



OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: DAWN M. JONES, CITY CLERK
DATE: THURSDAY, DECEMBER 07, 2023
SUBJECT: COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **Monday, December 11, 2023:**

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/12112023CC>

3:00 P.M.

PERSONNEL & FINANCE

CHAIRPERSON, NIEZGODSKI

[Bill No. 76-23](#) – An Ordinance Chapter 17, Article 14 Sec. 17-128 to Revise Storm Water Rates for Non-Residential Customers

[Bill No. 79-23](#) – An Ordinance Adopting an Investment Policy for the City of South Bend Calendar Year 2024

[Bill No. 81-23](#) – An Ordinance Appropriating Additional Funds for the City of South Bend for Certain Departmental and City Service Operations for Calendar Year 2023 from the General Fund

[Bill No. 82-23](#) – An Ordinance for Budget Transfers for Various Departments within the City of South Bend for the Year 2023 –
SUBSTITUTE

3:30 P.M. **COMMUNITY INVESTMENT** **CHAIRPERSON, TOMAS MORGAN**

[Bill No. 84-23](#) – An Ordinance Authorizing the City of South Bend to Fund Its “Taxable Economic Development Revenue Note, Series 2023 (Monreaux Project)” and Approving and Authorizing Other Actions in Respect Thereto – **SUBSTITUTE**

[Bill No. 23-65](#) – A Designating Resolution of the Common Council for Property Located at 3607 South Main Street, South Bend, Indiana 46614 for Purposes of a Nine-Year (9) Real Property Tax Abatement for The Nexis Center, LLC

4:00 P.M. **RESIDENTIAL NEIGHBORHOODS** **CHAIRPERSON, WHITE**

[Bill No. 85-23](#) – An Ordinance Adding Chapter 2, Article 5, Section 2-62, Changing the Manner in Which Commissioners of the Housing Authority of South Bend are Appointed

4:10 P.M. **ZONING & ANNEXATION** **CHAIRPERSON, HAMANN**

[Bill No. 73-23](#) – A Zoning Ordinance for Property Located at 1044 Lincolnway West, Councilmanic District No. 1

[Bill No. 80-23](#) – A Special Exception Use Zoning Ordinance for Property Located at 1410 Ford Street, Councilmanic District 2

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, December 11, 2023

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/12112023SBCC>

1. **INVOCATION**

Lady Tina Patton, Kingdom Life Christian Cathedral

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

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

Approval of Monday, September 25, 2023, South Bend Common Council Meeting Minutes

5. **SPECIAL BUSINESS**

South Bend Common Council Youth Advisory Swear-In Ceremony

Special Proclamations from President Sharon L. McBride

6. **REPORTS FROM CITY OFFICES**

7. **COMMITTEE OF THE WHOLE**

BILL NO.

[73-23](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1044 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[76-23](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING CHAPTER 17, ARTICLE 14, SECTION 17-128 TO UPDATE THE MONTHLY STORM WATER USER FEES

[79-23](#) PUBLIC HEARING 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 2024

[80-23](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1410 FORD STREET COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

[81-23](#) PUBLIC HEARING 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 2023 OF \$1,098,200 FROM THE GENERAL FUND (#101), \$768,066 FROM THE PARKS AND RECREATION FUND (#201),

\$34,579 FROM THE GIFT, DONATION, BEQUEST FUND (#217), \$30,000 FROM THE CODE ENFORCEMENT FUND (#230), \$8,350 FROM THE HUMAN RIGHTS FEDERAL GRANTS FUND (#258), \$445,000 FROM IT/INNOVATION/311 CALL CENTER FUND (#279), \$30,000 FROM THE INDIANA RIVER RESCUE FUND (#291), \$8,175 FROM THE COVELESKI STADIUM CAPITAL FUND (#401), 112,000 FROM THE PROFESSIONAL SPORTS CONVENTION DEVELOPMENT AREA FUND (#413), \$38,500 FROM THE MORRIS PERFORMING ARTS CENTER OPERATIONS FUND (#602), \$854,035 FROM THE SOLID WASTE OPERATIONS FUND (#610), \$134,865 FROM THE WATER WORKS OPERATIONS FUND (#620), \$6,390 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$434,500 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), \$4,905 FROM THE PROJECT RELEASE FUND (#655), \$35,305 FROM THE STORM SEWER FUND (#667), \$265,000 FROM THE CENTURY CENTER OPERATIONS FUND (#670), \$165,000 FROM THE SELF-FUNDED EMPLOYEE BENEFITS (#711) AND \$30,000 FROM THE INDUSTRIAL REVOLVING FUND (#754)

[82-23](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2023 – **SUBSTITUTE**

[84-23](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AUTHORIZING THE CITY OF SOUTH BEND, INDIANA TO FUND ITS "TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTE, SERIES 2023 (MONREAUX PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO – **SUBSTITUTE**

[85-23](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, ADDING CHAPTER 2, ARTICLE 5, SECTION 2-62 TO THE SOUTH BEND MUNICIPAL CODE TO CHANGE THE MANNER IN WHICH COMMISSIONERS OF THE HOUSING AUTHORITY OF SOUTH BEND ARE APPOINTED

8. RISE AND REPORT

9. **REGULAR MEETING RECONVENED**

10. **BILLS ON THIRD READING**

BILL NO.

73-23 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1044 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

76-23 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AMENDING CHAPTER 17, ARTICLE 14, SECTION 17-128 TO UPDATE THE MONTHLY STORM WATER USER FEES

79-23 THIRD 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 2024

80-23 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1410 FORD STREET COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

81-23 THIRD 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 2023 OF \$1,098,200 FROM THE GENERAL FUND (#101), \$768,066 FROM THE PARKS AND RECREATION FUND (#201), \$34,579 FROM THE GIFT, DONATION, BEQUEST FUND (#217), \$30,000 FROM THE CODE ENFORCEMENT FUND (#230), \$8,350 FROM THE HUMAN RIGHTS FEDERAL GRANTS FUND (#258), \$445,000 FROM IT/INNOVATION/311 CALL CENTER FUND (#279), \$30,000 FROM THE INDIANA RIVER RESCUE FUND (#291), \$8,175 FROM THE COVELESKI STADIUM CAPITAL FUND (#401), 112,000 FROM THE PROFESSIONAL SPORTS CONVENTION DEVELOPMENT AREA FUND (#413), \$38,500 FROM

THE MORRIS PERFORMING ARTS CENTER OPERATIONS FUND (#602), \$854,035 FROM THE SOLID WASTE OPERATIONS FUND (#610), \$134,865 FROM THE WATER WORKS OPERATIONS FUND (#620), \$6,390 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$434,500 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), \$4,905 FROM THE PROJECT RELEAF FUND (#655), \$35,305 FROM THE STORM SEWER FUND (#667), \$265,000 FROM THE CENTURY CENTER OPERATIONS FUND (#670), \$165,000 FROM THE SELF-FUNDED EMPLOYEE BENEFITS (#711) AND \$30,000 FROM THE INDUSTRIAL REVOLVING FUND (#754)

82-23 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, FOR BUDGET TRANSFERS FOR VARIOUS DEPARTMENTS WITHIN THE CITY OF SOUTH BEND, INDIANA FOR THE YEAR 2023 – **SUBSTITUTE**

84-23 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, AUTHORIZING THE CITY OF SOUTH BEND, INDIANA TO FUND ITS "TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTE, SERIES 2023 (MONREAUX PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO – **SUBSTITUTE**

85-23 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF THE SOUTH BEND, INDIANA, ADDING CHAPTER 2, ARTICLE 5, SECTION 2-62 TO THE SOUTH BEND MUNICIPAL CODE TO CHANGE THE MANNER IN WHICH COMMISSIONERS OF THE HOUSING AUTHORITY OF SOUTH BEND ARE APPOINTED

11. **RESOLUTIONS**
BILL NO.

23-65 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 3607 SOUTH MAIN STREET, SOUTH BEND, INDIANA 46614 AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A NINE-YEAR (9) REAL PROPERTY TAX ABATEMENT FOR THE NEXIS CENTER, LLC

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

[86-23](#)

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 3001, 3011 AND 3015 WEST WESTERN, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

13. **UNFINISHED BUSINESS**

14. **NEW BUSINESS**

15. **PRIVILEGE OF THE FLOOR**

The next South Bend Common Council Meeting is tentatively scheduled for Monday, January 08, 2023, in the Council Chambers located at 227 W. Jefferson Blvd., South Bend, Indiana 46601.

16. **ADJOURNMENT**

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



2023 COMMON COUNCIL STANDING COMMITTEES (Rev. 04-24-2023)

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

Eli Wax, Member
Thomas Kurzhal, *Citizen 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
Lori K. Hamann, Vice-Chairperson
Citizen Member

Canneth Lee, Member
Eli Wax, 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
Matthew Coats, *Citizen Member*

Canneth Lee, Member
Maria Gibbs, *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
Beth Sanford, *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
Troy Warner, Vice-Chairperson
Rachel Tomas Morgan, Member

Eli Wax, Member
Canneth Lee, 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
Karen L. White, Vice-Chairperson
Jason Piontek, *Citizen Member*

Lori K. Hamann, 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
Lakeyue Williams, *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
Eli Wax, Vice-Chairperson
Citizen Member

Troy Warner, 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



2023 COMMON COUNCIL STANDING COMMITTEES (Rev.01-09-2023)

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
Personnel & Finance Committee, Member

HENRY DAVIS, JR. 2ND District Council Member

Utilities Committee, Chairperson

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

Residential Neighborhoods Committee, Member
PARC Committee, Member

SHARON L. MCBRIDE, 3RD District Council Member

President

Council Rules Committee, Member

TROY WARNER, 4TH District Council Member

Community Relations Committee, Chairperson

Personnel & Finance Committee, Vice-Chair
PARC Committee, Vice-Chairperson

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

ELI WAX, 5TH District Council Member

Health & Public Safety Committee, Chairperson

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

Community Relations Committee, 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, Vice Chairperson
Zoning & Annexation Committee, Member

LORI K. HAMANN, AT LARGE Council Member

Zoning & Annexation Committee, Chairperson

Information & Technology Committee, Vice-Chairperson
Community Relations Committee, Vice-Chairperson

Public Works & Property Vacation, Member
Utilities Committee, Member



Filed in Clerk's Office

NOV 07 2023

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

CITY OF SOUTH BEND

DEPARTMENT OF PUBLIC WORKS

November 7, 2023

Ms. Sharon McBride
President, South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601

Re: Ordinance amending Chapter 17, Article 14 of the South Bend Municipal Code to revise storm water rates for non-residential customers

Dear President McBride:

Attached is a bill for consideration by the South Bend Common Council addressing changes to the monthly storm water user fee for non-residential customers.

Chapter 17, Article 14, of the South Bend Municipal Code was amended in 2021 to establish a hybrid rate system with residential customers continuing to be charged a flat fee while non-residential customers having a multi-tiered impervious-based stormwater rate. This was done to better align the cost of service for parcels generating larger amounts of runoff. Due to challenges in implementing an impervious-based rate into the current billing and customer account management software, the proposed amendments are meant to implement a simplified rate structure for non-residential customers. This will give the City more time to develop the multi-tiered approach that is deemed overall fair and equitable to everyone within a user class.

The proposed amendment will implement the rate for Non-Residential Tier 1 customers to all other tiers in 2024 and 2025.

I will present the ordinance changes to Council at its upcoming meeting. As always, thank you for your consideration.

Sincerely,

Jitin Kain
Deputy Director

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

1316 County-City Building | 227 W. Jefferson Blvd. | South Bend, Indiana 46601 | p 574.235.9251 | f 574.235.9171 | www.southbendin.gov

Filed in Clerk's Office
NOV 07 2023
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

BILL NO. 76-23

ORDINANCE NO. 10990-23

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 17, ARTICLE 14, SECTION 17-128 TO UPDATE THE MONTHLY STORM WATER USER FEES

STATEMENT OF PURPOSE AND INTENT

Chapter 17, Article 14, of the South Bend Municipal Code was amended in 2021 to establish a hybrid rate system with residential customers continuing to be charged a flat fee while non-residential customers having a multi-tiered impervious-based stormwater rate. This was done to better align the cost of service for parcels generating larger amounts of runoff. Due to challenges in implementing an impervious-based rate into the current billing and customer account management software, the proposed amendments are meant to implement a simplified rate structure for non-residential customers. This will give the City more time to develop the multi-tiered approach that is deemed overall fair and equitable to everyone within a user class.

The proposed amendment will implement the rate for Non-Residential Tier 1 customers to all other tiers in 2024 and 2025.

This ordinance is necessary for the effective, efficient operation of the City's storm water utility. This ordinance is in the best interest of the City and its residents.

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

SECTION I. Chapter 17, Article 14, Section 17-128 shall be amended as follows:

(d)	Monthly Rates			
	2022	2023	2024	2025
Residential	\$2.00	\$2.00	\$2.25	\$2.50
Non-Residential Tier 1	\$5.00	\$6.00 <u>\$5.00</u>	\$7.00	\$8.00
Non-Residential Tier 2	\$8.00	\$10.00	\$12.00 <u>\$7.00</u>	\$14.00 <u>\$8.00</u>
Non-Residential Tier 3	\$10.00	\$14.00	\$18.00 <u>\$7.00</u>	\$22.00 <u>\$8.00</u>
Non-Residential Tier 4	\$16.00	\$22.00	\$28.00 <u>\$7.00</u>	\$34.00 <u>\$8.00</u>
Non-Residential Tier 5	\$20.00	\$35.00	\$50.00 <u>\$7.00</u>	\$65.00 <u>\$8.00</u>

SECTION II. This Ordinance shall be in full force and effect after adoption by the Common Council, approval by the Mayor, and any publication required by law, with an effective date of _____, 2023

Sharon McBride, President,
South Bend Common Council

ATTEST:

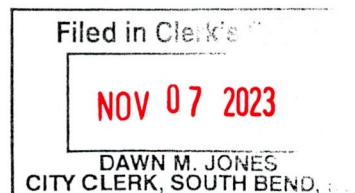
Dawn M. Jones, City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2023, at _____ o'clock __.m.

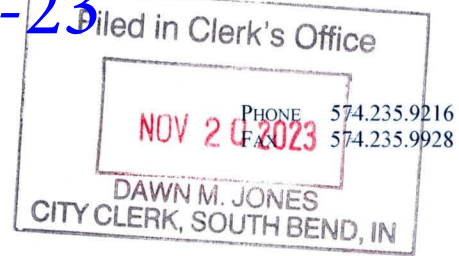
Dawn M. Jones, City Clerk

Approved and signed by me on the _____ day of _____, 2023, 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



CITY OF SOUTH BEND, IN JAMES MUELLER, MAYOR

DEPARTMENT OF ADMINISTRATION AND FINANCE

November 22, 2023

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 a bill passed by the Common Council in December of 2021 and December of 2022. 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 27, 2023, with 2nd reading, public hearing and 3rd reading scheduled for December 11, 2023.

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

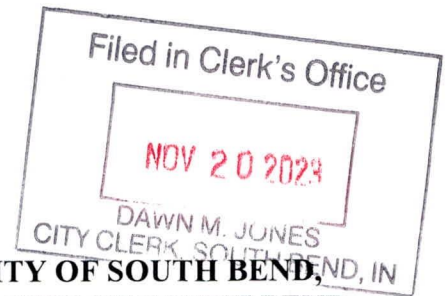
Regards,

A handwritten signature in blue ink that reads 'Kyle Willis'.

Kyle Willis
City Controller

BILL NO. 79-23

ORDINANCE NO. 10993-23



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 2024

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. On December 12, 2022, this Council enacted Ordinance No. 10909-22, which adopted an identical investment policy for the City of South Bend for calendar year 2023.

This ordinance adopts an identical investment policy for the City of South Bend for calendar year 2024 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 2024, 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

Filed in Clerk's Office
NOV 20 2023
DAWN M. JONES
CITY CLERK
SOUTH BEND, IN

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 11, 2024.
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, 2024 through December 31, 2024, unless earlier amended by ordinance. The City's investment policy as contained in Section I, 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 11, 2024, 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 _____, 2023, at _____ o'clock ____ . m.

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

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock. ____ .m.

Filed in Clerk's Office

James Mueller, Mayor
City of South Bend, Indiana

MAY 20 2023

JAVIN M. JONES
CLERK SOUTH BEND, IN

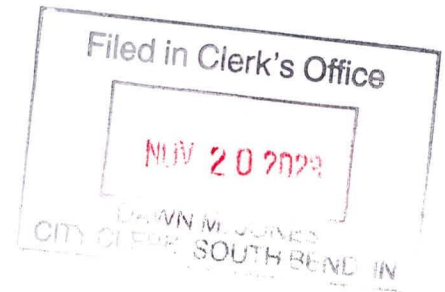
BILL NO. 81-23

County-City Building
227 W Jefferson Blvd Suite, 1200 N
South Bend, IN 46601

James Mueller, Mayor



Phone 311 inside City limits
Email 311@southbendin.gov
Website Southbendin.gov



City of South Bend

*Department of Administration & Finance
Division of Human Resources*

November 22, 2023

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

RE: Q4 2023 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 2023, 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 27, 2023, with 2nd reading, public hearing and 3rd reading scheduled for December 11, 2023.

