

**A DECLARATORY RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808 (Dreyer’s Grand Ice Cream, Inc.)**

**WHEREAS**, Petitioner has duly filed its petition dated October 1, 2020 to have the following described property designated and declared 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 retain 402 full-time permanent jobs with a total current payroll of \$21,477,388 with the average current, annual salary of \$53,426; and

**WHEREAS**, the total estimated project cost is \$41,000,000; and

**WHEREAS**, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

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

**SECTION 1.** That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an “Economic Revitalization Area” under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall terminate on December 31, 2021, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

**SECTION 2.** That, upon adoption of the Resolution:

- (a) Said Resolution shall be filed with the Allen County Assessor;
- (b) Said Resolution shall be referred to the Committee on Finance requesting a recommendation from said committee concerning the advisability of designating the above area an “Economic Revitalization Area”;
- (c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and substance of this resolution and setting this designation as an “Economic Revitalization Area” for public hearing.

**SECTION 3.** That, said designation of the hereinabove described property as an “Economic Revitalization Area” shall apply to both a deduction of the assessed value of real estate improvements made between August 1, 2017 and June 30, 2018 and personal property for new manufacturing, logistical distribution and information technology equipment improvements to be made between April 1, 2018 and December 31, 2021.

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

8                   **SECTION 5.**     That, the current year approximate tax rates for taxing units within the  
9 City would be:

- 10                   (a) If the proposed development does not occur, the approximate current year tax rates  
11                   for this site would be \$3.2510/\$100.
- 12                   (b) If the proposed development does occur and no deduction is granted, the  
13                   approximate current year tax rate for the site would be \$3.2510/\$100 (the change  
14                   would be negligible).
- 15                   (c) If the proposed development occurs and a deduction percentage of fifty percent  
16                   (50%) is assumed, the approximate current year tax rate for the site would be  
17                   \$3.2510/\$100 (the change would be negligible).
- 18                   (d) If the proposed new manufacturing, research and development and information  
19                   technology is not installed, the approximate current year tax rates for this site would  
20                   be \$3.2510/\$100.
- 21                   (e) If the proposed new manufacturing, research and development and information  
22                   technology is installed and no deduction is granted, the approximate current year tax  
23                   rate for the site would be \$3.2510/\$100 (the change would be negligible).
- 24                   (f) If the proposed new manufacturing, research and development and information  
25                   technology equipment is installed and a deduction percentage of eighty percent  
26                   (80%) is assumed, the approximate current year tax rate for the site would be  
27                   \$3.0227/\$100 (the change would be negligible).

28                   **SECTION 6.**     That, this Resolution shall be subject to being confirmed, modified and  
29 confirmed, or rescinded after public hearing and receipt by Common Council of the above  
30 described recommendations and resolution, if applicable.

**SECTION 7.**     That, pursuant to I.C. 6-1.1-12.1, it is hereby determined that the  
deduction from the assessed value of the real property shall be for a period of ten years, and the  
deduction from the assessed value of the new manufacturing, research and development and  
information technology equipment shall be for a period of ten years.

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

Year of Deduction	Percentage
1	100%
2	95%
3	80%
4	65%
5	50%
6	40%
7	30%
8	20%
9	10%
10	5%
11	0%

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9                   **SECTION 9.** The deduction schedule from the assessed value of new manufacturing,  
10 research and development and information technology equipment pursuant to I.C. 6-1.1-12.1-17  
11 shall look like this:

Year of Deduction	Percentage
1	100%
2	90%
3	80%
4	70%
5	60%
6	50%
7	40%
8	30%
9	20%
10	10%
11	0%

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18                   **SECTION 11.** That, the benefits described in the Petitioner's Statement of Benefits can  
19 be reasonably expected to result from the project and are sufficient to justify the applicable  
20 deductions.

21                   **SECTION 12.** That, the taxpayer is non-delinquent on any and all property tax due to  
22 jurisdictions within Allen County, Indiana.

