



South Bend

Redevelopment Commission

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

Agenda

Regular Meeting, December 19, 2022 – 9:30 a.m.

<http://tiny.cc/RDC> or BPW Conference Room 13th Floor

1. Roll Call

2. Approval of Minutes

- A. Minutes of the Regular Meeting of Thursday, December 8, 2022

3. Approval of Claims

- A. Claims Allowance Request 12.06.22
- B. Claims Allowance Request 12.13.22

4. Old Business

5. New Business

A. River West Development Area

- 1. Resolution No. 3565 (Approving Execution of Lease COSB 2023 Project Financing) – Public Hearing

B. South Side Development Area

- 1. Budget Request (South Main Street)

6. Progress Reports

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

7. Next Commission Meeting:

Thursday, January 12, 9:30 am

Adjourn



South Bend
Redevelopment Commission
 227 West Jefferson Boulevard, Room 1308, South Bend, IN

**SOUTH BEND REDEVELOPMENT COMMISSION
 RE-SCHEDULED REGULAR MEETING**

December 8, 2022 – 9:30 am
http://tiny.cc/RDC___ or BPW Conference Room 13th Floor

Presiding: Marcia Jones, President

The meeting was called to order at 9:30 a.m.

1. ROLL CALL

Members Present:	Marcia Jones, President – IP Troy Warner, Secretary – V Eli Wax, Commissioner - IP Vivian Sallie, Commissioner – IP Leslie Wesley, Commissioner - V	IP = In Person V = Virtual
Members Absent:	Donald Inks, Vice-President	
Legal Counsel:	Sandra Kennedy, Esq. Danielle Campbell-Weiss, Esq.	
Redevelopment Staff:	Mary Brazinsky, Board Secretary Joseph Molnar, RDC Staff	
Others Present:	Caleb Bauer Erik Glavich Rachel Boyles Amy Paul Chris Dressel Sarah Barber Charlotte Brach Zach Hurst Leslie Biek Daniel Parker Aaron Perri Rachel Tomas Morgan Daniel Buckenmeyer Randy Rampola Emma Adlam Alyson Herzig Matthew Barrett Conrad Damian	DCI - IP DCI – IP DCI – V DCI – V DCI – V DCI – V Engineering – IP Engineering – V Engineering – V Engineering – V Admin & Finance – V VPA – V Councilmember – V SB/Elkhart – V Barnes & Thornburgh – IP Barnes & Thornburgh – V Resident - V Resident – IP Resident - V

2. Approval of Minutes

- **Approval of Minutes of the Regular Meeting of Thursday, November 10, 2022**

Upon a motion by Commissioner Wax, seconded by Commissioner Sallie, the motion carried unanimously, the Commission approved the minutes of the regular meeting of Thursday, November 10, 2022.

3. Approval of Claims

- **Claims Submitted for October 10, November 8, November 15, November 22, and November 29, 2022**

Commissioner Wax asked about the Coal Line Trail claims.

Mr. Bauer noted he would get more information and round back with Commissioner Wax.

Upon a motion by Commissioner Wax, seconded by Commissioner Sallie, the motion carried unanimously, the Commission approved the claims for October 10, November 8, November 15, November 22, and November 29, 2022, submitted on Thursday, November 8, 2022.

4. Old Business

5. New Business

A. River West Development Area

1. Budget Request (Kennedy Park Improvements)

Ms. Barber Presented a Budget Request (Kennedy Park Improvements). This request for \$186,500 is for Kennedy Park improvements out of the RW TIF. This will be a \$10M project with an estimated \$8.5M worth of capital improvements. This work stemmed from the needs of neighborhood residents. We will be creating equitable recreation opportunities on the West side. We are in the conceptual phase of this project. This will include a new aquatics development, natural walking paths, recreation course fields, playgrounds, pavilions, and interactive green spaces. Funding will be obtained through a 2023 bond (\$5M) and the other half will be through pursuing an outdoor legacy recreating partnership grant through the National Park Service. In order to obtain the grant, we need to provide 50% of the design plans; these need to be submitted by January 2023. Commission approval is requested.

Mr. Bauer stated that typically we wouldn't bring a design request prior to your authorization, however, because of the timeline of the National Park Service grant, we brought this to you prior to this full bond process planning. That is a unique circumstance, and we hope that you understand.

Commissioner Wax confirmed that 50% of the plans need to be finalized to be included in the application.