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

Regards,

A handwritten signature in blue ink that reads "Kyle Willis".

Kyle Willis
City Controller

Filed in Clerk's Office

NOV 20 2023

DAWN M. JONES

CITY CLERK, SOUTH BEND, IN

BILL NO. 81-23

ORDINANCE NO. 10995-23

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 2023 OF \$1,098,200 FROM THE GENERAL FUND (#101), \$768,066 FROM THE PARKS AND RECREATION FUND (#201), \$34,579 FROM THE GIFT, DONATION, BEQUEST FUND (#217), \$30,000 FROM THE CODE ENFORCEMENT FUND (#230), \$8,350 FROM THE HUMAN RIGHTS FEDERAL GRANTS FUND (#258), \$445,000 FROM IT/INNOVATION/311 CALL CENTER FUND (#279), \$30,000 FROM THE INDIANA RIVER RESCUE FUND (#291), \$8,175 FROM THE COVELESKI STADIUM CAPITAL FUND (#401), 112,000 FROM THE PROFESSIONAL SPORTS CONVENTION DEVELOPMENT AREA FUND (#413), \$38,500 FROM THE MORRIS PERFORMING ARTS CENTER OPERATIONS FUND (#602), \$854,035 FROM THE SOLID WASTE OPERATIONS FUND (#610), \$134,865 FROM THE WATER WORKS OPERATIONS FUND (#620), \$6,390 FROM THE SEWER REPAIR INSURANCE FUND (#640), \$434,500 FROM THE SEWAGE WORKS OPERATIONS FUND (#641), \$4,905 FROM THE PROJECT RELIEF FUND (#655), \$35,305 FROM THE STORM SEWER FUND (#667), \$265,000 FROM THE CENTURY CENTER OPERATIONS FUND (#670), \$165,000 FROM THE SELF-FUNDED EMPLOYEE BENEFITS (#711) AND \$30,000 FROM THE INDUSTRIAL REVOLVING FUND (#754)

STATEMENT OF PURPOSE AND INTENT

By Ordinance No. 10883-22, passed on October 10, 2022, the Common Council adopted the City's 2023 operating and capital budgets, 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 the provision of services to its residents 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 2023 and set apart within the following designated funds for expenditures as follows:

Fund	Fund Name	Amount
101	General Fund	\$1,098,200
201	Parks & Recreation	\$768,066
217	Gift, Donation, Bequest	\$34,579
230	Code Enforcement	\$30,000
258	Human Rights Federal Grants	\$8,350

Filed in Clerk's Office
 NOV 20 2023

279	IT/Innovation/311 Call Center	\$445,000
291	Indiana River Rescue	\$30,000
401	Coveleski Stadium Capital	\$8,175
413	Professional Sports Development Area	\$112,000
602	Morris Performing Arts Center Operations	\$38,500
610	Solid Waste Operations	\$854,035
620	Water Works Operations	\$134,865
640	Sewer Repair Insurance	\$6,390
641	Sewage Works Operations	\$434,500
655	Project ReLeaf	\$4,905
667	Storm Sewer	\$35,305
670	Century Center Operations	\$265,000
711	Self-Funded Employee Benefits	\$165,000
754	Industrial Revolving Fund	\$30,000
	Total	\$4,502,870

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 _____, 2023, at _____ o'clock ____ . m.

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

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock. ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

Filed in Clerk's Office
NOV 20 2023
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Additional Appropriations					
(increase or decrease in total fund expenditures)					
Account #	Fund	Department	Division	Account	Budget Adjustment
Unanticipated Expenses					
291-09-090-094-423006	Indiana River Rescue	Fire Department	Fire Department	Supplies-Repair & Maint-Small Tools & Equipment	15,000
	<i>Rationale: Timing of equipment repairs</i>				
291-09-090-094-439006	Indiana River Rescue	Fire Department	Fire Department	Services & Charges-Other-Education & Training	15,000
	<i>Rationale: Cover additional cost of increased attendance</i>				
101-03-030-030-431000	General Fund	Common Council	Common Council	Services & Charges-Professional-Other Professional Svcs	15,000
	<i>Rationale: Additional funds to cover budget through the end of the year</i>				
101-04-400-041-431000	General Fund	Administration & Finance	Controller's Office	Services & Charges-Professional-Other Professional Svcs	125,000
	<i>Rationale: Additional funds to cover outside consulting</i>				
258-04-402-046-433003	Human Rights Federal Grants	Administration & Finance	Human Rights	Services & Charges-Printing & Ad-Promotional	8,350
	<i>Rationale: Cover budget through the end of the year</i>				
101-02-020-020-421003--	General Fund	City Clerk's Office	City Clerk's Office	Supplies-Office-Law Books	3,200
101-02-020-020-433002--	General Fund	City Clerk's Office	City Clerk's Office	Services & Charges-Printing & Ad-Publication of Legal Notice	15,000
	<i>Rationale: Cover outstanding expenses and meetings expenses through the end of the end of the year</i>				
610-06-603-512-436003	Solid Waste Operations	Public Works	Solid Waste	Services & Charges-Repairs & Maint-Auto Equip R&M	700,000
	<i>Rationale: \$418k interfund from 101 and \$282k cash reserve</i>				
670-11-230-296-431900	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Professional-SMG Contracted Svcs	265,000
	<i>Rationale: Additional appropriations needed to cover budget</i>				
413-11-201-202-443001--PROJ00000499	Professional Sports Convention Development Area	Venues Parks & Arts	Park Maintenance	Capital Outlay-Buildings-Building Improvements	112,000
	<i>Rationale: Appropriation for Century Center Master Plan Study</i>				
101-09-090-090-431000	General Fund	Fire Department	Fire Department	Services & Charges-Professional-Other Professional Svcs	250,000
	<i>Rationale: Cover firefighters physicals due to increased costs and 2022 physicals being paid in 2023</i>				
101-08-080-080-410004	General Fund	Police Department	Police Department	Personnel-Salaries & Wages-Extra & Overtime	250,000
	<i>Rationale: Appropriate funding for Police Department overtime due to an increase in officers and increased response to service.</i>				
101-08-080-080-445000	General Fund	Police Department	Police Department	Capital Outlay-Machinery & Equip-Motor Equipment	320,000
	<i>Rationale: Appropriate funds for Police vehicles & equipment due to increased costs</i>				
667-06-605-517-490000-ARP026-	Storm Sewer	Public Works	Wastewater	#N/A	10,305
655-06-602-508-490000-ARP026-	Project ReLeaf	Public Works	Streets & Sewers	#N/A	4,905
641-06-602-509-490000-ARP026-	Sewage Works Operations	Public Works	Streets & Sewers	#N/A	184,500
640-06-602-510-490000-ARP026-	Sewer Repair Insurance	Public Works	Streets & Sewers	#N/A	6,390
620-06-604-607-490000-ARP026-	Water Works Operations	Public Works	Water Works	#N/A	134,865
610-06-603-512-490000-ARP026-	Solid Waste Operations	Public Works	Solid Waste	#N/A	109,035
	<i>Rationale: Applying available budget to funds for UAP payments</i>				
610-06-603-512-490000--	Solid Waste Operations	Public Works	Solid Waste	#N/A	45,000
667-06-605-517-490000--	Storm Sewer	Public Works	Wastewater	#N/A	25,000
	<i>Rationale: Cover bad debt expenses, no 2023 budget for Storm Sewer</i>				

Filed in Clerk's Office

NOV 20 2023

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

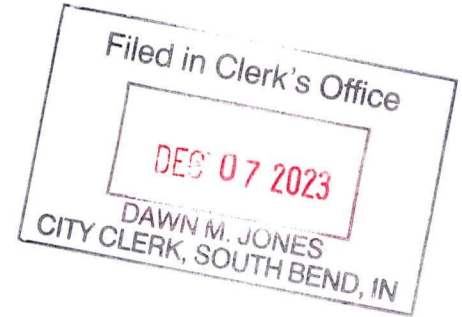
BILL NO. 82-23

County-City Building
227 W Jefferson Blvd Suite, 1200 N
South Bend, IN 46601

James Mueller, Mayor



Phone 311 inside City limits
Email 311@southbendin.gov
Website Southbendin.gov



City of South Bend

Department of Administration & Finance
Division of Human Resources

December 7, 2023

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

RE: Q4 2023 Budget Transfer Ordinance – Substitute Bill No. 82-23

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 2023, we plan to propose adjustments during four time periods—March, June, October and December.

Based on our budget review, we are submitting the a substitute version of Bill No. 82-23 for your consideration. There was an additional budget transfer added to the original bill.

I will present this bill to the Common Council at the appropriate committee and Council meetings scheduled for December 11, 2023.

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

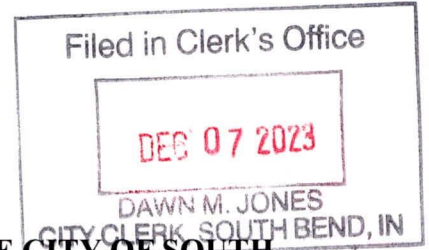
Regards

A handwritten signature in blue ink that reads "Kyle Willis".

Kyle Willis
City Controller

SUBSTITUTE BILL NO. 82-23

ORDINANCE NO. 10996-23



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 2023

STATEMENT OF PURPOSE AND INTENT

Unforeseen conditions have developed since the adoption of the existing City budget, under Ordinance No. 10883-22 on October 10, 2022, 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 2023.

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,
Common Council President

Attest:

Dawn M. Jones, City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana, on the _____ day of _____, 2023, at _____ o'clock __ . m.

Dawn M. Jones, City Clerk

Approved and signed by me on the _____ day of _____, 2023, at
_____ o'clock __ . m.

James Mueller,
Mayor, City of South Bend, Indiana

City of South Bend, Indiana

Q4 2023 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
101-05-050-050-439002--	General Fund	Legal Department	Legal Department	Services & Charges-Other-Licenses & Permits	16,632
101-05-050-050-410005--	General Fund	Legal Department	Legal Department	Personnel-Salaries & Wages-Seasonal & Interns	(16,632)
Rationale:	Transfer funds to cover new software licensing				
101-04-040-040-410003-ARP016-	General Fund	Administration & Finance	General City	Personnel-Salaries & Wages-Permanent Part Time	25,500
101-04-040-040-411001-ARP016-	General Fund	Administration & Finance	General City	Personnel-Employee Benefits-FICA Regular	1,850
101-04-040-040-439300-ARP016-	General Fund	Administration & Finance	General City	Services & Charges-Other-Grants & Subsidies	(27,350)
Rationale:	Transfer funds to over Streets Outreach personnel wages				
222-04-403-455-410001--	Central Services	Administration & Finance	Central Services	Personnel-Salaries & Wages-Salaried Wages	8,200
222-04-403-450-410002--	Central Services	Administration & Finance	Central Services	Personnel-Salaries & Wages-Teamster Wages	(8,200)
Rationale:	Transfer funds to cover budget for Salary Employee				
101-03-030-030-410001--	General Fund	Common Council	Common Council	Personnel-Salaries & Wages-Salaried Wages	(28,000)
101-03-030-030-431000--	General Fund	Common Council	Common Council	Services & Charges-Professional-Other Professional Svcs	28,000
Rationale:	Transfer funds to cover Professional Service expenses				
101-03-030-030-410003--	General Fund	Common Council	Common Council	Personnel-Salaries & Wages-Permanent Part Time	(15,000)
101-03-030-030-432003--	General Fund	Common Council	Common Council	Services & Charges-Communication & Transp-Travel	15,000
Rationale:	Transfer funds to cover upcoming travel for conference				
201-11-202-222-422010--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Supplies-Operating-Plants Chemicals Seed & Fertilizer	(5,000)
201-11-202-223-422000--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Supplies-Operating-Other Operating Supplies	(1,600)
201-11-202-222-439005--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Other-Bank & Credit Card Fees	5,000
201-11-202-222-439099--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Other-Cashier Over/Short	1,200
201-11-202-222-439009--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Other-Trash Removal	400
Rationale:	Transfer to cover Year End Budget				
222-04-403-457-445008--	Central Services	Administration & Finance	Central Services	Capital Outlay-Machinery & Equip-Other Equipment	(15,000)
222-04-403-457-436001--	Central Services	Administration & Finance	Central Services	Services & Charges-Repairs & Maint-Building R&M	15,000
Rationale:	Transfer funds cover Building, Repair & Maintenance budget				
601-11-240-461-413900--	Parking Garages	Venues Parks & Arts	Parking Garages	Personnel-Other Personnel-SMG Wages	(3,700)
601-11-240-461-413901--	Parking Garages	Venues Parks & Arts	Parking Garages	Personnel-Other Personnel-SMG Benefits & Taxes	(500)
601-11-240-461-445000--	Parking Garages	Venues Parks & Arts	Parking Garages	Capital Outlay-Machinery & Equip-Motor Equipment	(40,000)
601-11-240-460-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	44,200
601-11-240-462-445008--	Parking Garages	Venues Parks & Arts	Parking Garages	Capital Outlay-Machinery & Equip-Other Equipment	(71,000)
601-11-240-463-445008--	Parking Garages	Venues Parks & Arts	Parking Garages	Capital Outlay-Machinery & Equip-Other Equipment	(71,000)
601-11-240-462-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	40,000
601-11-240-463-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	52,000
601-11-240-464-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	50,000
Rationale:	Transfer funds to cover Parking Garage YE budget				
620-06-604-603-431000--	Water Works Operations	Public Works	Water Works	Services & Charges-Professional-Other Professional Svcs	53,000
620-06-604-603-431015--	Water Works Operations	Public Works	Water Works	Services & Charges-Professional-Laboratory Water Testing	20,000
620-06-604-603-422012--	Water Works Operations	Public Works	Water Works	Supplies-Operating-Water Treatment Chemicals	(73,000)
Rationale:	Reallocate budget for year end expenses exceeding budget				

Filed in Clerk's Office
 DEC 07 2023
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Budget Transfers					
<i>(budget transfers between different cost categories (i.e. personnel, supplies, services, capital) and/or different departments/divisions within the same fund)</i>					
Account #	Fund	Department	Division	Account	Budget Adjustment
610-06-603-512-436003--	Solid Waste Operations	Public Works	Solid Waste	Services & Charges-Repairs & Maint-Auto Equip R&M	115,000
610-06-603-512-422002--	Solid Waste Operations	Public Works	Solid Waste	Supplies-Operating-Diesel/CNG	(25,000)
610-06-603-512-422000--	Solid Waste Operations	Public Works	Solid Waste	Supplies-Operating-Other Operating Supplies	(20,000)
610-06-603-512-411008--	Solid Waste Operations	Public Works	Solid Waste	Personnel-Employee Benefits-Health Insurance	(40,000)
610-06-603-512-410002--	Solid Waste Operations	Public Works	Solid Waste	Personnel-Salaries & Wages-Teamster Wages	(25,000)
610-06-603-512-410001--	Solid Waste Operations	Public Works	Solid Waste	Personnel-Salaries & Wages-Salaried Wages	(5,000)
<i>Rationale:</i>	<i>Reallocate budget for year end expenses exceeding budget</i>				
670-11-230-295-410001--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Salaries & Wages-Salaried Wages	(125,000)
670-11-230-295-410003--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Salaries & Wages-Permanent Part Time	(6,000)
670-11-230-295-411001--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Employee Benefits-FICA Regular	(10,000)
670-11-230-295-411004--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Employee Benefits-PERF Regular	(20,000)
670-11-230-295-411204--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Employee Benefits-Auto Allowance	(1,000)
670-11-230-296-422000--	Century Center Operations	Venues Parks & Arts	Century Center	Supplies-Operating-Other Operating Supplies	(23,300)
670-11-230-296-422015--	Century Center Operations	Venues Parks & Arts	Century Center	Supplies-Operating-Cost of Goods Sold	(60,000)
670-11-230-295-436001--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Repairs & Maint-Building R&M	7,800
670-11-230-296-435900--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Utility Services-SMG Utilities	1,500
670-11-230-296-439901--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-SMG Management Fee	25,000
670-11-230-296-439900--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-SMG General & Admin Costs	35,000
670-11-230-296-439902--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-SMG Operations	45,000
670-11-230-296-434900--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Insurance-SMG Insurance	65,000
670-11-230-296-439000--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-Misc Charges & Svcs	66,000
<i>Rationale:</i>	<i>Transfer funds to cover year end budget</i>				
101-09-092-092-422008--	General Fund	Fire Department	EMS	Supplies-Operating-Medical/Safety Supplies	(25,000)
101-09-092-092-439000--	General Fund	Fire Department	EMS	Services & Charges-Other-Misc Charges & Svcs	25,000
<i>Rationale:</i>	<i>Transfer funds to cover service expenses</i>				
220-08-080-088-439006--	Law Enforcement Continuing Education	Police Department	Police Department	Services & Charges-Other-Education & Training	10,000
220-08-080-088-422000--	Law Enforcement Continuing Education	Police Department	Police Department	Supplies-Operating-Other Operating Supplies	10,000
220-08-080-085-445001--	Law Enforcement Continuing Education	Police Department	Police Department	Capital Outlay-Machinery & Equip-Police Equipment	(20,000)
<i>Rationale:</i>	<i>Transfer funds to cover training & education expenses</i>				
222-04-403-454-422001--	Central Services	Administration & Finance	Central Services	Supplies-Operating-C.S. Gasoline	(2,000)
222-04-403-454-436001--	Central Services	Administration & Finance	Central Services	Services & Charges-Repairs & Maint-Building R&M	2,000
<i>Rationale:</i>	<i>Transfer funds to cover Building R&M expenses</i>				

