

LAPORTE COUNTY REDEVELOPMENT COMMISSION MEETING AGENDA
WEDNESDAY, March 30, 2022, 4:00 P.M.

AMENDED NOTICE TO INCLUDE NOTIFICATION OF ELECTRONIC PARTICIPATION AND TO ALLOW THE PUBLIC TO ATTEND ELECTRONICALLY PURSUANT TO STATE EXECUTIVE ORDER.

If any member of the public wishes to attend the meeting electronically, the meeting will be available on Zoom, which can be accessed for free on the internet at <https://zoom.us/> and then click the "Join a Meeting" tab followed by the meeting ID 94612378195 password 528228.

You can also download the free Zoom app to your smartphone and join the meeting via the app.

1. Call the meeting to order.
2. Pledge of Allegiance
3. Roll call.
4. Approval of the agenda
5. Public comment
6. Communications
7. Minutes
8. Treasurer's report
9. Claims

<u>TIF</u>	<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTALS</u>
KIDC	Barnes & Thornburg	Legal Services Inv#2591296	\$5,117.00	
	MCR Partners	March '22 Professional Services	\$3,000.00	
	Thomas & Associates, LLC	February '22 Professional Services	\$780.00	
	Friedman & Associates	Litigation Legal Services Inv#10734	\$202.50	
	Mary Elizabeth Pitz & Associates	2022 Rail Summit Table	\$6,500.00	
		Subtotal		\$15,599.50
US421#1	Thomas & Associates, LLC	February '22 Professional Services	\$780.00	
	MCR Partners	March '22 Professional Services	\$2,000.00	
	Friedman & Associates	March '22 Legal Services	\$1,500.00	
	Herald-Dispatch	February '22 Legal notices	\$56.89	
		Subtotal		\$4,336.89
39 North	MCR Partners	March '22 Professional Services	\$1,000.00	
	Thomas & Associates, LLC	EDA Application	\$1,378.00	
		Subtotal		\$2,378.00
TOTAL OF CLAIMS				<u>\$22,314.39</u>

10. Old Business:

- a. 421/194 TIF project update - Matt Reardon; MCR Partners
- b. KIP update – Matt Reardon; MCR Partners
- c. 39N update- Matt Reardon; MCR Partners
- d. 35/94 TIF– Matt Reardon; MCR Partners

11. New Business:

- a. Consideration of Resolution #03-2022 A Resolution Amending Bond Resolution No. 01-2022 To Modify Section 12 Regarding the Issuance of Additional Bonds - Lisa Lee; IceMiller
- b. Consideration of 2021TIF Annual Report & Overlapping Units Report – Karl Cender; Cender/Dalton
- c. Consideration of Resolution #04-2022 A Resolution of the La Porte County Redevelopment Commission Concerning the 2023 Budget Year Determination For Tax Increment for the La Porte County Redevelopment Commission Allocation Areas- Karl Cender; Cender/Dalton
- d. Consideration of Resolution #05-2022 A Resolution of the La Porte County Redevelopment Commission Supporting The Creation of an Economic Revitalization Area for Purposes of Property Tax Abatement Leading To the Construction and Renovation of a New Corporate HQ Facility in Kingsbury Industrial Park – OCED Director; Tony Rodriguez

12. Other Business:

13. Adjourn

February/ March 2022 Communications

- MCR Comcast agreement
- LPCRDC President signature on Comcast agreement
- 2022 Rail Summit registration
- 39 N Letters of support Walorski/Young
- IceMiller 421 Bond issue amending Resolution/USA Bank Payment/ Congrats on closing
- Auditor request for Treasurer report
- MCR confirmed 2mill ARPA \$ for 421 utility infrastructure project
- Bishop pre- constructions mtg. D & M invoices schedule for payment/easement updates
- Dalton re: Annual report questions/ TIF Annual Report/2023 Capture/Resolution
- CenderDalton, IceMiller 421 bond closing docs/ closing instructions/TIF 421 balances
- Gathered signatures for bond closing docs
- Director OCED tax abatement support resolution

mjthomas2027@gmail.com

From: Mary Elisabeth Pitz <mpitz@mepitzassociates.com>
Sent: Saturday, February 26, 2022 2:29 PM
To: Mary Jane Thomas
Subject: Thank you and more!
Attachments: LaPorteCountyOED-LPC-LOGOOpenDoor.jpg; La Porte Cty Redevelopment 26 Feb 2022.pdf; Recap of All Sponsorship Levels to 31 Mar 2022.docx.pdf

26 Feb 2022

Mary Jane Thomas
Thomas & Associates

Hello Mary Jane,

Thank you for your good news email. What a joy it is to welcome you to the 2022 Summit. Please share with Joe how delighted we are.

Attached is the only logo file we have. Would you kindly send me an updated logo file. Also attached are:

1. Invoice for a table of 10 at the 12th Rail & Maritime Summit, 12 Jul 2022
2. The generic Recap of All Sponsorship Levels to 31 Mar 2022

At the end of March, we are forced to increase our prices due to contractual increases.

I look forward to working with you.

With sincere appreciation,

Mary Elisabeth

Mary Elisabeth Pitz
President & CEO



D.B.E., W.B.E.

Founder, Rail & Maritime Summit

11 Sold-out Annual Summits



Save The Date, July 12, 2022, 12th Annual Summit

MEP-Associates.com

MEP&A

205 N. Michigan Ave., Ste. 810

Chicago, IL 60601

[312-750-9150](tel:312-750-9150) (general); [312-440-1038](tel:312-440-1038) (direct)

mpitz@mepitzassociates.com

205 N. Michigan Ave. #810
Chicago, IL 60601-5902



www.MEP-Associates.com
312.750.9150



2022 RAIL & MARITIME SUMMIT

VIP Reception, Dinner - Monday, July 11, 2022
Summit Program, Reception - Tuesday, July 12, 2022