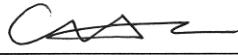
23                   **SECTION 13.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has  
24 received a deduction under section 3 or 4.5 of this chapter may be required to repay the  
25 deduction amount as determined by the county auditor in accordance with section 12 of said  
26 chapter if the property owner ceases operations at the facility for which the deduction was  
27 granted and if the Common Council finds that the property owner obtained the deduction by  
28 intentionally providing false information concerning the property owner's plans to continue  
29 operation at the facility.  
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**SECTION 14.** 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 AND LEGALITY

  
\_\_\_\_\_  
Carol Helton, City Attorney



List all persons or firms having ownership interest in the applicant business and the percentage each holds:

NAME	PERCENTAGE
Froneri International Limited	100%

- Yes  No Are any elected officials shareholders or holders of any debt obligation of the applicant or operating business? If yes, who? (name/title) \_\_\_\_\_
- Yes  No Is the property for which you are requesting ERA designation totally within the corporate limits of the City of Fort Wayne?
- Yes  No Do you plan to request state or local assistance to finance public improvements?
- Yes  No Is the property for which you are requesting ERA designation located in an Economic Development Target Area (EDTA)? (see attached map for current areas)
- Yes  No Does the company's business include a retail component? If yes, answer the following questions:  
 What percentage of floor space will be utilized for retail activities? \_\_\_\_\_  
 What percentage of sales is made to the ultimate customer? \_\_\_\_\_  
 What percentage of sales will be from service calls? \_\_\_\_\_

What is the percentage of clients/customers served that are located outside of Allen County? 100%

What is the company's primary North American Industrial Classification Code (NAICs)? 311520

Describe the nature of the company's business, product, and/or service: Ice cream manufacturing

Dollar amount of annual sales for the last three years:

Year	Annual Sales
2017	2,491,700,000
2018	2,511,260,000
2019	2,628,800,000

List the company's three largest customers, their locations and amount of annual gross sales:

Customer Name	City/State	Annual Gross Sales
Walmart	Various	258,800,000
Dollar General	Various	268,000,000
Kroger	Various	191,100,000

List the company's three largest material suppliers, their locations and amount of annual purchases:

Supplier Name	City/State	Annual Gross Purchases
Huhtamaki Packaging	DeSoto, KS	13,600,000
Nestrade	Solon, OH	36,900,000
Clofine Dairy	Linwood, NJ	10,600,000

List the company's top three competitors:

Competitor Name	City/State
Unilever	Englewood Cliffs, NJ
Blue Bell	Brenham, TX
Wells	Le Mars, IA

Describe the product or service to be produced or offered at the project site: Products produced include:  
extruded bars, ball cones, and molded sticks

In order to be considered an Economic Revitalization Area (ERA), the area must be within the corporate limits of the City of Fort Wayne and must have become undesirable for, or impossible of, normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development of property or use of property. It also includes any area where a facility or group of facilities that are technologically, economically, or energy obsolete is located and where the obsolescence may lead to a decline in employment and tax revenues.

How does the property for which you are requesting designation meet the above definition of an ERA?  
The facility was previously qualified to meet the above definition and is currently located in an EDTA.

**REAL PROPERTY INFORMATION**

Complete this section of the application if you are requesting a deduction from assessed value for real property improvements.

Describe any structure(s) that is/are currently on the property: 240,000+/- square foot manufacturing, warehousing, and office industrial property

Describe the condition of the structure(s) listed above: Fair condition relative to its age with some maintenance and remodeling needs

Describe the improvements to be made to the property to be designated for tax phase-in purposes: Facility reconfiguration and improvements to accommodate new round top cone line.

Projected construction start (month/year): 11/1/2020

Projected construction completion (month/year): 12/31/2022

Yes  No Will construction result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

Yes  No Will construction use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

**This project will adhere to all applicable federal, state, and municipal statutes, regulations, ordinances and codes, including but not limited to all Indiana and Allen County Building Codes and the Allen County Zoning Ordinance. Adherence to all applicable federal, state, and municipal statutes, regulations, ordinances and codes will be maintained throughout all design, permitting, contractor licensure, and construction phases of the Property owner's project. Said adherence shall be attested to on the initial tax phase-in application and each annual Compliance with Statement of Benefits Form.**

**PERSONAL PROPERTY INFORMATION**

Complete this section of the application if you are requesting a deduction from assessed value of new manufacturing, research and development, logistical distribution or information technology equipment.

List below the equipment for which you are seeking an economic revitalization area designation.

Manufacturing equipment must be used in the direct production, manufacture, fabrication, assembly, extraction, mining, processing, refining, or finishing of other tangible personal property at the site to be designated. Research and development equipment consists of laboratory equipment, research and development equipment, computers and computer software, telecommunications equipment or testing equipment used in research and development activities devoted directly and exclusively to experimental or laboratory research and development for new products, new uses of existing products, or improving or testing existing products at the site to be designated. Logistical distribution equipment consists of racking equipment, scanning or coding equipment, separators, conveyors, fork lifts or lifting equipment, transitional moving equipment, packaging equipment, sorting and picking equipment, software for technology used in logistical distribution, is used for the storage or distribution of goods, services, or information. Information technology equipment consists of equipment, including software used in the fields of information processing, office automation, telecommunication facilities and networks, informatics, network administration, software development and fiber optics: (use additional sheets, if necessary)

New ice cream manufacturing equipment to support new product production (round top cone).