Filed in Clerk's Office

OCT 07 2023

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Budget Transfers					
<i>(budget transfers between different cost categories (i.e. personnel, supplies, services, capital) and/or different departments/divisions within the same fund)</i>					
Account #	Fund	Department	Division	Account	Budget Adjustment
201-11-200-200-421000--	Parks & Recreation	Venues Parks & Arts	Park Admin	Supplies-Office-Other Office Supplies	1,500
201-11-201-201-421000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Office-Other Office Supplies	6,000
201-11-201-201-436003--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Services & Charges-Repairs & Maint-Auto Equip R&M	(7,500)
201-11-011-011-410003--	Parks & Recreation	Venues Parks & Arts	Community Initiatives	Personnel-Salaries & Wages-Permanent Part Time	(75,000)
201-11-205-231-410003--	Parks & Recreation	Venues Parks & Arts	Development & Promotion	Personnel-Salaries & Wages-Permanent Part Time	(15,000)
201-11-208-237-410002--	Parks & Recreation	Venues Parks & Arts	Community Programming	Personnel-Salaries & Wages-Teamster Wages	(20,000)
201-11-208-237-410003--	Parks & Recreation	Venues Parks & Arts	Community Programming	Personnel-Salaries & Wages-Permanent Part Time	(75,000)
201-11-208-237-410005--	Parks & Recreation	Venues Parks & Arts	Community Programming	Personnel-Salaries & Wages-Seasonal & Interns	(25,000)
201-11-200-200-410003--	Parks & Recreation	Venues Parks & Arts	Park Admin	Personnel-Salaries & Wages-Permanent Part Time	(7,000)
201-11-201-201-410017--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Stand By Pay	5,000
201-11-201-201-410005--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Seasonal & Interns	72,000
201-11-201-201-410004--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Extra & Overtime	65,000
201-11-202-220-410003--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Personnel-Salaries & Wages-Permanent Part Time	75,000
201-11-205-243-433003--	Parks & Recreation	Venues Parks & Arts	Development & Promotion	Services & Charges-Printing & Ad-Promotional	(15,000)
201-11-203-230-439300--	Parks & Recreation	Venues Parks & Arts	Recreational Experiences	Services & Charges-Other-Grants & Subsidies	15,000
<i>Rationale:</i>	<i>Transfer funds to cover YE budget</i>				
279-07-070-070-422013--	IT / Innovation / 311 Call Center	Innovation & Technology	311 Call Center	Supplies-Operating-Promotional Supplies	(3,000)
279-07-070-070-410001--	IT / Innovation / 311 Call Center	Innovation & Technology	311 Call Center	Personnel-Salaries & Wages-Salaried Wages	(10,000)
279-07-070-070-431000--	IT / Innovation / 311 Call Center	Innovation & Technology	311 Call Center	Services & Charges-Professional-Other Professional Svcs	13,000
<i>Rationale:</i>	<i>Transfer funds to cover budget to hire consultant</i>				
279-07-071-071-410001--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Salaries & Wages-Salaried Wages	(235,000)
279-07-071-071-410005--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Salaries & Wages-Seasonal & Interns	(17,550)
279-07-071-071-411001--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-FICA Regular	(27,800)
279-07-071-071-411004--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-PERF Regular	(50,950)
279-07-071-071-411007--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Unemployment Comp	(2,195)
279-07-071-071-411008--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Health Insurance	(78,000)
279-07-071-071-411009--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Life Insurance	(435)
279-07-071-071-411014--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Parental Leave	(1,105)
279-07-071-071-411206--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Cell Phone Allowance	(14,340)
279-07-071-071-431009--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Services & Charges-Professional-Computer & Technology	427,375
<i>Rationale:</i>	<i>Cybersecurity Services/Fill in for business units</i>				
279-07-071-071-410001--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Salaries & Wages-Salaried Wages	(5,000)
279-07-071-071-422006--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Supplies-Operating-Computer Supplies & Equipment	5,000
<i>Rationale:</i>	<i>Cover Overage in supplies/tech: costs have been increasing</i>				
601-11-240-461-413900--	Parking Garages	Venues Parks & Arts	Parking Garages	Personnel-Other Personnel-SMG Wages	8,000
601-11-240-461-413901--	Parking Garages	Venues Parks & Arts	Parking Garages	Personnel-Other Personnel-SMG Benefits & Taxes	7,000
601-11-240-464-445008--	Parking Garages	Venues Parks & Arts	Parking Garages	Capital Outlay-Machinery & Equip-Other Equipment	(15,000)
<i>Rationale:</i>	<i>Transfer to cover outstanding ASM expenses</i>				
Grand Total					-

Filed in Clerk's Office

DEC 07 2023

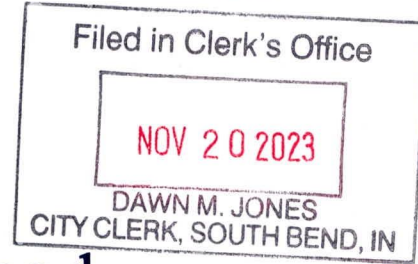
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

County-City Building
227 W Jefferson Blvd Suite, 1200 N
South Bend, IN 46601

James Mueller, Mayor



Phone 311 inside City limits
Email 311@southbendin.gov
Website Southbendin.gov



City of South Bend

*Department of Administration & Finance
Division of Human Resources*

November 22, 2023

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

RE: Q4 2023 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 2023, 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.

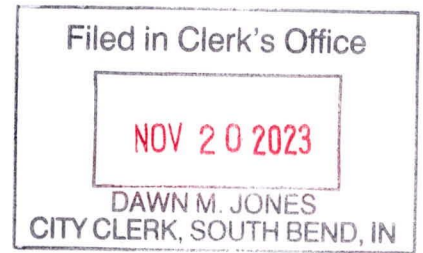
I will present this bill to the Common Council at the appropriate committee and Council meetings. It is requested that this bill be filed for 1st reading on November 27, 2023, with 2nd reading, public hearing and 3rd reading scheduled for December 11, 2023.

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

Regards

A handwritten signature in blue ink that reads "Kyle Willis".

Kyle Willis
City Controller



BILL NO. 82-23

ORDINANCE NO. 10996-23

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 2023

STATEMENT OF PURPOSE AND INTENT

Unforeseen conditions have developed since the adoption of the existing City budget, under Ordinance No. 10883-22 on October 10, 2022, 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 2023.

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:

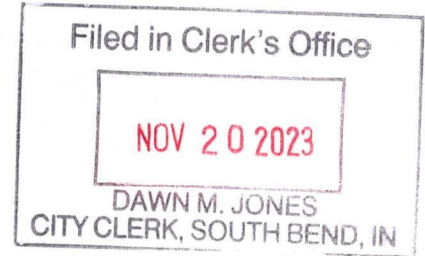
Dawn M. Jones, City Clerk
Office of the City Clerk

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 _____, 2023, at _____ o'clock ____ m.

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

Approved and signed by me on the _____ day of _____, 2023, at ____
o'clock.
____.m.

James Mueller, Mayor
City of South Bend, Indiana



City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Budget Transfers					
<i>(budget transfers between different cost categories (i.e. personnel, supplies, services, capital) and/or different departments/divisions within the same fund)</i>					
Account #	Fund	Department	Division	Account	Budget Adjustment
101-05-050-050-439002--	General Fund	Legal Department	Legal Department	Services & Charges-Other-Licenses & Permits	16,632
101-05-050-050-410005--	General Fund	Legal Department	Legal Department	Personnel-Salaries & Wages-Seasonal & Interns	(16,632)
Rationale:	Transfer funds to cover new software licensing				
101-04-040-040-410003-ARP016-	General Fund	Administration & Finance	General City	Personnel-Salaries & Wages-Permanent Part Time	25,500
101-04-040-040-411001-ARP016-	General Fund	Administration & Finance	General City	Personnel-Employee Benefits-FICA Regular	1,850
101-04-040-040-439300-ARP016-	General Fund	Administration & Finance	General City	Services & Charges-Other-Grants & Subsidies	(27,350)
Rationale:	Transfer funds to over Streets Outreach personnel wages				
222-04-403-455-410001--	Central Services	Administration & Finance	Central Services	Personnel-Salaries & Wages-Salaried Wages	8,200
222-04-403-450-410002--	Central Services	Administration & Finance	Central Services	Personnel-Salaries & Wages-Teamster Wages	(8,200)
Rationale:	Transfer funds to cover budget for Salary Employee				
101-03-030-030-410001--	General Fund	Common Council	Common Council	Personnel-Salaries & Wages-Salaried Wages	(28,000)
101-03-030-030-431000--	General Fund	Common Council	Common Council	Services & Charges-Professional-Other Professional Svcs	28,000
Rationale:	Transfer funds to cover Professional Service expenses				
101-03-030-030-410003--	General Fund	Common Council	Common Council	Personnel-Salaries & Wages-Permanent Part Time	(15,000)
101-03-030-030-432003--	General Fund	Common Council	Common Council	Services & Charges-Communication & Transp-Travel	15,000
Rationale:	Transfer funds to cover upcoming travel for conference				
201-11-202-222-422010--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Supplies-Operating-Plants Chemicals Seed & Fertilizer	(5,000)
201-11-202-223-422000--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Supplies-Operating-Other Operating Supplies	(1,600)
201-11-202-222-439005--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Other-Bank & Credit Card Fees	5,000
201-11-202-222-439099--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Other-Cashier Over/Short	1,200
201-11-202-222-439009--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Services & Charges-Other-Trash Removal	400
Rationale:	Transfer to cover Year End Budget				
222-04-403-457-445008--	Central Services	Administration & Finance	Central Services	Capital Outlay-Machinery & Equip-Other Equipment	(15,000)
222-04-403-457-436001--	Central Services	Administration & Finance	Central Services	Services & Charges-Repairs & Maint-Building R&M	15,000
Rationale:	Transfer funds cover Building, Repair & Maintenance budget				
601-11-240-461-413900--	Parking Garages	Venues Parks & Arts	Parking Garages	Personnel-Other Personnel-SMG Wages	(3,700)
601-11-240-461-413901--	Parking Garages	Venues Parks & Arts	Parking Garages	Personnel-Other Personnel-SMG Benefits & Taxes	(500)
601-11-240-461-445000--	Parking Garages	Venues Parks & Arts	Parking Garages	Capital Outlay-Machinery & Equip-Motor Equipment	(40,000)
601-11-240-460-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	44,200
601-11-240-462-445008--	Parking Garages	Venues Parks & Arts	Parking Garages	Capital Outlay-Machinery & Equip-Other Equipment	(71,000)
601-11-240-463-445008--	Parking Garages	Venues Parks & Arts	Parking Garages	Capital Outlay-Machinery & Equip-Other Equipment	(71,000)
601-11-240-462-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	40,000
601-11-240-463-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	52,000
601-11-240-464-431000--	Parking Garages	Venues Parks & Arts	Parking Garages	Services & Charges-Professional-Other Professional Svcs	50,000
Rationale:	Transfer funds to cover Parking Garage YE budget				
620-06-604-603-431000--	Water Works Operations	Public Works	Water Works	Services & Charges-Professional-Other Professional Svcs	53,000
620-06-604-603-431015--	Water Works Operations	Public Works	Water Works	Services & Charges-Professional-Laboratory Water Testing	20,000
620-06-604-603-422012--	Water Works Operations	Public Works	Water Works	Supplies-Operating-Water Treatment Chemicals	(73,000)
Rationale:	Reallocate budget for year end expenses exceeding budget				

Filed in Clerk's Office
NOV 20 2023
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Budget Transfers					
<i>(budget transfers between different cost categories (i.e. personnel, supplies, services, capital) and/or different departments/divisions within the same fund)</i>					
Account #	Fund	Department	Division	Account	Budget Adjustment
610-06-603-512-436003--	Solid Waste Operations	Public Works	Solid Waste	Services & Charges-Repairs & Maint-Auto Equip R&M	115,000
610-06-603-512-422002--	Solid Waste Operations	Public Works	Solid Waste	Supplies-Operating-Diesel/CNG	(25,000)
610-06-603-512-422000--	Solid Waste Operations	Public Works	Solid Waste	Supplies-Operating-Other Operating Supplies	(20,000)
610-06-603-512-411008--	Solid Waste Operations	Public Works	Solid Waste	Personnel-Employee Benefits-Health Insurance	(40,000)
610-06-603-512-410002--	Solid Waste Operations	Public Works	Solid Waste	Personnel-Salaries & Wages-Teamster Wages	(25,000)
610-06-603-512-410001--	Solid Waste Operations	Public Works	Solid Waste	Personnel-Salaries & Wages-Salaried Wages	(5,000)
Rationale:	<i>Reallocate budget for year end expenses exceeding budget</i>				
670-11-230-295-410001--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Salaries & Wages-Salaried Wages	(125,000)
670-11-230-295-410003--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Salaries & Wages-Permanent Part Time	(6,000)
670-11-230-295-411001--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Employee Benefits-FICA Regular	(10,000)
670-11-230-295-411004--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Employee Benefits-PERF Regular	(20,000)
670-11-230-295-411204--	Century Center Operations	Venues Parks & Arts	Century Center	Personnel-Employee Benefits-Auto Allowance	(1,000)
670-11-230-296-422000--	Century Center Operations	Venues Parks & Arts	Century Center	Supplies-Operating-Other Operating Supplies	(23,300)
670-11-230-296-422015--	Century Center Operations	Venues Parks & Arts	Century Center	Supplies-Operating-Cost of Goods Sold	(60,000)
670-11-230-295-436001--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Repairs & Maint-Building R&M	7,800
670-11-230-296-435900--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Utility Services-SMG Utilities	1,500
670-11-230-296-439901--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-SMG Management Fee	25,000
670-11-230-296-439900--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-SMG General & Admin Costs	35,000
670-11-230-296-439902--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-SMG Operations	45,000
670-11-230-296-434900--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Insurance-SMG Insurance	65,000
670-11-230-296-439000--	Century Center Operations	Venues Parks & Arts	Century Center	Services & Charges-Other-Misc Charges & Svcs	66,000
Rationale:	<i>Transfer funds to cover year end budget</i>				
101-09-092-092-422008--	General Fund	Fire Department	EMS	Supplies-Operating-Medical/Safety Supplies	(25,000)
101-09-092-092-439000--	General Fund	Fire Department	EMS	Services & Charges-Other-Misc Charges & Svcs	25,000
Rationale:	<i>Transfer funds to cover service expenses</i>				
220-08-080-088-439006--	Law Enforcement Continuing Education	Police Department	Police Department	Services & Charges-Other-Education & Training	10,000
220-08-080-088-422000--	Law Enforcement Continuing Education	Police Department	Police Department	Supplies-Operating-Other Operating Supplies	10,000
220-08-080-085-445001--	Law Enforcement Continuing Education	Police Department	Police Department	Capital Outlay-Machinery & Equip-Police Equipment	(20,000)
Rationale:	<i>Transfer funds to cover training & education expenses</i>				
222-04-403-454-422001--	Central Services	Administration & Finance	Central Services	Supplies-Operating-C.S. Gasoline	(2,000)
222-04-403-454-436001--	Central Services	Administration & Finance	Central Services	Services & Charges-Repairs & Maint-Building R&M	2,000
Rationale:	<i>Transfer funds to cover Building R&M expenses</i>				

