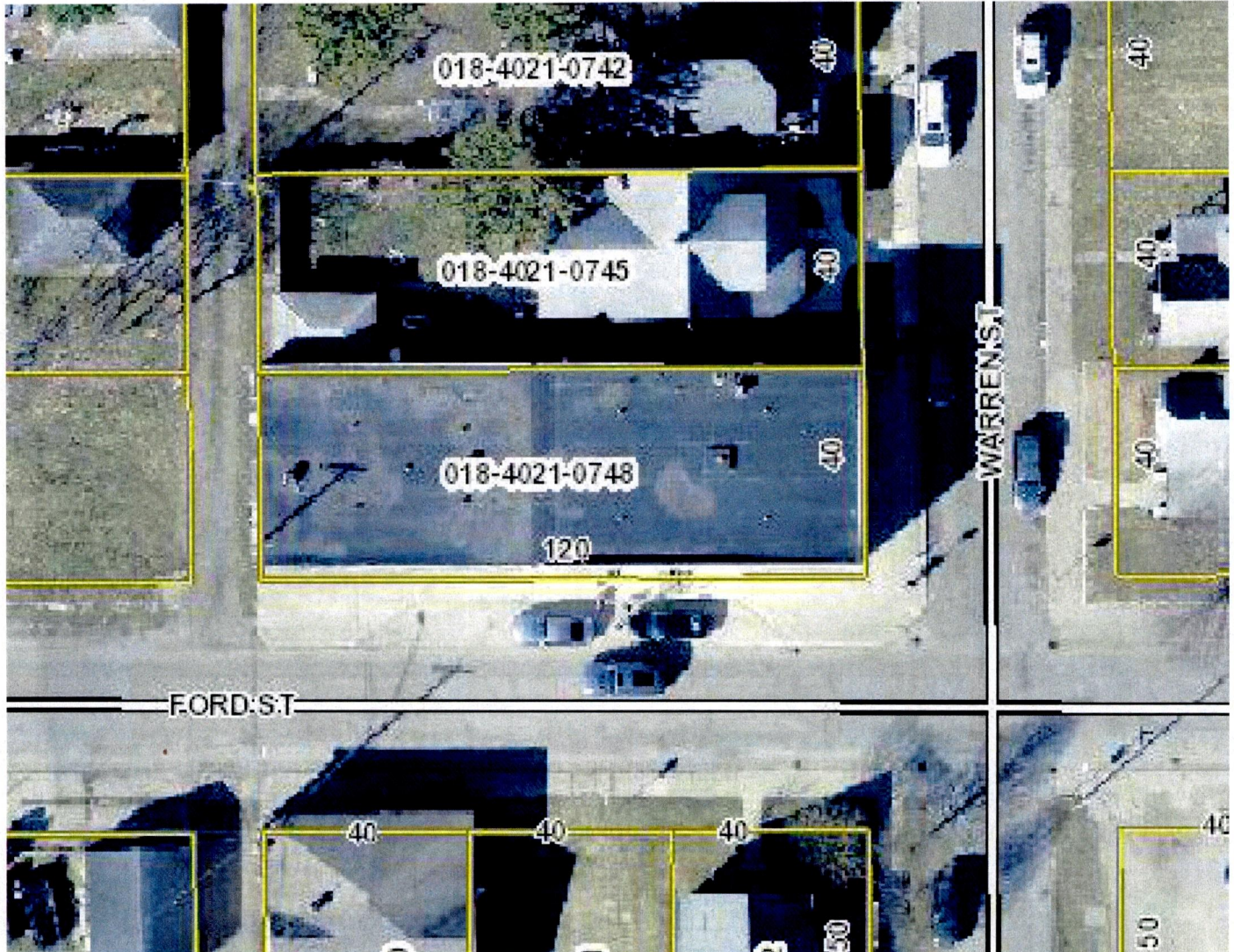
Location Map



Recommendation

Staff Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.

Proposed Site Plan



NOV 21 2022

CITY OF SOUTH BEND, IN

Site & Context

Land Uses and Zoning:

- On site: On site is a residential structure with a salon store front and one unit dwelling.
- North: A residential structure zoned U1 Urban Neighborhood 1 District.
- East: Across Warren St., a residential structure zoned U1 Urban Neighborhood 1 District.
- South: An office building zoned UF Urban Neighborhood Flex District.
- West: A residential structure zoned U1 Urban Neighborhood 1 District.

District Intent:

The UF District is established to enhance and support a full range of housing types and small-scale commercial uses found outside neighborhood centers in core and outlying areas of the City.

Site Plan Description:

There are currently no plans to change the layout of the site.

Zoning and Land Use History and Trends:

The residential structure was built in the 1920s. Most of the homes and commercial structures date to the early 1900s when the area experienced large scale growth through growing manufacturing employment opportunities and incoming immigration. The neighborhood is dotted with a number of small scale restaurants and commercial establishments appropriately scaled for the neighborhood.

Traffic and Transportation Considerations:

Warren Street is a narrow one-way street with on-street parking.

Agency Comments

Agency Comments:

There were no agency comments at this time.

Staff Comments:

A beauty salon is not a permitted home occupation, but is consistent in scale with other uses allowed. The location of this property adjacent to another UF use and close to the intersection Warren and Ford make it a suitable location for the proposed use and zoning.

Criteria for Decision Making

Rezoning

Per State Law, the Plan Commission and Common Council shall pay reasonable regard to:

1. Comprehensive Plan:

Policy Plan:

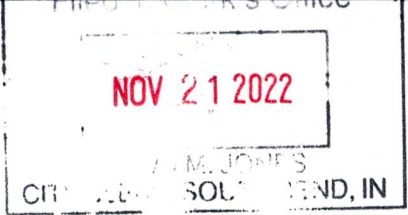
The petition is consistent with city's comprehensive plan, City Plan (2006) Objective ED2: Retain existing businesses and recruit new ones to the city. Allowing the rezoning of the site will allow for the retention of a current business in the city.

Land Use Plan:

The Future Land Use Plan identifies this area for Medium Density Residential.

Plan Implementation/Other Plans:

There are no neighborhood specific plans for this area.



2. Current Conditions and Character:

The existing neighborhood is a dense urban single-family neighborhood. Most of the homes in the neighborhood date from the early 1900s. Many small scale commercial buildings exist on corner lots which continue to serve the neighborhood.

3. Most Desirable Use:

The most desirable use, at this time, is to allow for the live-work use which fits into the established character of the neighborhood.

4. Conservation of Property Values:

Urban Neighborhood Flex District is established to enhance and support a full range of housing and small-scale commercial uses.

5. Responsible Development and Growth:

It is responsible development to allow for the continued use of an existing neighborhood business within this urban neighborhood.

Analysis & Recommendation

Commitments: There are not commitments proposed at this time.

Analysis: Rezoning the site to UF Urban Neighborhood Flex will allow for the continued use as a work-live residential building allowing for neighborhood scale service to the the surrounding area.

Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.



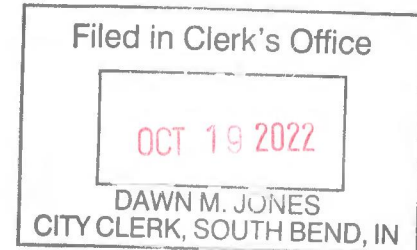
City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

October 19, 2022

Honorable Committee Chair Hamann
4th Floor, County-City Building
South Bend, IN 46601

RE: 613 S Warren St. PC#0121-22



Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your October 24th Council meeting and set it for public hearing at your November 28th Council meeting. The petition is tentatively scheduled for public hearing at the November 21st, 2022, South Bend Plan Commission meeting. The recommendation of the South Bend Plan Commission will be forwarded to the Office of the City Clerk by noon on the day following the public hearing.

The petitioner provided the following to describe the proposed project:

The project will consist of the rezoning of Parcel 018-4021-0745. Currently zoned U1 Urban Neighborhood 1 to UF Urban Neighborhood Flex designation necessary to allow a beauty salon as an accessory use to a residential use.

If you have any questions, please feel free to contact our office.

Sincerely,

Rachel Boyles
Zoning Specialist

CC: Bob Palmer

Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President

Petition for Rezoning or Combined Public Hearing

Property Information

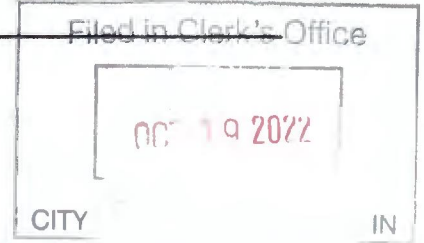
Tax Key Number: 018-4021-0745

Address: 613 S. Warren

Owner: Linda Tinoco

Legal Description:

Lot 279 Summit Place 2nd.



Project Summary

To allow a beauty salon as accessory to a residential use

Requested Action

Application includes (check all that apply)

Rezoning

Current District: ~~Choose the current district~~ U1

Additional Districts, if applicable

Proposed District: ~~Choose the proposed district~~ UF

Additional Districts, if applicable

The Plan Commission and Council will consider the following in the review of a rezoning petition:

- (1) The comprehensive Plan;
- (2) Current conditions and the character of the current structures and uses in each district;
- (3) The most desirable use for which the land in each district is adapted;
- (4) The conservation of property values throughout the jurisdiction; and
- (5) Responsible development and growth.

Subdivision – complete and attach subdivision application

Special Exception – complete and attach Criteria for Decision Making

Use requested: _____

Variance(s) - List variances below, complete and attach Criteria for Decision Making

Variance(s) requested: _____

Required Documents

- Completed Application (including Contact Information)
- Site Plan drawn to scale
- Filing Fee
- Additional documents as noted above

P.A.I.D

OCT 05 2022

Per KB.

Contact information

Property owner(s) of the petition site:

Name: Linda Tinoco

Address: 613 S. Warren

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Linda Tinoco

Address: 613 S. Warren

Phone Number: 574 584 5711

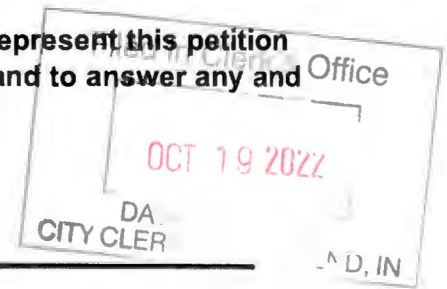
E-mail: lindatinoco@gmail.com

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

Property Owner (s) Signatures:





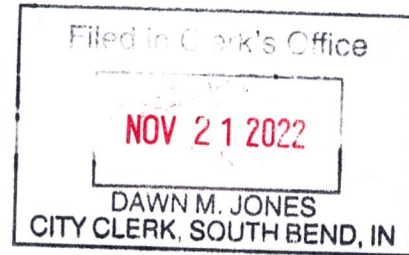


City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

Monday, November 21, 2022

South Bend Common Council
227 W. Jefferson Blvd., 4th Floor
South Bend, IN 46601



Re: Bill#65-22 - A proposed ordinance of DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND and 1044 TRUST and to zone from I Industrial to U3 Urban Neighborhood 3, property located at 1036 LINCOLNWAY and 1044 LINCOLNWAY, City of South Bend - PC# 0126-22

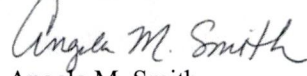
Dear Council Members:

I hereby Certify that the above referenced ordinance of DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND and 1044 TRUST was legally advertised on November 11, 2022 and that the South Bend Plan Commission at its public hearing on November 21, 2022 took the following action:

Upon a motion by Jason Piontek, being seconded by Kyle Copelin and unanimously carried, a proposed ordinance of DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND and 1044 TRUST to zone from I Industrial to U3 Urban Neighborhood 3, property located at 1036 and 1044 LINCOLN WAY EAST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

The staff report is attached. The deliberations of the Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing, Minutes of the public hearing are available in our office and will be posted on our website once approved.