Union League Club, Chicago SPONSORSHIP LEVELS

PLATINUM Customized Benefit Program	\$25,400
PREMIUM 1. Reception, Dinner, and Program Sponsor. 2. Highlighted Summit participation. 3. Prominent Table Logo placement. 4. Prominent logo placements on promotional and content materials. 5. Tickets for Monday's VIP Events, July 11. 6. 2 Tables for the Summit Program, Tuesday, July 12.	\$19,650
GOLD 1. Program Sponsor. 2. Summit participation. 3. Prominent Table Logo placement. 4. Prominent logo placements on promotional and content materials. 5. 1 Ticket for VIP Events, Monday, July 11. 6. 16 Tickets for the Summit Program, Tuesday, July 12.	\$17,300
SILVER 1. Lunch Sponsor. 2. Prominent Table Logo placement. 3. Prominent logo placements on promotional and content materials. 4. 1 Ticket for VIP Reception and Dinner, Monday, July 11. 5. 2 Tables for the Summit Program, Tuesday, July 12.	\$15,700
COPPER 1. Dinner Spotlight. 2. Prominent Table Logo placement. 3. Prominent logo placements on promotional and content materials. 4. 1 Ticket for Monday's VIP Reception and Dinner, July 11. 5. 2 Tables for the Summit Program, Tuesday, July 12.	\$13,000

205 N. Michigan Ave. #810
Chicago, IL 60601-5902



www.MEP-Associates.com
312.750.9150

VIP Reception, Dinner - Monday, July 11, 2022
Summit Program, Reception - Tuesday, July 12, 2022

CONT'D. LEVELS OF SPONSORSHIPS

BRONZE	\$10,550
1. Breakfast Sponsor.	
2. Prominent Table Logo placement.	
3. Prominent logo placements on promotional and content materials.	
4. 1 Ticket for Monday's VIP Reception and Dinner, July 11.	
5. 12 Tickets for the Summit Program, Wednesday, July 21.	
METALLIC	\$ 8,500
1. Prominent Table Logo placement.	
2. Prominent logo placements on promotional and content materials.	
3. 1 Ticket for Monday's VIP Reception and Dinner, July 11.	
4. 1 Table for the Summit Program, Wednesday, July 12.	
VIP RECEPTION	\$ 8,300
CLOSING RECEPTION	\$ 8,860
TABLE	\$ 6,500
1. Prominent Table Logo placement.	
2. Prominent logo placements and on promotional and content materials.	
3. 10 Tickets for the Summit Program, Wednesday, July 12.	

Prices increase April 1, 2022

Thank you for your consideration.
We look forward to partnering with you and customizing benefits
that deliver maximum value for your company!

mjthomas2027@gmail.com

From: Lisa.Lee@icemiller.com
Sent: Tuesday, March 1, 2022 5:38 AM
To: Matt Reardon
Cc: mjthomas2027@gmail.com; Karl Cender; Boehm, Landon
Subject: RE: [EXT] Re: 421/94 utilities

Great work!

From: Matt Reardon <matt.reardon@mcrpartnersltd.com>
Sent: Monday, February 28, 2022 9:08 PM
To: Lee, Lisa <Lisa.Lee@icemiller.com>
Cc: mjthomas2027@gmail.com; Karl Cender <kcender@cenderdalton.com>; Boehm, Landon <LBoehm@rwbaird.com>
Subject: [EXT] Re: 421/94 utilities

EXTERNAL EMAIL WARNING! Use caution with links or attachments. DO NOT provide your credentials!

LP county officially appropriate the additional 2MM in ARP funds tonight for the project.

Congrats and thank you all for your assistance.

Regards,

Matt Reardon, EDFP
MCR Partners, LLC
Mcrpartnersltd.com
HWC Engineering
Broker-Bradley Co
5920 Hohman Avenue
Hammond, IN 46320
219.741.9511

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On Feb 10, 2022, at 5:42 PM, Lisa.Lee@icemiller.com wrote:

I sent her my response to the bond resolution for Feb. 16. If you're talking about the Feb. 23 hearing, the title should be "Additional Appropriation Resolution". Thanks.



CLOSING INSTRUCTIONS AND FLOW OF FUNDS MEMORANDUM

	<u>Phone Number</u>
TO: Jason Fenwick, First Merchants Bank	317-566-7683
Susanna Khan, First Merchants Bank	317-706-6630 ext 26630
Connor Stroke, First Merchants Bank	317-566-7632
Landon Boehm, Robert W. Baird & Co. Incorporated	317-991-9139
Mike McCarty, Robert W. Baird & Co. Incorporated	708-870-7803
Josh Janak, Robert W. Baird & Co. Incorporated	317-578-4725
Scott Fesler, U.S. Bank Trust Company, National Association	317-264-2501
Lisa Lee, Ice Miller LLP	317-236-2268
Debra Passmore, Ice Miller LLP	317-236-2144
Matt Reardon, LaPorte County Economic Development	219-741-9511
Randy Novak, LaPorte County Redevelopment Commission	219-809-5733
Timothy Stabosz, LaPorte County Auditor	219-326-6808, ext. 2226
Vaughn Galloway, LaPorte County Deputy Auditor	219-326-6808, ext. 2485
Joie Winski, LaPorte County Treasurer	219-326-6808, ext. 2245
Shaw Friedman, Friedman & Associates, P.C.	219-326-1264
Beau Zoeller, Frost Brown Todd LLC	502-779-8696
Nic Gordon, Frost Brown Todd LLC	502-779-8435
 FROM: Karl Cender - Cender Dalton Municipal Advisors	 219-736-1800
DATE: March 9, 2022	
RE: LaPorte County, Indiana Redevelopment Commission (the "Issuer") \$4,471,000 Tax Increment Revenue and Refunding Revenue Bonds of 2022 (the "Bonds")	

CLOSING INSTRUCTIONS

The following are closing instructions (including wire transfers) for the above referenced transaction, which will take place on **March 9, 2022**.

Total Sources and Uses of Funds of the bond sale are as follows:

Sources

Par Amount of the 2022 Bonds	\$4,471,000.00
County Funds on Hand	2,000,000.00
RDC Funds on Hand.....	353,000.00
MC Water Utility Funds on Hand.....	<u>250,000.00</u>
Total	<u>\$7,074,000.00</u>

Uses

- 1) First Merchants Bank (the "Lender") will wire transfer **\$4,112,001.55** to U.S. Bank Trust Company, National Association ("U.S. Bank"). The transferred amount represents the Par amount of the 2022 Bonds, less an amount held by Lender in a Debt Service Reserve Fund on behalf of the LaPorte County Redevelopment Commission.

