

A CONFIRMING RESOLUTION designating an “Economic Revitalization Area” under I.C. 6-1.1-12.1 for property commonly known as 8645, Fort Wayne, Indiana 46809 (Do Good Foods Fort Wayne, LLC/GH FTW II, LLC)

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 100 full-time permanent jobs with a total additional annual payroll of \$6,032,000 and an average annual salary of \$60,320.

WHEREAS, the total estimated project cost is \$96,000,000; 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 Resolution previously designating the above described property as an “Economic Revitalization Area” is confirmed in all respects.

SECTION 2. 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, 2026, unless otherwise automatically extended in five year increments per I.C. 6-1.1-12.1-9.

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 June 1, 2022 and December 31, 2024 and personal property for new manufacturing and information technology equipment improvements to be made between January 1, 2023 and December 31, 2024. Should any delays occur, an updated timeframe will be communicated to the Allen County Assessor and Allen County Auditor by Community Development staff in writing.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of redevelopment or rehabilitation and estimate of the value of the new manufacturing and information technology equipment, all contained in Petitioner’s Statement of Benefits are reasonable and are benefits that can be reasonably expected to result from the proposed described instillation of the new research and development and information technology equipment

SECTION 5. The current year approximate tax rates for taxing units within the City would be:

- (a) If the proposed development does not occur, the approximate current year tax rates for this site would be \$3.2648/\$100.
- (b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be \$3.2648/\$100 (the change would be negligible).
- (c) If the proposed development occurs, and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be \$3.2648/\$100 (the change would be negligible).
- (d) If the real estate and personal property for new manufacturing and information technology equipment is not installed, the approximate current year tax rates for this site would be \$3.2648/\$100.

1 (e) If the real estate and proposed personal property for new manufacturing and
2 information technology equipment is installed and no deduction is granted, the
3 approximate current year tax rate for the site would be \$3.2648/\$100 (the change
4 would be negligible).

5 (f) If the real estate and proposed personal property for new manufacturing and
6 information technology equipment is installed and a deduction percentage of eighty
7 percent (80%) is assumed, the approximate current year tax rate for the site would
8 be \$3.2648/\$100 (the change would be negligible).

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

13 **SECTION 7.** The deduction schedule from the assessed value of the real property
14 and personal property 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% |

15 **SECTION 8.** The deduction schedule from the assessed value of new personal
16 property manufacturing and information technology equipment pursuant to I.C. 6-1.1-12.1-17
17 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% |

18 **SECTION 9.** 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 10.** For personal property, manufacturing and information technology
22 equipment, a deduction application must contain a performance report showing the extent to
23 which there has been compliance with the Statement of Benefits form approved by the Fort
24 Wayne Common Council at the time of filing. This report must be submitted to the Allen County
25 Auditor's Office, and the City of Fort Wayne's Community Development Division and must be
26 included with the deduction application. For ten subsequent years, the performance report must
27 be updated and submitted along with the deduction application at the time of filing.

28 **SECTION 11.** For real property, a deduction application must contain a performance
29 report showing the extent to which there has been compliance with the Statement of Benefits
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1 form approved by the Fort Wayne Common Council at the time of filing. This report must be
2 submitted to the Allen County Auditor's Office and the City of Fort Wayne's Community
3 Development Division and must be included in the deduction application. For ten subsequent
4 years, the performance report must be updated each year in which the deduction is applicable at
5 the same time the property owner is required to file a personal property tax return in the taxing
6 district in which the property for which the deduction was granted is located. If the taxpayer does
7 not file a personal property tax return in the taxing district in which the property is located, the
8 information must be provided by May 15.

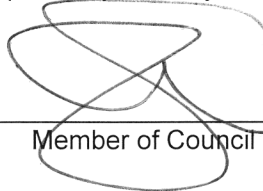
9 **SECTION 12.** The performance report must contain the following information:

- 10 A. The cost and description of real property improvements and/or purchase of real
11 estate and new personal property for new manufacturing, logistical distribution, and
12 information technology equipment.
- 13 B. The number of employees hired through the end of the preceding calendar year as a
14 result of the deduction.
- 15 C. The total salaries of the employees hired through the end of the preceding calendar
16 year as a result of the deduction.
- 17 D. The total number of employees employed at the facility receiving the deduction.
- 18 E. The total assessed value of the real and/or personal property deductions.
- 19 F. The tax savings resulting from the real and/or personal property being abated.

20 **SECTION 13.** That, the taxpayer is non-delinquent on any and all property tax due to
21 jurisdictions within Allen County, Indiana.


22 **SECTION 14.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that has
23 received a deduction under section 3 or 4.5 of this chapter may be required to repay the
24 deduction amount as determined by the county auditor in accordance with section 10 of said
25 chapter if the property owner ceases operations at the facility for which the deduction was
26 granted and if the Common Council finds that the property owner obtained the deduction by
27 intentionally providing false information concerning the property owner's plans to continue
28 operation at the facility.

29 **SECTION 15.** That, this Resolution shall be in full force and effect from and after its
30 passage and any and all necessary approval by the Mayor.