Filed in Clerk's Office
 NOV 20 2023
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2023 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
201-11-200-200-421000--	Parks & Recreation	Venues Parks & Arts	Park Admin	Supplies-Office-Other Office Supplies	1,500
201-11-201-201-421000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Office-Other Office Supplies	6,000
201-11-201-201-436003--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Services & Charges-Repairs & Maint-Auto Equip R&M	(7,500)
201-11-011-011-410003--	Parks & Recreation	Venues Parks & Arts	Community Initiatives	Personnel-Salaries & Wages-Permanent Part Time	(75,000)
201-11-205-231-410003--	Parks & Recreation	Venues Parks & Arts	Development & Promotion	Personnel-Salaries & Wages-Permanent Part Time	(15,000)
201-11-208-237-410002--	Parks & Recreation	Venues Parks & Arts	Community Programming	Personnel-Salaries & Wages-Teamster Wages	(20,000)
201-11-208-237-410003--	Parks & Recreation	Venues Parks & Arts	Community Programming	Personnel-Salaries & Wages-Permanent Part Time	(75,000)
201-11-208-237-410005--	Parks & Recreation	Venues Parks & Arts	Community Programming	Personnel-Salaries & Wages-Seasonal & Interns	(25,000)
201-11-200-200-410003--	Parks & Recreation	Venues Parks & Arts	Park Admin	Personnel-Salaries & Wages-Permanent Part Time	(7,000)
201-11-201-201-410017--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Stand By Pay	5,000
201-11-201-201-410005--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Seasonal & Interns	72,000
201-11-201-201-410004--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Extra & Overtime	65,000
201-11-202-220-410003--	Parks & Recreation	Venues Parks & Arts	Golf Courses	Personnel-Salaries & Wages-Permanent Part Time	75,000
201-11-205-243-433003--	Parks & Recreation	Venues Parks & Arts	Development & Promotion	Services & Charges-Printing & Ad-Promotional	(15,000)
201-11-203-230-439300--	Parks & Recreation	Venues Parks & Arts	Recreational Experiences	Services & Charges-Other-Grants & Subsidies	15,000
<i>Rationale:</i>	<i>Transfer funds to cover YE budget</i>				
279-07-070-070-422013--	IT / Innovation / 311 Call Center	Innovation & Technology	311 Call Center	Supplies-Operating-Promotional Supplies	(3,000)
279-07-070-070-410001--	IT / Innovation / 311 Call Center	Innovation & Technology	311 Call Center	Personnel-Salaries & Wages-Salaried Wages	(10,000)
279-07-070-070-431000--	IT / Innovation / 311 Call Center	Innovation & Technology	311 Call Center	Services & Charges-Professional-Other Professional Svcs	13,000
<i>Rationale:</i>	<i>Transfer funds to cover budget to hire consultant</i>				
279-07-071-071-410001--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Salaries & Wages-Salaried Wages	(235,000)
279-07-071-071-410005--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Salaries & Wages-Seasonal & Interns	(17,550)
279-07-071-071-411001--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-FICA Regular	(27,800)
279-07-071-071-411004--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-PERF Regular	(50,950)
279-07-071-071-411007--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Unemployment Comp	(2,195)
279-07-071-071-411008--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Health Insurance	(78,000)
279-07-071-071-411009--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Life Insurance	(435)
279-07-071-071-411014--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Parental Leave	(1,105)
279-07-071-071-411206--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Employee Benefits-Cell Phone Allowance	(14,340)
279-07-071-071-431009--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Services & Charges-Professional-Computer & Technology	427,375
<i>Rationale:</i>	<i>Cybersecurity Services/Fill in for business units</i>				
279-07-071-071-410001--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Personnel-Salaries & Wages-Salaried Wages	(5,000)
279-07-071-071-422006--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Supplies-Operating-Computer Supplies & Equipment	5,000
<i>Rationale:</i>	<i>Cover Overage in supplies/tech: costs have been increasing</i>				
				Grand Total	-

Filed in Clerk's Office

NOV 20 2023

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

City of South Bend, Indiana					
Q4 2023 Budget Adjustments - Additional Appropriations					
(increase or decrease in total fund expenditures)					
Account #	Fund	Department	Division	Account	Budget Adjustment
230-10-103-105-422008--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Operating-Medical/Safety Supplies	2,000
230-10-103-105-422011--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Operating-Animal Feed	2,000
230-10-103-105-439019--	Code Enforcement	Community Investment	Neighborhoods	Services & Charges-Other-Cremation Services	2,000
230-10-103-105-422007--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Operating-Cleaning Supplies	2,000
230-10-103-105-421000--	Code Enforcement	Community Investment	Neighborhoods	Supplies-Office-Other Office Supplies	2,000
230-10-103-105-431012--	Code Enforcement	Community Investment	Neighborhoods	Services & Charges-Professional-Veterinary Services	20,000
	Rationale:	Appropriation to cover increase in expenses			
101-04-040-040-439000	General Fund	Administration & Finance	General City	Services & Charges-Other-Misc Charges & Svcs	120,000
	Rationale:	Appropriation to cover over budgeted account			
711-041-406-405-431000	Self-Funded Employee Benefits	Administration & Finance	#N/A	#N/A	165,000
	Rationale:	Cover over budgeted employee benefits account (Wellness Clinics)			
201-11-201-201-410003--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Personnel-Salaries & Wages-Permanent Part Time	165,000
201-11-201-201-422000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Operating-Other Operating Supplies	40,000
201-11-201-201-423000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Repair & Maint-Other R&M Supplies	15,000
201-11-201-201-423001--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Repair & Maint-Building Materials	15,000
201-11-201-201-423009--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Supplies-Repair & Maint-Repair Parts	30,000
201-11-201-201-439000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Services & Charges-Other-Misc Charges & Svcs	50,000
	Rationale:	Appropriate funds to cover budget			
602-11-220-292-421000--	Morris Performing Arts Center Operations	Venues Parks & Arts	Morris Performing Arts Center	Supplies-Office-Other Office Supplies	3,000
602-11-220-292-422007--	Morris Performing Arts Center Operations	Venues Parks & Arts	Morris Performing Arts Center	Supplies-Operating-Cleaning Supplies	3,000
602-11-220-292-431000--	Morris Performing Arts Center Operations	Venues Parks & Arts	Morris Performing Arts Center	Services & Charges-Professional-Other Professional Svcs	5,000
602-11-220-292-439003--	Morris Performing Arts Center Operations	Venues Parks & Arts	Morris Performing Arts Center	Services & Charges-Other-Subscriptions	4,000
401-11-201-202-436001--	Coveleski Stadium Capital	Venues Parks & Arts	Park Maintenance	Services & Charges-Repairs & Maint-Building R&M	8,175
	Rationale:	Appropriate funds to cover budget through end of year			
754-10-101-120-431001	Industrial Revolving Fund	Community Investment	Community Investment	Services & Charges-Professional-Legal Services	30,000
	Rationale:	Appropriate funds to cover legal expenses			
602-11-220-292-436001	Morris Performing Arts Center Operations	Venues Parks & Arts	Morris Performing Arts Center	Services & Charges-Repairs & Maint-Building R&M	23,500
	Rationale:	Appropriate funds for MPAC floor refinishing			
Total Unanticipated Expenses					3,320,225
Supported by Outside Revenue					
217-10-103-105-43102--	Gift, Donation, Bequest	Community Investment	Neighborhoods	#N/A	34,579
	Rationale:	Appropriate donated funds received from J. Westfall			
279-07-071-071-431009--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Services & Charges-Professional-Computer & Technology	419,800
279-07-071-071-422006--	IT / Innovation / 311 Call Center	Innovation & Technology	Information Technology	Supplies-Operating-Computer Supplies & Equipment	25,200
	Rationale:	Appropriate grant expnses for camera expansion licensing and camera expansion hardware for the Fire Department			
201-11-201-201-445000--	Parks & Recreation	Venues Parks & Arts	Park Maintenance	Capital Outlay-Machinery & Equip-Motor Equipment	45,770
	Rationale:	Appropriate Central Services 2023 Auction Proceeds			
201-11-206-273-443001-11DNRGRANT-PROJ00000298	Parks & Recreation	Venues Parks & Arts	Park Projects & Capital	Capital Outlay-Building-Building Improvements	407,296
	Rationale:	Appropriate funds to be reimbursed by DNR Grant			
Total Supported by Outside Revenue					932,645
Capital Projects					
641-06-605-514-431002	Sewage Works Operations	Public Works	Wastewater	Services & Charges-Professional-Engineering & Architectural	250,000
	Rationale:	Repair of a CSO outfall pipe in Northshore Dr			
Total Capital Project Costs					250,000
Grand Total					4,502,870

Filed in Clerk's Office
 NOV 20 2023
 DAWN M. JONES
 CITY CLERK, SOUTH BEND, IN

SUBSTITUTE BILL NO. 84-23



CITY OF SOUTH BEND

DEPARTMENT OF COMMUNITY INVESTMENT

December 6, 2023

Councilmember Sharon McBride
Morgan
President
South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601

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

RE: SUBSTITUTE Bill No. 84-23 – An Ordinance of the Common Council of the City of South Bend, Indiana Authorizing the City of South Bend, Indiana to Fund Its "Taxable Economic Development Revenue Note, Series 2023 (Monreaux Project)" and Approving and Authorizing Other Actions in Respect Thereto

Dear President McBride and Councilmember Tomas Morgan,

Please find the attached SUBSTITUTE Bill No. 84-23, which is an ordinance authorizing a \$2.3 million forgivable economic development loan to support the construction of the 60-unit Monreaux apartment development. The substitute bill does not change the originally filed ordinance other than incorporating the loan agreement as an exhibit.

This project has been awarded Low Income Housing Tax Credits from the Indiana Housing and Community Development Authority and will provide 46 income-qualified affordable housing units and 14 market rate housing units.

This transformative development will revitalize the "Fat Daddy's" site on the corner of Michigan and Monroe streets.

The forgivable loan would be funded utilizing Tax Increment Financing funds controlled by the South Bend Redevelopment Commission, but requires approval of Common Council, Redevelopment Commission, and Economic Development Commission in order to be issued.

The bond would be forgivable provided the development is completed within the required timeframes and private investment exceeds \$13.7 million.

Sincerely,



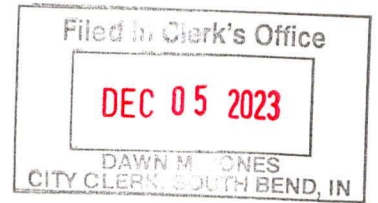
Caleb Bauer
Executive Director
Department of Community Investment

CC: Devereaux Peters, Delta Ventures Ltd.
Sandra Kennedy, Corporation Counsel



SUBSTITUTE BILL NO. 84-23

ORDINANCE NO. 10998-23



AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AUTHORIZING THE CITY OF SOUTH BEND, INDIANA TO FUND ITS "TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTE, SERIES 2023 (MONREAUX PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

STATEMENT OF PURPOSE AND INTENT

This ordinance authorizes the funding of the City of South Bend, Indiana ("City") Taxable Economic Development Revenue Note, Series 2023 (Monreaux Project) ("Series 2023 Note") in an amount not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000) ("Loan") and further approves and authorizes other actions in respect thereto.

Indiana Code 36-7-11.9 and 12 (collectively, "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose and pursuant to the Act, the City is authorized to make loans for the purpose of financing, reimbursing or refinancing all or a portion of the costs of acquisition, construction, renovation, installation and equipping of economic development facilities in order to foster the diversification of economic development opportunities, the creation of job opportunities and the construction of housing and affordable housing in or near the City. Delta Ventures Ltd., an Indiana Nonprofit Corporation ("Delta" or "Developer") and Monreaux LLC, which are common entities, have proposed the development, construction and equipping of a four-story building containing at least sixty-five thousand (65,000) square feet which will include the incorporation of the historic masonry features preserved by the hereinafter defined Redevelopment Commission; and (ii) a minimum of sixty (60) total apartment units of which no fewer than twenty-three (23) apartment units will be exclusively available for

tenants at fifty percent (50%) or lower of the area median income ("AMI") and no fewer than an additional twenty-three (23) apartment units will be exclusively available for tenants at eighty percent (80%) or lower of AMI on certain real estate acquired by Delta (collectively, "Development"), and to induce the Developer to construct the Development, the Commission has determined to fund a loan to Delta (hereinafter, "Borrower"), as evidenced by the Series 2023 Note, to fund the construction of site work and infrastructure improvements needed to serve the Development ("Local Public Improvements"), all in or physically connected to the River West Development Area and the River West Development Area Allocation Area No. 1 as established by the South Bend Redevelopment Commission ("Redevelopment Commission").

The South Bend Economic Development Commission ("Commission") has rendered its Project Report regarding the issuance and funding of the Series 2023 Note from the City to the Borrower to finance a portion of the Local Public Improvements and the Project Report has been or will be submitted to the South Bend Area Plan Commission. The Commission conducted a public hearing and adopted a resolution and Project Report, which resolution and Project Report have been transmitted hereto, finding that the financing of a portion of the Local Public Improvements complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the City, its residents, and its visitors. The Commission has approved and recommended the adoption of this form of ordinance by this Common Council, has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the Common Council the forgivable loan agreement between the City and the Borrower (including the form of the Series 2023 Note), dated as of the first day of the month the Series 2023 Note is issued ("Loan Agreement"). The Redevelopment Commission has pledged TIF Revenues (as defined in the Loan Agreement), junior and subordinate to any

outstanding bonds payable from TIF Revenues and any bonds issued in the future on a parity with any outstanding bonds on hand to the funding of the Series 2023 Note pursuant to and in accordance with the Loan Agreement.

The form of the Series 2023 Note, the Loan Agreement and a form of this proposed ordinance have been submitted to the Commission for its approval, which are incorporated by reference in the Commission's resolution following the Commission's public hearing, which resolution has been transmitted to the Common Council. Based upon the resolution adopted by the Commission pertaining to the Local Public Improvements, the Common Council hereby finds and determines that the funding approved by the Commission for the Local Public Improvements will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to fund a portion of the costs of the Local Public Improvements will require making the Loan and delivering the Series 2023 Note.

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

Section 1. It is hereby found, determined, ratified and confirmed that the financing and reimbursement of the Local Public Improvements, the making of the Loan to the Borrower to be evidenced by the Borrower's Series 2023 Note complies with the purposes and provisions of the Act and: (i) will result in the diversification of the tax base, the creation of job opportunities and the construction of housing and affordable housing within the jurisdiction of the City, (ii) will serve a public purpose, and will be of benefit to the health and general welfare of the City, (iii) complies with the purposes and provisions of the Act and it is in the public interest that the City take such lawful actions as determined to be necessary or desirable to encourage the diversification of the tax base, the creation of job opportunities, and the construction of housing and affordable

housing within the jurisdiction of the City, and (iv) will not have a material adverse competitive effect on any similar facilities already constructed or operating in or near the City.

Section 2. The substantially final form of the Loan Agreement shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk. In accordance with the provisions of IC 36-1-5-4, two (2) copies of the Loan Agreement are on file in the office of the Clerk for public inspection.

Section 3. The costs of the Local Public Improvements will be funded to the Borrower from the Loan upon closing of the Loan. The City shall fund the Loan from TIF Revenues on hand, junior and subordinate to any outstanding bonds payable from TIF Revenues and any bonds issued in the future on a parity with any outstanding bonds, pledged by the Redevelopment Commission to the Borrower in the maximum amount not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000), payable upon closing of the Loan. To the extent certain representations in Section 2.2 of the Loan Agreement are met, payments on the series of the Loan shall be forgiven. If certain representations in Section 2.2 are not met, the Loan shall not be forgiven. The Series 2023 Note shall accrue interest at a rate not in excess of five percent (5.0%) per annum. The Series 2023 Note shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City. The Series 2023 Note shall not be subject to optional redemption prior to maturity.

Section 4. The Mayor, Controller and the Clerk are authorized and directed to execute the Loan Agreement, and such other documents approved or authorized herein and any other document which may be necessary, appropriate or desirable to consummate the transactions contemplated by the Loan Agreement and this ordinance, and their execution is hereby confirmed on behalf of the City. The Mayor, Controller and Clerk are authorized to arrange for the delivery

of such Series 2023 Note to the Borrower, payment for which will be made in the manner set forth in the Loan Agreement. The Mayor, Controller and Clerk may, by their execution of the Loan Agreement and any other documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in the Loan Agreement and any other documents without further approval of this Common Council or the Commission if such changes do not affect terms set forth in Sections 27(a)(1) through and including (a)(10) of the Act.

Section 5. The provisions of this ordinance and the Loan Agreement shall constitute a contract binding between the City and the Borrower.

Section 6. The Mayor, Controller or Clerk, or any other officer having responsibility with respect to the making of the Loan, evidenced by the Series 2023 Note, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the City, to deliver a certificate for inclusion in the transcript of proceedings for the Series 2023 Note, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the Loan as of the funding date thereof.

Section 7. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this ordinance, the Loan Agreement or under any judgment obtained against the City, including without limitation the Commission or Redevelopment Commission, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Loan Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City, including without limitation the Commission or Redevelopment Commission, either directly or through the City, or otherwise, for the payment for or to the City of any sum that may remain due and unpaid by the City upon any of such Series 2023 Note. Any

and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of any sum that may remain due and unpaid upon the Series 2023 Note hereby secured shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Loan Agreement and the issuance and funding of the Series 2023 Note.

Section 8. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 9. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 10. It is hereby determined that all formal actions of the Common Council relating to the adoption of this ordinance were taken in one or more open meetings of the Common Council, that all deliberations of the Common Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including IC 5-14-1.5, as amended.