In addition to new equipment the current layout of the facility will need to be reconfigured to accommodate the new line.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Yes  No Has the above equipment for which you are seeking a designation, ever before been used for any purpose in Indiana? If yes, was the equipment acquired at an arms length transaction from an entity not affiliated with the applicant?  Yes  No

Yes  No Will the equipment be leased?  
Date first piece of equipment will be purchased (month/year): 11/1/2020

Date last piece of equipment will be installed (month/year): 12/31/2022

Please provide the depreciation schedule term for equipment under consideration for personal property tax phase-in:  
Most of the equipment will qualify for either 5 or 7 year federal MACRS depreciation.

\_\_\_\_\_  
\_\_\_\_\_

**ELIGIBLE VACANT BUILDING INFORMATION**

Complete this section of the application if you are requesting a deduction from the current assessed value of a vacant building

Yes  No Has the building for which you are seeking designation for tax phase-in been unoccupied for at least one year? Please provide evidence of occupation. (i.e. certificate of occupancy, paid utility receipts, executed lease agreements)

What year was the structure built? \_\_\_\_\_

Describe any structure(s) that is/are currently on the property: \_\_\_\_\_

Describe the condition of the structure(s) listed above: \_\_\_\_\_

Projected occupancy date (month/year): \_\_\_\_\_

Describe the efforts of the owner or previous owner in regards to selling, leasing or renting the eligible vacant building during the period the eligible vacant building was unoccupied including how much the building was offered for sale, lease, or rent by the owner or a previous owner during the period the eligible vacant building was unoccupied.

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**This project will adhere to all applicable federal, state, and municipal statutes, regulations, ordinances and codes, including but not limited to all Indiana and Allen County Building Codes and the Allen County Zoning Ordinance. Adherence to all applicable federal, state, and municipal statutes, regulations, ordinances and codes will be maintained throughout all design, permitting, contractor licensure, and construction phases of the Property owner’s project. Said adherence shall be attested to on the initial tax phase-in application and each annual Compliance with Statement of Benefits Form.**

**PUBLIC BENEFIT INFORMATION**

**EMPLOYMENT INFORMATION FOR FACILITY TO BE DESIGNATED**

ESTIMATE OF EMPLOYEES AND PAYROLL FOR FORT WAYNE  
FACILITY REQUESTING ECONOMIC REVITALIZATION AREA DESIGNATION

Please be specific on job descriptions. When listing the occupation codes, please avoid using the “Major Occupational Groupings” (i.e. 11-000, 13-000, 15-000, etc.) which are more general in nature. Instead, use specific occupation codes (i.e. 11-1021, 13-1081, 15-2041 etc) for each created and retained job. To fill out information on occupation and occupation code, use data available through Occupation Employment Statistics for Fort Wayne [http://www.bls.gov/oes/current/oes\\_23060.htm](http://www.bls.gov/oes/current/oes_23060.htm)

Any information concerning the cost of the property and specific salaries paid to individual employees is confidential per Indiana Code (I.C. 6-1.1-12.1-5.1)

**Current Full-Time Employment**

Occupation	Occupation Code	Number of Jobs	Total Payroll
Production	51-3099	259	10,937,843
Maintenance	49-9040	44	3,363,892
Warehouse	53-7010	46	2,409,218
Office/Admin	43-1011	53	4,766,435

**Retained Full-Time Employment**

Occupation	Occupation Code	Number of Jobs	Total Payroll
Production	51-3099	259	10,937,843
Maintenance	49-9040	44	3,363,892
Warehouse	53-7010	46	2,409,218
Office/Admin	43-1011	53	4,766,435

**Additional Full-Time Employment**

Occupation	Occupation Code	Number of Jobs	Total Payroll



**REQUIRED ATTACHMENTS**

The following must be attached to the application.