Sincerely,


Angela M. Smith
Zoning Administrator

Attachment

CC: DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND and 1044 TRUST
Bob Palmer
1044 Trust

Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President

SUBSTITUTE BILL NO. 65-22

ORDINANCE NO. 10900-22

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT
1036 AND 1044 LINCOLN WAY EAST, COUNCILMANIC DISTRICT NO. 3 IN THE
CITY OF SOUTH BEND, INDIANA**

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property from I Industrial District to U3 Urban Neighborhood 3 to allow for future development of the site.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. Ordinance No. 10689-19, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

A parcel of land located in Section 13, Township 37 North, Range 2 East, Portage Township, City of South Bend, St. Joseph County, Indiana and more particularly described as follows:

All of Lots F and G and that portion of Lots E and X lying South and East of Bowman Creek as well as the vacated alley lying West of Lots F and G. All of the above described property being a part of Wenger and Krieghbaugh's

Vistula Avenue Addition to the City of South Bend, Indiana, recorded November 17, 1908, in Book 9, Page 100. LEGAL DESCRIPTION

be and the same is hereby established as U3 Urban Neighborhood 3

SECTION II. This ordinance is and shall be subject to commitments as provided by Chapter 21-12.07(f)(7) Commitments, if applicable.

SECTION III. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Sharon McBride, Council President
South Bend Common Council

Attest:

Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2022, at _____ o'clock ____ . m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

Property Information

Location: 1036 and 1044 LINCOLN WAY EAST
Owner: DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND and 1044 TRUST

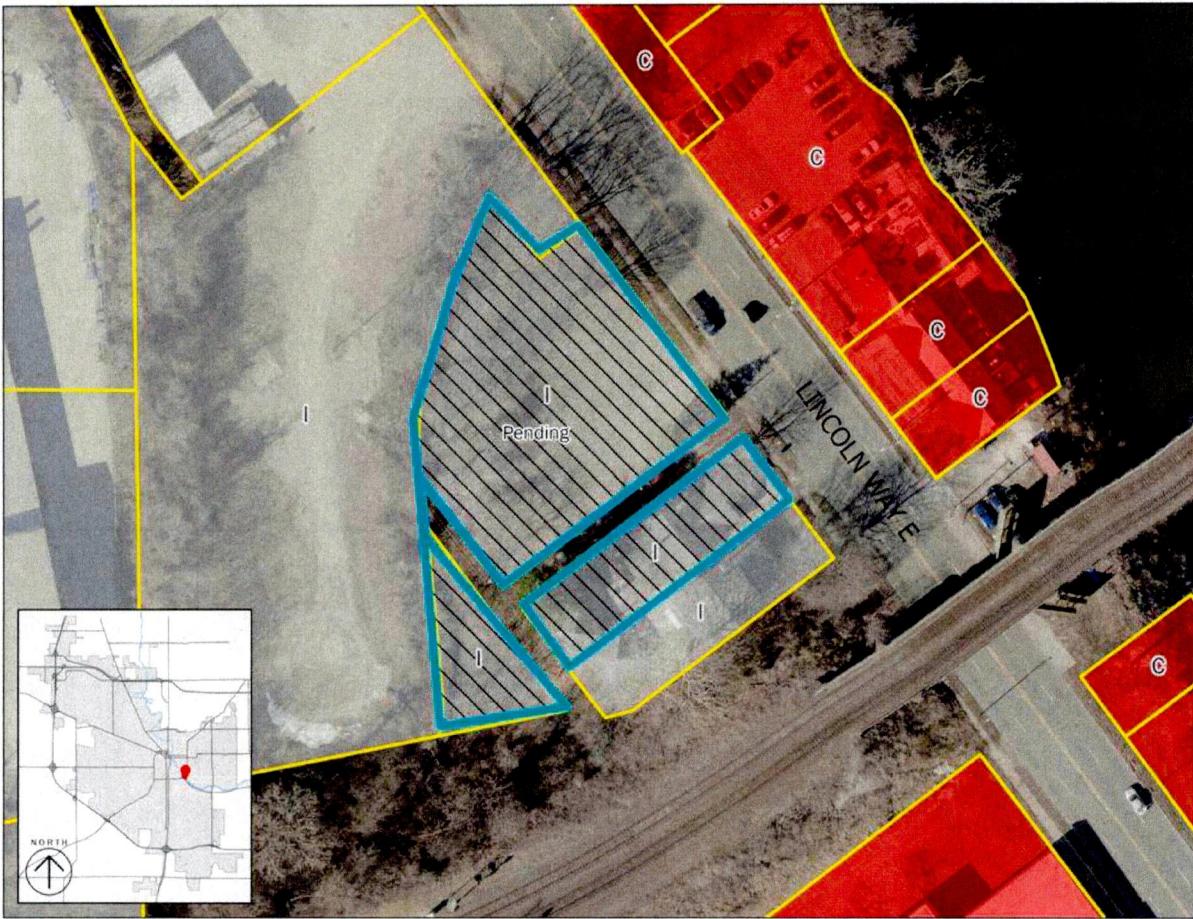
Requested Action

Rezone from I Industrial to U3 Urban Neighborhood 3

Project Summary

The Department of Redevelopment desires to rezone the property to open up better opportunities for redevelopment of the site. The small size and irregular shape of the parcel limits the possibility of redevelopment as an industrial use.

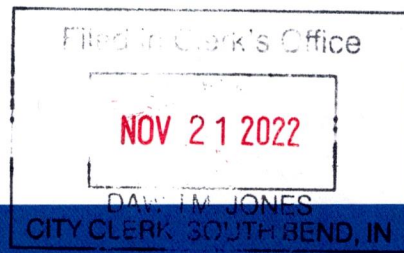
Location Map



Recommendation

Staff Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.

Filed in Clerk's Office
NOV 21 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN



Site & Context

Land Uses and Zoning:

- On site: On site is an undeveloped parcel and a one unit residential dwelling.
- North: Across Lincoln Way East, is a an office and parking for the restaurant zoned C Commercial.
- East: Across Lincoln Way East, is a restaurant zoned C Commercial.
- South: A one unit dwelling zoned I Industrial. Across the railroad tracks, is a business zoned C Commercial.
- West: A business zoned I Industrial.

District Intent:

The U3 District is established to provide for, promote, and maintain the development of a full range of housing types located near neighborhood centers and along major streets in urban neighborhood centers and along major streets in urban neighborhoods in core and outlying areas of the City.

Site Plan Description:

There is currently no site plan for this property.

Zoning and Land Use History and Trends:

The northern lot was purchased by the City of South Bend in 1950 for use as a fire station. Lincoln Way East has long served as a key arterial road from downtown South Bend to Mishawaka and further east. This highly trafficked corridor has long held a residential character with industrial and commercial properties scattered throughout. The firehouse was torn down in approximately 2009 and the site has sat vacant since. The two residential properties between the former fire station and railroad tracks have remained as one unit dwelling since originally constructed. The Redevelopment Commission has advertised the property for industrial use with little interest. The southern lot has been used as residential, despite being zoned Industrial.

Traffic and Transportation Considerations:

Lincoln Way East is a 4 lane thoroughfare with no on street parking in this section.

Agency Comments

Agency Comments:

There are no additional comments at this time. Utilities and drainage will be reviewed at the time of development.

Staff Comments:

This area between the stream and the railroad tracks has historically been zoned Industrial, despite the residential uses. The lots are too small to meet the setbacks of the I Industrial District and still allow for any reasonable development. Single-family homes are not a permitted primary use in the current I Industrial District, which can make financing and development difficult. The U3 Urban Neighborhood 3 District allows for a range of housing types that are more appropriately for redevelopment of this area.

Criteria for Decision Making

Rezoning

Per State Law, the Plan Commission and Common Council shall pay reasonable regard to:

1. Comprehensive Plan:

Policy Plan:

The petition is consistent with the City Plan, South Bend Comprehensive Plan (2006), Objective H 1: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of households now and in the future.

Land Use Plan:

The Future Land Use Plan identifies this area as Light Industrial, however, the area between the stream and railroad tracks has primarily been residential. The location and size of the lots would be challenging to development as industrial uses.

Plan Implementation/Other Plans:

The Southeast Neighborhood Master Plan (2015) identifies this area as Medium Density Residential. The plan calls for the encouragement of infill development in currently vacant lots to help stabilize the population and provide a range of different housing types and price points in order to help keep the area a diverse, mixed-income neighborhood.

2. Current Conditions and Character:

The current character of the area is a mix of small residential properties, vacant land and industrial uses in close proximity. There is still a significant active industrial presence in the surrounding neighborhood, however there are also several industrial properties that are currently vacant. Crooked Ewe Brewery and other commercial uses have succeeded in the last few years in rehabbing older structures along the St. Joseph River.

3. Most Desirable Use:

The most desirable use, at this time, is a range of medium density residential housing types that will seamlessly fit the established character of the neighborhood.

4. Conservation of Property Values:

Allowing new development on vacant lots should improve the overall value of the neighborhood. Adding additional population to the neighborhood should help stabilize property values.

5. Responsible Development and Growth:

It is responsible development and growth to allow for a variety of housing options within this urban neighborhood.

Analysis & Recommendation

Commitments: There are no commitments proposed at this time.

Analysis: Rezoning the properties to U3 Urban Neighborhood 3 will allow for the adaptive reuse of a vacant parcel and legalize zoning for the adjacent home. Lincoln Way East has long served as a key arterial road from Downtown South Bend to Mishawaka and further east. This highly trafficked corridor has long held a residential character with industrial and commercial properties scattered throughout. Approving the Rezoning will allow for a greater possibility of development that best fits the character of this neighborhood.

Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.



City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

October 19, 2022

Honorable Committee Chair Hamann
4th Floor, County-City Building
South Bend, IN 46601

RE: 1036 Lincoln Way East – PC#0126-22

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your October 24th Council meeting and set it for public hearing at your November 28th Council meeting. The petition is tentatively scheduled for public hearing at the November 21, 2022, South Bend Plan Commission meeting. The recommendation of the South Bend Plan Commission will be forwarded to the Office of the City Clerk by noon on the day following the public hearing.

The petitioner provided the following to describe the proposed project:

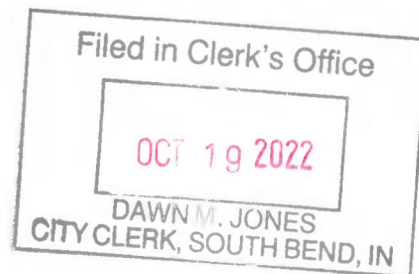
The Department of Redevelopment desires to rezone the property to open up better opportunities for redevelopment of the site. The small size and irregular shape of the parcel limits the possibility of redevelopment as an industrial use.

If you have any questions, please feel free to contact our office.

Sincerely,

Rachel Boyles
Zoning Specialist

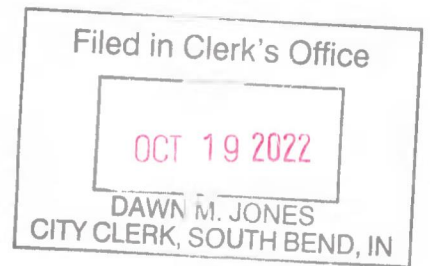
CC: Bob Palmer



Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President



BILL NO. 65-22

ORDINANCE NO. 10900-22

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1036 LINCOLN WAY EAST, COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property from I Industrial District to U3 Urban Neighborhood 3 to allow for future development of the site.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. Ordinance No. 10689-19, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

A parcel of land located in Section 13, Township 37 North, Range 2 East, Portage Township, City of South Bend, St. Joseph County, Indiana and more particularly described as follows:

All of Lots F and G and that portion of Lots E and X lying South and East of Bowman Creek as well as the vacated alley lying West of Lots F and G. All of the above described property being a part of Wenger and Krieghbaugh's

Vistula Avenue Addition to the City of South Bend, Indiana, recorded November 17, 1908, in Book 9, Page 100. LEGAL DESCRIPTION

be and the same is hereby established as U3 Urban Neighborhood 3

SECTION II. This ordinance is and shall be subject to commitments as provided by Chapter 21-12.07(f)(7) Commitments, if applicable.