Par Amount of the 2022 Bonds	\$4,471,000.00
Less: Debt Service Reserve Fund (held by Lender)	<u>358,998.45</u>
Net Wire Amount	<u>\$4,112,001.55</u>

Wire Instructions

U.S. Bank National Association
60 Livingston Avenue
St. Paul, MN 55107
ABA #: 091000022
Beneficiary: USBANK CT WIRE CLRG
Beneficiary Account #: 180121167365
For further credit to: LaPorte County RDC Refunding 2022
Contact: Indianapolis Corporate Trust

- 2) Upon receipt of funds at closing, U.S. Bank will use **\$1,344,864.17** to pay off the Series 2010 Bonds on March 9, 2022.
- 3) **\$168,565.00** will be deposited into the Cost of Issuance Account for paying the Cost of Issuance invoices.
- 4) The remainder, **\$2,598,572.38**, will be held by U.S. Bank National Association as under a deposit agreement in a Construction Account for the LaPorte County Redevelopment Commission. **No disbursements will be permitted until the Commission adopts an amending bond resolution which is anticipated to occur on March 30, 2022.**
- 5) The Redevelopment Commission will transfer **\$310,000** of cash from I94/US 421 Allocation Area No. 1 and **\$43,000** from I94/US 421 Allocation Area No. 2 to the RDC Construction Account. LaPorte County will also use **\$2,000,000** of ARP Funds for the water and sewer project and MC Water Utility will be depositing **\$250,000** to the RDC Construction Account.
- 6) Upon successful settlement of the Bonds, U.S. Bank shall pay expenses incurred in the authorization, sale and issuance of the Bonds from moneys deposited in the Cost of Issuance Account for the Cost of Issuance. U.S. Bank shall make payment in the amounts summarized below upon receipt of a valid invoice(s) in like or lesser amount.

Cost of Issuance Expenses:

Bond Counsel (<i>Ice Miller LLP</i>).....	\$ 45,000.00
Financial Advisor (<i>Cender Dalton Municipal Advisors</i>)	40,000.00
Placement Agent (<i>Robert W. Baird & Co. Incorporated</i>)	67,065.00
Lender's Counsel (<i>Frost Brown Todd LLC</i>)	4,000.00
RDC Counsel (<i>Friedman & Associates P.C.</i>)	10,000.00
Paying Agent (<i>U.S Bank</i>)	2,500.00
<i>Total Delivery Date Expenses</i>	<u>\$168,565.00</u>

We are requesting that Scott Fesler of U.S. Bank contact Lisa Lee, of Ice Miller LLP, at (317) 236-2268 as soon as the funds for the Bonds have been received on March 9, 2022, and Lisa will direct the closing of the Bonds.

Please contact Karl Cender (219) 736-1800 as soon as possible if you have any questions regarding the closing procedures.

Authorization and Approval of Wiring Instructions

I hereby authorize and approve wiring of the above on behalf of LaPorte County Redevelopment Commission as outlined in the above memorandum.

By: 
Randy Noyak
LaPorte County Redevelopment Commission

Title: President

Date: March 7 2022



UNITED STATES DEPARTMENT OF COMMERCE
The Assistant Secretary for Economic Development
Washington, DC 20230

March 4, 2022

The Honorable Jackie Walorski
U.S. House of Representatives
Washington, DC 20515

Dear Representative Walorski:

Thank you for your letter to the Economic Development Administration (EDA) supporting the 39 N Conservancy District's application for funding assistance under the American Rescue Plan (ARP) Economic Adjustment Assistance (EAA) program. EDA was allocated \$3 billion from the \$1.9 trillion appropriated by Congress under the American Rescue Plan Act of 2021, which was signed by President Biden on March 11, 2021. This funding was targeted to help communities nationwide respond to and recover from the devastating impacts to the economy caused by the COVID-19 pandemic and the ongoing recession. From the \$3 billion allocated to EDA, \$500 million was designated for the EAA program to help communities nationwide plan, build, innovate, and put people back to work through infrastructure, technical assistance, planning, and revolving loan programs designed to meet their local needs.

Applications for the ARP EAA program are coordinated by EDA's six regional offices, which review the eligibility and merit of applications based upon the criteria contained in the relevant Notice of Funding Opportunity. EDA's Chicago Regional Office, which is responsible for applications received from Indiana, has received the 39 N Conservancy District's application, and it is currently under review. Please be assured that all applications received are given full and fair consideration, and each applicant is notified directly of the selecting official's decision after the review process is completed.

Thank you again for your letter, and I look forward to collaborating with you as we continue to rebuild our Nation's economy back better. Should you have any questions, please contact Angela Ewell-Madison, Director of Legislative and Intergovernmental Affairs, at (202) 482-2900.

Sincerely,

Alejandra Y. Castillo

Alejandra Y. Castillo
Assistant Secretary of Commerce
for Economic Development

mjthomas2027@gmail.com

From: Lisa.Lee@icemiller.com
Sent: Wednesday, March 9, 2022 2:35 PM
To: Shaw Friedman; Matt Reardon; Karl Cender; mjthomas2027@gmail.com
Cc: Debra.Pasmore@icemiller.com; Boehm, Landon; Janak, Joshua
Subject: LaPorte County TIF Bonds - CLOSED

Importance: High

U.S. Bank has received the funds and we have all documents needed to release our bond counsel opinion. We now consider this financing CLOSED! Thank you to all of you for the quick work made of this bond issue from start to finish. We appreciate your business and all the work put in to bring this financing to a successful conclusion!



[Lisa A. Lee](#)

Partner

Lisa.Lee@icemiller.com

p 317-236-2268 **f** 317-592-4671

Ice Miller LLP
One American Square
Suite 2900
Indianapolis, IN 46282-0200

To learn more about the firm and its services, visit us at icemiller.com



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Thank you.