- 1. **Statement of Benefits Form(s) (first page/front side completed)**
- 2. **Full legal description of property and a plat map identifying the property boundaries. (Property tax bill legal descriptions are not sufficient.) Should be marked as Exhibit A.**
- 3. **Check for non-refundable application fee made payable to the City of Fort Wayne.**

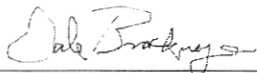
ERA filing fee (either real or personal property improvements)	.1% of total project cost not to exceed \$1,000
ERA filing fee (both real and personal property improvements)	.1% of total project cost not to exceed \$1,500
ERA filing fee (vacant commercial or industrial building)	\$500
ERA filing fee in an EDTA	\$200
Amendment to extend designation period	\$300
Waiver of non-compliance with ERA filing	\$1,000 + ERA filing fee

- 4. **Owner's Certificate (if applicant is not the owner of property to be designated) Should be marked as Exhibit B if applicable.**

**CERTIFICATION**

I, as the legal taxpayer and/or owner, hereby certify that all information and representations made on this application and its attached exhibits are true and complete and that no Improvement Location Permit or Structural Permit have been filed for construction of improvements, the occupation of the vacant building has not taken place and no manufacturing, research and development, logistical distribution or information technology equipment which is a part of this application been purchased and installed as of the date of filing of this application. I also certify that the taxpayer is not delinquent on any and all property tax due to taxing jurisdictions within Allen County, Indiana. I understand that any incorrect information on this application may result in a rescission of any tax phase-ins which I may receive.

I understand that I must file a correctly completed Compliance with Statement of Benefits Form (CF-1/Real Property for real property improvements, CF-1/PP for personal property improvements, and CF-1/VBD for vacant building deduction) and the Public Benefit Annual Update with the City of Fort Wayne Community Development Division in each year in which I receive a deduction. Further the CF-1/PP form must be filed with the county assessor and the CF-1/Real Property and CF-1/VBD must be filed with the county auditor. Failure to file the CF-1 form with these agencies may result in a rescission of any tax phase-in occurring as a result of this application.



Signature of Taxpayer/Owner

**Dale Brockmeyer, CFO**

Printed Name and Title of Applicant

**9/30/2020**

Date

Return completed application to Community Development staff at 200 E. Berry Street Suite 320 Fort Wayne, IN 46802



**STATEMENT OF BENEFITS  
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6 / 10-14)  
Prescribed by the Department of Local Government Finance

CITY OF FT. WAYNE  
CR/

OCT 07 2020

20 20 PAY 20 21

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.

COMMUNITY DEVELOPMENT

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 March 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  
Dreyer's Grand Ice Cream, Inc.

Address of taxpayer (number and street, city, state, and ZIP code)  
5929 College Ave., Oakland, CA 94618

Name of contact person Dale Brockmeyer - CFO	Telephone number ( 626 ) 375-0677	E-mail address dale.brockmeyer@us.nestle.com
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**SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT**

Name of designating body Fort Wayne Common Council	Resolution number
Location of property 3426 N Wells Street, Fort Wayne, IN 46808	County Allen
DLGF taxing district number 73	
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) Facility reconfiguration to accommodate new round top cone line. (See Attached)	Estimated start date (month, day, year) 11/1/2020
	Estimated completion date (month, day, year) 12/31/2022

**SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT**

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
402.00	\$21,477,388.00	402.00	\$21,477,388.00	0.00	\$0.00

**SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT**

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values		
Plus estimated values of proposed project	4,000,000.00	2,000,000.00
Less values of any property being replaced		
Net estimated values upon completion of project		

**SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER**

Estimated solid waste converted (pounds) _____	Estimated hazardous waste converted (pounds) _____
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Other benefits  
22 temporary jobs

**SECTION 6 TAXPAYER CERTIFICATION**

I hereby certify that the representations in this statement are true.

Signature of authorized representative 	Date signed (month, day, year) 10/07/2020
Printed name of authorized representative Dale Brockmeyer	Title CFO

**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 December 31, 2021.

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

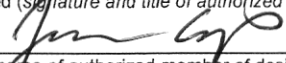
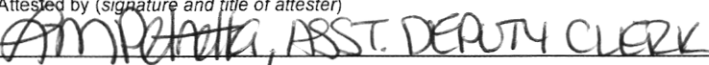
C. The amount of the deduction applicable is limited to \$ unlimited.