Section 11. The Mayor, Controller, and Clerk, and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute and deliver such further documents and to take such further actions as such person(s) deem(s) necessary or desirable to effect the purposes of this ordinance, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved.

Section 12. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Passed and adopted by the South Bend Common Council this 11th day of December, 2023.

Sharon McBride, Council President
South Bend Common Council

Attest:

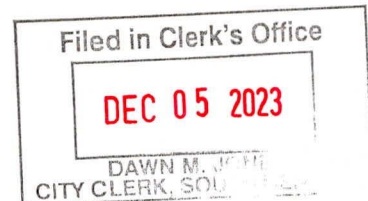
Dawn M. Jones, City Clerk
Office of the City Clerk

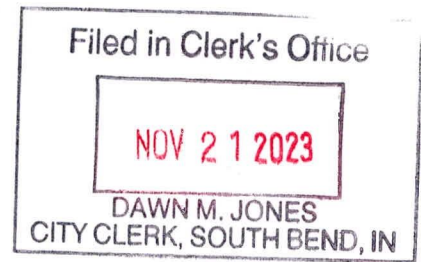
Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the _____ day of December 2023, at _____ o'clock ____ m.

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

Approved and signed by me on the _____ day of December 2023, at ____ o'clock ____ m

James Mueller, Mayor
City of South Bend, Indiana





CITY OF SOUTH BEND
DEPARTMENT OF COMMUNITY INVESTMENT

November 21, 2023

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

Dear Councilmember Tomas Morgan,

Attached please find a proposal for a \$2.3 million forgivable economic development loan to support the construction of the 60-unit Monreaux apartment development. This project has been awarded Low Income Housing Tax Credits from the Indiana Housing and Community Development Authority and will provide 46 income-qualified affordable housing units and 14 market rate housing units.

This transformative development will revitalize the “Fat Daddy’s” site on the corner of Michigan and Monroe streets.

The forgivable loan would be funded utilizing Tax Increment Financing funds controlled by the South Bend Redevelopment Commission, but requires approval of Common Council, Redevelopment Commission, and Economic Development Commission in order to be issued.

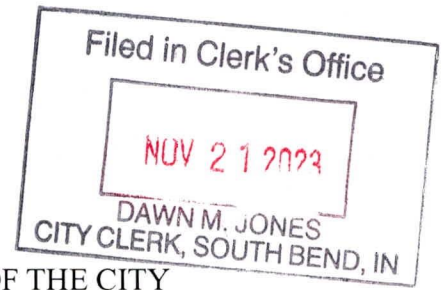
The bond would be forgivable provided the development is completed within the required timeframes and private investment exceeds \$13.7 million.

Sincerely,

Caleb Bauer
Executive Director
Department of Community Investment

CC: Devereaux Peters, Delta Ventures Ltd.
Sandra Kennedy, Corporation Counsel

BILL NO. 84-23
ORDINANCE NO. 10998-23



AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA AUTHORIZING THE CITY OF SOUTH BEND, INDIANA TO FUND ITS "TAXABLE ECONOMIC DEVELOPMENT REVENUE NOTE, SERIES 2023 (MONREAUX PROJECT)" AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO

STATEMENT OF PURPOSE AND INTENT

This ordinance authorizes the funding of the City of South Bend, Indiana ("City") Taxable Economic Development Revenue Note, Series 2023 (Monreaux Project) ("Series 2023 Note") in an amount not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000) ("Loan") and further approves and authorizes other actions in respect thereto.

Indiana Code 36-7-11.9 and 12 (collectively, "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose and pursuant to the Act, the City is authorized to make loans for the purpose of financing, reimbursing or refinancing all or a portion of the costs of acquisition, construction, renovation, installation and equipping of economic development facilities in order to foster the diversification of economic development opportunities, the creation of job opportunities and the construction of housing and affordable housing in or near the City. Delta Ventures Ltd., an Indiana Nonprofit Corporation ("Delta" or "Developer") and Monreaux LLC, which are common entities, have proposed the development, construction and equipping of a four-story building containing at least sixty-five thousand (65,000) square feet which will include the incorporation of the historic masonry features preserved by the

hereinafter defined Redevelopment Commission; and (ii) a minimum of sixty (60) total apartment units of which no fewer than twenty-three (23) apartment units will be exclusively available for tenants at fifty percent (50%) or lower of the area median income ("AMI") and no fewer than an additional twenty-three (23) apartment units will be exclusively available for tenants at eighty percent (80%) or lower of AMI on certain real estate acquired by Delta (collectively, "Development"), and to induce the Developer to construct the Development, the Commission has determined to fund a loan to Delta (hereinafter, "Borrower"), as evidenced by the Series 2023 Note, to fund the construction of site work and infrastructure improvements needed to serve the Development ("Local Public Improvements"), all in or physically connected to the River West Development Area and the River West Development Area Allocation Area No. 1 as established by the South Bend Redevelopment Commission ("Redevelopment Commission").

The South Bend Economic Development Commission ("Commission") has rendered its Project Report regarding the issuance and funding of the Series 2023 Note from the City to the Borrower to finance a portion of the Local Public Improvements and the Project Report has been or will be submitted to the South Bend Area Plan Commission. The Commission conducted a public hearing and adopted a resolution and Project Report, which resolution and Project Report have been transmitted hereto, finding that the financing of a portion of the Local Public Improvements complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the City, its residents, and its visitors. The Commission has approved and recommended the adoption of this form of ordinance by this Common Council, has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the Common Council the forgivable loan agreement between the City and the Borrower (including the form of the Series 2023 Note), dated as of the first day of the

month the Series 2023 Note is issued ("Loan Agreement"). The Redevelopment Commission has pledged TIF Revenues (as defined in the Loan Agreement), junior and subordinate to any outstanding bonds payable from TIF Revenues and any bonds issued in the future on a parity with any outstanding bonds on hand to the funding of the Series 2023 Note pursuant to and in accordance with the Loan Agreement.

The form of the Series 2023 Note, the Loan Agreement and a form of this proposed ordinance have been submitted to the Commission for its approval, which are incorporated by reference in the Commission's resolution following the Commission's public hearing, which resolution has been transmitted to the Common Council. Based upon the resolution adopted by the Commission pertaining to the Local Public Improvements, the Common Council hereby finds and determines that the funding approved by the Commission for the Local Public Improvements will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to fund a portion of the costs of the Local Public Improvements will require making the Loan and delivering the Series 2023 Note.

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

Section 1. It is hereby found, determined, ratified and confirmed that the financing and reimbursement of the Local Public Improvements, the making of the Loan to the Borrower to be evidenced by the Borrower's Series 2023 Note complies with the purposes and provisions of the Act and: (i) will result in the diversification of the tax base, the creation of job opportunities and the construction of housing and affordable housing within the jurisdiction of the City, (ii) will serve a public purpose, and will be of benefit to the health and general welfare of the City, (iii) complies with the purposes and provisions of the Act and it is in the public interest that the City

take such lawful actions as determined to be necessary or desirable to encourage the diversification of the tax base, the creation of job opportunities, and the construction of housing and affordable housing within the jurisdiction of the City, and (iv) will not have a material adverse competitive effect on any similar facilities already constructed or operating in or near the City.

Section 2. The substantially final form of the Loan Agreement shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk. In accordance with the provisions of IC 36-1-5-4, two (2) copies of the Loan Agreement are on file in the office of the Clerk for public inspection.

Section 3. The costs of the Local Public Improvements will be funded to the Borrower from the Loan upon closing of the Loan. The City shall fund the Loan from TIF Revenues on hand, junior and subordinate to any outstanding bonds payable from TIF Revenues and any bonds issued in the future on a parity with any outstanding bonds, pledged by the Redevelopment Commission to the Borrower in the maximum amount not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000), payable upon closing of the Loan. To the extent certain representations in Section 2.2 of the Loan Agreement are met, payments on the series of the Loan shall be forgiven. If certain representations in Section 2.2 are not met, the Loan shall not be forgiven. The Series 2023 Note shall accrue interest at a rate not in excess of five percent (5.0%) per annum. The Series 2023 Note shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City. The Series 2023 Note shall not be subject to optional redemption prior to maturity.

Section 4. The Mayor, Controller and the Clerk are authorized and directed to execute the Loan Agreement, and such other documents approved or authorized herein and any other document which may be necessary, appropriate or desirable to consummate the transactions

contemplated by the Loan Agreement and this ordinance, and their execution is hereby confirmed on behalf of the City. The Mayor, Controller and Clerk are authorized to arrange for the delivery of such Series 2023 Note to the Borrower, payment for which will be made in the manner set forth in the Loan Agreement. The Mayor, Controller and Clerk may, by their execution of the Loan Agreement and any other documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in the Loan Agreement and any other documents without further approval of this Common Council or the Commission if such changes do not affect terms set forth in Sections 27(a)(1) through and including (a)(10) of the Act.

Section 5. The provisions of this ordinance and the Loan Agreement shall constitute a contract binding between the City and the Borrower.

Section 6. The Mayor, Controller or Clerk, or any other officer having responsibility with respect to the making of the Loan, evidenced by the Series 2023 Note, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the City, to deliver a certificate for inclusion in the transcript of proceedings for the Series 2023 Note, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the Loan as of the funding date thereof.

Section 7. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this ordinance, the Loan Agreement or under any judgment obtained against the City, including without limitation the Commission or Redevelopment Commission, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Loan Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City, including without limitation the Commission or Redevelopment

Commission, either directly or through the City, or otherwise, for the payment for or to the City of any sum that may remain due and unpaid by the City upon any of such Series 2023 Note. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of any sum that may remain due and unpaid upon the Series 2023 Note hereby secured shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Loan Agreement and the issuance and funding of the Series 2023 Note.

Section 8. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section 9. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section 10. It is hereby determined that all formal actions of the Common Council relating to the adoption of this ordinance were taken in one or more open meetings of the Common Council, that all deliberations of the Common Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including IC 5-14-1.5, as amended.

Section 11. The Mayor, Controller, and Clerk, and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute and deliver such further documents and to take such further actions as such person(s) deem(s) necessary or desirable

to effect the purposes of this ordinance, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved.

Section 12. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Passed and adopted by the South Bend Common Council this 11th day of December, 2023.

Sharon McBride, Council President
South Bend Common Council

Attest:

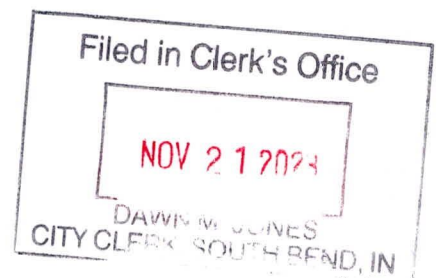
Dawn M. Jones, City Clerk
Office of the City Clerk

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 _____, 2023, at _____ o'clock ____ .m.

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

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock. ____ .m.

James Mueller, Mayor
City of South Bend, Indiana



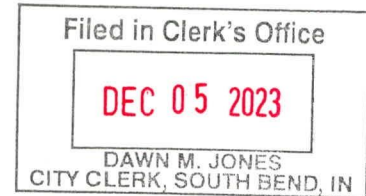


CITY OF SOUTH BEND

COMMUNITY INVESTMENT

December 6, 2023

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



RE: **Declaratory Resolution:** Mixed-Use Development Real Property Tax Abatement
Petition for the **Nexus Center, LLC**

Dear Council Member Tomas Morgan:

Please find the enclosed information pertaining to a mixed-use development real property tax abatement petition submitted by the Nexus Center, LLC, an Indiana Limited Liability Company. The petitioner plans to complete the renovation of the former Praxair building located at 3607 S Main Street and is found south of downtown South Bend. This petition package includes:

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

The report contains the Department's findings relative to the above-mentioned petition. The petitioner will complete the remodel of the ~20,000 sq. ft building which will include a commercial kitchen, a great hall, an auditorium, multi-purpose community event spaces including outdoor space, and an outdoor amphitheater. The total private investment for the last phase of the remodel is projected to cost \$800,000.

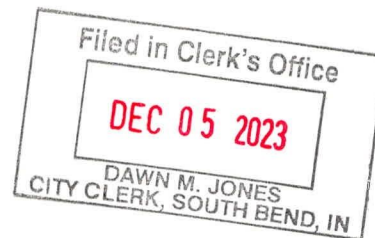
The project meets the requirements established by Sections 2-80, et seq. and would qualify for a nine-year (9) mixed-used development real property tax abatement. Representatives from the Nexus Center, LLC will be available to meet with the Committee on Monday, December 11, 2023.

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) 235-5836.

Sincerely,

Mark Bemenderfer
Manager Business Development

Bill NO. 23-65
RESOLUTION NO. 5062-23



**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**

3607 South Main Street, South Bend, Indiana 46614

**AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF A NINE-YEAR (9)
REAL PROPERTY TAX ABATEMENT FOR**

The Nexis Center, LLC

WHEREAS, a petition for real property tax abatement have been filed with the City Clerk for consideration by the Common Council of the City of South Bend, Indiana, requesting that the areas described as:

Key Number: 71-08-24-353-001.000-026
Commonly Known As: 3607 South Main Street, South Bend, Indiana 46614
Legal Description: Lots 1 Thru 5 Ida M. Walz Sub & Lots D & E. J E
Walz Revised & Vac St. & Vac Alley

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

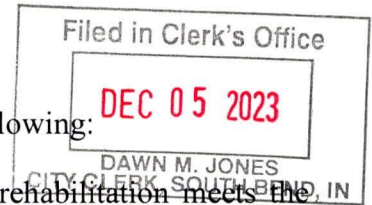
WHEREAS, petitioner has agreed to and has accepted responsibility to report any changes in the Key Number and legal description to the Department of Community Investment and to the Office of the City Clerk; and

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.

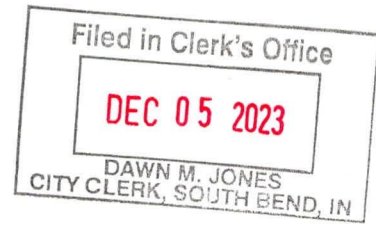
SECTION IV. The Common Council hereby accepts the report and recommendation of the Community Investment Committee that the area herein described be designated as an Economic Revitalization Area and hereby adopts a Resolution designating this area as an Economic Revitalization Area for purposes of real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

SECTION V. The designation as an Economic Revitalization Area shall expire on December 31, 2026.

SECTION VI. The Common Council hereby determines that the property owner is qualified for and is granted property tax deduction for a period of nine (9) 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 - 100%
- Year 3 - 95%
- Year 4 - 95%
- Year 5 - 90%
- Year 6 - 90%

Year 7 - 85%
Year 8 - 85%
Year 9 - 80%



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, 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 _____, 2023, at _____ o'clock ____ . m.

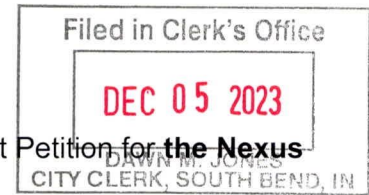
Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock. ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

TAX ABATEMENT REPORT

TO: South Bend Common Council
FROM: Mark Bemenderfer, Manager Business Development
SUBJECT: Mixed-Use Development Real Property Tax Abatement **Petition for the Nexus Center LLC**
DATE: December 6, 2023



On December 6, 2023, a petition for tax abatement from for the Nexus Center LLC was filed with the Office of the City Clerk. The petition seeks consideration for a mixed-use development real property tax abatement for the completion of the redevelopment of the building known as the Nexus Center at 3607 S Main St.

Pursuant to Chapter 2, Article 6, Section 2 84.9 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 Indiana Code § 6 1.1-12.1 and all zoning requirements have been met.

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

Project Summary

- The petitioner, the Nexus Center LLC, plans to complete the renovations of the former Praxair building. Previous phases of the remodel included the development of the front lobby area, developing the second-floor office space currently being leased to Goodwill and partial construction of a health clinic that will focus on providing aid to disadvantaged individuals. However, for a variety of reasons including increased construction costs and COVID, the final phase of the project has been delayed.
- The petitioner will complete the remodel of the ~20,000 sq. ft building which will include a commercial kitchen, a great hall, an auditorium, multi-purpose community event spaces including an outdoor space, and an outdoor amphitheater.
- The petitioner is investing a total of \$800,000 into this late phase of the project. Total project expenditure for all phases is expected to exceed \$2.4 million.

Tax Estimates

The petitioner qualifies for a nine-year (9) mixed-use development real property tax abatement.

- Current taxes for 2023 (Paid): \$17,736.22
- Total estimated taxes during the nine-year (9) abatement period: \$355,449
 - Estimated taxes being abated during the abatement period: \$102,180

- Estimated total taxes to be paid during the abatement period: \$253,269
- Estimated taxes paid after fifteen (15) years: \$490,234
- Estimated taxes paid after twenty (20) years: \$687,706

Employment Impact

The parcel and areas of Nexus Center for which this abatement petition applies currently do not have direct employees. However, there are 20 indirect employees (primarily with Goodwill) who work out of the Nexus Center.