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Member of Council

APPROVED AS TO FORM A LEGALITY

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Malak Heiny, City Attorney

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE: **Confirming Resolution**

DEPARTMENT REQUESTING ORDINANCE: **Community Development Division**

SYNOPSIS OF ORDINANCE: **This is to confirm the designation of an Economic Revitalization Area for Do Good Foods Fort Wayne, LLC/GH FTW II, LLC for eligible real and personal property improvements. GH FTW II, LLC will complete a previously approved speculative building project and Do Good Foods Fort Wayne, LLC will purchase and install new personal property equipment.**

EFFECT OF PASSAGE: **Investment of \$96,000,000, and the creation of 100 new full-time permanent positions with a new annual payroll of \$6,032,000 and an average annual salary of \$60,320.**

EFFECT OF NON-PASSAGE: **Potential loss of investment, and the creation of 100 new full-time permanent positions with a new annual payroll of \$6,032,000 and an average annual salary of \$60,320.**

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

ASSIGNED TO COMMITTEE (CO-CHAIRS): **Sharon Tucker and Russ Jehl**

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

CONFIRMING RESOLUTION NO. R-22-05-31

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON JUNE 14, 2022, AT 5:30 P.M., IN ROOM 035 – COUNCIL CHAMBERS COURTROOM – GARDEN LEVEL CITIZENS SQUARE, 200 E. BERRY, FORT WAYNE, INDIANA 46802; DESIGNATING AN ECONOMIC REVITALIZATION AREA UNDER SECTION I.C. 6-1.1-12.1 FOR A PROPERTY COMMONLY KNOWN AS:

**8645 Aviation Road, Fort Wayne, Indiana 46809
(Do Good Foods Fort Wayne, LLC/GH FTW II, LLC)**

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED, OR RESCINDED ON TUESDAY JUNE 14, 2022.

IF CONFIRMED, SAID DESIGNATION SHALL EXPIRE DECEMBER 31, 2026.

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) 427-1200, AT LEAST SEVENTY-TWO HOURS PRIOR TO THE MEETING.

*LANA R. KEESLING
CITY CLERK*

NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
CONFIRMING RESOLUTION NO. R-22-
05-31

NOTICE IS HEREBY GIVEN THAT
THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA
WILL CONDUCT A PUBLIC HEARING
ON JUNE 14, 2022 AT 2:30 PM IN
COURTROOM COURTHOUSE LEVEL
CITIZENS SQUARE, 200 E. BER-
KELEY AVENUE, FORT WAYNE, INDIANA 46802.
RESOLUTION NO. R-22-05-31
RELATES TO AN AREA UNDER SECTION
16-1-1-2.1 FOR A PROPERTY
COMMONLY KNOWN AS:

8845 Aviation Road, Fort Wayne,
Indiana 46809
(Do Good Fort Wayne, LLC/GB
FW 1), LLC

COMMON COUNCIL WILL CONDUCT
THE PUBLIC HEARING REGARDING
THE ABOVE DESCRIBED RESOLU-
TION SHOULD BE CONFIRMED OR
MODIFIED AND CONFIRMED OR
REVOKED ON TUESDAY JUNE 14,
2022.

IF CONFIRMED, SAID DESIGNATION
WILL EXPIRE DECEMBER 31,
2026.

ALL INTERESTED PERSONS ARE IN-
VITED TO ATTEND AND BE HEARD
AT THE PUBLIC HEARING.

REASONABLE ACCOMMODATIONS
FOR PERSONS WITH DISABILITIES
WILL BE PROVIDED IN ACCORDANCE WITH
THE AMERICANS WITH DISABILITIES
ACT. PERSONS WITH DISABILITIES
NEEDING ACCOMMODATIONS SHOULD
CONTACT THE PUBLIC INFORMATION OFFICE (260)
AT LEAST SEVENTY-TWO HOURS PRIOR
TO THE MEETING.

LANA R. KEESLING
CITY CLERK
5-27 hspardp

The Journal Gazette

Account Name
Gov: Fort Wayne City Clerk's Office
Notice ID: Ej6B6Ri2XnQg6yU8bPSJ

Allen County, Indiana

PUBLISHER'S CLAIM

ATTACH COPY OF ADVERTISEMENT

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 _____

58

Total number of lines in notice

COMPUTATION OF CHARGES

58 lines, 1 column(s) wide equal

58 equivalent lines at \$ 0.4990 cents per line

\$ 28.94

Additional charges for notices containing rule or tabular work (50 percent of above amount) \$

Electronic processing fee \$ 0.00

TOTAL AMOUNT OF CLAIM \$ 28.94

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.

The dates of publication being as follows:

5/27/22 _____

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

Date: 5/27/2022

Brenda McCall
Legal Clerk

BILL NO. R-22-05-31

REPORT OF COMMITTEE ON FINANCE

June 14, 2022



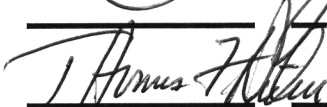






Sharon Tucker Chair

Russ Jehl Co-Chair

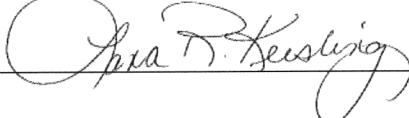
All Council Members

A Confirming Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 8645 Aviation Road, Fort Wayne, Indiana 46809 (Do Good Foods Fort Wayne, LLC/GH FTW II, LLC)

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: June 14, 2022

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

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

Read the third time in full and on motion by Councilperson Tucker, 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: June 14, 2022




 LANA R. KEESLING, CITY CLERK

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

Resolution No. R-22-05-31 on the 14th day of June, 2022

ATTEST:



 LANA R. KEESLING
 CITY CLERK



 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th of June 2022, at the hour of 11:20 o'clock A.M. E.S.T.



 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15th day of June 2022, at the hour of 3:00 o'clock PM E.S.T.



 THOMAS C. HENRY, MAYOR

FORT WAYNE, INDIANA
RECEIVED
 JUN 16 2022
 LANA R. KEESLING
 CITY CLERK