ICE MILLER LLP

March 11, 2022

The Honorable Alejandra Y. Castillo
Assistant Secretary of Commerce for Economic Development
U. S. Department of Commerce
1401 Constitution Avenue NW, Suite 71014
Washington, DC 20230

Dear Assistant Secretary Castillo,

I am writing to express my support for the Economic Adjustment Assistance program application as submitted by the 39 North Conservancy District in La Porte County, Indiana. If awarded, 39 North Conservancy District intends to design and construct a 500,000-gallon elevated water tower, which will provide an adequate supply of clean water to meet regulatory requirements for public safety and business enterprise.

Today, the existing water infrastructure is insufficient, posing a danger to health, sanitation, and water security issues for businesses, employees and residents. Further, it hinders the ability of fire protection services to respond effectively. Reversing this situation through the construction of a new water tower designed for future growth will allow 39 North Conservancy District to better market its available resources and amenities to potential businesses and residents which will increase its tax base and create a sustainable financial environment.

I ask that you give the 39 North Conservancy District's application full and fair consideration, within applicable laws and regulations. If I can provide you with any additional information, please contact my grants coordinator, Kevin Sulc. He can be reached by email, Kevin_Sulc@young.senate.gov. Thank you in advance for your assistance.

Sincerely,



Todd Young
United States Senator

mjthomas2027@gmail.com

From: Karl Cender <kcender@cenderdalton.com>
Sent: Tuesday, March 15, 2022 2:25 PM
To: mjthomas2027@gmail.com
Cc: Matt Reardon
Subject: RE: RDC TIF 1 cash balance

Mary Jane,

The RDC should reserve \$310,000 from I94/US421 Allocation Area No. 1 and \$43,000 from I94/US421 Allocation Area No. 2. Vaughn was going to fix the Dec. 2021 receipt of TIF for \$98,418.45 from Area No. 1 to Area No. 2. We believe it belongs in Area No. 2. Once this is fixed the \$43,000 will be available for the Projects.

Please have the RDC reserve the \$310,000 and \$43,000 for the Projects at its next meeting.

Thanks,
Karl

Karl Cender, Partner
[Cender | Dalton Municipal Advisors](#)
219.736.1800 office
219.730.5250 cell

From: mjthomas2027@gmail.com <mjthomas2027@gmail.com>
Sent: 03/15/2022 1:32 PM
To: Karl Cender <kcender@cenderdalton.com>
Cc: Matt Reardon <matt.reardon@mcrpartnersltd.com>
Subject: RDC TIF 1 cash balance

Karl,

Does the RDC need to reserve any portion of the current cash balance of approximately \$ 400,000.00 for the D & M contract?

Best,
Mary Jane
Mary Jane Thomas
Founder
Thomas & Associates,LLC,WBE
Email: mjthomas2027@gmail.com
Phone: 219.210.1857

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
FEBRUARY 23, 2022

AMENDED NOTICE TO INCLUDE NOTIFICATION OF ELECTRONIC PARTICIPATION AND TO ALLOW THE PUBLIC TO ATTEND ELECTRONICALLY PURSUANT TO STATE EXECUTIVE ORDER.

If any member of the public wishes to attend the meeting electronically, the meeting will be available on Zoom, which can be accessed for free on the internet at <https://zoom.us/> and then click the "Join a Meeting" tab followed by the meeting ID 94612378195, Passcode 528228. You can also download the free Zoom app to your smartphone and join the meeting via the app.

The La Porte County Redevelopment Commission in-person and Zoom meeting was held on Wednesday, February 23, 2022, at 4 P.M. (CDT), in Room #3, County Complex.

CALL TO ORDER

Meeting called to order by President; Randy Novak, at 4:07P.M.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was recited.

ROLL CALL

Randy Novak – Present
Joe Coar – Present
Rich Mrozinski – Present
Terry Larson – Absent
Scott Cooley – Present
Connie Gramarossa– Absent
Michael Rosenbaum – Present
Jan Ribordy, Ex-Officio -Absent

Others Present: Attorney Shaw Friedman, Matt Reardon; MCR Partners, Viviana Plaza: Office of Community and Economic Development, Mitch Bishop; County Planner, Michael Seitz; Retention & Expansion Coordinator, John Smith; USi Engineering, Lisa Lee; IceMiller Bond Counsel, Karl Cender; Financial Advisor and Mary Jane Thomas; MjThomas & Associates .

The Redevelopment Commission and attendees observed a moment of silence in remembrance of Tony Rodriguez; Director of the Office of Community and Economic Development Father and RDC Member Connie Gramarossa' s Mother who died this past week.

Approval of the Agenda

Michael Rosenbaum motioned to approve the agenda with an amendment to New Business adding 10e Rail Summit 2022. Joe Coar seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

None

COMMUNICATIONS

-BT invoices

**LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
FEBRUARY 23, 2022**

- BT35 TIF Bond Counsel signed document request BT
- 2022 Rail Summit invite emailed to RDC members and colleagues
- Treasurer report request to the County Auditor
- Bishop 421 easement claims
- February Special meeting arrangements
- Friedman Comcast KIP agreement
- CenderDalton 421 bond issue
- MCR re: Feb. agenda items, 421 bond issue
- Gramarossa meeting email confirmation
- IceMiller 421 bond issues- resolution, public hearing notice
- Underwriter Robert W. Baird & Co Incorporated service agreement, 421 bond issue
- Publication in Herald-Dispatch legal notice of public for additional appropriation
- OCED Zoom mtg. arrangements for special meeting
- Bishop D & M contract
- LPCSC RDC appointment of Jan Ribordy announcement

Approval of Minutes

Joe Coar motioned to approve January 26, 2022, meeting minutes and the February 16, 2022, Special meeting minutes as presented. Michael Rosenbaum seconded the motion. The motion carried unanimously.

TREASURER’S REPORT

KIDC TIF-\$62,112.00
 421/I-94 TIF #1 -\$635,695.00
 421/I-94 TIF #2- (55,189.00)
 39 N TIF-\$81,363.00
 The balances include the fall tax increment revenues.

Michael Rosenbaum motioned to approve the Treasurer’s Report as presented. Joe Coar seconded the motion. The motion carried unanimously.