D. Other limitations or conditions (specify) N/A

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 <u>(260) 421-1221</u>	Date signed (month, day, year) <u>10/13/20</u>
Printed name of authorized member of designating body <u>JASON APP</u>	Name of designating body <u>CITY COUNCIL</u>	
Attested by (signature and title of attester) 	Printed name of attester <u>LISA M. PETRIETTA</u>	

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

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

**IC 6-1.1-12.1-17**

**Abatement schedules**

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

- (1) The total amount of the taxpayer's investment in real and personal property.
  - (2) The number of new full-time equivalent jobs created.
  - (3) The average wage of the new employees compared to the state minimum wage.
  - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

***Edy's Grand Ice Cream  
Form SB-1/RE  
Explanation of 2020-2022 Proposed Project  
For Ft. Wayne, Indiana Operations***

Edy's is contemplating a potential project that would expand its current production to include a new product line at the Fort Wayne facility. The Fort Wayne facility would need to be reconfigured to accommodate the new line.

The total anticipated real property investment would be \$4,000,000 +/-.



# STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51764 (R4 / 11-15)  
Prescribed by the Department of Local Government Finance

CITY OF FT. WAYNE  
Cef

OCT 07 2020

FORM SB-1 / PP

### 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.

COMMUNITY DEVELOPMENT

### INSTRUCTIONS

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body **BEFORE** a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.
- To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.
- Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)
- For a Form SB-1/PP 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/PP 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 Dreyer's Grand Ice Cream, Inc.			Name of contact person Dale Brockmeyer - CFO					
Address of taxpayer (number and street, city, state, and ZIP code) 5929 College Ave., Oakland, CA 94618				Telephone number ( 626 ) 375-6077				
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT								
Name of designating body Fort Wayne Common Council				Resolution number (s)				
Location of property 3426 N Wells Street, Fort Wayne, IN 46808		County Allen		DLGF taxing district number 73				
Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.) New manufacturing equipment to support new product line (round top cone). (See Attached)			ESTIMATED					
			START DATE		COMPLETION DATE			
			Manufacturing Equipment		11/01/2020	12/31/2022		
			R & D Equipment					
			Logist Dist Equipment					
IT Equipment								
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT								
Current number 402	Salaries 21,477,388	Number retained 402	Salaries 21,477,388	Number additional	Salaries			
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT								
NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values								
Plus estimated values of proposed project	35,000,000	3,500,000			2,000,000	600,000	400,000	120,000
Less values of any property being replaced								
Net estimated values upon completion of project								
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER								
Estimated solid waste converted (pounds) _____			Estimated hazardous waste converted (pounds) _____					
Other benefits: 22 temporary jobs								
SECTION 6 TAXPAYER CERTIFICATION								
I hereby certify that the representations in this statement are true.								
Signature of authorized representative <i>Dale Brockmeyer</i>				Date signed (month, day, year) 10/07/2020				
Printed name of authorized representative Dale Brockmeyer			Title CFO					

**FOR USE OF THE DESIGNATING BODY**

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

- 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 December 31, 2021. 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. Installation of new manufacturing equipment;  Yes  No  Enhanced Abatement per IC 6-1.1-12.1-18
  - 2. Installation of new research and development equipment;  Yes  No  Check box if an enhanced abatement was approved for one or more of these types.
  - 3. Installation of new logistical distribution equipment.  Yes  No
  - 4. Installation of new information technology equipment;  Yes  No
- C. The amount of deduction applicable to new manufacturing equipment is limited to \$ unlimited cost with an assessed value of \$ unlimited. (One or both lines may be filled out to establish a limit, if desired.)
- D. The amount of deduction applicable to new research and development equipment is limited to \$ N/A cost with an assessed value of \$ N/A. (One or both lines may be filled out to establish a limit, if desired.)
- E. The amount of deduction applicable to new logistical distribution equipment is limited to \$ unlimited cost with an assessed value of \$ unlimited. (One or both lines may be filled out to establish a limit, if desired.)
- F. The amount of deduction applicable to new information technology equipment is limited to \$ unlimited cost with an assessed value of \$ unlimited. (One or both lines may be filled out to establish a limit, if desired.)
- G. Other limitations or conditions (specify) N/A
- H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:
- Year 1  Year 2  Year 3  Year 4  Year 5  Enhanced Abatement per IC 6-1.1-12.1-18
  - Year 6  Year 7  Year 8  Year 9  Year 10  Number of years approved: \_\_\_\_\_
- (Enter one to twenty (1-20) years; may not exceed twenty (20) years.)
- I. 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.

Also we have 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 by: <i>(signature and title of authorized member of designating body)</i> <u>Juan Cruz</u>	Telephone number <u>(260) 427-1221</u>	Date signed (month, day, year) <u>10/13/20</u>
Printed name of authorized member of designating body <u>VICEN ARP</u>	Name of designating body <u>CITY COUNCIL</u>	
Attested by: <i>(signature and title of attester)</i> <u>AM... ASST. DEPUTY CLERK</u>	Printed name of attester <u>LISA N. PETRETTA</u>	

\* 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.