SECTION III. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Sharon McBride, Council President
South Bend Common Council

Attest:

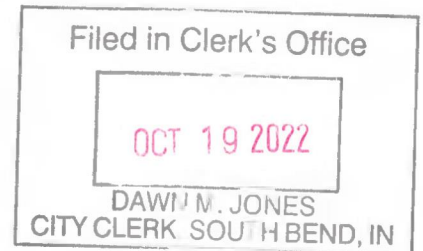
Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2022, at _____ o'clock ____ . m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana



Petition for Rezoning or Combined Public Hearing

Property Information

Tax Key Number: 018-7017-067801

Address: 1036 Lincoln Way East

Owner: Department of Redevelopment City of South Bend

Legal Description:

A parcel of land located in Section 13, Township 37 North, Range 2 East, Portage Township, City of South Bend, St. Joseph County, Indiana and more particularly described as follows:

All of Lots F and G and that portion of Lots E and X lying South and East of Bowman Creek as well as the vacated alley lying West of Lots F and G. All of the above described property being a part of Wenger and Kriehbaugh's Vistula Avenue Addition to the City of South Bend, Indiana, recorded November 17, 1908, in Book 9, Page 100.

Project Summary

The Department of Redevelopment desires to rezone the property to open up better opportunities for redevelopment of the site. The small size and irregular shape of the parcel limits the possibility of redevelopment as an industrial use.

Requested Action

Application includes (check all that apply)

Rezoning

Current District: I Industrial

Additional Districts, if applicable

Proposed District U3 Urban Neighborhood 3

Additional Districts, if applicable

The Plan Commission and Council will consider the following in the review of a rezoning petition:

- (1) The comprehensive Plan;
- (2) Current conditions and the character of the current structures and uses in each district;
- (3) The most desirable use for which the land in each district is adapted,
- (4) The conservation of property values throughout the jurisdiction; and
- (5) Responsible development and growth.

Subdivision – complete and attach subdivision application

Special Exception – complete and attach Criteria for Decision Making

Use requested: _____

Variance(s) - List variances below, complete and attach Criteria for Decision Making

Variance(s) requested: _____

Required Documents

- Completed Application (including Contact Information)
- Site Plan drawn to scale
- Filing Fee
- Additional documents as noted above

Filed in Clerk's Office

OCT 19 2022

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Contact information

Property owner(s) of the petition site:

Name: Department of Redevelopment City of South Bend

Address: 227 W. Jefferson STE 1400
South Bend, IN 46601

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Joseph Molnar

Address: 227 W. Jefferson STE 1400
South Bend, IN 46601

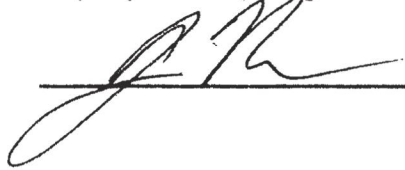
Phone Number: 574-245-6022

E-mail: jrmolnar@southbendin.gov

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

Property Owner (s) Signatures:



10/17/22

Filed in Clerk's Office

OCT 19 2022

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN



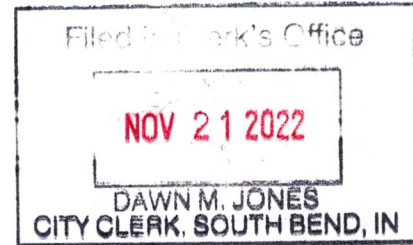


City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

Monday, November 21, 2022

South Bend Common Council
227 W. Jefferson Blvd., 4th Floor
South Bend, IN 46601



Re: Bill#66-22 - A proposed ordinance of SEVEN DIAMONDS LLC to zone from U3 Urban Neighborhood 3 and S2 Suburban Neighborhood 2 to S1 Suburban Neighborhood 1, property located at THE VACANT LAND ON THE EAST AND WEST SIDES OF N LINDENWOOD DRIVE E BETWEEN W LINDENWOOD DRIVE SOUTH AND AUTEN ROAD, City of South Bend - PC# 0124-22

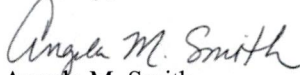
Dear Council Members:

I hereby Certify that the above referenced ordinance of SEVEN DIAMONDS LLC was legally advertised on November 11, 2022 and that the South Bend Plan Commission at its public hearing on November 21, 2022 took the following action:

Upon a motion by Kyle Copelin, being seconded by Jason Piontek and unanimously carried, a proposed ordinance of SEVEN DIAMONDS LLC to zone from U3 Urban Neighborhood 3 and S2 Suburban Neighborhood 2 to S1 Suburban Neighborhood 1, property located at THE VACANT LAND ON THE EAST AND WEST SIDES OF N LINDENWOOD DRIVE E BETWEEN W LINDENWOOD DRIVE SOUTH AND AUTEN ROAD, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

The staff report is attached. The deliberations of the Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing. Minutes of the public hearing are available in our office and will be posted on our website once approved.

Sincerely,


Angela M. Smith
Zoning Administrator

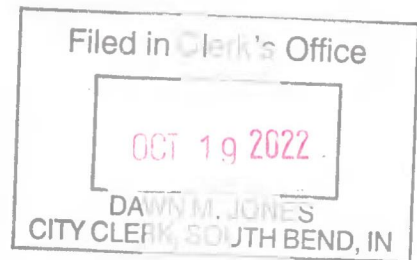
Attachment

CC: SEVEN DIAMONDS LLC
Bob Palmer

Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President



BILL NO. 66-22

ORDINANCE NO. 10901-22

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT THE VACANT LAND ON THE EAST AND WEST SIDES OF N LINDENWOOD DR E BETWEEN W LINDENWOOD DR S AND AUTEN RD., COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property from U3 Urban Neighborhood 3 and S2 Suburban Neighborhood 2 District to S1 Suburban Neighborhood 1 District to facilitate a single family detached housing project.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. Ordinance No. 10689-19, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

A PART OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 38 NORTH, RANGE 2 EAST, OF THE SECOND PRINCIPAL MERIDIAN, CLAY TOWNSHIP, ST. JOSEPH COUNTY INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 14; THENCE SOUTH 89 DEGREES, 33 MINUTES, 26 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 1,298.91 FEET; THENCE SOUTH 00 DEGREES, 26 MINUTES, 34 SECONDS WEST, 325.92 FEET TO THE POINT OF BEGINNING; THENCE SOUTHEASTERLY 36.45 FEET ALONG AN ARC TO THE LEFT HAVING A RADIUS OF 135.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 07 DEGREES, 32 MINUTES, 58 SECONDS EAST AND A LENGTH OF 36.34 FEET; THENCE SOUTH 74 DEGREES, 42 MINUTES, 58 SECONDS WEST; 30.00 FEET; THENCE SOUTH 63 DEGREES, 41 MINUTES, 34 SECONDS WEST, 113.04 FEET; THENCE SOUTH 26 DEGREES, 18 MINUTES, 26 DEGREES EAST,

138 FEET; THENCE SOUTH 00 DEGREES, 26 MINUTES, 34 SECONDS WEST, 70.44 FEET; THENCE NORTH 47 DEGREES, 09 MINUTES, 35 SECONDS WEST, 155.72 FEET; THENCE NORTH 89 DEGREES, 33 MINUTES, 26 SECONDS WEST, 90 FEET; THENCE SOUTH 54 DEGREES, 54 MINUTES, 18 SECONDS WEST, 124.11 FEET; THENCE NORTH 00 DEGREES, 26 MINUTES, 84 SECONDS EAST, 255.81 FEET; THENCE SOUTH 89 DEGREES, 33 MINUTES, 26 SECONDS EAST, 368.64 FEET TO THE POINT OF BEGINNING. CONTAINING 1.474 ACRES MORE OR LESS. (Tax ID 024-1006-057810)

AND, A PARCEL OF LAND BEGINNING AT A POINT 816 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 38 NORTH, RANGE 2 EAST, THENCE EAST ALONG THE NORTH LINE OF SAID QUARTER SECTION, 899.26 FEET; THENCE SOUTH 387 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION, 899.26 FEET; THENCE NORTH 387 FEET TO THE POINT OF BEGINNING CONTAINING 8 ACRES, MORE OR LESS, ALL IN SECTION 14, TOWNSHIP 38 NORTH, RANGE 2 EAST. AND INCLUDING, A PARCEL OF LAND BEGINNING AT A POINT 1715.26 FEET EAST AND 387.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 38 NORTH, RANGE 2 EAST; THENCE SOUTH 577.62 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION, 899.26 FEET; THENCE NORTH 577.62 FEET; THENCE EAST 899.26 FEET TO THE POINT OF BEGINNING.

EXCEPT: LOT 54 LAUREL WOODS APARTMENTS PUD RECORDED APRIL 24, 1981 AS INSTRUMENT NO. 8106263 IN THE OFFICE OF THE RECORDER OF SAINT JOSEPH COUNTY INDIANA.

ALSO EXCEPT: THE RECORDED PLAT OF LAUREL WOODS PUD SECTION 2 RECORDED DECEMBER 5, 1979 AS INSTRUMENT NO. 7827096 IN THE OFFICE OF THE RECORDER OF SAINT JOSEPH COUNTY, INDIANA.

ALSO EXCEPT: THE RECORDED PLAT OF GOLDEN OAK VILLAGE, SECTION 1 RECORDED AS INSTRUMENT NO. 9438009 IN THE OFFICE OF THE RECORDER OF SAINT JOSEPH COUNTY, INDIANA. (Tax ID 024-1006-0578)

SECTION II. This ordinance is and shall be subject to commitments as provided by Chapter 21-12.07(f)(7) Commitments, if applicable.