CLAIMS

<u>TIF</u>	<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTALS</u>
KIDC	Barnes & Thornburg	Legal Services Inv#2576204	\$1,914.00	
	MCR Partners	February '22 Professional Services	\$3,000.00	
	Thomas & Associates	January '22 Professional Services	\$458.25	
	Friedman & Associates	Litigation Legal Services Inv#10710	\$667.50	
	Herald-Dispatch	January '22 Legal notice	\$27.67	
		Subtotal		\$6,067.42
US421#1	Thomas & Associates	January '22 Professional Services	\$458.25	
	MCR Partners	February '22 Professional Services	\$2,000.00	

**LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
FEBRUARY 23, 2022**

	Friedman & Associates	February '22 Legal Services	\$1,500.00	
	Weaver Consultants Group	Easement Procurement Services Inv# 55536, 55952, 56632	\$19,856.45	
			Subtotal	\$23,814.70
39 North	MCR Partners	February '22 Professional Services	\$1,000.00	
			Subtotal	<u>\$1,000.00</u>
			TOTAL OF CLAIMS	<u>\$30,882.12</u>

President Novak read the claims as presented for payment for the Kingsbury Industrial Park TIF (KIDC) area on the Claim Docket. After some discussion, Scott Colley motioned to approve the KIDC TIF area claims in the amount of \$6,067.42. Joe Coar seconded the motion. The motion carried unanimously.

President Novak read the claims as presented for payment for the US 421 #1 TIF area from the Claim Docket. Scott Cooley motioned to approve the US 421 #1 TIF area claims in the amount of \$23,814.70. Joe Coar seconded the motion. The motion carried unanimously.

President Novak read the claims as presented for payment for the 39 North TIF area from the Claim Docket. Michael Rosenbaum motioned to approve the 39 North TIF area claims in the amount of \$1,000.00. Joe Coar seconded the motion. The motion carried unanimously.

President Novak acknowledged the docket in the amount \$30,882.12 was approved as presented.

OLD BUSINESS

A. 421/I94 TIF Project Update – Matt Reardon; MCR Partners

Matt Reardon: MCR Partners report will be in New Business 10a and 10b.

B. KIP Update – Matt Reardon; MCR Partners

MCR; Matt Reardon reported Comcast Agreement was in their meeting packets for review as promised. Comcast is prepared to issue a media release about the KIP investment in the very near future. RDC Attorney Friedman stated this is a significant investment by private enterprise in KIP. Michael Rosenbaum motioned to execute Comcast right of entry agreement. Joe Coar seconded the motion. The motion carried unanimously. READ! Grant is moving forward. Kingsbury Elevator CN track to bridge and JBC Rail CSX track to bridge. Waiting for Via Rail estimate for cost of bridge.

C. 39 N Update- Matt Reardon; MCR Partners

Matt Reardon: MCR reported the EDA grant was submitted the first week of February. Announcement expected early April. RDC Attorney Friedman stated the County Council supports 39 N request for ARPA funding for the water tower, if project is funded by EDA.

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
FEBRUARY 23, 2022

D. 35/194 TIF Update - Matt Reardon; MCR Partners

MCR; Matt Reardon reported he attended the February meeting of the Plan Commission at which the Plan Commission confirmed the TIF plan conforms to the La Porte County Comprehensive Plan. Next step is the County Council. MCR will follow-up with Michigan City Sanitary and Water Departments regarding utility infrastructure for the TIF.

NEW BUSINESS:

A. 421 TIF Bond Additional Appropriation Public Hearing

Matt Reardon MCR Partners introduced Lisa Lee; IceMiller Bond Counsel to address the Commission. Lee stated a Special Meeting of the RDC was held on February 16, 2022, to approve the 421 Bond Resolution. That evening the County Commissioners approved the 421 Bond Resolution. Lee stated the next step in the process is the public hearing on the additional appropriation of refunding of the 421 AA #2 tax exempt bonds. After the public hearing the Commission will consider Resolution #02-2022 Additional Appropriation Resolution. President Novak opened the public hearing. There being no public comment, President Novak closed the public hearing.

B. Consideration of Resolution #02-2022 Additional Appropriation

The Commission introduced Resolution #02-2022. After some discussion, Michael Rosenbaum motioned to adopt Resolution #02-2022, as presented. Joe Coar seconded the motion. The motion unanimously carried.

C. Bond Sale Update- Karl Cender; CenderDalton

Karl Cender: CenderDalton stated First Merchants is purchasing the bonds at 3.69% interest rate, with the provision that the debt service reserve funds are on deposit at First Merchant Bank. The project may now move forward to construction contract award. Lee stated the bonds may be called without penalty. President Novak requested CenderDalton calculate the interest savings to the TIF and report back to the Commission.

D. Consideration of D & M Excavating 421 Utility Infrastructure Project Contract

Matt Reardon: MCR Partners stated D & M Excavating was the lowest and most responsive bidder in the amount of \$4, 903,595. After some discussion, Joe Coar motioned to authorize the RDC President to execute the D & M Excavating contract as presented. Scott Cooley seconded the motion. The motion carried unanimously.

E. Rail and Maritime Summit

Joe Coar motioned the RDC purchase a table of 10 at the Rail and Maritime Summit on July 12, 2022, in Chicago. Michael Rosenbaum seconded the motion. The motion unanimously carried.

OTHER BUSINESS:

MCR Partners; Matt Reardon updated the Commission on proposed Senate and House legislation that potentially impact the Redevelopment Commission economic development toolbox. RDC Attorney Friedman suggested the Commission go on record that it does not support local sales tax revenue to be diverted to other parts of Indiana. Michael Rosenbaum motioned a letter be drafted from the Redevelopment Commission, for the RDC President's signature, stating the La

LA PORTE COUNTY REDEVELOPMENT COMMISSION MEETING MINUTES
FEBRUARY 23, 2022

Porte County Redevelopment Commission does not support loss of local control over local sales tax revenue, particularly the diversion to other parts of Indiana. Scott Cooley seconded the motion. The motion carried unanimously.

ADJOURNMENT

Scott Cooley motioned to adjourn the meeting at 4:36PM. Joe Coar seconded the motion. The motion carried unanimously. The next meeting will be held on March 30, 2022.

