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BILL NO. R-13-10-16

CONFIRMING RESOLUTION NO. R-98-13

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 6911 Innovation Blvd., Fort Wayne, Indiana 46818 (Coram USA, LLC/JD Summit Associates LC)

WHEREAS, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Sections 153.13-153.24 of the Municipal Code of the City of Fort Wayne, Indiana, and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein; and

WHEREAS, said project will create 34 full-time, permanent jobs for a total new, annual payroll of \$1,113,225, with the average new annual job salary being \$32,742 and retain 1 full-time, permanent job for a total current annual payroll of \$120,000, with the average current, annual job salary being \$120,000; and

WHEREAS, the total estimated project cost is \$215,000; and

WHEREAS, a recommendation has been received from the Committee on Finance concerning said Resolution; and

WHEREAS, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, the Council hereby adopts a waiver of non-compliance with I.C. 6-1.1-12.1 regarding the failure to designate an area as an Economic Revitalization Area before installation of manufacturing, logistical distribution, and information technology equipment for which Coram USA, LLC/JD Summit Associates LC desires to claim an Economic Revitalization Area deduction. Such waiver shall be in effect for real property improvements during the period of September 1, 2013 through the date of this resolution and is granted through the authority of I.C. 6-1.1-31-1 and 50 I.A.C 10-4-1 (a)(2) and (3).

SECTION 2. That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

SECTION 3. That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2016, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

SECTION 4. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate and personal property for new manufacturing, logistical distribution, and information technology equipment.

1 **SECTION 5.** That, the estimate of the number of individuals that will be employed or whose
2 employment will be retained and the estimate of the annual salaries of those individuals and the estimate
3 of redevelopment or rehabilitation and estimate of the value of the new manufacturing, logistical
4 distribution, and information technology equipment, all contained in Petitioner's Statement of Benefits are
5 reasonable and are benefits that can be reasonably expected to result from the proposed described
6 installation of the new manufacturing, logistical distribution, and information technology equipment.

7 **SECTION 6.** The current year approximate tax rates for taxing units within the City would be:

8 ... If the proposed development does not occur, the approximate current year tax rates for this
9 site would be \$3.1821/\$100.

10 ... If the proposed development does occur and no deduction is granted, the approximate
11 current year tax rate for the site would be \$3.1821/\$100 (the change would be negligible).

12 ... If the proposed development occurs, and a deduction percentage of fifty percent (50%) is
13 assumed, the approximate current year tax rate for the site would be \$3.1821/\$100 (the
14 change would be negligible).

15 ... If the proposed new manufacturing, logistical distribution, and information technology
16 equipment is not installed, the approximate current year tax rates for this site would be
17 \$3.1821/\$100.

18 ... If the proposed new manufacturing, logistical distribution, and information technology
19 equipment is installed and no deduction is granted, the approximate current year tax rate for
20 the site would be \$3.1821/\$100 (the change would be negligible).

21 ... If the proposed new manufacturing, logistical distribution, and information technology
22 equipment is installed and a deduction percentage of eighty percent (80%) is assumed, the
23 approximate current year tax rate for the site would be \$3.1821/\$100 (the change would be
24 negligible).

25 **SECTION 7.** That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from
26 the assessed value of the real property shall be for a period of five years, and that the deduction from the
27 assessed value of the new manufacturing, logistical distribution, and information technology equipment
28 shall be for a period of five years.

29 **SECTION 8.** The deduction schedule from the assessed value of the real property pursuant to
30 I.C. 6-1.1-12.1-17 shall look like this:

Year of Deduction	Percentage
1	100%
2	80%
3	60%
4	40%
5	20%

1
2 **SECTION 9.** The deduction schedule from the assessed value of new manufacturing, logistical
3 distribution, and information technology equipment pursuant to I.C. 6-1.1-12.1-17 shall look like this:

4

Year of Deduction	Percentage
1	100%
2	80%
3	60%
4	40%
5	20%

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9 **SECTION 10.** That, the benefits described in the Petitioner's Statement of Benefits can be
10 reasonably expected to result from the project and are sufficient to justify the applicable deductions.