Mr. Bauer stated that they have to be included in the application.

Upon a motion by Commissioner Wax, seconded by Commissioner Sallie, the motion carried unanimously, the Commission approved Budget Request (Kennedy Park Improvements) submitted on Thursday, November 8, 2022.

2. Second Amendment to Real Estate Purchase Agreement (RealAmerica)

Mr. Molnar Presented a Second Amendment to Real Estate Purchase Agreement (RealAmerica). This was approved in 2021 for the sale of six RDC owned lots just to the east of Four Winds Field. The original agreement was in July 2021 which gave them twenty years for state tax credits for low-income housing. The First Amendment was approved earlier this year clarifying the dates of the 2022 tax credit application. The state asked applicants to go back and rerun numbers under the new interest rate. Normally projects are approved in November, however, they moved the timeline to January based on interest rates. This amendment extends the time frame for the application in January 2023. All of the other commitments stay intact. Commission approval is requested.

Commissioner Wax asked for a report back to Commission when these are awarded in January 2023

Upon a motion by Commissioner Wax, seconded by Secretary Warner, the motion carried unanimously, the Commission approved Second Amendment to Real Estate Purchase Agreement (RealAmerica) submitted on Thursday, November 8, 2022.

B. River West & River East Development Areas

1. Resolution No. 3564 (COSB 2023 Redevelopment Projects)

Mr. Bauer Presented Resolution No. 3564 (COSB 2023 Redevelopment Projects). Mr. Bauer introduced Randy Rampola, Barnes and Thornburgh who represents COSB bond council and will present the first portion of the Resolution.

Mr. Rampola states that this resolution is the initial action you would take with respect to a proposed lease financing that would encompass three projects in the River West and River East TIF districts in regard to infrastructure improvements with respect to the expanded Beacon district. The resolution in front of you approves the form of lease. This proposes lease financing between the Redevelopment Commission and Redevelopment Authority. The bonds would be secured by lease rental payments that the Redevelopment Commission would make to the Redevelopment Authority. The lease payments would pay the debt service on the bonds. The lease asset in this case would be a portion of Portage Avenue between Cleveland and Angela.

One benefit from the bond market perspective is it allows you not to have rental interruption insurance. That allows you to lease assets that could easily be substituted if something were to happen to Portage Avenue in the future as

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opposed to a building where you may have rental interruption insurance, which adds additional annual expense. The lease itself provides terms that are parameters. The maximum lease rental is \$10.5M with a maximum lease term of 20 years. The \$10.5M is based on estimated assumptions. We are contemplating two series of bonds. The first series is for the River West and East infrastructure improvements that would proceed once those bonds are issued.

April 2023 is the proposed closing date; the second series of bonds would be for the Beacon project. The second paragraph of the lease provides another financing; once the bonds are issued at \$10.5M, these would be reduced to the actual amount of the principal and interest that would be due on the bonds at that time. There are some interest rate and project cost assumptions that may make that a little higher. Once the rates are sorted out on the bonds the rental amount will decrease.

Today, we are asking the Commission to consider the lease in its initial form. If you adopt the resolution approved the form of lease, then we would publish some notices that there would be a public hearing on the meeting of December 19, 2022. Following that, we anticipate going before the Common Council in January 2023 for approval of the lease financing which is required by Indiana law.

The lease financing would proceed to sale after Common Council approval. We are estimating closing in April 2023. The rentals would be payable from River West and River East tax increment revenues. When the bonds are sold the lease does contemplate a tax backup. You are able to get the best rate that the COSB can get in the market on any given day because of the tax back up. It does provide a lower cost of financing from the city's perspective.

Baker Tilly has analyzed the increment that is available for both River West and River East and there is sufficient amount of coverage; you can be assured that there would be sufficient TIF revenues to pay the debt service on the bonds. The debt throughout the lease rentals would be used to pay the debt service.

Dan Parker, the City Controller stated that Baker Tilly ran a full financial analysis. River West has two, three series of bonds that are rolling off in 2023 that are debt service for the proposed bonds and are well within the proposed TIF increments for both TIF areas. This would be the first debt issuance. Baker Tilly is putting together maintain a 225% coverage ratio against parity bonds which is very healthy.