**IC 6-1.1-12.1-17**

**Abatement schedules**

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

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

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

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

***Edy's Grand Ice Cream  
Form SB-1/PP  
Explanation of 2020-2022 Proposed Project  
For Ft. Wayne, Indiana Operations***

Edy's is contemplating a potential project that would expand its current production to include a new product line at the Fort Wayne facility. New manufacturing equipment would be needed to support the new round top cone line. In addition, the facility would need to be reconfigured to accommodate the new line.

The total anticipated personal property acquisition cost would be \$37,400,000 +/-.

DIGEST SHEET

TITLE OF ORDINANCE: **Declaratory Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **Dreyer's Grand Ice Cream, Inc. is requesting the designation of an Economic Revitalization Area for eligible real and personal property improvements. Dreyer's Grand Ice Cream, Inc. will make real property updates its current facility in preparation for the purchase and installation of new personal property.**

EFFECT OF PASSAGE: **Investment of \$41,400,000, the retention of 402 full-time permanent jobs with an annual payroll of \$21,477,388.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, the retention of 402 full-time permanent jobs with an annual payroll of \$21,477,388.**

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

ASSIGNED TO COMMITTEE (PRESIDENT): **Jason Arp and Sharon Tucker**

# MEMORANDUM



**TO:** City Council  
**FROM:** Carman Young, Economic Development Specialist  
**DATE:** October 7, 2020  
**RE:** Request for designation by Dreyer's Grand Ice Cream, Inc. as an ERA for real and personal property improvements.

## BACKGROUND

PROJECT ADDRESS:	<b>3426 Wells Street</b>	PROJECT LOCATED WITHIN:	<b>EDTA</b>
PROJECT COST:	<b>\$41,400,000</b>	COUNCILMANIC DISTRICT:	<b>3</b>

COMPANY PRODUCT OR SERVICE:	<b>Dreyer's Grand Ice Cream, Inc. produces ice cream products.</b>
PROJECT DESCRIPTION:	<b>Dreyer's Grand Ice Cream, Inc. will update its current facility in preparation for the purchase and installation of new personal property.</b>

### CREATED

### RETAINED

JOBS CREATED (FULL-TIME):	<b>0</b>	JOBS RETAINED (FULL-TIME):	<b>402</b>
JOBS CREATED (PART-TIME):	<b>0</b>	JOBS RETAINED (PART-TIME):	<b>0</b>
TOTAL NEW PAYROLL:	<b>0</b>	TOTAL RETAINED PAYROLL:	<b>\$21,477,388</b>
AVERAGE SALARY (FULL-TIME NEW):	<b>0</b>	AVERAGE SALARY (FULL-TIME RETAINED):	<b>0</b>

## COMMUNITY BENEFIT REVIEW

Yes  No  N/A

Project will encourage vacant or under-utilized land appropriate for commercial or industrial use?

Yes  No  N/A

Real estate to be designated is consistent with land use policies of the City of Fort Wayne?

**Explain: Property to be designated is zoned I-2, General Industrial. Use of this property is consistent with the land use policies of the City of Fort Wayne.**

Yes  No  N/A

Project encourages the improvement or replacement of a deteriorated or obsolete structure?

**Explain: Updates will be made to the current facility in preparation for the instillation of the new personal property equipment.**

Yes  No  N/A

Project encourages the improvement or replacement of obsolete manufacturing and/or research and development and/or information technology and/or logistical distribution equipment?

**Explain: New manufacturing, logistical distribution and information technology equipment will be purchased and installed.**

Yes  No  N/A

Project will result in significant conversion of solid waste or hazardous waste into energy or other useful products?

Yes  No  N/A

Project encourages preservation of a historically or architecturally significant structure?

Yes  No  N/A

Construction will result in Leadership in Energy and Environmental Design (LEED) certification by the U.S. Green Building Council?

Yes  No  N/A

Construction will use techniques to minimize impact on combined sewer overflows? (i.e. rain gardens, bio swales, etc.)

Yes  No  N/A

ERA designation induces employment opportunities for Fort Wayne area residents?  
**Explain: 402 full-time positions will be retained with an annual payroll of \$21,477,388.**

Yes  No  N/A

Taxpayer is NOT delinquent on any or all property tax due to any taxing jurisdiction within Allen County.

