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3 **A RESOLUTION REQUESTING STATE LEGISLATORS PASS LEGISLATION**
4 **ALLOWING THE LEGISLATIVE BODY TO APPOINT A MEMBER TO THE CAPITAL**
5 **IMPROVEMENT BOARD (CIB)**
6

7 WHEREAS, the City of Fort Wayne is governed in the American tradition of
8 distinct and co-equal branches of government, providing checks and balances; and

9 WHEREAS, the Executive branch is led and managed by the Mayor and the
10 Legislative branch is the Common Council; and

11 WHEREAS, the Common Council is designated by the State as the Fiscal Body;
12 and

13 WHEREAS, the State mandates fiscal matters through checks and balances of
14 the Mayor and the Common Council, ideally working cooperatively together, and
15 wherein economic development projects the CIB funds usually require additional
16 approvals from the Council; and

17 WHEREAS, the creation of the CIB is authorized under the Indiana Code at IC
18 36-10-8 and its projects are funded in part by The Allen County Supplemental Food and
19 Beverage Tax per IC 6-9-33; as such the CIB oversees the disbursement of Allen
20 County Supplemental Food & Beverage Tax, further the CIB states it uses these funds
21 to facilitate capital projects that promote a vibrant, 21st century economy in Allen
22 County; and

23 WHEREAS, IC 36-10-8-4 mandates the composition of the Allen County CIB,
24 with three members appointed by the City of Fort Wayne and three members appointed
25 by County of Allen, wherein the Executive of each governmental unit makes all of the
26 appointments to the CIB, and the Legislative Body makes none; and

27 WHEREAS, the composition of a board whose fiduciary responsibility is the
28 appropriation of tax dollars, entirely controlled by the Executive, is outside the American
29 tradition of co-equal branches of government providing checks and balances; and

30 WHEREAS, meaningful discussion between the Executive and the Legislative
31 Body in funding matters pertaining to economic development projects, which often
32 incorporate the participation of the CIB, will more likely happen in a timely manner if the
33 Legislative Body has an appointed representative on the CIB and can be involved in
34 streamlined conversations and the decision-making process from the beginning,

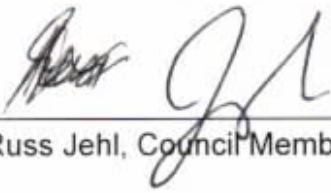
1 allowing for more comprehensive discussions and better representation for the
2 taxpayer; and

3 WHEREAS, a recent project, commonly referred to as Electric Works, involving
4 the Executive and Legislative Body of the City of Fort Wayne, and the CIB, resulted in
5 an embarrassing situation where the community's reputation was tarnished when the
6 Executive did not communicate with the Legislative Body, wherein the Legislative Body
7 would have been much more appraised of the uncommunicated developments if it had
8 an appointed representative on the CIB; and

9 WHEREAS, the Fort Wayne Common Council appreciates and respects the work
10 done by the Indiana General Assembly in enacting legislation allowing for the the
11 Supplemental Food & Beverage Tax and the creation of the Capital Improvement
12 Board, and appreciates the willingness of the that body to re-visit this legislation more
13 than 10 years after the initial passage to insure the most impactful representation of the
14 taxpayer.

15
16 **NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE**
17 **CITY OF FORT WAYNE, INDIANA:**

18 **SECTION 1.** That the Common Council formally requests that State Legislators,
19 who represent the Fort Wayne-area taxpayers, introduce legislation, and/or bill addenda
20 that will allow the municipal Legislative Body to appoint a representative to the Allen
21 County Capital Improvement Board, ensuring appropriate representation.

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Russ Jehl, Council Member

APPROVED AS TO FORM AND LEGALITY



Joseph G. Bonahoom, Attorney for City Council

REPORT OF COMMITTEE ON REGULATIONS
February 2, 2021


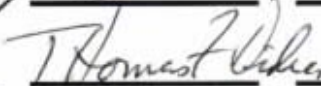

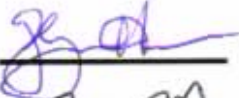

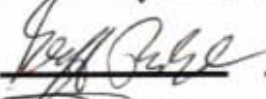

Tom Freistroffer Chair

Geoff Paddock Co-Chair

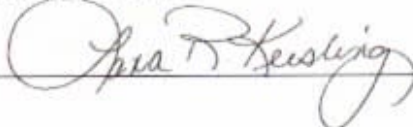
All Council Members

A Resolution requesting state legislators pass legislation allowing the legislative body to appoint a member to the Capital Improvement Board (CIB)

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

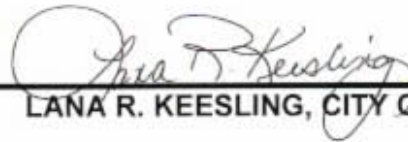
Read the first time in full and on motion by Councilperson Paddock.

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

Read the third time in full and on motion by Councilperson Paddock, 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DATED: February 9, 2021



LANA R. KEESLING, CITY CLERK

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

Ordinance No. R-21-01-21 on the 9th day of February, 2021

ATTEST:

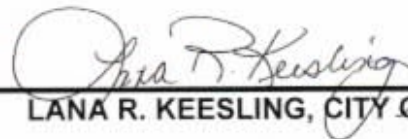


LANA R. KEESLING
CITY CLERK



PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th of February 2021, at the hour of 9:50 o'clock A.M. E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10th day of FEBRUARY

2021, at the hour of 10:30 o'clock AM E.S.T.



THOMAS C. HENRY, MAYOR