Caleb Bauer, Executive Director DCI handed out the Baker Tilly analysis to the Commission and will have it posted online after the meeting. He notes that it is a pro-rated breakout. Mr. Bauer presented a PowerPoint of the projects being funded. A number of infrastructure and parks projects in both TIF districts at a \$34M bond. We projected roughly \$18.3M in revenue out of River West TIF for 2023 and just shy of \$10M in River East. On the River West side \$2.5M will go to the Walker Field improvement project. There has been a lot of concerns about the safety in crossing Ewing, so we will look into that. \$800k for some SE park upgrades including a splash pad and playground resurfacing. \$5M match to the

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potential \$5M grant awards for the comprehensive Kennedy Park improvements. We are discussing some potential additions and a form of aquatics, potentially a public pool. \$2M for Portage/Elwood sidewalk project. We announced yesterday a partnership with the Environmental Protection Agency for cleanup of Drewry's site. We are taking a look at the Portage and Elwood intersection and to the west of there, improving pedestrian connections along the business corridor.

Additionally, \$3M for River Bridge connector pedestrian bridge. This bridge would cross the river south of Leeper Park as part of the broader trails network. Then a couple projects related to the Martin Luther King Jr. Dream Center project including Linden Avenue streetscape improvements. The other would-be park improvements for the Dream Center including new sports courts, basketball courts and a splash pad.

River East projects are a few streetscape projects at the LaSalle Avenue streetscape improvements including dedicated turn lanes and bump outs for pedestrian safety at major intersections. The same type of treatment will also happen along Mishawaka Avenue from Cooper Street or Eddy Street bright to the railroad tracks near Bamber's and the Farmer's Market. \$300k for Couillard Park splash pad upgrades. There is a splash pad there, but it needs significant updates. We have added \$2M to a couple of trail projects \$2M for Hill Street trail project. Downtown South Bend and Notre Dame are interested in partnering and funding a significant portion of the trail, however, we are waiting on final decisions. The Hotel/Motel tax board is interested in providing some funding to support the trails project. \$2M for South Bend Avenue improvements which includes a multi-use trail and other street improvements for pedestrian safety (Notre Dame to Hill Street).

Commissioner Wax asked when the projects will begin. And how long would it take to cash flow instead of issuing a bond.

Mr. Bauer stated that some would start in 2023 and some in 2024. Mr. Bauer states it would be a little longer timeline.

Commissioner Wax asked is there a reason we want to leverage 20 years of revenue vs spanning the money we have?

Mr. Bauer states we have seen some transformative projects lead to transformative investments on a smaller scale. Things like the Western Avenue streetscape project driving private investment in small businesses along the corridor. On LaSalle Avenue there are some larger projects like the streetscape improvements or park projects. We can equate some of those to the Howard Park improvement where we have seen transformative change in a short period of time. We believe that making these transformative investments now can allow us to really continue to build on the moderate growth that we have seen in the last ten years and really accelerate that into the future. That concludes Rental Revenue Bond Series A.

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Commissioner Wax clarified that we can speed up the process by a couple of years versus waiting.

Mr. Bauer states at least a couple of years.

Mr. Bauer presented the taxable lease rental revenue bond Series B. This bond would specifically fund \$28.9M in improvement to support the broader Beacon integrative health and lifestyle district. A development agreement has not been brought before you as we are in negotiations. Tentatively it will fund two structured parking garages to provide more than 900 parking spaces, and site preparation work across the whole site. This is the two blocks south of Memorial Hospital that are currently surface parking lots and a potential skyway bridge. This connects employees and visitors to the hospital where they can cross the street on the 2nd floor. The district as a whole will include more than \$140M in private investment. This would support the \$232M investment by Beacon Health System in their new tower project. The project will add 550 new full-time employees at Memorial Hospital. Completion of this project would be in the late 20's (four or five years).

The improvements would include nearly one-hundred fifty market rate apartments, ninety-two income qualified workforce housing apartments. A one-hundred-five-bed hotel and a fifty thousand square foot fitness center. Thirty-five thousand feet of medical office space and the 927 structured parking spaces and eight-thousand five-hundred square feet of retail space.

We will come before you two more times as part of the issuance process. One for the public hearing on this lease and then one to consider the resolution for backup of the lease payment.

Commissioner Wax asked to simplify why the bond isn't against the TIF revenues itself but rather having the lease structure.