Randy Novak
President

Attest:

Michael Rosenbaum
Secretary

LAPORTE COUNTY REDEVELOPMENT COMMISSION CLAIMS AND ALLOWANCES

La Porte County Redevelopment Commission claims, and allowances will be considered by the La Porte County Redevelopment Commission at their meeting on March 30, 2022.

KIDC Project TIF-\$5,117.00 Barnes & Thornburg, legal services invoice #2591296
KIDC Project TIF- \$3,000.00 MCR Partners March 2022, professional services
KIDC Project TIF-\$780.00 Thomas & Associates, LLC, February 2022 professional services
KIDC Project TIF-\$202.50 Friedman & Associates, litigation legal services Invoice # 10734
KIDC Project TIF-\$6,500.00 Mary Elisabeth Pitz & Associates; 2022 Rail Summit Table

I-94/421 Project TIF-\$780.00 Thomas & Associates, LLC, February 2022 professional services
I-94/421 Project TIF-\$2,000.00 MCR Partners, March 2022, Professional Services
I-94/421 Project TIF--\$1,500.00 Friedman & Associates, legal services March 2022
I-94/421 Project TIF-\$56.89 Herald-Dispatch February 2022 legal notices

39 N Project TIF-\$1,000.00 MCR Partners, March 2022 Professional Services
39 N Project TIF- \$1,378.00 Thomas & Associates EDA application

Complete details of budget expenditures by fund and /or department may be seen at the La Porte County Auditor's Office.

Please publish one time on Saturday, March 19, 2022, in Herald – Dispatch.

Bill: La Porte County Redevelopment Commission C/O Office of Community and Economic Development, 555 Michigan Avenue, Suite #203, La Porte, IN 46351

LA PORTE COUNTY REDEVELOPMENT COMMISSION

March 30, 2022

CLAIM DOCKET

<u>TIF</u>	<u>VENDOR NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>TOTALS</u>
KIDC	Barnes & Thornburg	Legal Services Inv#2591296	\$5,117.00	
	MCR Partners	March '22 Professional Services	\$3,000.00	
	Thomas & Associates, LLC	February '22 Professional Services	\$780.00	
	Friedman & Associates	Litigation Legal Services Inv#10734	\$202.50	
	Mary Elizabeth Pitz & Associates	2022 Rail Summit Table	\$6,500.00	
		Subtotal		\$15,599.50
US421#1	Thomas & Associates, LLC	February '22 Professional Services	\$780.00	
	MCR Partners	March '22 Professional Services	\$2,000.00	
	Friedman & Associates	March '22 Legal Services	\$1,500.00	
	Herald-Dispatch	February '22 Legal notices	\$56.89	
		Subtotal		\$4,336.89
39 North	MCR Partners	March '22 Professional Services	\$1,000.00	
	Thomas & Associates, LLC	EDA Application	\$1,378.00	
		Subtotal		\$2,378.00
		TOTAL OF CLAIMS		<u>\$22,314.39</u>

ALLOWANCE OF CLAIMS

We have examined the claims listed above, consisting of one (1) page, and except for Claims which may be listed below; such vouchers are allowed in the total amount of \$22,314.39. The Allowance of Claims, related motions and/or discussions by Committee Members will be included in the La Porte County Redevelopment Commission meeting minutes.

Dated this 30th day of March, 2022

Randy Novak, President
La Porte County Redevelopment Commission

Please list any denied or tabled claims:

LaPorte County Redevelopment Commission
 Monthly Financial Snapshot – March 30, 2022
 Claims Approved per RDC Docket

	US 421 AA#1	US 421 AA#2 (RESTRICTED)	KIDC	39 N AA
<i>This report includes claims being considered on the March 30th meeting's agenda.</i>	YTD Revenue/ Expenditures	YTD Revenue/ Expenditures	YTD Revenue/ Expenditures	YTD Revenue/ Expenditures
Beginning Balance – Jan 1, 2022	\$693,876	\$95,036	\$74,117	\$85,248
YTD Revenues				
TIF Revenues				
Other Revenues, Interest Income, etc.				
Revenue Sub – Total	\$0	\$0	\$0	\$0
YTD Expenditures				
Cender – RDC Financial Advisory Services (\$20,000 annually)				
Cender – Financial Serv-421 Bond Financing				
SEH – Financial Serv-194/421 Project				
RQAW – 421 Watermain Design				
RQAW – 421 Sanitary Design (Estimate) (Amendment #1)				
*RQAW – 421 Surveyor Related Work (Amendment #1)				
*RQAW – 421 Appraisals (Amendment #1)				
RQAW - Reimbursables				
Weaver Consultants Group (Amended)–421 Easements				
Weaver Consultants Group – Land Acquisition (Sept '21)	\$19,856			
Lochner – 421 Construction Engineering				
Friedman – Monthly Retainer (\$1,500/mo)	\$3,000		\$1,500	
Friedman/Clark/Beall NIPSCO Proceedings				
The Antero Group – 421 Utility Design Review				
Ice Miller – 421/94 Bond Counsel (\$340-\$645/hr)				
PiperJaffray – 421/94 Bond Underwriter				
Cardno – KIP Wetland Monitoring				
MCR Partners, LLC	\$6,000		\$9,000	\$3,000
Thomas & Associates, LLC – Administrative/Grant Services	\$1,680		\$1,680	\$3,263
Mitch Bishop (Council approved transfer)	\$10,000			
Other Legal Services, i.e...litigation, out of pocket, etc.				
Other Services and Charges				
Legal Ad/Publication Fees (Herald – Dispatch, etc.)	\$82		\$28	
KIP Condemnation (appraisal, court, legal services, etc)			\$8,896	
US Hwy 421 Purchase of Easements	\$21,900			
Dues, Membership Fees, Rail Summit			\$6,500	
Debt Service		\$150,225 ⁽¹⁾		
Capital				
Loans			⁽²⁾	
Expenditure Sub – Total	\$62,518	\$150,225	\$27,604	\$6,263
Ending Balance – March 30, 2022	\$631,358	-\$55,189	\$46,513	\$78,985

(1) Payments on debt service will be limited to TIF revenues collected (2) RDC is deferring repayment of Major Moves Loan for KIP until such time as a major development occurs