- Upon completion of the project, the petitioner expects to create at least ten (10) new full-time jobs with an average hourly wage of \$20. Administrative positions will start at \$15 per hour.

Abatement Qualification

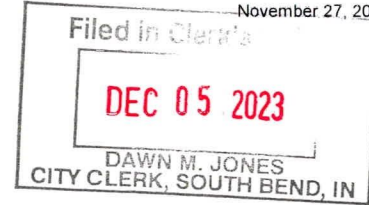
1. A review of the tax abatements previously granted finds that the petitioner has not been granted or is associated with any previous abatements.
2. The property is properly zoned for the proposed project.
3. Taxes on the property have been paid in full.
4. A review of the South Bend Redevelopment designation areas finds that the property is located in the South Side Development Tax Incremental Financing (TIF) area.
5. A review of the Tax Abatement Ordinance No. 9394-03 finds that the petitioner meets the qualifications for a nine-year (9) mixed-use development real property tax abatement under Division 5 (Mixed Use Development Real Property Tax Abatement).

9-Year Abatement

Nexus Center LLC

South Bend Portage Township
Commerical Development Real Property Tax Abatement Schedule *

November 27, 2023



Type of Property: Community space; offices
Estimated Project Cost: \$ 800,000 Rehabilitation

Property Address: 3607 S. Main Street
Tax Key Number: 71-08-24-353-001.000-026

	Current	Without Abatement	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9
Assessed Value (AV)											
Land	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000	\$ 71,000
Structure (AV = 80% Project Cost)	450,700	1,090,700	1,090,700	1,090,700	1,090,700	1,090,700	1,090,700	1,090,700	1,090,700	1,090,700	1,090,700
Gross Assessed Value	521,700	1,161,700	1,161,700	1,161,700	1,161,700	1,161,700	1,161,700	1,161,700	1,161,700	1,161,700	1,161,700
Abatement											
Abatement Deduction		-	100% (640,000)	100% (640,000)	95% (608,000)	95% (608,000)	90% (576,000)	90% (576,000)	85% (544,000)	85% (544,000)	80% (512,000)
Net Assessed Value	521,700	1,161,700	521,700	521,700	553,700	553,700	585,700	585,700	617,700	617,700	649,700
Property Taxes											
Assume constant tax rate of 5.2897%											
Gross Tax (Tax Rate x Net AV)	27,596	61,450	27,596	27,596	29,289	29,289	30,982	30,982	32,674	32,674	34,367
Local Tax Credit (8.7112% of GT-DS)	(2,222)	(4,949)	(2,222)	(2,222)	(2,359)	(2,359)	(2,495)	(2,495)	(2,631)	(2,631)	(2,768)
Circuit Breaker Credit	(7,638)	(17,008)	-	-	-	-	-	-	-	-	-
Taxes Due	\$ 17,736	\$ 39,494	\$ 25,374	\$ 25,374	\$ 26,930	\$ 26,930	\$ 28,487	\$ 28,487	\$ 30,043	\$ 30,043	\$ 31,600
Circuit Breaker Cap											
	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%	3%
Circuit Breaker Cap	15,651	34,851	34,851	34,851	34,851	34,851	34,851	34,851	34,851	34,851	34,851
Debt Service (0.3997% of Net AV)	2,085	4,643	2,085	2,085	2,213	2,213	2,341	2,341	2,469	2,469	2,597
Max Tax Under the Cap	17,736	39,494	36,936	36,936	37,064	37,064	37,192	37,192	37,320	37,320	37,448

Year	Abatement	Current Taxes Due	New Projected Tax	Combined Current & New Taxes	Taxes Abated	Net Taxes Paid
1	100%	\$ 17,736	\$ 21,758	\$ 39,494	\$ (14,120)	\$ 25,374
2	100%	17,736	21,758	39,494	(14,120)	25,374
3	95%	17,736	21,758	39,494	(12,564)	26,930
4	95%	17,736	21,758	39,494	(12,564)	26,930
5	90%	17,736	21,758	39,494	(11,007)	28,487
6	90%	17,736	21,758	39,494	(11,007)	28,487
7	85%	17,736	21,758	39,494	(9,451)	30,043
8	85%	17,736	21,758	39,494	(9,451)	30,043
9	80%	17,736	21,758	39,494	(7,895)	31,600
Total:		159,626	195,823	355,449	(102,180)	253,269

* This schedule is for estimation purposes only and assumes constant tax rates equal to those for 2022 Payable 2023. 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

City of South Bend Petition for Incentives

Petition must include a \$250 filing fee payable to the "City of South Bend" before processing can be complete

Instructions: Complete pages 1-3 AND the proper Form SB-1 for the type of abatement (real property or personal property) for which you are applying



Filed in Clerk's Office
DEC 05 2023
DAWN M. JO
CITY CLERK, SOUTH BEND

General Information		Project Name	Project Number	
Legal name as registered with Secretary of State		Nexus Center LLC		
Business structure		Domestic Limited Liability Company		
Company website		n/a		
Proposed Project Information				
Proposed project address		3607 S. Main Street	Parent company name	Nexus Center LLC
City, State, Zip	South Bend, IN 46614	Legal owner	Nexus Center LLC	
Site acreage or acreage required	2.74	Is the real estate owned or leased?	Owned	
Square feet of facility	~20,000	If leased, by whom?		
Primary Contact Information				
Primary company contact name		David Buggs	Title	Manager
Address of company contact		3607 S. Main Street	Phone	(574) 633-1303
City, State, Zip	South Bend, IN 46614	Email	davidrialbuggs@alumni.nd.edu	
Senior Official Information				
Company senior official name		n/a	Title	
Address of company contact (if different from above)			Phone	
City, State, Zip		Email		
Consultant Information/Agent				
Hired business consultant/agent name		n/a	Consultant release? (Y/N)	
Address			Local economic development partners approval? (Y/N)	
City, State, Zip		Email		
Project Overview				
Brief description of your company, project, and why the property is necessary for economic growth		Final phase of rehabilitation of the Nexus Center: commercial kitchen; great hall; auditorium; exterior community space and outdoor amphitheater; grand entrance; and multi-purpose community event space.		
Certified Technology Park appropriate		n/a		
Is the project in a Tax Incremental Financing (TIF) area? If so, which?		South Side Development Area		
Have Building Permits been issued? (Y/N) [Note-Not eligible for abatement if Yes]		N	Number of residential units created by project	
If this is a petition for personal property tax abatement, has the equipment been installed?		n/a		

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?
0	No	n/a	n/a

New Project Investments								
Calendar Year	2022	2023	2024	2025	2026	2027	2028	2029
Land Acquisition								
Building Lease Payments								
Building Purchase Costs								
New Building Construction								
Existing Building Improvements			\$ 800,000.00					
New Machinery & Equipment								
Special Tooling/Retooling								
New Furniture/Fixtures								
New Computer/IT Hardware								
New Software								
On-site Rail Infrastructure								
On-site Fiber Infrastructure								
TOTAL	\$ 0.00	\$ 0.00	\$ 800,000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

Full-Time Permanent Indiana-Resident Positions by Calendar Year						
Calendar Year	Jobs retained	Hourly average wage, w/o benefits 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
2023	20					
2024			10	\$ 20.00		
2025						
2026						
2027						
2028						
2029						
2030						
2031						
2032						
2033						
2034						

Provide hourly wage information for new employees in the following positions.		
	Full time	Part time
Laborers		
Technical		
Managerial		
Administrative	\$ 15.00	\$ 15.00

Who will be the individual responsible for coordinating with WorkOne on recruiting?	David Buggs	
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 the following 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	2023		2022		2021		
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	
Black							Committed to supporting diversity and inclusion -- The Nexus Center is focused on bringing people together and connecting them with resources; The Nexus Center's mission is to serve residents who are disadvantaged including minorities and women and our goal is to create opportunities.
Hispanic							
Asian							
Indian							
Female							
Other							

Complete the table below for Real Property Tax Abatement only.

***** Sign at the bottom for all requested incentives (real AND personal property). *****

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%)	Y	20	20
	B.	Purchase Materials from Local Companies (75%)	Y	20	20
	C.	Require Employees vs. Independent Contractors	Y	19	19
	D.	Require Prevailing Wage	N	0	22
	E.	Require Health Benefits	N	0	22
	F.	Require Retirement Benefits	N	0	18
	G.	Maintain Affirmative Action Plan	N	0	20
		Sub-total Construction Related:		59	141
2	Wage & Benefit Related (Owner):				
	A.	Pay Target Wage Levels	Y	33	33
	B.	Provide Health Benefits	N	0	34
	C.	Provide Retirement Benefits	N	0	29
	D.	Provide Training	Y	28	28
	E.	Provide Child Care	N	0	15
	F.	Provide Transportation Assistance	N	0	14
	G.	Provide Employer Assisted Housing program	N	0	9
	Sub-total Wage & Benefit Related:		61	162	
3	Workforce Related:				
	A.	Create New Jobs	Y	42	42
	B.	Retain Existing Jobs	Y	41	41
	C.	Maintain Affirmative Action Plan	Y	35	35
	D.	Provide Targeted Hiring Preference	N	0	34
	Sub-total Workforce Related:		118	152	
4	Support a Municipal Facility:				
	A.	Support a SB Municipal Facility (donations to the zoo, conservatory, museum, etc.)	Y	84	84
		Name of Facility	The History Museum		
	Sub-total Municipal Facility:		84	84	
Sub-total from Above:			322	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:



Date:

11/29/2023

For Staff Use Only Below This Line

What is the current assessed value?						Real Property:	\$521,700	Personal Property:	n/a	
What is the projected assessed value?						Real Property:	\$1,161,700	Personal Property:	n/a	
What is the tax key number for this project?						71-08-24-353-001.000-026				
What is the six digit NAICS code?						n/a				
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						17,736.22		n/a		
Year Two						16,923.28		n/a		
Year Three						19,368.10		n/a		
Year Four						17,010.00		n/a		
Year Five						19,207.68		n/a		
Please fill out the following Public Benefit Summary Information and add to total from above.										
						(Y or N)	Points	Points		
Public Benefit Item:										
Project Related:										
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				N	36	36		
	Sub-total Project Related:							85	120	
6	Super Size Projects (point values are cumulative):									
	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	Pay for Municipal Infrastructure:									
	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:							322	539		
Total from Staff Section:							295	461		
Total Public Benefit Points:							617	1000		



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R7 / 1-21)

Prescribed by the Department of Local Government Finance

20 23 PAY 20 24

FORM SB-1 / Real Property

PRIVACY NOTICE

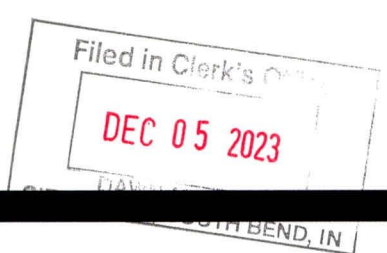

Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

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:

1. 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.
2. 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.
3. 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 January 1 and May 10 of a subsequent year.
4. 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)
5. 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 Nexus Center LLC					
Address of taxpayer Number and Street: 3607 S. Main Street City: South Bend State: IN ZIP: 46614					
Name of contact person First Name: David Last Name: Buggs		Telephone number (574) 633-1303		E-mail address davidrbuggs@alumni.nd.edu	
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body Common Council of the City of South Bend					Resolution number
Location of property Number and Street: 3607 S. Main Street City: South Bend State: IN ZIP: 46614			County St. Joseph		DLGF taxing district number 026 (South Bend-Portage)
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Final phase of rehabilitation of the Nexus Center: commercial kitchen; great hall; auditorium; exterior community space and outdoor amphitheater; grand entrance; and multi-purpose community event space.					Estimated start date (month, day, year) 3/1/2024
					Estimated completion date (month, day, year) 3/1/2026
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current Number 0	Salaries \$ 0	Number Retained 0	Salaries \$ 0	Number Additional 10	Salaries \$ 400,000
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
REAL ESTATE IMPROVEMENTS					
COST					
ASSESSED VALUE					
Current values		\$ 0		\$ 450,700	
Plus estimated values of proposed project		\$ 800,000		\$ 640,000	
Less values of any property being replaced		\$ 0		\$ 0	
Net estimated values upon completion of project		\$ 800,000		\$ 1,090,700	
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds) 0			Estimated hazardous waste converted (pounds) 0		
Other benefits					
					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative 				Date signed (month, day, year) 11/29/2023	
Printed name of authorized representative David Buggs			Title Owner		

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, passed or to be passed 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 _____. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*
- 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: Year 1 Year 2 Year 3 Year 4 Year 5 (* see below)
 Year 6 Year 7 Year 8 Year 9 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. Except as provided in IC 6-1.1-12.1-18, 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

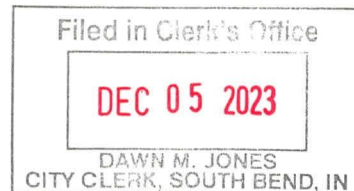
Abatement schedules

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:

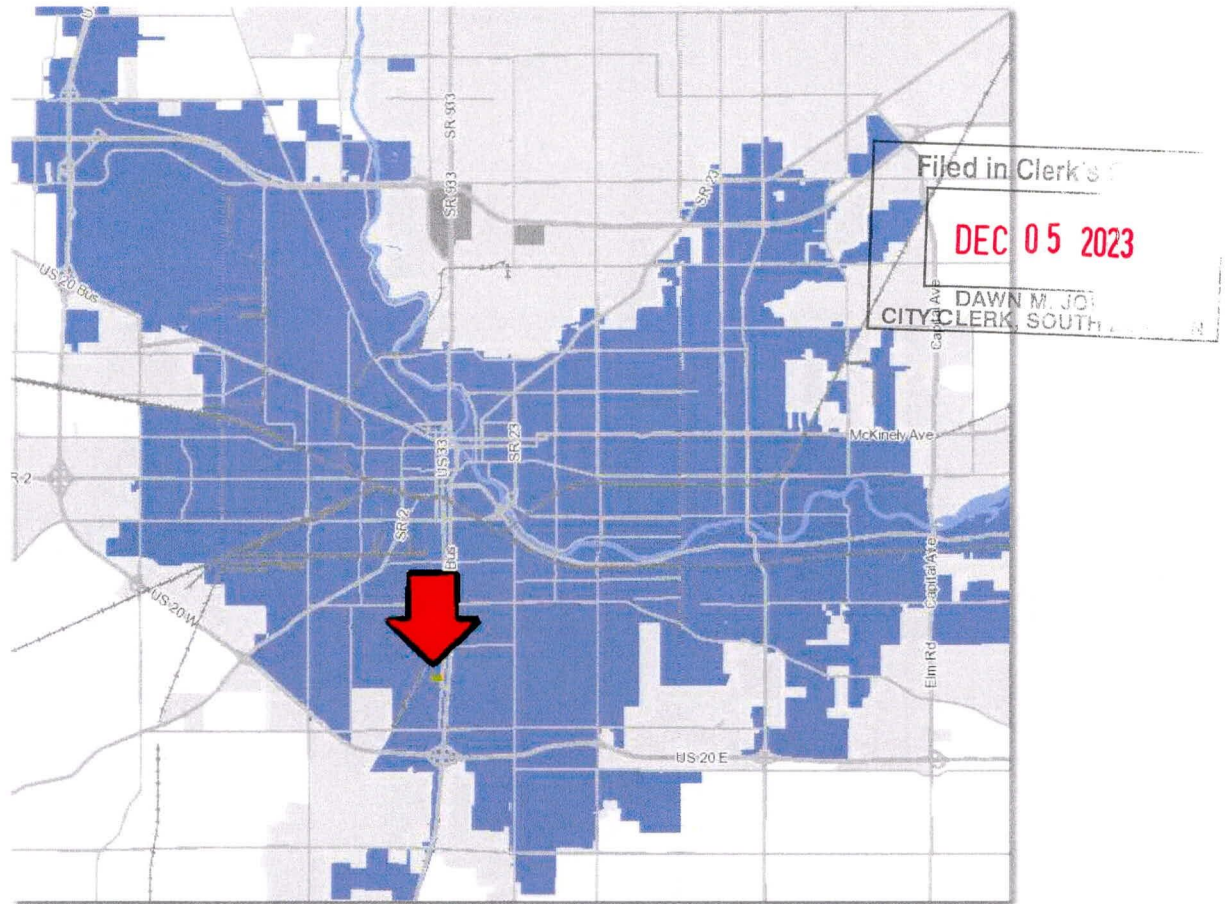
- (1) The total amount of the taxpayer's investment in real and personal property.
- (2) The number of new full-time equivalent jobs created.
- (3) The average wage of the new employees compared to the state minimum wage.
- (4) The infrastructure requirements for the taxpayer's investment.

(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. Except as provided in IC 6-1.1-12.1-18, 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.