Mr. Rampola stated that the lease revenues goes to the security and rating. The bond market will view a pure TIF revenue bond at a certain model. There is an additional element of risk that appears TIF revenue bond brings to the table. If a pure TIF revenue bond didn't yield the assessed value of TIF revenue in theory, the governmental unit would look at that and say we don't have to make payment because we didn't pledge anything other than the TIF revenue. The bond market will look at that with a more negative view. They will look at a pure TIF revenue bond at a lower interest rate. They would look at a utility revenue bond payable solely from Water Works revenues or sewage works revenues in a similar fashion compared to a city general obligation bond with the city. The tax back up will provide additional security which allows the bond to get closer to the city's AA rating because of the tax backup. We need to do this as a lease asset, but we can easily use the streets. So, we have language in the bond that we can substitute another street if the issued street were to go away.

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Matt Barrett, a resident, asked for a sense of the difference between the interest rate of just a TIF bond and a general obligation bond.

Emma Adlam, Baker Tilly stated the interest rate difference would be if we did a pure TIF fund or if we did the property tax backup bond issue. The pure TIF bond for the tax-exempt public infrastructure project we were estimating around 6 ¼% true interest cost and for this bond issue with the backup we are estimating around 5.45%.

Matt Barrett asked why two parking garages. Is there a cost difference.

Mr. Bauer states one of the garages would be a cast-in-place garage which would include housing built on top of it. The other parking garage would just be a pre-cast garage. Part of the reason for the garages is different amenities in each block. Both blocks contain housing and then one block contains a health and fitness center. The other contains medical office space, retail space and the sky bridge over to Memorial Hospital. The larger garage could serve as parking for memorial employees as well as for the residents of the housing there and those utilizing the office and retail space. Then the other garage would be primarily for residents of the housing units around that garage, and then people coming to the Beacon health and fitness center.

Mr. Barrett asked about private investment.

Mr. Bauer stated Great Lakes Capital is the developer of the health and lifestyle district. Beacon as a partner is the current property owner of the site.

Commissioner Wax asked if the city is anticipating being a part of the bigger picture.

Mr. Bauer stated as part of our negotiations, we are looking at parking rates for the new FTEs that are created by the tower expansion and for the employees to park within one of these structures. There could be a bulk rate for employees. No TIF funding is going towards the tower, but one is not successful without the other. This is our full contribution. There is also \$11.9M of Ready grant funds towards this. The tower site wouldn't be eligible for a tax abatement.

Matt Barrett asked what happens to Memorial's current space.

Mr. Bauer states it is part of an on-going conversation that we are having but there is no news to share. We are having active conversations.

Commissioner Sallie suggests inviting a representative from Beacon to come and present what they are thinking of doing with the vacant space when the health and lifestyle center is moved on campus. That way we don't speculate what will be.

Mr. Bauer states that we would be happy to reach out and invite them but they will not have an answer but we can invite them in the first quarter of 2023.

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Secretary Warner stated that improving our neighborhoods is key. These are improvements that he knows within the city we have been talking about for a couple of years. He likes the fact that the neighborhood and Beacon bonds leverage other dollars, outside dollars with Kennedy Park and Notre Dame trail. We are partners with this, and he supports this venture.

Upon a motion by Secretary Warner, seconded by Commissioner Sallie, the motion carried unanimously, the Commission approved Resolution No. 3564 (COSB 2023 Redevelopment Projects) submitted on Thursday, November 8, 2022.

6. Progress Reports

A. Tax Abatement

1. Mr. Glavich noted states there is one tax abatement for a confirming resolution of an 8-year residential tax abatement. This is redeveloping the old St. Joseph medical building. The investor is putting \$10M specifically into rehabbing the building into a 69-apartment building.

B. Common Council

C. Other

1. Mr. Barrett asked if there was an update on Matthew's projects.
2. Ms. Campbell Weiss stated at the last RDC meeting, which was I believe, November 10th, Council Member Warner requested input in writing from the legal department regarding some of the public suggestions raised regarding the Commerce Center Agreement. A memo was provided to the Commissioners on November 22nd. Unfortunately, a legal strategy can't be discussed during the public meeting as this would affect attorney-client privilege and the information would obviously be available for anyone to access. So, if the Commissioners desire, an executive session could be scheduled to privately discuss this matter further, there's an exception that allows for discussion of strategy with respect to potential litigation. And we could do that later this month or in January.

Secretary Warner stated he would make a motion for either the next meeting in December or the January meeting to hold an Executive Session.