**POLICY**

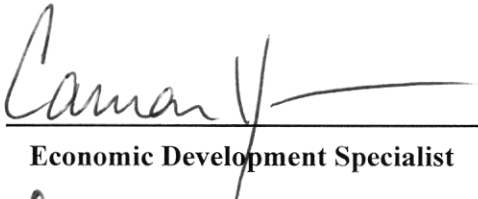
Per the policy of the City of Fort Wayne, the following guidelines apply to this project:

1. The schedule of deduction for real property improvements is ten years.
2. The schedule of deduction for personal property improvements is ten years.

Under Fort Wayne Common Council's tax abatement policies and procedures, Dreyer's Grand Ice Cream, Inc. is eligible for a recommended ten year phase-in schedule on real and personal property improvements. Attached is a calculation of property taxes saved/paid with the deduction.

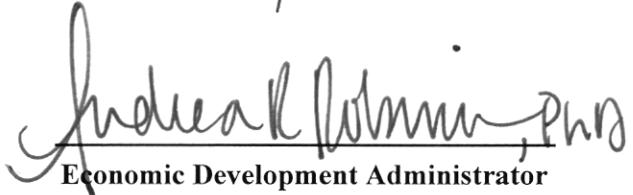
**COMMENTS**

Signed:



Economic Development Specialist

Reviewed:



Economic Development Administrator

**POOL #2 FORT WAYNE COMMUNITY DEVELOPMENT DIVISION**

**TAX ABATEMENT - ESTIMATE OF SAVINGS**

Dreyers Grand Ice Cream, Inc.

\*New tax abatement percentages have been changed to reflect change in state law

PERSONAL PROPERTY TAX ABATEMENT - 10 yr Schedule

Year	True Cash Value	"Pool 2"	True Tax Value	Assessed Value	Tax Abate %	Tax Paid %	Deduction	Taxable A V	Tax Rate	Tax Paid	Tax Saved
1	\$37,400,000	40%	\$14,960,000	\$14,960,000	100%	0%	\$14,960,000	\$0	0.032510	\$0	\$486,350
2	\$37,400,000	56%	\$20,944,000	\$20,944,000	90%	10%	\$18,849,600	\$2,094,400	0.032510	\$68,089	\$612,800
3	\$37,400,000	42%	\$15,708,000	\$15,708,000	80%	20%	\$12,566,400	\$3,141,600	0.032510	\$102,133	\$408,534
4	\$37,400,000	32%	\$11,968,000	\$11,968,000	70%	30%	\$8,377,600	\$3,590,400	0.032510	\$116,724	\$272,356
5	\$37,400,000	30%	\$11,220,000	\$11,220,000	60%	40%	\$6,732,000	\$4,488,000	0.032510	\$145,905	\$218,857
6	\$37,400,000	30%	\$11,220,000	\$11,220,000	50%	50%	\$5,610,000	\$5,610,000	0.032510	\$182,381	\$182,381
7	\$37,400,000	30%	\$11,220,000	\$11,220,000	40%	60%	\$4,488,000	\$6,732,000	0.032510	\$218,857	\$145,905
8	\$37,400,000	30%	\$11,220,000	\$11,220,000	30%	70%	\$3,366,000	\$7,854,000	0.032510	\$255,334	\$109,429
9	\$37,400,000	30%	\$11,220,000	\$11,220,000	20%	80%	\$2,244,000	\$8,976,000	0.032510	\$291,810	\$72,952
10	\$37,400,000	30%	\$11,220,000	\$11,220,000	10%	90%	\$1,122,000	\$10,098,000	0.032510	\$328,286	\$36,476
11	\$37,400,000	30%	\$11,220,000	\$11,220,000	0%	100%	\$0	\$11,220,000	0.032510	\$364,762	\$0

TOTAL TAX SAVED (10 yrs on 10 yr deduction) **\$2,546,040**  
 TOTAL TAX PAID (10 yrs on 10 yr deduction) **\$2,074,281**