SECTION III. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Sharon McBride, Council President
South Bend Common Council

Attest:

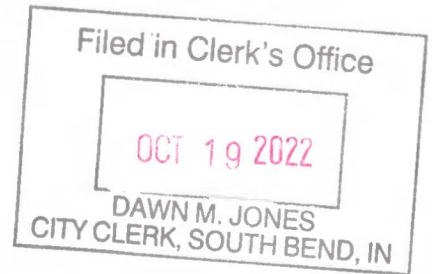
Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2022, at _____ o'clock ____ . m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana



Property Information

Location: THE VACANT LAND ON THE EAST AND WEST SIDES OF N LINDENWOOD DRIVE E BETWEEN W LINDENWOOD DRIVE SOUTH AND AUTEN ROAD
Owner: SEVEN DIAMONDS LLC

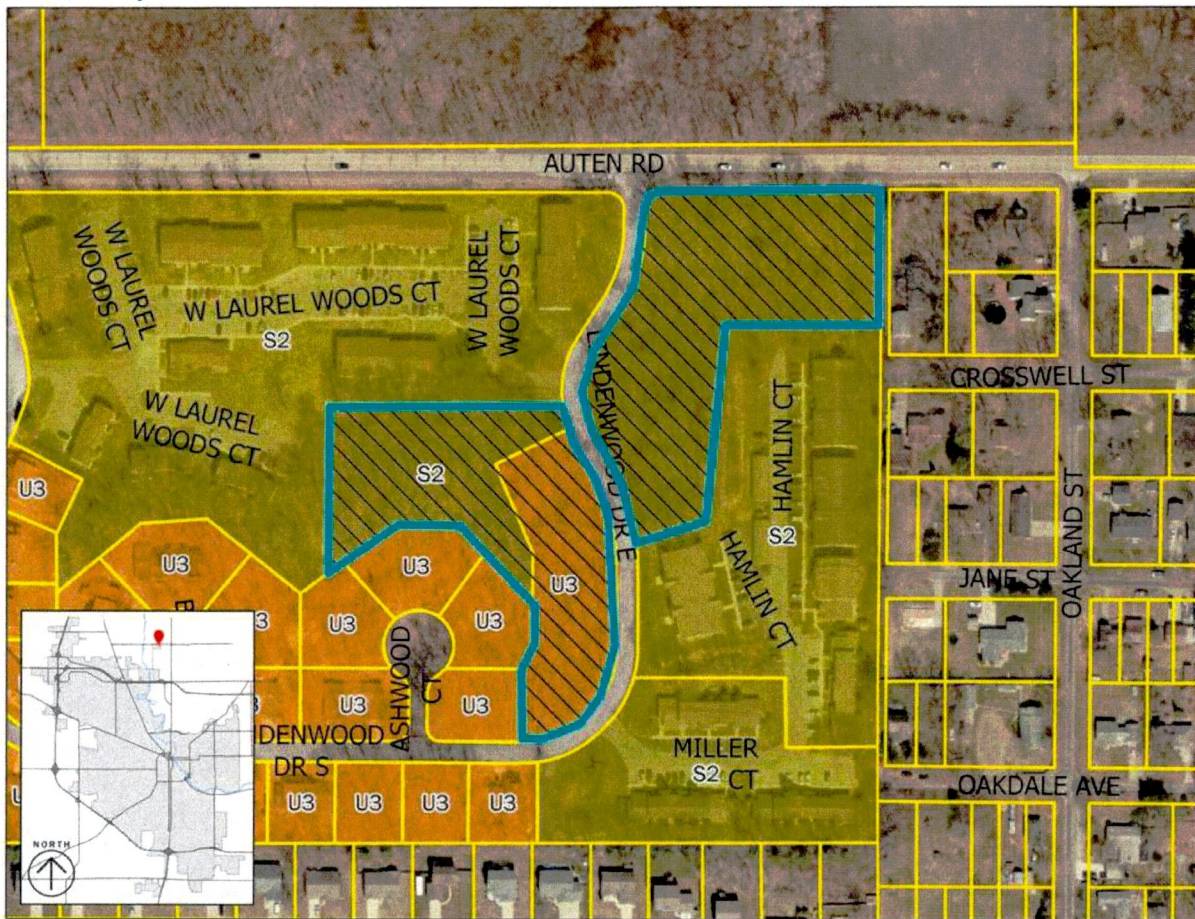
Requested Action

Rezone from U3 Urban Neighborhood 3 and S2 Suburban Neighborhood 2 to S1 Suburban Neighborhood 1

Project Summary

Proposed rezoning from U-3 and S-2, to S-1 is being requested to facilitate a single family detached housing project with lots situated along Lindenwood Drive East and Auten Road.

Location Map



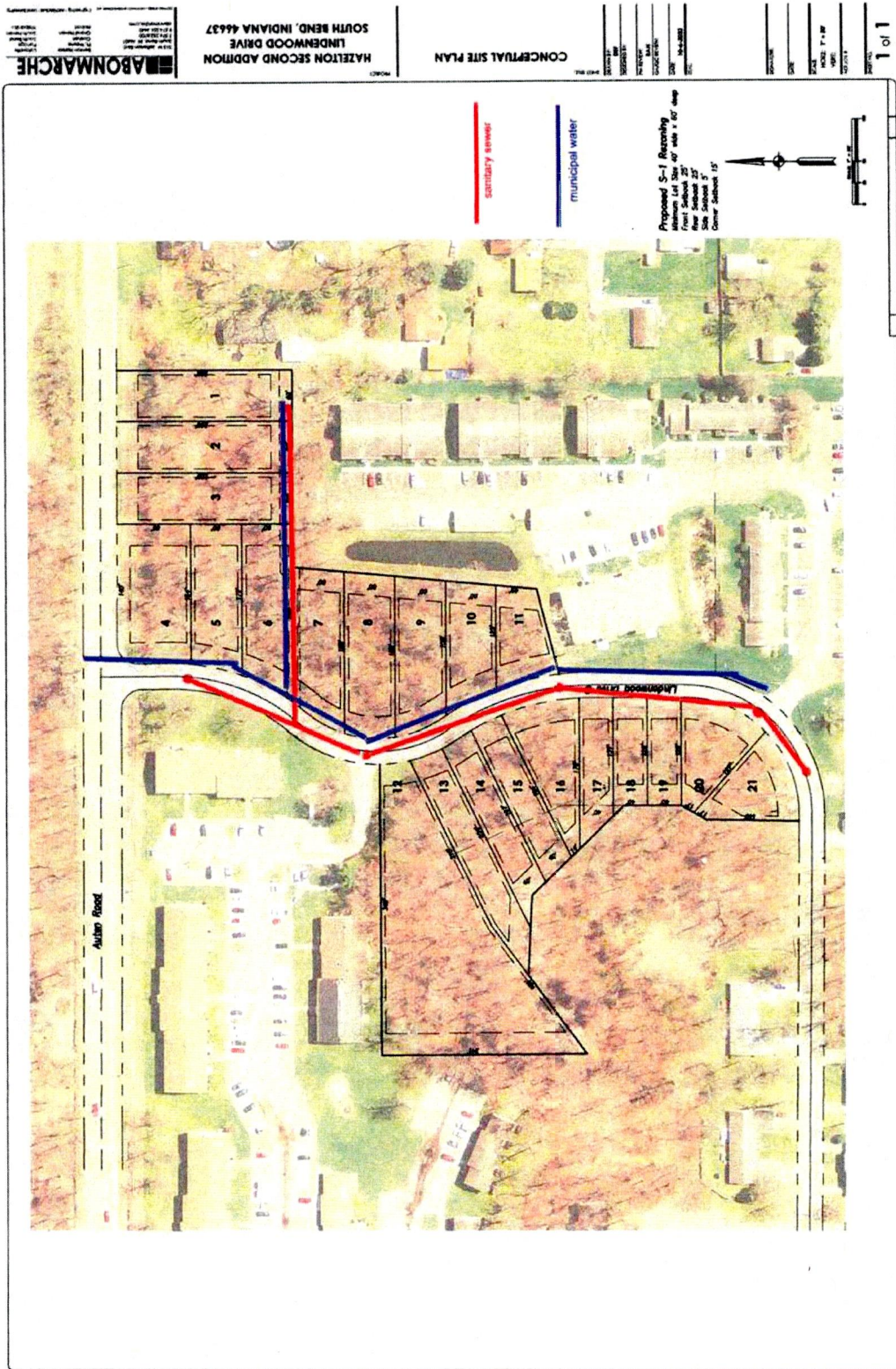
Recommendation

Staff Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.

City Clerk's Office
NOV 21 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Filed in Clerk's Office
NOV 21 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Proposed Site Plan



Site & Context

Land Uses and Zoning:

- On site: Undeveloped wooded area that straddles both sides of Lindenwood.
- North: Multi-unit dwellings zoned S2 Suburban Neighborhood 2 (City) on the west. On the east, across Auten, is vacant land in unincorporated St. Joseph County.
- East: Multi-unit buildings zoned S2 Suburban Neighborhood 2.
- South: Two unit dwellings zoned U3 Urban Neighborhood 3 on the west. On the east, multi-unit buildings zoned S2 Suburban Neighborhood 2.
- West: Undeveloped land zoned U3 Urban Neighborhood 3 and multi-unit buildings zoned S2 Suburban Neighborhood 2.

District Intent:

The S1 District is established to provide for and maintain suburban neighborhoods in outlying areas of the City.

Site Plan Description:

The proposed development includes a one-unit dwelling units developed in a traditional suburban layout.

Zoning and Land Use History and Trends:

This area was annexed into the City as a planned residential development between 1980s and 1990s. The intention was to have a mix of residential housing types with one unit dwellings, two unit dwellings and multifamily apartment buildings.

Traffic and Transportation Considerations:

Lindenwood Drive is a narrow two lane residential street with no on street parking. Auten Road is an arterial road in the County.

Agency Comments

Agency Comments:

There are no agency comments at this time. Utilities and drainage will be addressed at the time of subdivision or development.

Staff Comments:

This area was designed to be a mix of housing styles and options. It was originally zoned for the most intense housing types. The proposed zoning request is a less intense zoning that will allow for one unit dwellings developed under single control. If two unit dwellings are desired in the future, a special exception can be granted to allow the use.

Criteria for Decision Making

Rezoning

Per State Law, the Plan Commission and Common Council shall pay reasonable regard to:

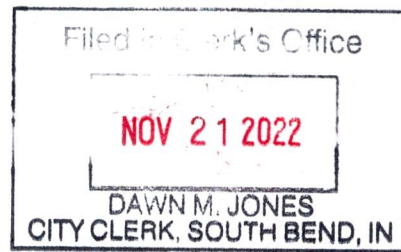
1. Comprehensive Plan:

Policy Plan:

The petition is consistent with the City Plan, South Bend Comprehensive Plan (2006), Objective H 1: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of households now and in the future.

Land Use Plan:

The Future Land Use Plan identifies this area for Low Density Residential.



Plan Implementation/Other Plans:

There are no specialized plans for this area.

2. Current Conditions and Character:

The current character of the area is primarily a mix of low to medium density residential uses.

3. Most Desirable Use:

The most desirable use, at this time, is a range of low to medium density residential housing types that will seamlessly fit the established character of the neighborhood.

4. Conservation of Property Values:

Allowing for new residential development should help conserve property values in the area by introducing new housing options.

5. Responsible Development and Growth:

It is responsible development and growth to allow for a variety of housing options within this neighborhood.

Analysis & Recommendation

Commitments: There are no commitments proposed at this time.

Analysis: Rezoning the site to S1 Suburban Neighborhood 1 District will allow the area to be developed with low density residential that will contribute to the mix of housing options originally anticipated and offer a greater variety of housing choice in the area.

Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.



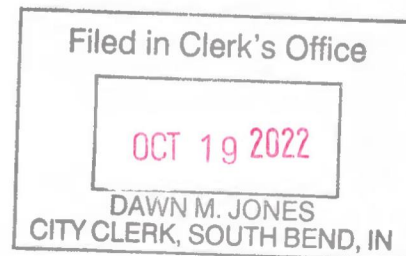
City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

October 19, 2022

Honorable Committee Chair Hamann
4th Floor, County-City Building
South Bend, IN 46601

RE: 5110 Lindenwood Dr PC#0124-22



Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your October 24th Council meeting and set it for public hearing at your November 28th Council meeting. The petition is tentatively scheduled for public hearing at the November 21st, 2022, South Bend Plan Commission meeting. The recommendation of the South Bend Plan Commission will be forwarded to the Office of the City Clerk by noon on the day following the public hearing.

The petitioner provided the following to describe the proposed project:

The project consists of rezoning parcels 024-1006-0578 and 024-1006-057810 from U3 Urban Neighborhood 3 and S2 Suburban Neighborhood 2 District to S1 Suburban Neighborhood 1 District to facilitate a single family detached housing project.

If you have any questions, please feel free to contact our office.