Commissioner Wax asked that it not be an early meeting so the kids can get off to school.

Secretary Warner made a motion to have an Executive Session to discuss potential litigation strategy. The motion was seconded by Commissioner Wax, the motion carried unanimously, to hold an Executive Session regarding Matthew's projects.

7. Next Commission Meeting:
Thursday, December 19, 2022

8. Adjournment
Thursday, December 8, 2022, 9:22 a.m.

Troy Warner, Secretary

Marcia Jones, President



**City of South Bend
Department of Administration & Finance
Claims Allowance Request**

To: South Bend Redevelopment Commission
From: Daniel Parker, City Controller
Date: Tuesday, December 6, 2022

Pursuant to Indiana Code 36-4-8-7, I have audited and certified the attached claims and submit them for allowance in the following amounts:

GBLN-0048621	\$191,852.05
GBLN-0000000	\$0.00
GBLN-0000000	\$0.00
Total:	<u>\$191,852.05</u>

Daniel Parker, City Controller

The attached claims described above were allowed in the following total amount at a public meeting on the date stated below: \$ 191,852.05

By: _____
South Bend Redevelopment Commission
Name:

Date:

Name:

Name:

Name:

Name:

Name:

Expenditure approval

RDC Payments-12/6/22 Pymt Run

GBLN-0048621

Payment method: CHK-Total
Voucher: RDCP-00012415
Payment date: 12/6/2022

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00001411	RIETH RILEY CONSTRUCTIO N	APP #2	Mill & Overlay	12/10/2022	\$137,797.00	324-10-102-121-442001-- PROJ00000330	PO-0018048
V-00001411	RIETH RILEY CONSTRUCTIO N	APP #2	Mill & Overlay	12/10/2022	\$8,934.00	430-10-102-121-442001-- PROJ00000330	PO-0018048
V-00001411	RIETH RILEY CONSTRUCTIO N	9	120-009 Dubail Avenue Streetscape	12/3/2022	\$45,121.05	324-10-102-121-442001-- PROJ00000083	PO-0011413



**City of South Bend
Department of Administration & Finance
Claims Allowance Request**

To: South Bend Redevelopment Commission
From: Daniel Parker, City Controller
Date: Tuesday, December 13, 2022

Pursuant to Indiana Code 36-4-8-7, I have audited and certified the attached claims and submit them for allowance in the following amounts:

GBLN-0048863	\$647,906.44
GBLN-0000000	\$0.00
GBLN-0000000	\$0.00
Total:	<u>\$647,906.44</u>

Daniel Parker, City Controller

The attached claims described above were allowed in the following total amount at a public meeting on the date stated below:

\$ 647,906.44

By: _____
South Bend Redevelopment Commission
Name:

Date:

Name:

Name:

Name:

Name:

Name:

Name:

Expenditure approval

RDC Payments-12/13/22 Pymt Run

GBLN-0048863

Payment method: ACH-Total
Voucher: RDCP-00012616
Payment date: 12/13/2022

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000665	GIBSON LEWIS LLC	APP #2	Muessel Grove Restroom RTA	12/13/2022	\$132,895.00	452-11-206-289-444000-- PROJ00000051	PO-0019070
V-00000665	GIBSON LEWIS LLC	APP #2	Change Order #1	12/13/2022	\$3,318.09	324-10-102-121-443001-- PROJ00000051	PO-0019070

Payment method: CHK-Total
Voucher: RDCP-00012617
Payment date: 12/13/2022

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000775	HRP CONSTRUCTIO N INC	APP #6	Water Main - Prairie	12/22/2022	\$454,042.19	430-10-102-121-442001-- PROJ00000069	PO-0014485

Payment method: CHK-Total
Voucher: RDCP-00012618
Payment date: 12/13/2022

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00000918	JONES PETRIE RAFINSKI	44743	Design	12/17/2022	\$10,990.50	429-10-102-121-431002-- PROJ00000317	PO-0013624

Payment method: CHK-Total
Voucher: RDCP-00012619
Payment date: 12/13/2022

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
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V-00000947	KIL ARCHITECTUR E PLANNING	4	PSA for Sibley Center	12/22/2022	\$1,620.00	324-10-102-121-443001-- PROJ00000252	PO-0009095
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Payment method: CHK-Total
Voucher: RDCP-00012620
Payment date: 12/13/2022