REAL PROPERTY TAX ABATEMENT - 10 yr Schedule

Year	Cash Value	True Tax Value	Assessed Value	Tax Abate %	Tax Paid %	Deduction	Taxable AV	Tax Rate	Tax Paid	Tax Saved
1	\$4,000,000	\$4,000,000	\$4,000,000	100%	0%	\$4,000,000	\$0	0.032510	\$0	\$130,040
2	\$4,000,000	\$4,000,000	\$4,000,000	95%	5%	\$3,800,000	\$200,000	0.032510	\$6,502	\$123,538
3	\$4,000,000	\$4,000,000	\$4,000,000	80%	20%	\$3,200,000	\$800,000	0.032510	\$26,008	\$104,032
4	\$4,000,000	\$4,000,000	\$4,000,000	65%	35%	\$2,600,000	\$1,400,000	0.032510	\$45,514	\$84,526
5	\$4,000,000	\$4,000,000	\$4,000,000	50%	50%	\$2,000,000	\$2,000,000	0.032510	\$65,020	\$65,020
6	\$4,000,000	\$4,000,000	\$4,000,000	40%	60%	\$1,600,000	\$2,400,000	0.032510	\$78,024	\$52,016
7	\$4,000,000	\$4,000,000	\$4,000,000	30%	70%	\$1,200,000	\$2,800,000	0.032510	\$91,028	\$39,012
8	\$4,000,000	\$4,000,000	\$4,000,000	20%	80%	\$800,000	\$3,200,000	0.032510	\$104,032	\$26,008
9	\$4,000,000	\$4,000,000	\$4,000,000	10%	90%	\$400,000	\$3,600,000	0.032510	\$117,036	\$13,004
10	\$4,000,000	\$4,000,000	\$4,000,000	5%	95%	\$200,000	\$3,800,000	0.032510	\$123,538	\$6,502
11	\$4,000,000	\$4,000,000	\$4,000,000	0%	100%	\$0	\$4,000,000	0.032510	\$130,040	\$0

TOTAL TAX SAVED REAL PROPERTY (10 yrs on 10 yr deduction) **\$643,698**  
 TOTAL TAX PAID REAL PROPERTY (10 yrs on 10 yr deduction) **\$786,742**

TOTAL TAX SAVED PERSONAL & REAL **\$3,189,738**  
 TOTAL TAX PAID PERSONAL & REAL **\$2,861,023**

NOTE: Above calculations assume a constant tax rate over the abatement period. Time value of money is not considered.

**REPORT OF COMMITTEE ON FINANCE**

**October 13, 2020**

**Jason Arp Chair**

**Sharon Tucker Co-Chair**



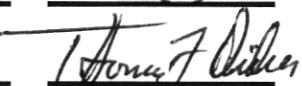


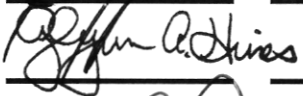
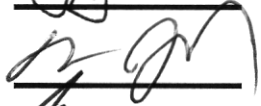


**All Council Members**

A Declaratory Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 3426 Wells Street, Fort Wayne, Indiana 46808

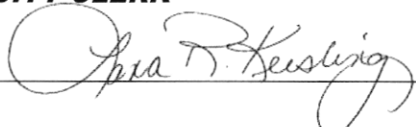
*Dreyer's Grand Ice Cream, Inc.*

*This bill is to be Introduced, Discussed and voted for Passage in the same evening*

**COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: N/A

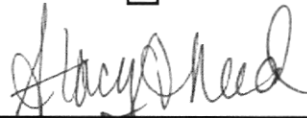
Read the first time in full and on motion by Councilperson Arp.

Read the second time by title and referred to the Finance Committee.

Read the third time in full and on motion by Councilperson Arp, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: October 13, 2020

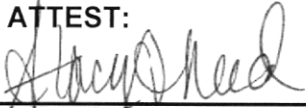


STACY A. REED, DEPUTY CITY CLERK

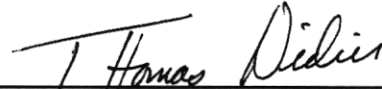
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-20-10-19 on the 13th day of October, 2020

ATTEST:




STACY A. REED  
DEPUTY CITY CLERK



PRESIDING OFFICER

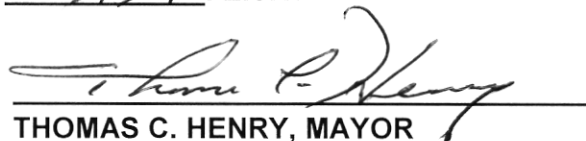
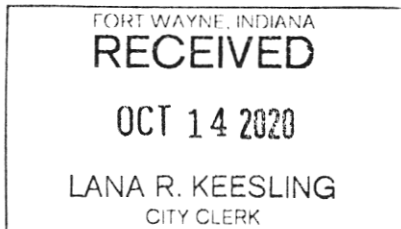
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of October 2020, at the hour of 9:45 o'clock A.M. E.S.T.



STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 14<sup>TH</sup> day of OCTOBER

2020, at the hour of 11:00 o'clock AM E.S.T.

  
THOMAS C. HENRY, MAYOR