Sincerely,

Rachel Boyles
Zoning Specialist

CC: Bob Palmer

Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President

**City of South Bend
PLAN COMMISSION**

Filed in Clerk's Office
OCT 19 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Petition for Rezoning or Combined Public Hearing

Property Information

Tax Key Number: #024-1006-0578 and #024-1006-057810
Address: Lindenwood Drive East (south of Auten Road)
Owner: Seven Diamonds, LLC
Legal Description:

See attached parcel reports and map
(two parcels, approximately 6 acres total)

Project Summary

Proposed rezoning from U-3 and S-2, to S-1 is being requested to facilitate a single family detached housing project with lots situated along Lindenwood Drive East and Auten Road (see attached concept plan)

Requested Action

Application includes (check all that apply)

- Rezoning
 - Current District: U3 Urban Neighborhood 3 S2 Suburban Neighborhood
 - Proposed District: S1 Suburban Neighborhood 1 **S1** Suburban Neighborhood

The Plan Commission and Council will consider the following in the review of a rezoning petition:

- (1) The comprehensive Plan;
- (2) Current conditions and the character of the current structures and uses in each district;
- (3) The most desirable use for which the land in each district is adapted;
- (4) The conservation of property values throughout the jurisdiction; and
- (5) Responsible development and growth.

- Subdivision – complete and attach subdivision application
- Special Exception – complete and attach Criteria for Decision Making

Use requested: _____

- Variance(s) - List variances below, complete and attach Criteria for Decision Making
Variance(s) requested: _____

Required Documents

- Completed Application (including Contact Information)
- Site Plan drawn to scale
- Filing Fee
- Additional documents as noted above

Filed in Clerk's Office
OCT 19 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Contact information

Property owner(s) of the petition site:

Name: Seven Diamonds, LLC
Address: 52127 Fall Creek Drive
Granger, Indiana 46530

Name: _____
Address: _____

Name: _____
Address: _____

Contact Person:

Name: Green Development Ventures, LLC (Mike West)
Address: 2186 East Centre Avenue
Portage, Michigan 49002
Phone Number: (269) 365-8548
E-mail: mwest@allenedwin.com

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

Property Owner (s) Signatures:

Mike West 10-11-22
Seven Diamonds, LLC
Mike West 10-7-22
Green Development Ventures, LLC

[Handwritten mark]

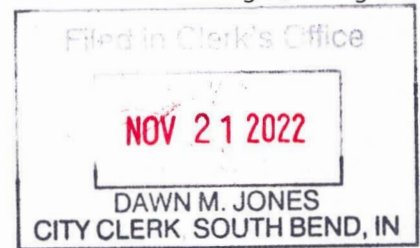


City of South Bend PLAN COMMISSION

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www.southbendin.gov/zoning

November 21, 2022

Honorable Committee Chair Hamann
4th Floor, County-City Building
South Bend, IN 46601



RE: 505 Ireland Rd., 4412 S Fellows St., and 4422 Fellows St. – PC#0127-22

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your November 28th, 2022, Council meeting, and set it for public hearing at your January 9th, 2023, Council meeting. The petition is tentatively scheduled for public hearing at the December 19th, 2022, South Bend Plan Commission meeting. The recommendation of the South Bend Plan Commission will be forwarded to the Office of the City Clerk by noon on the day following the public hearing.

The petitioner provided the following to describe the proposed project:

Create a contiguous parcel with appropriate commercial zoning to allow for the expansion of the existing one-story office building.

If you have any questions, please feel free to contact our office.

Sincerely,

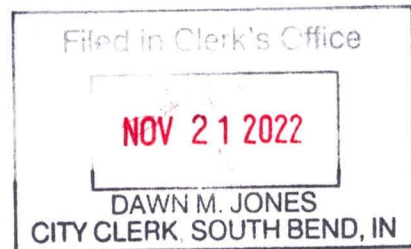
Rachel Boyles
Zoning Specialist

CC: Bob Palmer

Tim Corcoran
Planning Director

Angela Smith
Zoning Administrator

Scott Ford
Commission President



**BILL NO. 74-22
ORDINANCE NO.**

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 505 IRELAND RD., 4412 FELLOWS ST., AND 4422 FELLOWS ST., COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property from UF Urban Neighborhood Flex and S1 Suburban Neighborhood 1 to C Commercial to allow for expansion of the office building.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. Ordinance No. 10689-19, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

Lot 1, Lot 2 and the southern 40' of Lot 3 of Huffman's 1st Addition

be and the same is hereby established as C Commercial

SECTION II. This ordinance is and shall be subject to commitments as provided by Chapter 21-12.07(f)(7) Commitments, if applicable.

SECTION III. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Sharon McBride, Council President
South Bend Common Council

Attest:

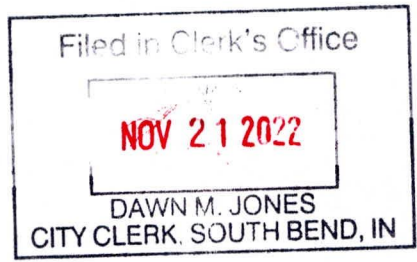
Dawn M. Jones, City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2022, at _____ o'clock ____ . m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana



City of South Bend
PLAN COMMISSION

Filed in Clerk's Office
NOV 21 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Petition for Rezoning or Combined Public Hearing

Property Information

Tax Key Number: 018-7204-7509, 018-7204-7510 / 018-7204-7511

Address: 505 E Ireland St. Suite 300 / 4412 S Fellows St., South Bend, IN 46614

Owner: Ireland Greens Trucking Co. LLC / Four Iron Investments LLC

Legal Description:

- 018-7204-7509: S 80' Lot1, Huffman S 1st
- 018-7204-7510: S 60' Lot 2 & N 20' Lot 1 Huffman S 1st Add
- 018-7204-7511: S 40' Lot 3 & N 40' Huffman S 1st Add

Project Summary

Create a contiguous parcel with appropriate commercial zoning (C) to allow for the expansion of the existing one-story office building.

Requested Action

Application includes (check all that apply)

Rezoning

Current District: UF Urban Flex

S1 Suburban Neighborhood 1

Proposed District C Commercial

The Plan Commission and Council will consider the following in the review of a rezoning petition:

- (1) The comprehensive Plan;
- (2) Current conditions and the character of the current structures and uses in each district;
- (3) The most desirable use for which the land in each district is adapted;
- (4) The conservation of property values throughout the jurisdiction; and
- (5) Responsible development and growth.

Subdivision – complete and attach subdivision application

Special Exception – complete and attach Criteria for Decision Making

Use requested: _____

Variance(s) - List variances below, complete and attach Criteria for Decision Making

Variance(s) requested: _____

Required Documents

- Completed Application (including Contact Information)
- Site Plan drawn to scale
- Filing Fee
- Additional documents as noted above

Contact information

Property owner(s) of the petition site:

Name: Ireland Greens Trucking Co. LLC

Address: 505 E Ireland Road, Suite 300
South Bend, IN 46614

City Clerk's Office
NOV 21 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Name: Four Iron Investments LLC

Address: 4412 S. Fellows Street
South Bend, IN 46614

Name: _____

Address: _____

Contact Person:

Name: Mark Macheca

Address: 4102 Meghan Beeler Court
South Bend, IN 46628

Phone Number: (574) 243-3255 ext. 239

E-mail: mmachea@business-furnishings.net

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

Property Owner (s) Signatures:

 _____

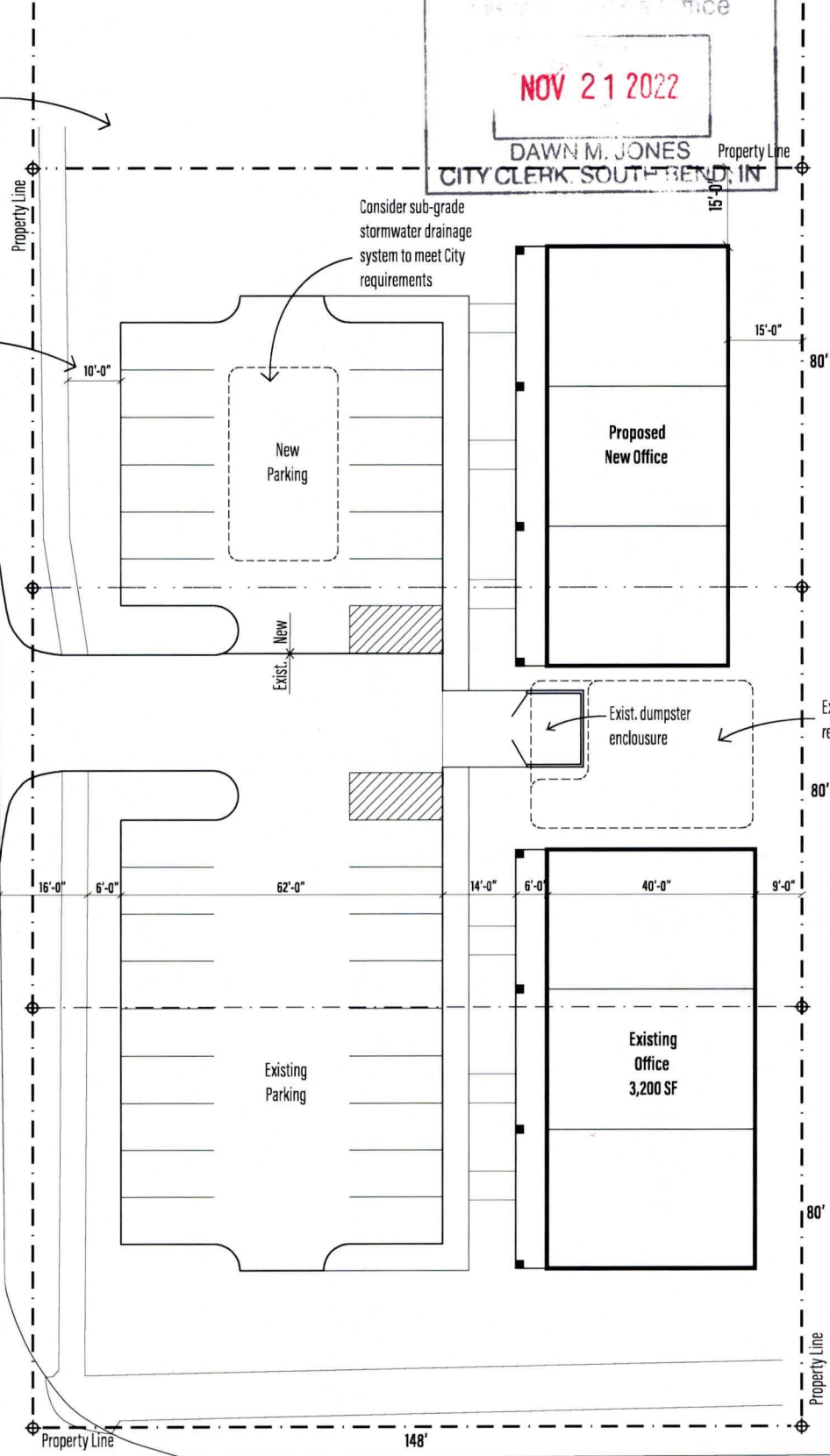
City owned
stormwater retention

City Office
NOV 21 2022
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

Parking Setback
as required

Consider sub-grade
stormwater drainage
system to meet City
requirements

Fellows St



E Ireland Rd

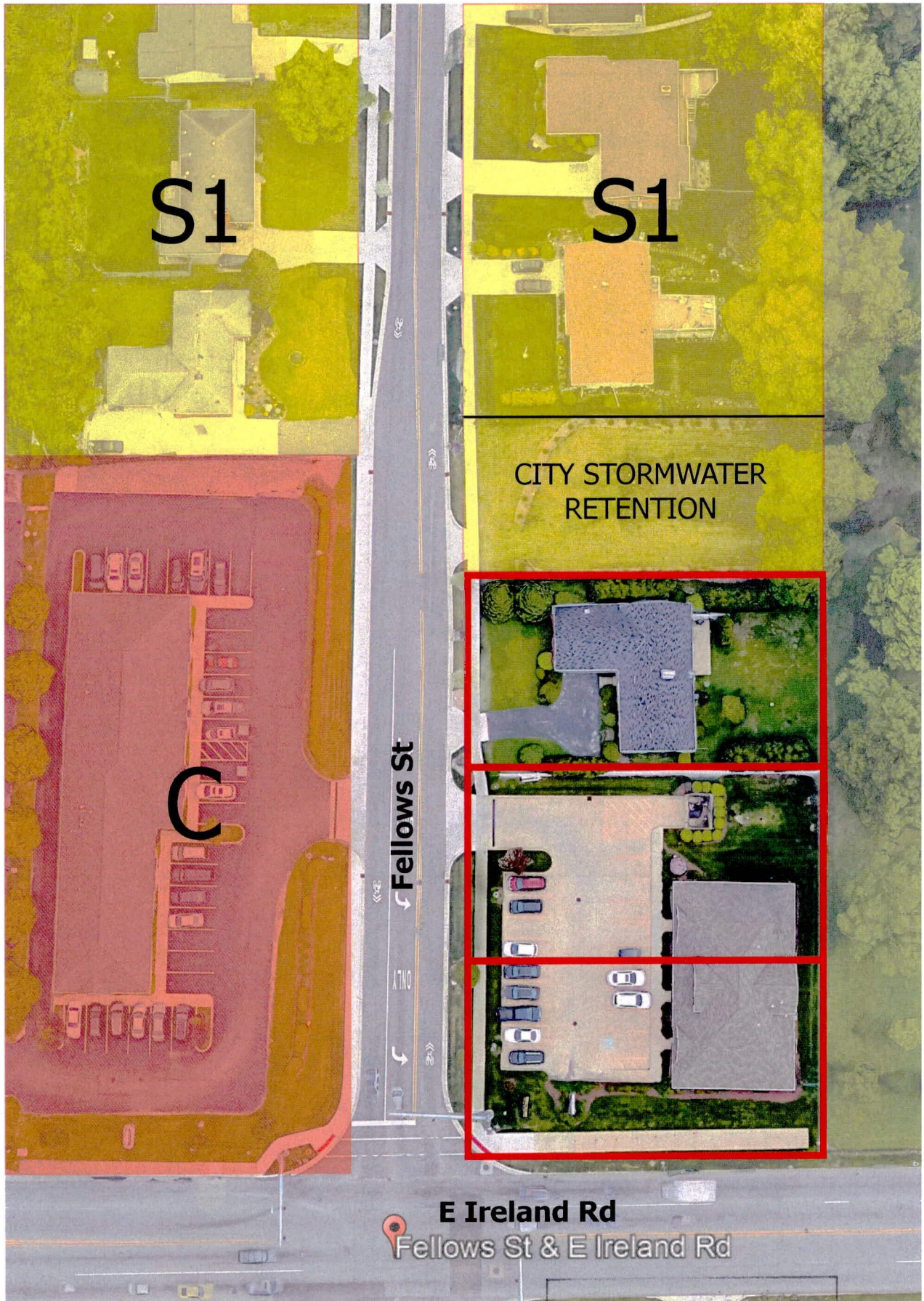
Site Plan

ALLIANCE
ARCHITECTS

929 Lincolnway East, Suite 200 | South Bend, Indiana 46601



Scale: 1" = 20'
Ireland Greens
18.Nov.2022



S1

S1

CITY STORMWATER
RETENTION

C

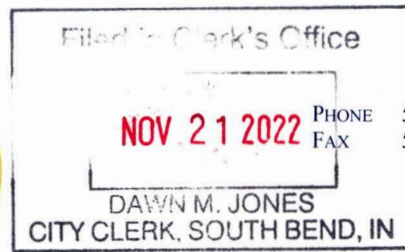
Fellows St

E Ireland Rd

Fellows St & E Ireland Rd



1200N COUNTY-CITY BUILDING
227 W. JEFFERSON BLVD.
SOUTH BEND, INDIANA 46601-1830



PHONE 574.235.9216
FAX 574.235.9928

CITY OF SOUTH BEND, IN JAMES MUELLER, MAYOR
DEPARTMENT OF ADMINISTRATION AND FINANCE

November 21, 2022

Ms. Sharon McBride, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601

RE: Investment Policy

Dear President McBride,

The Indiana legislature has enacted Indiana Code § 5-13-9 et seq, which allows the fiscal officer of a city to make investments of certain city funds into designated investment vehicles. Accordingly, the attached ordinance authorizes me to continue our current practice of exercising these investment powers to maximize financial resources of the City.

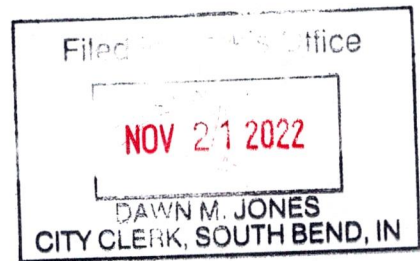
This bill makes no changes to the current investment policy of the City, and it mirrors bills passed by the Common Council in December of 2020 and December of 2021. Certain powers of investment outlined in the Indiana Code require annual approval from the South Bend Common Council, which is why this bill is being presented at this point.

I will present this bill to the Common Council at the appropriate committee and Council meetings. It is requested that this bill be filed for 1st reading on November 28, 2022, with 2nd reading, public hearing and 3rd reading scheduled for December 12, 2022.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

Regards,

Daniel T. Parker
City Controller



BILL NO. 75-22

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SOUTH BEND FOR CALENDAR YEAR 2023

STATEMENT OF PURPOSE AND INTENT

The Indiana legislature has enacted Indiana Code § 5-13-9 et seq., which permits the fiscal officer of a city to make investments of public funds into designated investment vehicles. The Common Council of the City of South Bend determined that it is in the best interest of the City to authorize the full exercise of the City’s investment powers under the Indiana Code.

Accordingly, on December 14, 2020, this Council enacted Ordinance No.10768-20 which established an investment policy for the City of South Bend for calendar year 2021, as provided under Indiana Code § 5-13-9-5.7, and it authorized the City Controller to dedicate up to the maximum allowable proportion of the City’s investment portfolio to investments maturing more than two years but not more than five years after purchase. Ordinance No. 10768-20 further authorized the City Controller to invest in certain investment vehicles as provided under Indiana Code § 5-13-9-5 and Indiana Code § 5-13-9-5.3. On December 13, 2021, this Council enacted Ordinance No. 10832-21, which adopted an identical investment policy for the City of South Bend for calendar year 2022.

This ordinance adopts an identical investment policy for the City of South Bend for calendar year 2023 unless it is earlier amended by ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA as follows:

SECTION I. For purposes of Indiana Code § 5-13-9, the investment policy for the City of South Bend first adopted on December 14, 2020 is approved for calendar year 2023, and shall read as follows:

With the approval of the City Controller, as the investing officer for the City of South Bend, the City may invest public funds in various investment vehicles, in accordance with Title 5, Article 13, of the Indiana Code, as amended from time to time. The City’s investment portfolio may contain any investment vehicle generally provided for under Indiana Code § 5-13-9. In addition, the City Controller is granted the following specific authorizations:

1. Pursuant to Indiana Code § 5-13-9-5.7, the City Controller is authorized to make investments having a stated final maturity that is more than two (2)

years but not more than five (5) years after the date of purchase or entry into a repurchase agreement, provided that such investments may comprise no more than twenty-five percent (25%) of the total portfolio of public funds invested by the City, including balances in transaction accounts.

2. Pursuant to Indiana Code § 5-13-9-5, the City Controller is authorized to invest in certificates of deposit of certain depositories, as defined by and subject to the requirements of Indiana Code § 5-13-9-5, which authorization will expire on December 13, 2022.
3. Pursuant to Indiana Code § 5-13-9-5.3, the City Controller is authorized to invest in interest bearing deposit accounts that satisfy the conditions stated in Indiana Code § 5-13-9-5.3(b).

SECTION II. That portion of the City's investment policy contained in Subparts (1) and (3) of Section I of this ordinance shall be effective from January 1, 2023 through December 31, 2023, unless earlier amended by ordinance. The City's investment policy as contained in Section 1, Subpart 2 of this ordinance affecting certificates of deposit shall be effective for a period of one year from its adoption by this Council expiring December 12, 2023 unless earlier amended by ordinance. This ordinance is further conditioned upon adoption by the Common Council and approval by the Mayor.

Sharon McBride, Council President
South Bend Common Council

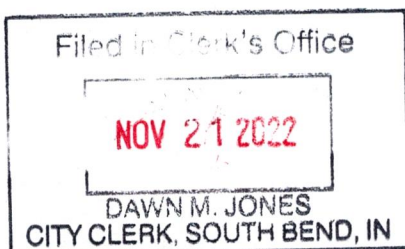
Attest:

Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2022, at _____ o'clock ____ m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ____ o'clock ____ m



James Mueller, Mayor
City of South Bend, Indiana

1200N COUNTY-CITY BUILDING
227 W. JEFFERSON BLVD.
SOUTH BEND, INDIANA 46601-1830



PHONE 574.235.9216

FAX 574.235.9928

Filed in Clerk's Office

NOV 21 2022

DAWN M. JONES
CITY CLERK SOUTH BEND, IN

CITY OF SOUTH BEND, IN JAMES MUELLER, MAYOR
DEPARTMENT OF ADMINISTRATION AND FINANCE

November 21, 2022

Ms. Sharon McBride, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601

RE: Q4 2022 Additional Appropriation Ordinance

Dear President McBride,

During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2022, we plan to propose adjustments during four time periods—March, June, September and December.

Based on our budget review, we are submitting the enclosed additional appropriation ordinance for your consideration.

I will present this bill to the Common Council at the appropriate committee and Council meetings. It is requested that this bill be filed for 1st reading on November 28, 2022, with 2nd reading, public hearing and 3rd reading scheduled for December 12, 2022.

Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

Regards,

Daniel T. Parker
City Controller

OK
AW

BILL NO. 76-22

ORDINANCE NO. _____

Filed in Clerk's Office

NOV 21 2022

DAWN M. JONES

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROPRIATING ADDITIONAL FUNDS FOR CERTAIN DEPARTMENTAL AND CITY SERVICES OPERATIONS FOR THE YEAR 2022 OF \$840,000 FROM THE GENERAL FUND (#101), \$968,222 FROM THE PARKS & RECREATION FUND (#201), \$135,000 FROM THE MOTOR VEHICLE HIGHWAY FUND (#202), \$25,000 FROM THE LAW ENFORCEMENT CONTINUING EDUCATION FUND (#220), \$2,300,000 FROM THE CENTRAL SERVICES FUND (#222), \$294,000 FROM THE LIABILITY INSURANCE FUND (#226), \$226,000 FROM THE MVH RESTRICTED FUND (#266), \$875,000 FROM THE SOLID WASTE OPERATIONS FUND (#610), \$210,000 FROM THE WATER WORKS OPERATIONS FUND (#620), \$224,165 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), AND \$550,000 FROM THE CENTURY CENTER OPERATIONS FUND (#670)

STATEMENT OF PURPOSE AND INTENT

The Common Council passed the City's 2022 operating and capital budgets via Ordinance #10814-21, passed on October 11, 2021, which included expenditures for various City operations. It is now necessary to appropriate additional funds for operational and capital expenditures necessary for the City to effect provision of services to its citizens which were not anticipated at the time the City budget was adopted.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. The following amounts are hereby appropriated in fiscal year 2022 and set apart within the following designated funds for expenditures as follows:

FUND		
101	General Fund	840,000
201	Parks & Recreation	968,222
202	Motor Vehicle Highway	135,000
220	Law Enforcement Continuing Education	25,000
222	Central Services	2,300,000
226	Liability Insurance	294,000
266	MVH Restricted	226,000
610	Solid Waste Operations	875,000
620	Water Works Operations	210,000
641	Sewage Works Operations	224,165
670	Century Center Operations	550,000
	TOTAL	<u>\$ 6,647,387</u>

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval of the Mayor.