LaPorte County Redevelopment Commission
Approved/Budgeted Contract Completion Status – March 30, 2022

<i>This report includes claims being considered on the March 30th meeting's agenda.</i>	Budgeted/ Approved Contracts	2018 Paid	2019 Paid	2020 Paid	2021 Paid	2022 Paid	Remaining on Contract Approved Amt
US 421 A&H							
Cender – Financial Serv-Bond Financing	\$34,000	\$13,830	\$893	\$450			\$18,827
RQAW – Watermain Design	\$210,000	\$178,500	\$31,500				\$0
*RQAW – Sanitary Design (Estimate)	\$100,000		\$141,919				-\$41,919
*RQAW – Surveyor Related Work	\$77,350	\$68,950	\$8,400				\$0
*RQAW – Appraisals	\$26,000		\$15,300				\$10,700
**Weaver Group (Amended) – Geo &	\$42,050	\$1,091	\$21,262		\$908		\$18,789
Weaver Group – Land Acquisition Sept '21	\$34,300				\$359	\$19,856	\$14,085
The Antero Group – Utility Design Review	\$8,500		\$8,500				\$0
Lochner – Construction Engineering	\$241,500						\$241,500
PiperJaffray – Bond Underwriter	\$36,000						\$36,000
Total	\$809,700	\$262,371	\$227,774	\$450	\$1,267	\$19,856	\$297,982
KIDC							
Cardno – KIP Wetland Monitoring	\$4,200	\$2,912	\$191				\$1,097
Kingsbury Utility Corp. (Annual charge)	\$4,200						\$4,200
Friedman/Beall NIPSCO Proceedings	\$7,000	\$6,116	\$3,380				-\$2,496
Total	\$15,400	\$9,028	\$3,571	\$0	\$0	\$0	\$2,801

*See table below for the RQAW 421 Contract Amendment #1 detail of payments

**See table below for the Weaver Consultants Group 421 Contract Amendment #1 detail of payments

RQAW Contract Amendment #1 (dated 11/19/18)

Task	Amendment #1 Contract Amount	Paid Amount to Date
Survey (Estimate)	\$61,600 + easement requirements (Estimated @ \$77,350)	\$77,350
Appraisal (Estimate)	\$26,000 (Estimate)	\$15,300
Sanitary Design	Time & Materials, tasks as directed by the County Engineer (RQAW has increased estimated amount on 2/28/19 invoice from \$100,000 to \$125,000, RQAW has increased estimated amount on 3/31/19 invoice from \$125,000 to \$150,000, RQAW has increased estimated amount on 6/30/19 invoice from \$150,000 to \$166,665)	\$141,919

Weaver Consultants Group Contract Amendment #1 (dated 11/16/18)

Task	Amendment #1 Contract Amount (Total \$42,050)	Paid Amount to Date
Geotechnical Fees	\$12,700 (Completed prior to amendment)	\$12,700
Land Acquisition Fees	\$25,850 – Perform Land Acquisition Scope for 21 parcels on a Time & Material basis NOT TO EXCEED based on <i>time commencing on 11/26/18</i>	\$10,561
	\$3,500 – Lift Station Property Acquisition	\$0.00

- The following amounts represent services provided and billed prior to the Weaver contract amendment and are not included in Weaver table above : Survey Fees \$1,709.00 Land Acquisition \$9,793.55

RESOLUTION NO. _____

LAPORTE COUNTY REDEVELOPMENT COMMISSION

A RESOLUTION AMENDING BOND RESOLUTION NO. 01-2022 TO MODIFY SECTION 12 REGARDING THE ISSUANCE OF ADDITIONAL BONDS

WHEREAS, the LaPorte County ("County") Redevelopment Commission ("Commission") approved the issuance of its Redevelopment District Tax Increment Revenue and Refunding Revenue Bonds of 2022, dated March 9, 2022 ("2022 Bonds"), originally issued in the amount of \$4,471,000 pursuant to its Bond Resolution No. 01-2022, adopted on February 16, 2022 ("Bond Resolution");

WHEREAS, as placement agent, Robert W. Baird & Co. placed the 2022 Bonds with First Merchants Bank and the County entered into a Bond Purchase and Loan Agreement dated as of March 9, 2022 with First Merchants Bank as original purchaser of the 2022 Bonds; and

WHEREAS, the Commission has been advised by the placement agent that in order to issue the 2022 Bonds the Commission must agree to amend Section 12 in the manner stated herein and may not expend funds from the proceeds of the Redevelopment District Capital Fund for the payment of project costs until such time as Section 12 has been amended by the adoption of this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE LAPORTE COUNTY REDEVELOPMENT COMMISSION, THAT:

Section 1. Section 12 of the Bond Resolution is hereby amended and restated as follows:

"SECTION 12: ISSUANCE OF ADDITIONAL BONDS.

(A) Parity Obligations. The Commission reserves the right to authorize and issue Parity Obligations of the Commission, acting in the name of the County, for the purpose of raising money for future local public improvements or economic development projects in,

serving or benefiting in the Area or to refund the Bonds or other Parity Obligations. If any Parity Obligations are issued pursuant to this Section 12, the term "Bonds" in this Bond Resolution shall, unless the context otherwise requires, be deemed to refer to the 2022 Bonds and such Parity Obligations. The authorization and issuance of such Parity Obligations, which shall be payable from Tax Increment, shall be subject to consent of the Original Purchaser or the following conditions precedent:

(1) All principal and interest payments with respect to all obligations payable from Tax Increment shall be current to date in accordance with the terms thereof, with no payment in arrears.

(2) For Parity Obligations payable from Tax Increment ~~without a special benefits tax levy under IC 36-7-14-27, another property tax levy or a pledge of local income taxes,~~ the Commission shall have received a certificate prepared by an independent, qualified accountant ("Certifier") certifying the amount of Tax Increment estimated to be received in each succeeding year, adjusted as provided below, which estimated amount shall be at least equal to one hundred fifty percent (150%) of the lease rental and debt service requirements with respect to the outstanding Bonds and the proposed Parity Obligations for each respective year during the term of the outstanding Bonds. In estimating the Tax Increment to be received in any future year, the Certifier shall base the calculation on assessed valuation actually assessed or estimated to be assessed as of the assessment date immediately preceding the issuance of the Parity Obligations; provided, however, the Certifier shall adjust such assessed values for the current and future reductions of real property tax abatements granted to property owners in the Area. ~~If the Parity Obligations are secured by a special benefits tax levy, another property tax levy, a pledge of local income taxes, the test in this paragraph (2) does not need to be met.~~

(3) Principal and interest on any Parity Obligations shall be payable semiannually on January 15 and July 15 and lease rentals on Parity Obligations which are leases shall be payable semiannually in approximately equal installments on January 15 and July 15.