11 **SECTION 11.** For new manufacturing, logistical distribution, and information technology
12 equipment, a deduction application must contain a performance report showing the extent to which there
13 has been compliance with the Statement of Benefits form approved by the Fort Wayne Common Council
14 at the time of filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort
15 Wayne's Community Development Division and must be included with the deduction application. For
16 subsequent years, the performance report must be updated and submitted along with the deduction
17 application at the time of filing.

18 **SECTION 12.** For real property, a deduction application must contain a performance report
19 showing the extent to which there has been compliance with the Statement of Benefits form approved by
20 the Fort Wayne Common Council at the time of filing. This report must be submitted to the Allen County
21 Auditor's Office and the City of Fort Wayne's Community Development Division and must be included in
22 the deduction application. For subsequent years, the performance report must be updated each year in
23 which the deduction is applicable at the same time the property owner is required to file a personal
24 property tax return in the taxing district in which the property for which the deduction was granted is
25 located. If the taxpayer does not file a personal property tax return in the taxing district in which the
26 property is located, the information must be provided by May 15.

27 **SECTION 13.** The performance report must contain the following information:

- 28 • The cost and description of real property improvements and/or new manufacturing, logistical
29 distribution, and information technology equipment acquired.
30 • The number of employees hired through the end of the preceding calendar year as a result of
the deduction.
 • The total salaries of the employees hired through the end of the preceding calendar year as a
result of the deduction.
 • The total number of employees employed at the facility receiving the deduction.

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The total assessed value of the real and/or personal property deductions.
The tax savings resulting from the real and/or personal property being abated.

SECTION 14. That, the taxpayer is non-delinquent on any and all property tax due to jurisdictions within Allen County, Indiana.

SECTION 15. That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has received a deduction under section 3 or 4.5 of this chapter may be required to repay the deduction amount as determined by the county auditor in accordance with section 12 of said chapter if the property owner ceases operations at the facility for which the deduction was granted and if the Common Council finds that the property owner obtained the deduction by intentionally providing false information concerning the property owner's plans to continue operation at the facility.

SECTION 16. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Member of Council

APPROVED AS TO FORM A LEGALITY

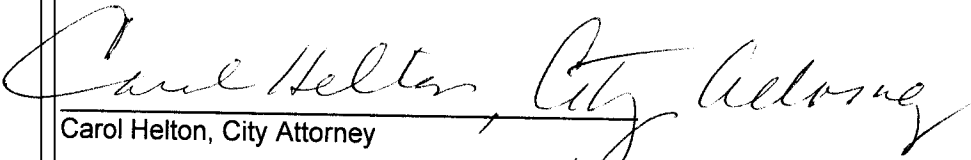


Carol Helton, City Attorney


EXHIBIT A

5-16-1-013
SUMMIT PARK LOT 7

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Coram USA, LLC/JD Summit Associates LC is requesting the designation of an Economic Revitalization Area for both real and personal property improvements in the amount of \$215,000. Coram USA, LLC/JD Summit Associates LC will reconfigure and upgrade the existing building. They will also purchase and install new manufacturing, logistical distribution, and information technology equipment.**

EFFECT OF PASSAGE: **Installing new equipment and remodeling the existing building will allow Coram USA, LLC/JD Summit Associates LC to fit the processes needed for the assembly and warehousing of the steering components while also creating opportunities for employment of area residents. Thirty-four full-time jobs will be created.**

EFFECT OF NON-PASSAGE: **Potential loss of development and 34 full-time jobs.**

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): **No expenditures of public funds required.**

ASSIGNED TO COMMITTEE (CO-CHAIRS): **John Crawford and Tom Smith**

Public Hearing Date, if applicable 11-12-13

Read the first time in full and on motion by Councilman Tom Smith

Read the second time by title and referred to the Finance

Committee. Read the third time in full and on motion by Councilman Smith, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	<u>✓</u>	_____	_____	_____
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAFF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 11-12-13 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. R-98-13 on the 12th day of November, 2013

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY,
CITY CLERK

T. Thomas F. Didier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of November, 2013, at the hour of 10:30 o'clock AM, E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of November 2013, at the hour of 11:00 o'clock AM, E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

by KB


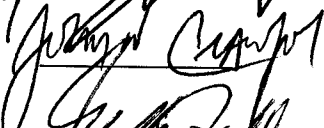
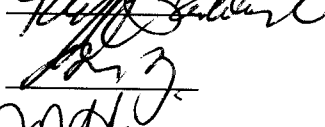
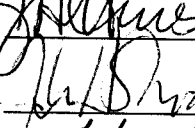
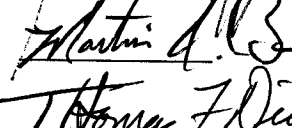
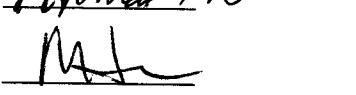