Sharon McBride, Council President
South Bend Common Council

Attest:

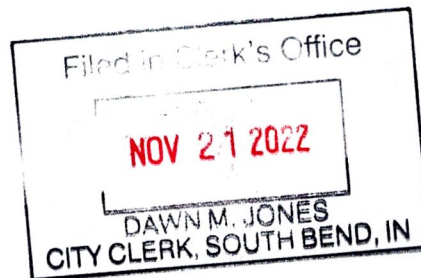
Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2022, at _____ o'clock ____ m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ____ o'clock ____ m

James Mueller, Mayor
City of South Bend, Indiana



NOV 21 2022

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2022 Budget Adjustments - Additional Appropriations					
(increase or decrease in total fund expenditures)					
Account #	Fund	Department	Division	Account	Budget Adjustment
Unanticipated Expenses					
101-08-080-080-422001--	General Fund	Police Department	Police Department	Supplies-Operating-C.S. Gasoline	100,000
101-08-080-080-431001--	General Fund	Police Department	Police Department	Services & Charges-Professional-Legal Services	100,000
<i>Rationale: Increased costs of gasoline in 2022 - budgeted at roughly \$2.50 per gallon in 2022; actual was over \$4 per gallon for much of the year. Increased legal costs are primarily due to costs of outside counsel for certain ongoing legal cases.</i>					
101-09-090-090-422000--	General Fund	Fire Department	Fire Department	Supplies-Operating-Other Operating Supplies	170,000
<i>Rationale: Increased supply costs related to new recruits and lateral transfers hired in the second half of the year. Fire was also impacted by the cost of inflation for medical supplies</i>					
101-09-090-090-431001--	General Fund	Fire Department	Fire Department	Services & Charges-Professional-Legal Services	150,000
101-09-090-090-436000--	General Fund	Fire Department	Fire Department	Services & Charges-Repairs & Maint-Other R&M	300,000
<i>Rationale: Increased legal expenditures, repair and maintenance costs, and education/training costs. Inflation also impacted all these costs.</i>					
101-09-092-092-431014--	General Fund	Fire Department	EMS	Services & Charges-Professional-Collection Costs	20,000
<i>Rationale: Bank & Credit Card fees over-budget due to revenue over budget</i>					
201-11-201-201-410003--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Permanent Part Time	90,000
201-11-201-201-422001--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Operating-C.S. Gasoline	103,000
201-11-201-201-431019--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Services & Charges-Professional-Security Services	63,000
201-11-201-201-435002--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Services & Charges-Utility Services-Natural Gas	120,000
201-11-201-201-435004--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Services & Charges-Utility Services-Water	45,000
201-11-201-201-436001--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Services & Charges-Repairs & Maint-Building R&M	100,000
201-11-201-204-435002--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Services & Charges-Utility Services-Natural Gas	3,100
<i>Rationale: Increased costs in utilities and gasoline, stemming primarily from inflation and increased supply costs across the City.</i>					
201-11-202-220-435001--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Utility Services-Electric	50,000
201-11-202-221-422003--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Supplies-Operating-Gasoline	110,000
201-11-202-221-422010--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Supplies-Operating-Plants Chemicals Seed & Fertilizer	60,000
201-11-202-221-423000--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Supplies-Repair & Maint-Other R&M Supplies	50,000
201-11-202-222-436000--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Repairs & Maint-Other R&M	35,000
<i>Rationale: Increased costs in utilities and gasoline, stemming primarily from inflation and increased supply costs across the City. This increased cost is also stemming from higher-than-expected activity at the golf courses, which resulted in higher-than-budgeted revenue as well.</i>					

NOV 21 2022

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2022 Budget Adjustments - Additional Appropriations					
(increase or decrease in total fund expenditures)					
Account #	Fund	Department	Division	Account	Budget Adjustment
201-11-203-233-431000--	Parks & Recreation	Venues Parks & Arts	Recreational Experiences	Services & Charges-Professional-Other Professional Svcs	30,000
201-11-203-236-433003--	Parks & Recreation	Venues Parks & Arts	Recreational Experiences	Services & Charges-Printing & Ad-Promotional	40,000
Rationale: Increased costs of events and more events being held after the pandemic. This, coupled with rising costs, led to a greater need for services budget than anticipated.					
201-11-205-231-433003--	Parks & Recreation	Venues Parks & Arts	Development & Promotion	Services & Charges-Printing & Ad-Promotional	40,000
Rationale: Best Week Ever was much larger in scope than in previous years, and, like in all areas of the City, the costs for related goods and services were much higher than we anticipated.					
201-11-206-273-445008--	Parks & Recreation	Venues Parks & Arts	Park Projects & Capital	Capital Outlay-Machinery & Equip-Other Equipment	29,122
Rationale: Purchase of a tree spade (a machine used to move trees from one location to another). This purchase is covered by a donation made to the VPA Foundation.					
202-06-602-503-422001--	Motor Vehicle Highway	Public Works	Streets & Sewers	Supplies-Operating-C.S. Gasoline	126,375
202-06-602-505-422001--	Motor Vehicle Highway	Public Works	Streets & Sewers	Supplies-Operating-C.S. Gasoline	8,625
Rationale: Increased costs of gasoline in 2022 - budgeted at roughly \$2.50 per gallon in 2022; actual was over \$4 per gallon for much of the year.					
220-08-080-088-431000--	Law Enforcement Continuing	Police Department	Police Department	Services & Charges-Professional-Other Professional Svcs	25,000
Rationale: Additional training costs due to an influx of new officers in 2022. Nineteen recruits and lateral transfers were added to the staff in mid-October					
222-04-403-450-422001--	Central Services	Administration & Finance	Central Services	Supplies-Operating-C.S. Gasoline	1,300,000
222-04-403-450-423010--	Central Services	Administration & Finance	Central Services	Supplies-Repair & Maint-Reimbursed Parts	1,000,000
Rationale: Increased costs of gasoline in 2022 - budgeted at roughly \$2.50 per gallon in 2022; actual was over \$4 per gallon for much of the year. High costs of reimbursed parts in 2022 is driven by enormous inflation among vehicle parts and increased repair cost across the City. Delays in the delivery of new vehicles mean that the City has been forced to continue using older vehicles, which require more maintenance and upkeep. Additionally, the City has increased stocking of certain parts due to delays in delivery of those parts in an effort to keep more vehicles in service,					
226-04-405-411-434000--	Liability Insurance	Administration & Finance	Liability Insurance	Services & Charges-Insurance-Liability Insurance	294,000
Rationale: Increased cost of property insurance in 2022: Increase of over 20% over 2021. Since 2018, the City's premiums for property insurance have nearly tripled.					
266-06-602-503-423002--	MVH Restricted	Public Works	Streets & Sewers	Supplies-Repair & Maint-Street Material	226,000
Rationale: Allow for the reallocation of internal paving expenses to our restricted MVH Fund from other funds.					
610-06-603-512-436003--	Solid Waste Operations	Public Works	Solid Waste	Services & Charges-Repairs & Maint-Auto Equip R&M	875,000
Rationale: Driven by enormous inflation among vehicle parts and increased repair cost across the City. Delays in the delivery of new vehicles mean that the City has been forced to continue using older vehicles, which require more maintenance and upkeep.					

NOV 21 2022

DAWN M. JONES
CITY CLERK SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2022 Budget Adjustments - Additional Appropriations					
(increase or decrease in total fund expenditures)					
Account #	Fund	Department	Division	Account	Budget Adjustment
620-06-604-608-452000--	Water Works Operations	Public Works	Water Works	Other Uses-Interfund Transfer Out-Transfers Out	210,000
<i>Rationale: To cover minimum cash reserve requirements for Fund 629 (Operation & Maintenance Reserve Fund). This fund is required to keep a balance of 16.67% of the operating budget of water works. As the budget increases (due to inflation and increased costs), the minimum balance requirements increase as well.</i>					
641-06-602-509-422002--	Sewage Works Operations	Public Works	Streets & Sewers	Supplies-Operating-Diesel/CNG	116,815
641-06-602-511-422002--	Sewage Works Operations	Public Works	Streets & Sewers	Supplies-Operating-Diesel/CNG	7,350
<i>Rationale: Increased costs of fuel in 2022.</i>					
641-06-605-515-439001--	Sewage Works Operations	Public Works	Wastewater	Services & Charges-Other-Other Contractual Services	100,000
<i>Rationale: To cover increased trucking cost for removing Biosolids at Organic Resources</i>					
670-11-230-296-413900--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Other Personnel-SMG Wages	450,000
670-11-230-296-431900--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Professional-SMG Contracted Svcs	100,000
<i>Rationale: Increased wages and services charges stemming from busier-than-expected event schedule. This busy schedule comes with higher-than-expected revenue as well, and the Century Center is back to or above pre-pandemic levels.</i>					
Grand Total					6,647,387

1200N COUNTY-CITY BUILDING
227 W. JEFFERSON BLVD.
SOUTH BEND, INDIANA 46601-1830

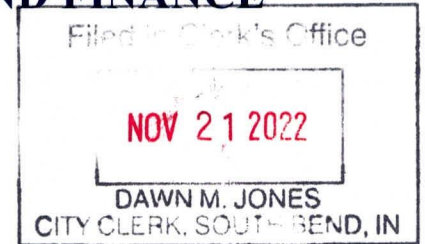


PHONE 574.235.9216
FAX 574.235.9928

CITY OF SOUTH BEND, IN JAMES MUELLER, MAYOR
DEPARTMENT OF ADMINISTRATION AND FINANCE

November 21, 2022

Ms. Sharon McBride, President
City of South Bend Common Council
227 W. Jefferson Boulevard, 4th Floor
South Bend, Indiana 46601



RE: Q4 2022 Budget Transfer Ordinance

Dear President McBride,

During the past several years, it has been the practice of the City of South Bend to request department heads, fiscal staff and city administration to conduct an extensive review of the status of compliance with the adopted city budget and propose necessary adjustments periodically throughout the year. For 2022, we plan to propose adjustments during four time periods—March, June, October and December.

Based on our budget review, we are submitting the enclosed budget transfer ordinance for your consideration.

I will present this bill to the Common Council at the appropriate committee and Council meetings. It is requested that this bill be filed for 1st reading on November 28, 2022, with 2nd reading, public hearing and 3rd reading scheduled for December 12, 2022.

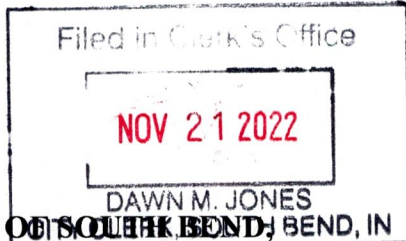
Thank you for your attention to this request. If you should have any questions, please feel to contact me at 574-235-9822.

Regards,

Daniel T. Parker
City Controller

BILL NO. 77-22

ORDINANCE NO. _____



AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2022

STATEMENT OF PURPOSE AND INTENT

Unforeseen conditions have developed since the adoption of the existing City budget, passed via Ordinance #10814-21 on October 11, 2021, which necessitate the increase and reduction of appropriations within the various departments of the General Fund and other funds of the City of South Bend during 2022.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

Section I. All accounts as set forth in the detailed attachment hereto which are incorporated herein shall be adjusted by increase or reduction of appropriation in the designated sums.

Section II. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Sharon McBride, Council President
South Bend Common Council

Attest:

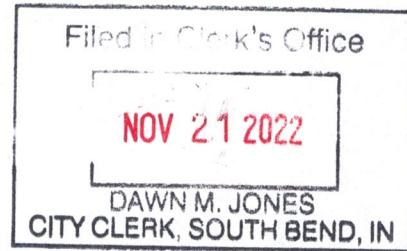
Dawn M. Jones, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2022, at _____ o'clock ____ m.

Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2022, at ___ o'clock ___ m

James Mueller, Mayor
City of South Bend, Indiana



City of South Bend, Indiana

Q4 2022 Budget Adjustments - Budget Transfers

(budget transfers between different cost categories (i.e. personnel, supplies, services, capital) and/or different departments/divisions within the same fund)

Filed in City Clerk's Office
 NOV 21 2022
 Budget Adjustment
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

Account #	Fund	Department	Division	Account	Budget
101-02-020-020-410001--	General Fund	City Clerk's Office	City Clerk's Office	Personnel-Salaries & Wages-Salaried Wages	25,000
101-02-020-020-431000--	General Fund	City Clerk's Office	City Clerk's Office	Services & Charges-Professional-Other Professional Svcs	25,000
Rationale: Cover cost of outside professional services for the production of meeting minutes					
101-04-402-044-410001--	General Fund	Administration & Finance	Human Rights	Personnel-Salaries & Wages-Salaried Wages	(50,000)
101-04-402-044-433003--	General Fund	Administration & Finance	Human Rights	Services & Charges-Printing & Ad-Promotional	50,000
Rationale: Cover costs for 47th annual Indiana Consortium of State and Local Human Rights Conference					
101-05-050-050-410001--	General Fund	Legal Department	Legal Department	Personnel-Salaries & Wages-Salaried Wages	(2,500)
101-05-050-050-421000--	General Fund	Legal Department	Legal Department	Supplies-Office-Other Office Supplies	2,500
Rationale: Increased supply costs related to onboarding new employees (training documents, etc.) due to increased turnover.					
101-06-600-500-431000--	General Fund	Public Works	Engineering	Services & Charges-Professional-Other Professional Svcs	(14,500)
101-06-600-500-436001--	General Fund	Public Works	Engineering	Services & Charges-Repairs & Maint-Building R&M	(18,000)
101-06-600-500-445000--	General Fund	Public Works	Engineering	Capital Outlay-Machinery & Equip-Motor Equipment	32,500
Rationale: Re-allocate budget to cover new vehicle purchase for new inspector					
101-08-080-080-411006--	General Fund	Police Department	Police Department	Personnel-Employee Benefits-PERF Police Union	(100,000)
101-08-080-080-411008--	General Fund	Police Department	Police Department	Personnel-Employee Benefits-Health Insurance	(220,000)
101-08-080-080-422000--	General Fund	Police Department	Police Department	Supplies-Operating-Other Operating Supplies	320,000
Rationale: Total personnel expenditures will be less than budget. However, recruiting efforts have resulted in increasing the number of officers in the second half of the year. The addition of these officers has driven increased supply and services costs along with inflation experienced for all goods and services. This transfer funds increased costs of gas and supplies for increased officers hired in the second half of the year. This includes uniforms, equipment, and other operating supplies.					
101-09-092-092-422008--	General Fund	Fire Department	EMS	Supplies-Operating-Medical/Safety Supplies	20,000
101-09-092-092-431000--	General Fund	Fire Department	EMS	Services & Charges-Professional-Other Professional Svcs	(20,000)
Rationale: Transfer savings in services to cover increased costs in medical supplies					
201-11-203-230-431000--	Parks & Recreation	Venues Parks & Arts	Recreational Experiences	Services & Charges-Professional-Other Professional Svcs	14,555
201-11-203-235-422000--	Parks & Recreation	Venues Parks & Arts	Recreational Experiences	Supplies-Operating-Other Operating Supplies	(14,555)
Rationale: Reallocate budget based on year-end budget projections					
201-11-205-231-422009--	Parks & Recreation	Venues Parks & Arts	Development & Promotion	Supplies-Operating-Recreation Supplies	(40,000)
201-11-205-231-433003--	Parks & Recreation	Venues Parks & Arts	Development & Promotion	Services & Charges-Printing & Ad-Promotional	19,827
201-11-205-243-433003--	Parks & Recreation	Venues Parks & Arts	Development & Promotion	Services & Charges-Printing & Ad-Promotional	20,173
Rationale: Reallocate budget based on year-end budget projections					

NOV 21 2022

DAWN M. JONES
CITY CLERK SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2022 Budget Adjustments - Budget Transfers					
(budget transfers between different cost categories (i.e. personnel, supplies, services, capital) and/or different departments/divisions within the same fund)					
Account #	Fund	Department	Division	Account	Adjustment
222-04-403-457-436001--	Central Services	Administration & Finance	Central Services	Services & Charges-Repairs & Maint-Building R&M	58,500
222-04-403-457-445000--	Central Services	Administration & Finance	Central Services	Capital Outlay-Machinery & Equip-Motor Equipment	(58,500)
Rationale: Use savings to cover lift inspections and other building maintenance activities					
222-04-403-450-410002--	Central Services	Administration & Finance	Central Services	Personnel-Salaries & Wages-Teamster Wages	(80,000)
222-04-403-450-436001--	Central Services	Administration & Finance	Central Services	Services & Charges-Repairs & Maint-Building R&M	80,000
Rationale: Use savings to cover lift inspections and other building maintenance activities					
230-10-103-100-439010--	Code Enforcement	Community Investment	Neighborhoods	Services & Charges-Other-Landfill	(7,900)
230-10-103-105-422000--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Operating-Other Operating Supplies	7,900
Rationale: Transfer to cover purchase of SBARC washer & dryer					
230-10-103-100-422001--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Operating-C.S. Gasoline	20,000
230-10-103-100-439010--	Code Enforcement	Community Investment	Neighborhoods	Services & Charges-Other-Landfill	(25,450)
230-10-103-105-422001--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Operating-C.S. Gasoline	4,950
230-10-103-105-422005--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Operating-Uniforms	500
Rationale: Reallocate budget to cover slight anticipated overage in gasoline costs					
230-10-103-100-421000	Code Enforcement	Community Investment	Neighborhoods	Supplies-Office-Other Office Supplies	75,000
230-10-103-100-439010	Code Enforcement	Community Investment	Neighborhoods	Services & Charges-Other-Landfill	(75,000)
Rationale: Reallocate budget to cover purchase of office furniture (cubicles) for neighborhoods division					
279-07-071-071-422006--	IT / Innovation / 311 Call Cen	Innovation & Technology	Information Technology	Supplies-Operating-Computer Supplies & Equipment	52,000
279-07-071-071-436004--	IT / Innovation / 311 Call Cen	Innovation & Technology	Information Technology	Services & Charges-Repairs & Maint-Computer Equip R&M	(52,000)
Rationale: Cover cost of IT equipment, including additional security cameras at various City properties and switches and other misc hardware for Seitz Park.					
600-10-060-060-410001--	Consolidated Building	Community Investment	Building Department	Personnel-Salaries & Wages-Salaried Wages	(12,000)
600-10-060-060-436003--	Consolidated Building	Community Investment	Building Department	Services & Charges-Repairs & Maint-Auto Equip R&M	12,000
Rationale: Reallocate budget to cover slight anticipated overage in auto equipment repairs and maintenance					
600-10-060-060-410001--	Consolidated Building	Community Investment	Building Department	Personnel-Salaries & Wages-Salaried Wages	(8,500)
600-10-060-060-422001--	Consolidated Building	Community Investment	Building Department	Supplies-Operating-C.S. Gasoline	8,500
Rationale: Reallocate budget to cover slight anticipated overage in gasoline costs					

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DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana

Q4 2022 Budget Adjustments - Budget Transfers

(budget transfers between different cost categories (i.e. personnel, supplies, services, capital) and/or different departments/divisions within the same fund)

Account #	Fund	Department	Division	Account	Budget Adjustment
601-11-240-461-421000--	Parking Garages	Venues Parks & Arts	Parking Garages	Supplies-Office-Other Office Supplies	15,000
601-11-240-461-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	(15,000)
Rationale: Cover cost of purchasing supplies formerly covered by DTSB/New Flash Parking Supplies					
602-11-220-292-423001--	Morris Performing Arts Center	Venues Parks & Arts	Morris Performing Arts Center	Supplies-Repair & Maint-Building Materials	20,000
602-11-220-292-431000--	Morris Performing Arts Center	Venues Parks & Arts	Morris Performing Arts Center	Services & Charges-Professional-Other Professional Svcs	(20,000)
Rationale: Reallocate budget to account for expenses in a different manner (per new accounting system and rules for Morris Box Office Fund designed in September, 2022)					
620-06-604-603-422012--	Water Works Operations	Public Works	Water Works	Supplies-Operating-Water Treatment Chemicals	(15,000)
620-06-604-603-431015--	Water Works Operations	Public Works	Water Works	Services & Charges-Professional-Laboratory Water Testing	15,000
620-06-604-606-422001--	Water Works Operations	Public Works	Water Works	Supplies-Operating-C.S. Gasoline	20,000
620-06-604-606-423007--	Water Works Operations	Public Works	Water Works	Supplies-Repair & Maint-Concrete & Asphalt	37,500
620-06-604-606-439001--	Water Works Operations	Public Works	Water Works	Services & Charges-Other-Other Contractual Services	(57,500)
620-06-604-608-410001--	Water Works Operations	Public Works	Water Works	Personnel-Salaries & Wages-Salaried Wages	(50,000)
620-06-604-608-410002--	Water Works Operations	Public Works	Water Works	Personnel-Salaries & Wages-Teamster Wages	(50,000)
620-06-604-608-411004--	Water Works Operations	Public Works	Water Works	Personnel-Employee Benefits-PERF Regular	(10,000)
620-06-604-608-411008--	Water Works Operations	Public Works	Water Works	Personnel-Employee Benefits-Health Insurance	(40,000)
620-06-604-608-421000--	Water Works Operations	Public Works	Water Works	Supplies-Office-Other Office Supplies	4,000
620-06-604-608-431000--	Water Works Operations	Public Works	Water Works	Services & Charges-Professional-Other Professional Svcs	90,000
620-06-604-608-431001--	Water Works Operations	Public Works	Water Works	Services & Charges-Professional-Legal Services	30,000
620-06-604-608-431002--	Water Works Operations	Public Works	Water Works	Services & Charges-Professional-Engineering & Architectural	20,000
620-06-604-608-437004--	Water Works Operations	Public Works	Water Works	Services & Charges-Rentals-Building Rental	6,000
Rationale: Reallocate budget based on year-end budget projections					
641-06-605-515-422001--	Sewage Works Operations	Public Works	Wastewater	Supplies-Operating-C.S. Gasoline	65,000
641-06-605-515-436003--	Sewage Works Operations	Public Works	Wastewater	Services & Charges-Repairs & Maint-Auto Equip R&M	(25,000)
641-06-605-515-439011--	Sewage Works Operations	Public Works	Wastewater	Services & Charges-Other-Waste Removal/Disposal	(40,000)
Rationale: Increased gasoline costs in 2022: budgeted at ~\$2.50 per gallon, was in excess of \$4 per gallon for much of the year.					
641-06-605-514-410001--	Sewage Works Operations	Public Works	Wastewater	Personnel-Salaries & Wages-Salaried Wages	(80,000)
641-06-605-514-411008--	Sewage Works Operations	Public Works	Wastewater	Personnel-Employee Benefits-Health Insurance	(30,000)
641-06-605-514-439000--	Sewage Works Operations	Public Works	Wastewater	Services & Charges-Other-Misc Charges & Svcs	110,000
Rationale: Cover increased costs for contractual services, related to ramping up for capital projects in 2023.					
670-11-230-295-423001--	Century Center Operations	Venues Parks & Arts	Century Center	Supplies-Repair & Maint-Building Materials	20,000
670-11-230-295-431000--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Professional-Other Professional Svcs	(20,000)
Rationale: Reallocate budget based on year-end budget projections					
Grand Total					-