Vendor #	Name	Invoice #	Line description	Due date	Invoice amount	Financial dimensions	Purchase order
V-00001411	RIETH RILEY CONSTRUCTIO N	6	Lincoln Way West and Olive Streetscape	12/2/2022	\$753,014.01	324-10-102-121-442001-- PROJ00000046	PO-0009634
V-00001411	RIETH RILEY CONSTRUCTIO N	6	Lincoln Way West and Olive Streetscape	12/2/2022	(\$724,397.66)	324-10-102-121-442001-- PROJ00000046	PO-0009634
V-00001411	RIETH RILEY CONSTRUCTIO N	6	Change Order #1	12/2/2022	\$16,424.31	324-10-102-121-442001-- PROJ00000046	PO-0009634



CITY OF SOUTH BEND

REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: Dec. 19, 2022

FROM: Caleb Bauer, Executive Director of DCI

SUBJECT: Resolution Authorizing Execution of Lease with South Bend Redevelopment Authority

_____ Pres/V-Pres

ATTEST: _____ Secretary

Date: _____

APPROVED

Not Approved

Funding Source* (circle one) River West; River East; South Side; Douglas Road; West Washington; RDC General

*Funds are subject to the City Controller's determination of availability; if funds are unavailable, as solely determined by the City Controller, then the authorization of the expenditure of such funds shall be void and of no effect.

Purpose of Request: Authorization of Proposed Lease with South Bend Redevelopment Authority for issuance of Tax-Exempt Lease Rental Revenue Bonds, Series A, and Taxable Lease Rental Revenue Bonds, Series B

Specifics: The proposed lease would initiate the process of issuance of a pair of TIF-funded bonds to finance a number of Public Improvement Projects in the River West and River East TIF Districts, including:

River East

- Lasalle Avenue Streetscape Improvements (between MLK and Eddy St)
- Phase I and Phase II of shared-use path to improve bicycle and pedestrian access between downtown and Notre Dame
- Mishawaka Avenue Streetscape Improvements (Between Longfellow and Emerson)
- Coquillard Park Splash Pad Upgrades

River West

- Kennedy Park Funding Match for state grant program to make significant improvements to the park
- Portage-Elwood Sidewalk Project to improve pedestrian safety and activate storefronts near Portage-Elwood intersection
- Martin Luther King Jr. Dream Center park Improvements, including splashpad, playground, basketball courts
- Linden Avenue Streetscape Improvements (between College and Birdsell)
- Southeast Park improvements, including splashpad and playground resurfacing

- River Bridge Connector Pedestrian Bridge to connect trail systems across the St. Joseph River
- Walker Field and Connection to Rum Village Improvements to enhance the historic Walker Field pavilion and provide better pedestrian connection to Rum Village

The Taxable Lease Rental Revenue Bond, Series B would fund the construction of two structured parking garages and other site preparation work to support the Beacon Integrative Health and Lifestyle District, which will support more than \$350 million in private investment.

If approved, South Bend Common Council will hear resolution authorizing bond issuance.

RESOLUTION NO. 3565

A RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION AUTHORIZING THE EXECUTION OF A LEASE BETWEEN THE SOUTH BEND REDEVELOPMENT AUTHORITY AND THE SOUTH BEND REDEVELOPMENT COMMISSION, AND ALL MATTERS RELATED THERETO

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

WHEREAS, the Commission, pursuant to declaratory resolutions previously adopted by the Commission and amended from time to time, the Commission has declared (i) a certain area of the City of South Bend (the “City”) known as the “River East Development Area” (the “River East Area”) as a redevelopment area and an allocation area under the Act and approved a redevelopment plan for the Area (ii) a certain area of the City of South Bend (the “City”) known as the “River West Development Area” (the “River West Area”) as an economic development area and an allocation area under the Act and approved an economic development plan for the Area; and