Aerial Views



View of the Nexus Center looking west from South Main Street

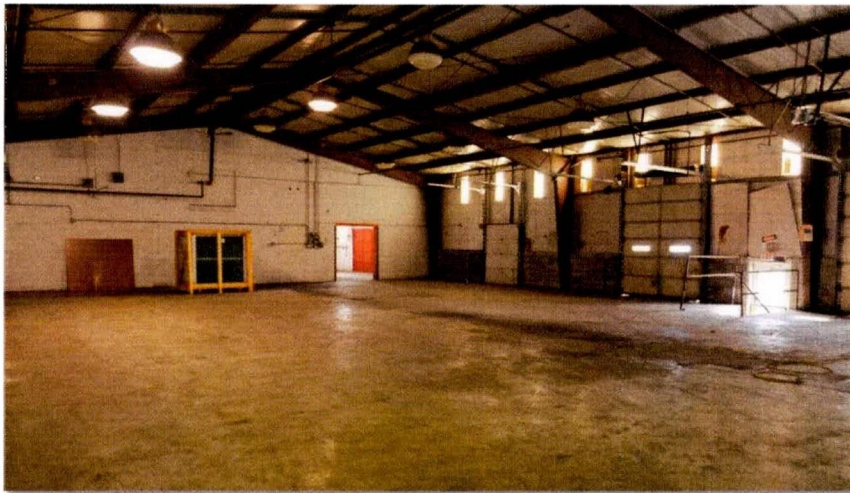


View of the Nexus Center looking south from Sherwood Street



Current images of the interior to be redeveloped.







Filed in Clerk's Office
DEC 05 2023
DAWN M. JC
CITY CLERK, SOUTH



BILL NO. 85-23

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>

November 22, 2023

Filed in Clerk's Office

DEC 07 2023

DAWN M. JONES
CITY CLERK, SOUTH BEND, IN

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

Chairperson Karen White
Residential Neighborhoods Committee
South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601

RE: AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ADDING CHAPTER 2, ARTICLE 5, SECTION 2-62 TO THE SOUTH BEND MUNICIPAL CODE TO CHANGE THE MANNER IN WHICH COMMISSIONERS OF THE HOUSING AUTHORITY OF SOUTH BEND ARE APPOINTED

Dear Chairperson White:

As you know, all six Commissioners of the Housing Authority of South Bend have historically been appointed by the Mayor. However, there appears to be no authority in the Municipal Code establishing the Mayor's authority to do so. This proposed ordinance provides for the Mayor and the South Bend Common Council to each appoint three Commissioners. Appointments by the Mayor and the Common Council are common in Boards and Commissions such as the Area Plan Commission, the Energy Conservation Commission, the Older Adults Council, the Mayor's Citizens' Traffic Commission, the Economic Development Commission, the South Bend Advisory Commission on Black Males, the South Bend Advisory Plan Commission, and the South Bend Advisory Board of Zoning Appeals. We believe that it is in the best interests of the Housing Authority of South Bend and the citizens of South Bend for the Council to participate equally with the Mayor in appointing Commissioners.

This proposed ordinance also requires all Commissioners to be residents of South Bend. Additionally, at least two of the six Commissioners must be residents of properties owned, controlled or managed by the HASB.

I ask that this proposed ordinance be given first reading on November 27, 2023 and assigned to the Residential Neighborhoods Standing Committee meeting on December 11, 2023 to be followed by second reading, public hearing and a vote of the entire Council at the full Council meeting later that evening.



City of South Bend Common Council

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

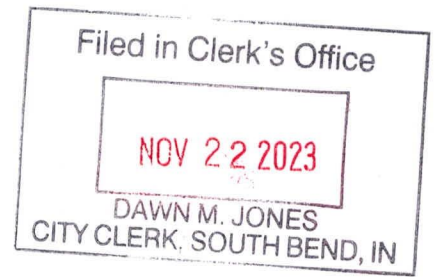
(574) 235-9321
Fax (574) 235-9173
TDD (574) 235-5567
<http://www.southbendin.gov>

Thank you for your consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to be "H. Davis, Jr.", written in a cursive style.

Henry Davis, Jr., South Bend Common
Council Second District



BILL NO. 85-23

ORDINANCE NO. 10999-23

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ADDING CHAPTER 2, ARTICLE 5, SECTION 2-62 TO THE SOUTH BEND MUNICIPAL CODE TO CHANGE THE MANNER IN WHICH COMMISSIONERS OF THE HOUSING AUTHORITY OF SOUTH BEND ARE APPOINTED

STATEMENT OF PURPOSE AND INTENT

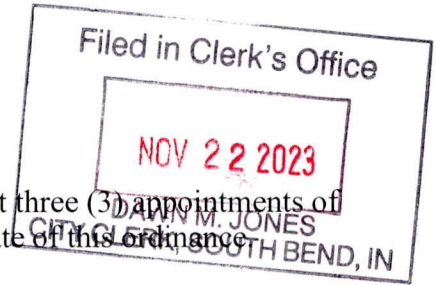
All six Commissioners of the Housing Authority of South Bend have historically been appointed by the Mayor. However, there is no authority in the Municipal Code establishing that authority. This ordinance provides for the Mayor and the South Bend Common Council to each appoint three commissioners. Appointments by the Mayor and the Common Council are common in Boards and Commissions such as the Area Plan Commission, the Energy Conservation Commission, the Older Adults Council, the Mayor's Citizens' Traffic Commission, the Economic Development Commission, the South Bend Advisory Commission on Black Males, the South Bend Advisory Plan Commission, and the South Bend Advisory Board of Zoning Appeals. The South Bend Common Council finds that it is in the best interests of the Housing Authority of South Bend and the citizens of South Bend for the Council to participate equally with the Mayor in appointing Commissioners.

**NOW, THEREFORE, BE IT ORDAINED BY THE
COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AS FOLLOWS:**

**SECTION I. Chapter 2 (ADMINISTRATION) Article 5 (BOARDS AND COMMISSIONS),
Section 2-62 (HOUSING AUTHORITY OF SOUTH BEND) is added to of the South Bend
Municipal Code to read as follows:**

Sec. 2-62 Housing Authority of South Bend

- (a) The City of South Bend, through the Mayor's office and the South Bend Common Council, shall appoint the Commissioners of the Housing Authority of South Bend.
- (b) There shall be a total of six (6) Commissioners.
- (c) Three (3) Commissioners shall be appointed by the Mayor.
- (d) Three (3) Commissioners shall be appointed by the South Bend Common Council.



- (e) The Common Council shall make the next three (3) appointments of Commissioners following the effective date of this ordinance.
- (1) All individuals appointed shall have an active interest in addressing the overall purposes and goals of the Housing Authority of South Bend.
 - (2) All Commissioners shall be residents of the City of South Bend.
 - (3) At least two (2) Commissioners shall be residents of properties owned, controlled or managed by the Housing Authority of South Bend.
 - (4) All Commissioners shall serve without compensation.
 - (5) All Commissioners shall serve for a term of four (4) years.
 - (6) Each Commissioner serves at the pleasure of that Commissioner's appointing authority and may be removed with or without cause.
 - (7) Subject to Sec. 2-62(e) above, the appointing authority shall fill a vacancy by a new Commissioner for the unexpired term.

SECTION II. Severability.

If any part, section, subsection, paragraph, sentence, clause, or phrase of this ordinance is for any reason declared to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

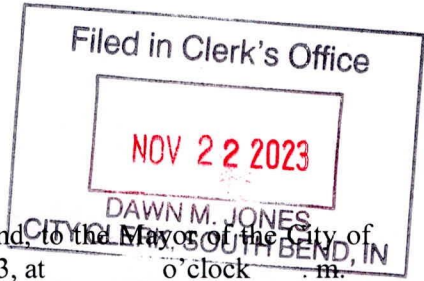
SECTION III. Effective Date.

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 _____, 2023, at _____ o'clock ____ .m.

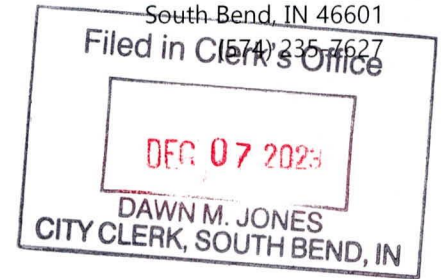
Dawn M. Jones, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock.
____.m.

James Mueller, Mayor
City of South Bend, Indiana

City of South Bend
BOARD OF ZONING APPEALS

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601



December 7, 2023

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

Re: 73-23: The petition of RONALD E KOEHLER seeking a Special Exception for a Group Residence in the U3 Urban Neighborhood 3 for property located at 1044 LINCOLNWAY

Dear Council Members:

I hereby Certify that the above referenced petition of RONALD E KOEHLER was legally advertised on November 24, 2023 and that the South Bend Board of Zoning Appeals at its public hearing on December 6, 2023 took the following action:

Upon a motion by Caitlin Stevens, being seconded by Kaine Kancuzewski and unanimously carried, a petition by RONALD E KOEHLER seeking a Special Exception for a Group Residence for property located at 1044 LINCOLNWAY, City of South Bend, is sent to the Common Council with a favorable recommendation, subject to limit of one person/resident per room, and will issue written Findings of Fact.

The staff comments related to this petition are attached. The Findings of Fact will be adopted at the next South Bend Board of Zoning Appeals meeting. Minutes of the public hearing are available in our office and will be posted on our website once approved.

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

Sincerely,

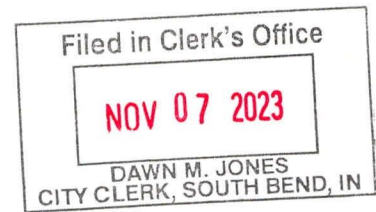
Kari Myers
Zoning Specialist

Attachment

CC: RONALD E KOEHLER
Ronald Koehler
Heather Wiesinger
Building Department
Bob Palmer

BILL NO. 73-23

ORDINANCE NO. 10987-23



AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1044 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Request a Special Exception to allow for the use of a group residence.

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

SECTION I. The Common Council has provided notice of the hearing on the Petition from the Advisory Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for property located at:

1044 Lincolnway West. South Bend, IN 46619. 018-1035-1508

In order to permit a Group Residence

SECTION II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Advisory Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

SECTION III. The Common Council of the City of South Bend, Indiana, hereby finds that:

1. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience, or general welfare;
2. The proposed use will not injure or adversely affect the use of adjacent area of property values therein;
3. The proposed use will be consistent with the character of the district in which it is located, and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan;

SECTION IV. Approval is subject to the Petitioner complying with the reasonable conditions, if any, established by the Advisory Board of Zoning Appeals which are on file in the Office of the City Clerk.

SECTION V. 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:

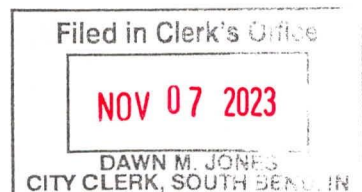
Dawn M. Jones, City Clerk
Office of the City Clerk

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 _____, 2023, at _____ o'clock ____ .m.

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

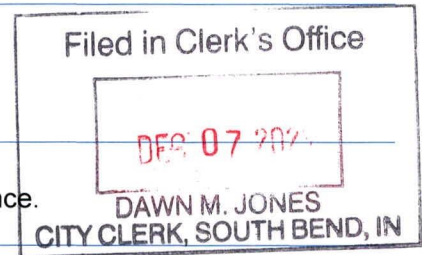
Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana



Property Information

Location: 1044 LINCOLNWAY
Owner: RONALD E KOEHLER



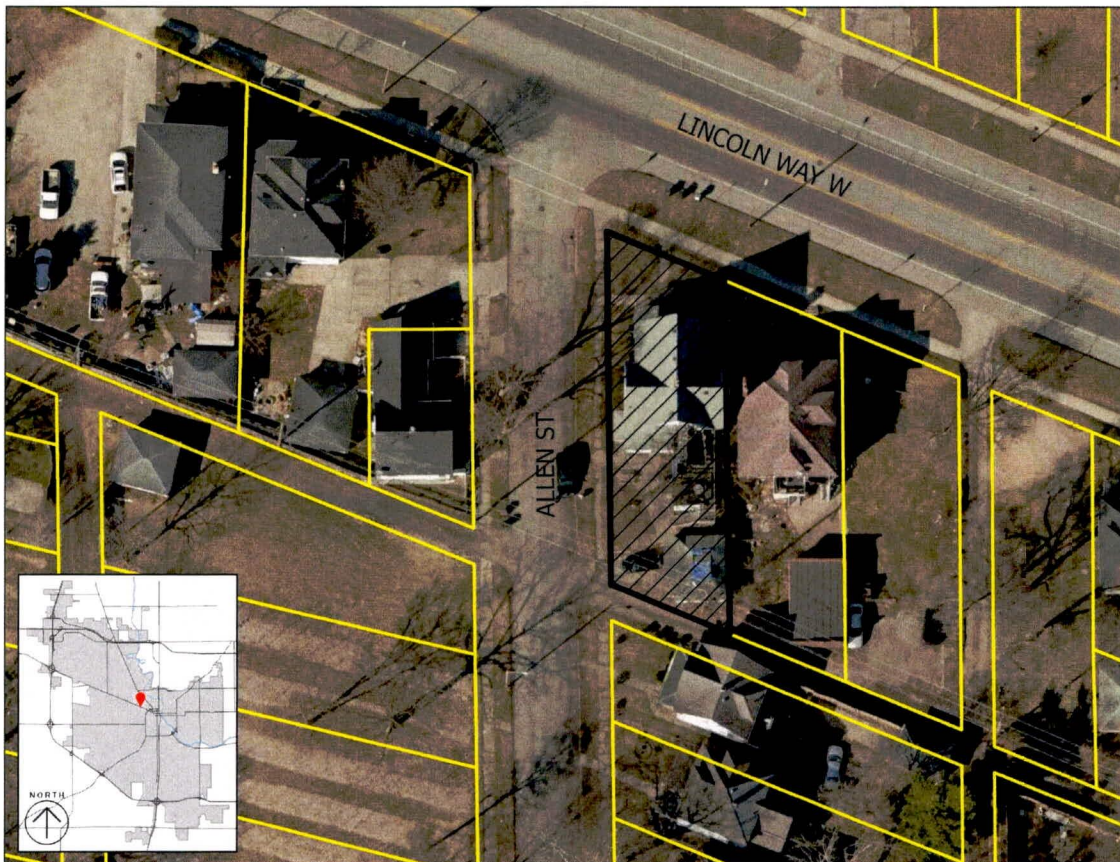
Project Summary

Request a special exception to allow for the use of a Group Residence.

Requested Action

Special Exception: a Group Residence

Site Location



Staff Recommendation

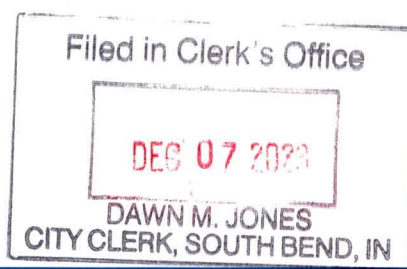
Based on the information provided prior to the public hearing, the Staff recommends the Board send the petition to the Common Council with a favorable recommendation subject to a limit of one person per bedroom.

Filed in Clerk's Office
DES 07 2023
DAWN M. JONES December 6, 2023
CITY CLERK, SOUTH BEND, IN

Staff Report – BZA#0233-23

Proposed Site Plan





Criteria for Decision Making: Special Exception

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing, that:

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;

The proposed use should not be injurious to the public health, safety, comfort or general welfare of the community. A group residence aligns with the residential character of the immediate surrounding properties. The property is located on a mixed use corridor with several commercial uses nearby.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;

The proposed use should not injure or adversely affect the use of the adjacent area or property values. The property will still function as a residential dwelling unit.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;

This group residence will be consistent with the character of the district and neighborhood in both use and style of construction. Lincolnway West is a mixed use corridor and the current structure is large residential building suitable for multiple individuals.

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.

The petition is consistent with the City Plan, South Bend Comprehensive Plan (2006) Objective H1.1: Encourage residential developments to contain a mix of housing types, densities, price ranges, and amenities.

Analysis & Recommendation

Analysis: Lincolnway West has a mix of commercial and industrial uses of varying intensity along the surrounding stretch. The property is currently zoned for multifamily use which would allow for an apartment complex. The dwelling is consistent with the character of the district in the housing style.

Staff Recommendation: Based on the information provided prior to the public hearing, the Staff recommends the Board send the petition to the Common Council with a favorable recommendation subject to a limit of one person per bedroom.

City of South Bend

BOARD OF ZONING APPEALS

November 7, 2023

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



RE: Special Exception at 1044 Lincolnway West

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Special Exception at the above referenced location. Please include the attached Ordinance on the Council agenda for **first reading** at your November 13, 2023, Council meeting and set it for public hearing at your December 11, 2023, Council meeting. The petition is tentatively scheduled for public hearing at the December 4, 2023, South Bend Board of Zoning Appeals meeting. The staff report and recommendation of the South Bend Board of Zoning Appeals will be forwarded to the Office of the City Clerk by noon on the Wednesday following the public hearing.

The petitioner provided the following to describe the proposed project:
A Special Exception to allow for the use of a Group Residence.