Except as provided in this Resolution, the terms and conditions of any Parity Obligations shall be set forth in the resolution authorizing the issuance of such Parity Obligations.

(B) Subordinate Obligations. The Commission, acting in the name of the County, may issue bonds or other obligations or enter into leases which are junior and subordinate to the Bonds. The terms and conditions of such subordinate obligations will be set forth in a resolution adopted by the Commission. Principal of and interest on any subordinate obligations and lease rentals shall be payable on any January 15 and July 15 out of Tax Increment as set forth in Section 11 and the test in subparagraph (A)(2) shall be applied showing at least 100% coverage of the lease rental and debt service requirements with respect to the Bonds and proposed subordinate obligations for each year during the term of the proposed subordinate obligations."

Section 2. All other provisions of the Bond Resolution shall remain in full force and effect.

Section 3. This resolution shall be in full force and effect immediately upon its passage and execution.

Adopted at the meeting of the LaPorte County Redevelopment Commission held on the 30th day of March, 2022.

LAPORTE COUNTY REDEVELOPMENT
COMMISSION

President

ATTEST:

Secretary

**LAPORTE COUNTY, INDIANA
REDEVELOPMENT COMMISSION**

RESOLUTION NO. _____

**RESOLUTION OF THE LAPORTE COUNTY REDEVELOPMENT COMMISSION
CONCERNING THE 2023 BUDGET YEAR DETERMINATION FOR TAX
INCREMENT FOR THE LAPORTE COUNTY REDEVELOPMENT
COMMISSION ALLOCATION AREAS**

WHEREAS, the LaPorte County Redevelopment Commission (the "Commission"), has previously established the I-94/U.S. 421 No. 1 Allocation Area, the I-94/U.S. 421 No. 2 Allocation Area, the Kingsbury Industrial Park Allocation Area, and the Thirty-Nine North Allocation Area (the "Allocation Areas") for purposes of capturing tax increment pursuant to Indiana Code 36-7-14-39 (the "Tax Increment");

WHEREAS, pursuant to Indiana Code 36-7-14-39 and 50 IAC 8-2-4, the Commission is required to make a determination on Tax Increment and notify overlapping taxing units as well as the LaPorte County Auditor and also the County Council (the "County Council") of LaPorte County, Indiana, as the fiscal body of the County, which created the Commission; and

WHEREAS, with respect to the Allocation Areas, for budget year 2023, the Commission has determined the amount of the Tax Increment projected to be collected in 2023 as well as the amount of Tax Increment needed in 2023 to meet the Commission's outstanding debt service or lease payment obligations, to pay for projects that are located in or directly serve or benefit the Allocation Areas, and to meet other purposes permitted by Indiana Code 36-7-14-39(b)(3);

NOW, THEREFORE, BE IT RESOLVED BY THE LAPORTE COUNTY REDEVELOPMENT COMMISSION AS FOLLOWS:

SECTION ONE: The Commission has determined that all potential captured assessment (as defined in 50 IAC 8-1-16) with respect to the Allocation Areas for the January 1, 2022 assessment date (for budget year 2023) shall be captured assessment (as defined in 50 IAC 8-1-10), and overlapping taxing units as well as the LaPorte County Auditor and the County Council will be provided written notice of such determination pursuant to Indiana Code 36-7-14-39(b)(4)(B).

SECTION TWO: This Resolution shall take effect, and be in full force and effect, from and after its passage and approval by the Commission.

Resolution No. 2022-_____

ALL OF WHICH IS PASSED AND RESOLVED by the LaPorte County, Indiana
Redevelopment Commission on _____, 2022.

**LAPORTE COUNTY, INDIANA
REDEVELOPMENT COMMISSION**

President

Vice-President

Secretary

Member

Member

Member

Member

Resolution No. 2022-

ATTESTATION:

Commission Secretary

RESOLUTION NO. 2022-_____

RESOLUTION OF SUPPORT

**A RESOLUTION OF THE LA PORTE COUNTY REDEVELOPMENT COMMISSION
SUPPORTING THE CREATION OF AN ECONOMIC REVITALIZATION AREA FOR PURPOSES
of PROPERTY TAX ABATEMENT LEADING TO THE CONSTRUCTION and RENOVATION OF A
NEW CORPORATE HQ FACILITY IN KINGSBURY INDUSTRIAL PARK.**

(Real and Personal Property)

(Operating Company)

**Alexander Chemical
7593 S. 1st Line Road,
Kingsbury, IN 46345**

(Real Estate Owner)

**CL ENTERPRISES
7593 S. 1st Line Road,
Kingsbury, IN 46345**

WHEREAS, the La Porte County Redevelopment Commission acknowledges and supports the actions of the La Porte County Council in the creation of an economic revitalization area for the property commonly known as Alexander Chemical 7593 1st Line Rd, LaPorte, IN 46350 in the Kingsbury Industrial Park and,

WHEREAS, the investment by Alexander Chemical is consistent with the Redevelopment Area Plan for the Area and,

NOW, THEREFORE, BE IT FURTHER RESOLVED;

That the La Porte County Redevelopment Commission acknowledges the critical importance that this Redevelopment Activity will play in furthering the objectives of stimulating additional significant capital expenditures within the Kingsbury Industrial Park thereby building continued momentum and a "Pro-Development" friendly atmosphere.

This Resolution shall be in full force and effect from and after its passage and approval, as required by law.

Passed and adopted March 30, 2022.

Randy Novak
La Porte County Redevelopment Commission President

ATTEST

Michael Rosenbaum
La Porte County Redevelopment Commission Treasurer / Secretary