WHEREAS, the Commission has given consideration to undertaking local public improvement projects in the River West Area including all or any portion of the following: (i) River Bridge Connector (plus Madison) to South Bend-Notre Dame Trail which consists of Phase 3 of the trail project (the “Trail Project”) to construct a pedestrian bridge to connect the trail from the University of Notre Dame campus to the City’s downtown, and any related improvements; (ii) Linden improvements which consists of streetscape improvements in coordination with the Martin Luther King Jr. Dream Center, from College to Birdsell, including improvements for bikes and pedestrians, and any related improvements; (iii) Kennedy Park improvements which consist of natural and aquatic improvements to the existing park and any related improvements to increase accessible recreation resources on the west side of the City; (iv) South East Park improvements which consist of improvements to the park, including splashpad improvements and playground resurfacing, and any related improvements; (v) Martin Luther King Jr. Dream Center improvements which consist of exterior park redevelopment, including without limitation splashpad, playground, basketball court, other related park amenity improvements, and any related improvements; (vi) Rum Village Park Plan improvements which consist of enhancements to the historic pavilion and the Park including exterior restoration and stabilization of the fieldstones, broad arches, and courtyard, and any related improvements; and (vii) all projects related to any of the projects described in clauses (i) through and including (vi) (clauses (i) through and including (vii), collectively, the “River West Improvements”); and

WHEREAS, the Commission has given consideration to undertaking additional local public improvements in the River West Area to support and provide incentives to foster the development of the Beacon Integrated Health and Lifestyle District project, said project having been awarded up to a \$11,780,000 Regional Economic Acceleration and Development Initiative grant by the South Bend-Elkhart Regional Development Authority, which local public

improvements include, without limitation, site work, construction of up to two (2) public parking garages and a skyway improvement, and any projects related to the foregoing (collectively, the “Beacon District Improvements”); and

WHEREAS, the Commission has given consideration to undertaking local public improvement projects in the River East Area including all or any portion of the following: (i) LaSalle Streetscape which consists of a road diet with a focus on bike and pedestrian improvements from Martin Luther King Boulevard to Eddy Street and any related improvements; (ii) Hill Street Trail (South Bend Avenue to LaSalle Street) which consists of Phase 2 of the Trail Project to construct a shared use path and any related improvements to improve bicycle and pedestrian facilities between the University of Notre Dame campus and the City’s downtown; (iii) South Bend Avenue (Hill Street to Notre Dame Avenue) and Hill Street Intersection which consists of Phase 1 of the Trail Project to construct a shared use path and any related improvements to improve bicycle and pedestrian facilities between the University of Notre Dame campus and the City’s downtown; (iv) Mishawaka Avenue Streetscape Improvements which consist of a road diet and improved parking from Longfellow Street to Emerson Street, storm sewer separation, and any related improvements; (v) Coquillard Splashpad which consists of upgrading the splashpad at Coquillard Park to modern health, safety, and experiential standards, and any related improvements; and (vi) all projects related to any of the projects described in clauses (i) through and including (v) (clauses (i) through and including (vi), collectively (collectively, the “River East Projects” and collectively with the River West Projects and the Beacon District Improvements, the “Projects”); and

WHEREAS, the South Bend Redevelopment Authority (the “Authority”) has been established pursuant to the applicable provisions of Indiana Code 36-7-14 as a separate body corporate and politic, and as an instrumentality of the City to finance local public improvements for lease to the Commission; and

WHEREAS, on December 8, 2022, the Commission at a duly advertised and noticed public meeting, adopted its Resolution No. 3564 approving a proposed form of lease (the “Lease”) with the Authority, as Lessor, for all or a portion of Portage Avenue in the City from its intersection with Cleveland Road to its intersection with Angela Boulevard (the “Leased Premises”) in order to provide increased redevelopment and economic development and job creation opportunities for the residents of the City and the Commission scheduled a public hearing regarding the Lease to be held on December 19, 2022, at 9:30 a.m. (local time), in Room 1308 of the County-City Building located at 227 West Jefferson Boulevard, South Bend, Indiana, and published notice of such public hearing on the Lease in accordance with applicable Indiana law; and

WHEREAS, on this date said public hearing has been held, and all interested parties have been provided the opportunity to be heard at the hearing; and

WHEREAS, the Commission intends to pay rent to the Authority (the “Rental Payments”) pursuant to the terms of the Lease, at a rate not to exceed Ten Million Five Hundred Thousand Dollars (\$10,500,000.00) per year, in semiannual installments, with a term no longer than Twenty (20) years beginning on the date the Authority acquires an interest in the Leased Premises, and ending on the day prior to a date not later than twenty (20) years after such date of acquisition by the Authority; and

WHEREAS, the Commission expects the Authority to consider the issuance of lease rental revenue bonds in one (1) or more series for the purpose of (i) financing the cost of funding all or any portion of the costs of the Projects and related expenses; (ii) funding a debt service reserve fund, if necessary in connection with the issuance of bonds to finance the costs of the Projects or purchasing a surety bond to satisfy a reserve requirement; and (iii) pay costs incurred in connection with the issuance of said bonds and which bonds will be payable from the Rental Payments; and