The full petition is attached for your reference. Changes may occur between the filing and the public hearing. Any substantial changes will be identified at the Council meeting.

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

Sincerely,

Kari Myers
Zoning Specialist

CC: Bob Palmer

City of South Bend
BOARD OF ZONING APPEALS

227 RECEIVED OCT 06 2023 4005
South Bend, IN 46601
zoning@southbend.org

Filed in Clerk's Office
NOV 07 2023
DAWN M. JONES
CITY CLERK, SOUTH BEND
BZA#10220-23

Petition for Variance - Special Exception

Property Information

Tax Key Number: 018-1035-1508
Address: 1044 LWW South Bend Ind 46606
Owner: Ronald E Koehler
Zoning: Choose the current district U3

Project Summary:

Change zoning to sleeping rooms
Be allowed to do group residence

Requested Action

- Special Exception/ Use Variance – complete and attach Criteria for Decision Making
Use requested: Group Residence
- Variance(s) - List variances below, complete and attach Criteria for Decision Making
Variance(s) requested:

Required Documents

- Completed Application (including Criteria for Decision Making and Contact Information)
- Site Plan drawn to scale
- Filing Fee

Criteria for Decision Making

Special Exception - if applicable

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing. Please address how the project meets the following criteria.

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare, because:

It has always been used as sleeping room. Tenants are really quiet.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein, because:

NO The owner maintains the property.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein, because:

yes It was purchased for this use

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan, because:

Yes, It was purchased for this use from the Madison Center over 20 yrs ago.

Criteria for Decision Making

Variance(s) - if applicable

State statutes and the Zoning Ordinance require that certain standards must be met before a variance can be approved. Please address how the project meets the following criteria:

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community, because:

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner, because:

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property, because:

(4) The variance granted is the minimum necessary, because:

(5) The variance does not correct a hardship caused by a former or current owner of the property, because:

Contact Information

Property owner(s) of the petition site:

Name: Donald Koehler

Address: 59050 Clover Rd
Mishawaka Ind 46584

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Heather Wiesinger

Address: 519 Russell
Mishawaka Ind

Phone Number: 574-703-6720

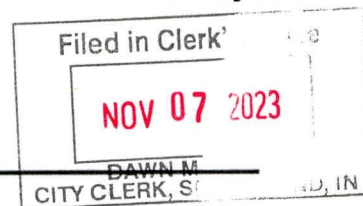
E-mail: _____

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:

Ronald E Koehler



City of South Bend

BOARD OF ZONING APPEALS

October 11, 2023

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



RE: Special Exception at 1044 Lincolnway West

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Special Exception at the above referenced location. Please include the attached Ordinance on the Council agenda for **first reading** at your October 23, 2023, Council meeting and set it for public hearing at your November 13, 2023, Council meeting. The petition is tentatively scheduled for public hearing at the November 6, 2023, South Bend Board of Zoning Appeals meeting. The staff report and recommendation of the South Bend Board of Zoning Appeals will be forwarded to the Office of the City Clerk by noon on the Wednesday following the public hearing.

The petitioner provided the following to describe the proposed project:
A Special Exception to allow for the use of a Group Residence.

The full petition is attached for your reference. Changes may occur between the filing and the public hearing. Any substantial changes will be identified at the Council meeting.

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

Sincerely,

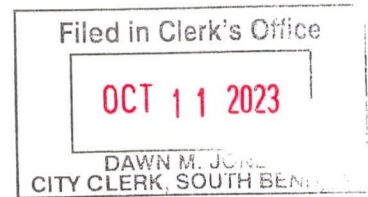
A handwritten signature in cursive script that reads "Kari Myers".

Kari Myers
Zoning Specialist

CC: Bob Palmer

BILL NO. 73-23

ORDINANCE NO. 10987-23



AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1044 LINCOLNWAY WEST, COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Request a Special Exception to allow for the use of a group residence.

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

SECTION I. The Common Council has provided notice of the hearing on the Petition from the Advisory Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for property located at:

1044 Lincolnway West. South Bend, IN 46619. 018-1035-1508

In order to permit a Group Residence

SECTION II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Advisory Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

SECTION III. The Common Council of the City of South Bend, Indiana, hereby finds that:

1. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience, or general welfare;
2. The proposed use will not injure or adversely affect the use of adjacent area of property values therein;
3. The proposed use will be consistent with the character of the district in which it is located, and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan;

SECTION IV. Approval is subject to the Petitioner complying with the reasonable conditions, if any, established by the Advisory Board of Zoning Appeals which are on file in the Office of the City Clerk.

SECTION V. 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:

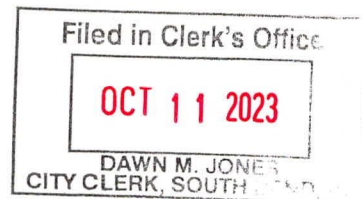
Dawn M. Jones, City Clerk
Office of the City Clerk

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 _____, 2023, at _____ o'clock ____ .m.

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

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana



Petition for Variance - Special Exception

BZA#0220

Property Information

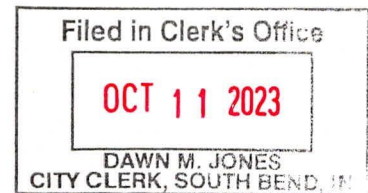
Tax Key Number: 018-1035-1508
Address: 1044 LWW South Bend Ind 46616
Owner: Ronald E. Koehler
Zoning: Choose the current district U3

Project Summary:

Change zoning to sleeping rooms
Be allowed to do group residence

Requested Action

- Special Exception/ Use Variance – complete and attach Criteria for Decision Making
Use requested: Group Residence
- Variance(s) - List variances below, complete and attach Criteria for Decision Making
Variance(s) requested:



Required Documents

- Completed Application (including Criteria for Decision Making and Contact Information)
 Site Plan drawn to scale
 Filing Fee

Criteria for Decision Making

Special Exception - if applicable

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing. Please address how the project meets the following criteria.

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare, because:

It has always been used as sleeping room. Tenants are really quiet.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein, because:

No The owner maintain the property.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein, because:

Yes. It was purchased for this use

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan, because:

Yes, It was purchased for this use from the Madison Center over 20 yrs ago.

Criteria for Decision Making

Variance(s) - *if applicable*

State statutes and the Zoning Ordinance require that certain standards must be met before a variance can be approved. Please address how the project meets the following criteria:

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community, because:

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner, because:

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property, because:

(4) The variance granted is the minimum necessary, because:

(5) The variance does not correct a hardship caused by a former or current owner of the property, because:

Contact Information

Property owner(s) of the petition site:

Name: Ronald Koehler

Address: 59050 Clover Rd
Mishawaka Ind 46584

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Heather Wiesinger

Address: 519 Russell
Mishawaka Ind

Phone Number: 574-703-6720

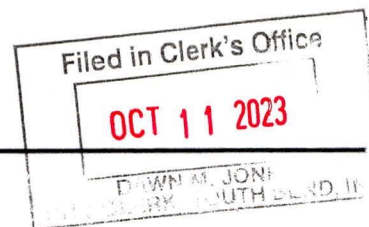
E-mail: _____

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:

Ronald E Koehler



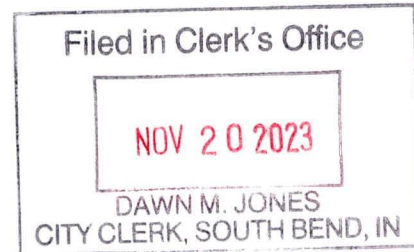
BILL NO. 80-23

City of South Bend BOARD OF ZONING APPEALS

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

November 20, 2023

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



Re: #80-23: The petition of P & P CAPITAL LLC seeking a Special Exception for 2 unit dwelling in the U1 Urban Neighborhood 1 for property located at 1410 FORD ST

Dear Council Members:

I hereby Certify that the above referenced petition of P & P CAPITAL LLC was legally advertised on October 27, 2023, and that the South Bend Board of Zoning Appeals at its public hearing on November 6, 2023, took the following action:

Upon a motion by Kaine Kanczuzewski, being seconded by Mark Burrell and unanimously carried, a petition by P & P CAPITAL LLC seeking a Special Exception for 2 unit dwelling for property located at 1410 FORD ST, City of South Bend, is sent to the Common Council with a favorable recommendation, and will issue written Findings of Fact.

The staff comments related to this petition are attached. The Findings of Fact will be adopted at the next South Bend Board of Zoning Appeals meeting. Minutes of the public hearing are available in our office and will be posted on our website once approved.

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

Sincerely,

A handwritten signature in cursive script that reads "Kari Myers".

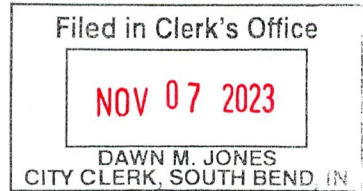
Kari Myers
Zoning Specialist

Attachment

CC: P & P CAPITAL LLC
William Trozzy
Quawaun Jackson
Building Department
Bob Palmer

BILL NO. 80-23

ORDINANCE NO. 10994-23



**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING
APPEALS FOR THE PROPERTY LOCATED AT 1410 FORD STREET
COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA**

STATEMENT OF PURPOSE AND INTENT

Request a Special Exception to allow for the use of a duplex.

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

SECTION I. The Common Council has provided notice of the hearing on the Petition from the Advisory Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for property located at:

1410 Ford Street, South Bend, IN. 018-3085-3423

In order to permit a two-unit dwelling.

SECTION II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Advisory Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

SECTION III. The Common Council of the City of South Bend, Indiana, hereby finds that:

1. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience, or general welfare;
2. The proposed use will not injure or adversely affect the use of adjacent area of property values therein;
3. The proposed use will be consistent with the character of the district in which it is located, and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan;

SECTION IV. Approval is subject to the Petitioner complying with the reasonable conditions, if any, established by the Advisory Board of Zoning Appeals which are on file in the Office of the City Clerk.

SECTION V. 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 _____, 2023, at _____ o'clock ____ . m.

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

Approved and signed by me on the _____ day of _____, 2023, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

Filed in C
NOV 07 2023
DAWN M. JONES
CITY CLERK, SOUTH BEND, IN.

Property Information

Location: 1410 FORD ST
Owner: P & P CAPITAL LLC

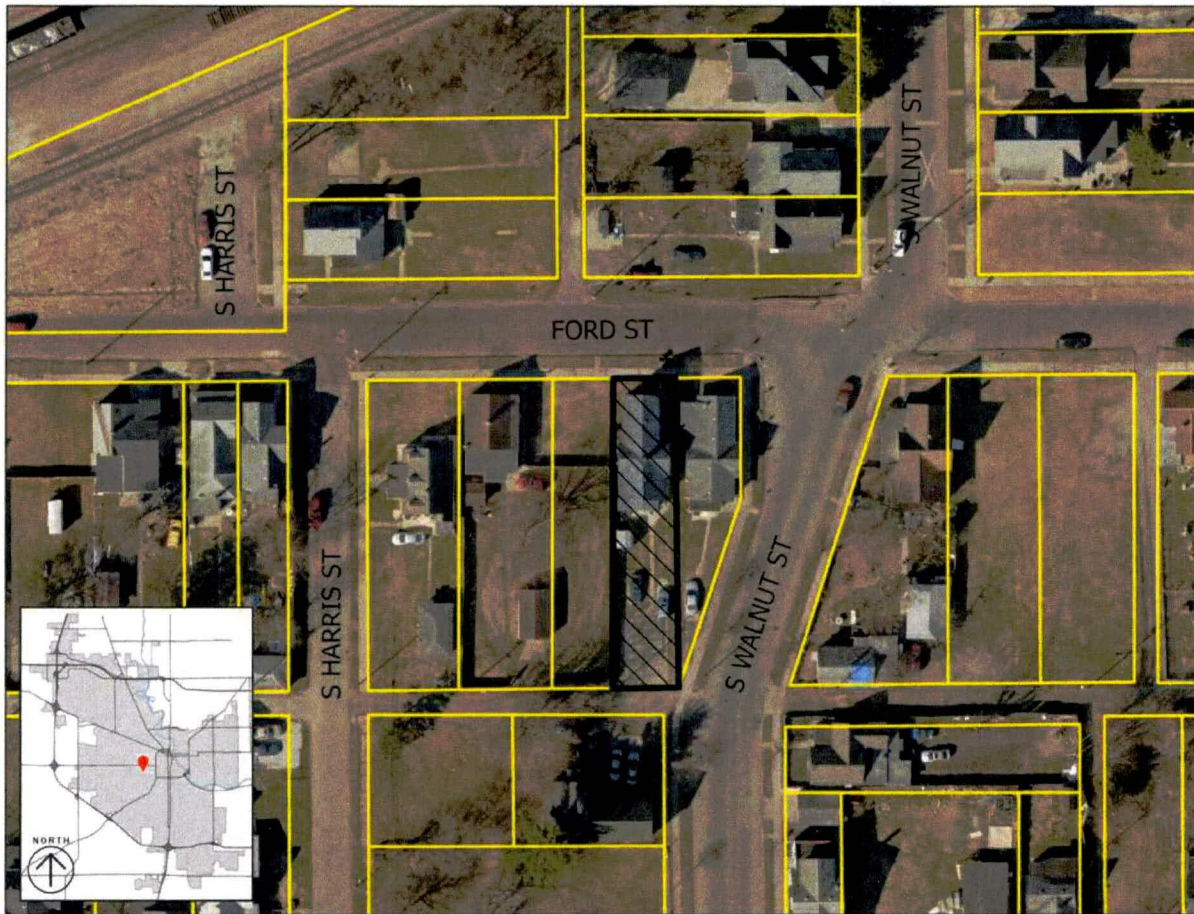
Project Summary

Purchased as a duplex two years ago and has been used as one since purchasing. Must remedy zoning prior to making further improvements.

Requested Action

Special Exception: 2 unit dwelling

Site Location



Staff Recommendation

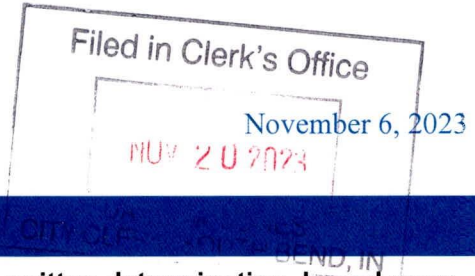
Based on the information provided prior to the public hearing, the staff recommends the Board send the petition to the Common Council with a favorable recommendation, as presented.

Staff Report – BZA#0230-23

Proposed Site Plan

Filed in Clerk's Office
November 6, 2023
NOV 20 2023
DAWIN M. JONES
CITY CLERK, SOUTH BEND, IN





Criteria for Decision Making: Special Exception

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing, that:

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;

Approval of the Special Exception should not be injurious to the public health, safety, morals and general welfare of the community. The building is designed and has been used as a duplex for at least two years. No exterior renovations are proposed at this time. A two-unit dwelling will provide more residents to the neighborhood which will increase safety and the general welfare of the community.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;

Legalizing a duplex should not injure or adversely affect the use or value of the adjacent properties provided the current residential building form is maintained.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;

The use as a two unit dwelling will further complement the existing housing stock in the surrounding area and be visually indistinguishable from nearby one unit dwellings. The proposed use will provide more housing options for residents.

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.

The petition is consistent with the City Plan, South Bend Comprehensive Plan (2006) Objective H1.1: Encourage residential developments to contain a mix of housing types, densities, price ranges, and amenities.

Analysis & Recommendation

Analysis: The legalization of this property as a duplex will further complement the existing housing stock in the surrounding area and be visually indistinguishable from nearby one unit dwellings. The proposed use will provide more housing options for residents.

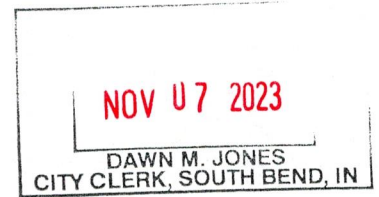
Staff Recommendation: Based on the information provided prior to the public hearing, the staff recommends the Board send the petition to the Common Council with a favorable recommendation, as presented.

City of South Bend

BOARD OF ZONING APPEALS

November 7, 2023

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



RE: Special Exception at 1410 Ford Street

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Special Exception at the above referenced location. Please include the attached Ordinance on the Council agenda for **first reading** at your November 13, 2023, Council meeting and set it for public hearing at your November 27, 2023, Council meeting. The petition was considered at the November 6, 2023, South Bend Board of Zoning Appeals meeting. The staff report and recommendation of the South Bend Board of Zoning Appeals will be forwarded to the Office of the City Clerk by noon on the Wednesday following the public hearing.

The petitioner provided the following to describe the proposed project:
A Special Exception to allow for the use of a duplex.

The full petition is attached for your reference. Changes may occur between the filing and the public hearing. Any substantial changes will be identified at the Council meeting.

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

Sincerely,

A handwritten signature in cursive script that reads "Kari Myers".

Kari Myers
Zoning Specialist

CC: Bob Palmer