BILL NO. R-13-10-16

REPORT OF THE COMMITTEE ON FINANCE

NOVEMBER 12, 2013

TOM SMITH - CHAIR
JOHN CRAWFORD - CO-CHAIR
ALL COUNCIL MEMBERS

A CONFIRMING RESOLUTION designating an "Economic Revitalization Area"
Under I.C. 6-1.1-12.1 for property commonly known as 6911 Innovation Blvd., Fort
Wayne, Indiana 46818 (Coram USA, LLC/JD; Summit Associates LC)

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
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SANDRA E. KENNEDY
CITY CLERK

The Journal Gazette

Account # 1060008 - 1089750

Allen County, Indiana

FW Common Council

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT HERE

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice

55

COMPUTATION OF CHARGES

55 lines, 1 column(s) wide equals

55 equivalent lines at \$ 0.402 cents per line

\$ 22.11

Additional charges for notices containing rule or tabular work
(50 per cent of above amount) -

Charge for extra proofs of publication
(\$1.00 for each proof in excess of two) -

TOTAL AMOUNT OF CLAIM

\$ 22.11

DATA FOR COMPUTING COST

Width of single column in picas 9.8 Size of type 7point.

Number of Insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 1 times.

The dates of publication being as follows:

10/26/2013

Additionally, Newspaper has a Web site and this public notice was posted on the same day as it was published in The Journal Gazette.

T. Brown-Smith

T. Brown-Smith
Legal Clerk

Date: October 26, 2013

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL**

R-13-10-16

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON NOVEMBER 12, 2013 AT 5:30 P.M. IN ROOM 030 - COUNCIL DISCUSSION CHAMBER - GARDEN LEVEL, CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE INDIANA 46802.

THE HEARING WILL BE HELD ON THE MATTER OF A WAIVER OF NON-COMPLIANCE WITH THE PROCEDURAL REQUIREMENTS OF I.C. 6-1.1-12.1 RELATING TO THE REAL PROPERTY DEDUCTION OF PROPERTY AT 6911 INNOVATION BOULEVARD FOR CORAM USA, LLC. THIS PUBLIC HEARING WILL BE HELD PURSUANT TO I.C. 6-1.1-12.1-9.5 AND I.C. 6-1.1-12.1-11.3.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED. IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2016.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY THE PUBLIC INFORMATION OFFICE AT (260) 427-1120, TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

10-26 1089750 hspaxlp

The News-Sentinel

Allen County, Indiana

Account # 1060008 - 1089750
FW Common Council

PUBLISHER'S CLAIM

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"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY THE PUBLIC INFORMATION OFFICE AT (260) 427-1120, TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK
10-26 1089750 hspaxlp

The Journal Gazette

Account # 1060008 - 1089749
FW Common Council

Allen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

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Head -- number of lines	_____
Body -- number of lines	_____
Tail -- number of lines	_____
Total number of lines in notice	<u>56</u>

COMPUTATION OF CHARGES

56 lines, 1 column(s) wide equals
56 equivalent lines at \$ 0.402 cents per line \$ 22.51

Additional charges for notices containing rule or tabular work
(50 per cent of above amount) -

Charge for extra proofs of publication
(\$1.00 for each proof in excess of two) -

TOTAL AMOUNT OF CLAIM \$ 22.51

DATA FOR COMPUTING COST

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T. Brown-Smith
Legal Clerk

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FORT WAYNE COMMON COUNCIL**

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(R-13-10-16)
6911 INNOVATION BOULEVARD,
FORT WAYNE, INDIANA 46818
(CORAM USA, LLC/D SUMMIT ASSOCIATES LC)

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY, NOVEMBER 12, 2013.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2016.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (260) 427-1120 TTY (260) 1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK
10-26 1089749 hspaxlp

The News-Sentinel

Allen County, Indiana

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FW Common Council

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SANDRA E. KENNEDY
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10-26 1089749 hspaxlp