WHEREAS, the Commission seeks to authorize execution of the Lease and authorize the publication, in accordance with Indiana Code. 36-7-14-25.2 and Indiana 6-1.1-20-5, of a Notice of Execution and Approval of Lease;

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

SECTION 1. The Commission hereby finds and determines that (i) the terms of the Lease are based upon the value of the Leased Premises, and the Rental Payments to be paid by the Commission, pursuant to the terms of the Lease, at a rate not to exceed Ten Million Five Hundred Thousand Dollars (\$10,500,000.00) per year, in semiannual installments, with a term no longer than twenty (20) years beginning on the date the Authority acquires an interest in the Leased Premises and ending on the day prior to a date not later than twenty (20) years (the “Term”) after such date of acquisition by the Authority, are fair and reasonable, (ii) the use of the Leased Premises throughout the term of the Lease will serve the public purpose of the City and is in the best interests of its residents, and (iii) the execution and delivery of the Lease is needed.

SECTION 2. The President or Vice-President and the Secretary of this Commission are hereby authorized and directed, on behalf of the City, and subject to obtaining approval from the Common Council of the City (the “Common Council”), to execute, attest, and deliver the Lease in substantially the form presented at this public meeting with such changes in form or substance as the President or Vice-President of this Commission shall approve, such approval to be conclusively evidenced by the execution thereof; provided that the Rental Payments and the Term shall not exceed the amounts set forth in Section 1 hereof.

SECTION 3. The Secretary of the Commission is hereby directed to transmit to the Common Council a copy of this Resolution and the Lease and to request the Common Council to adopt a Resolution approving the Lease and its execution by the Commission and the Authority, prior to the execution of the Lease.

SECTION 4. The Commission hereby authorizes the publication, in accordance with Indiana Code 5-3-1 and 36-7-14-25.2, of the Notice of Execution and Approval of Lease, following execution of the lease by the Commission.

SECTION 5. The President, Vice-President and Secretary of this Commission, and each of them, is hereby authorized and directed to take all such further actions and to execute all such documents or instruments as are desirable to carry out the transactions contemplated by this Resolution, in such forms as the President, Vice-President or Secretary executing the same shall deem proper, such desirability to be conclusively evidenced by the execution thereof.

SECTION 6. This Resolution shall be in full force and effect from and after its adoption

by the Commission.

ADOPTED at a meeting of the South Bend Redevelopment Commission held on December 19, 2019, in Room 1308, County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana, 46601.

SOUTH BEND REDEVELOPMENT COMMISSION

By: _____
Marcia I. Jones, President

ATTEST:

Troy Warner, Secretary



CITY OF SOUTH BEND

REDEVELOPMENT COMMISSION

Redevelopment Commission Agenda Item

DATE: December 19, 2022

FROM: Kara Boyles/Charlotte Brach

SUBJECT: South Main Street Budget Request

_____ Pres/V-Pres

ATTEST: _____ Secretary

Date: _____

APPROVED Not Approved

SOUTH BEND REDEVELOPMENT COMMISSION

Funding Source* (circle one) River West; River East; **South Side**; Douglas Road; West Washington; RDC General

*Funds are subject to the City Controller's determination of availability; if funds are unavailable, as solely determined by the City Controller, then the authorization of the expenditure of such funds shall be void and of no effect.

Purpose of Request:

This is a budget request for \$100k to award the construction contract for Main Street Improvements between Dean and Sherwood. This project will reconfigure the parking lane and add bumpouts to better protect parked cars. It will also realign the travel lane to eliminate the jog. The original budget request for this project was \$300k, and bids came in over budget. The additional \$100k will allow for the construction contract to be awarded and the project to be completed.

INTERNAL USE ONLY: Project ID: PROJ 216 _____;

Total Amount – New Project Budget Appropriation \$ _____;

Total Amount – Existing Project Budget Change (increase or decrease) \$ _____;

Funding Limits: Engineering: \$ _____; Other Prof Serv Amt \$ _____;

Acquisition of Land/Bldg (circle one) Amt: \$ _____; Street Const Amt \$ _____;

Building Imp Amt \$ _____; Sewers Amt \$ _____; Other (specify) Amt \$ _____