

1 **BILL NO. R-14-09-09**

2 **RESOLUTION NO. R-_____**

3
4 **A RESOLUTION OF THE FORT WAYNE COMMON**
5 **COUNCIL CONFIRMING THE CITY PLAN COMMISSION**
6 **RESOLUTION THAT AMENDMENT TO THE ALLEN COUNTY**
7 **PROFESSIONAL SPORTS AND CONVENTION DEVELOPMENT**
8 **AREA IS IN COMPLIANCE WITH THE MASTER PLAN OF**
9 **DEVELOPMENT FOR THE CITY OF FORT WAYNE**

10 WHEREAS, the Fort Wayne City Plan Commission is the local public
11 agency charged by state law with ensuring the orderly development of land
12 in the City of Fort Wayne and pursuant thereto has recommended the
13 adoption the Master Plan of Development for the City of Fort Wayne (the
14 "Comprehensive Plan"); and

15 WHEREAS, the Fort Wayne City Plan Commission is the municipal
16 body charged with reviewing plans and proposals for development to ensure
17 their compatibility with the Comprehensive Plan; and

18 WHEREAS, the Allen County War Memorial Coliseum Board of
19 Trustees (the "Board of Trustees") is one of the local public agencies
20 charged with creating value for the community by promoting sporting, public
21 assembly, convention and tourism activity; and

22 WHEREAS, the Board of Trustees, as managers of the Allen County
23 War Memorial Coliseum, has determined that the present facility is in need of
24 improvements and expanded capacity to accommodate the current and
25 anticipated sporting and public assembly activities that wish to remain and
26 come to the Fort Wayne/Allen County community; and

27 WHEREAS, the Board of Trustees has determined that this

1 improvement and expansion to the War Memorial Coliseum must occur to
2 ensure that it may continue to operate in a competitive manner and provide
3 sporting and public facility opportunities desired by this community; and
4

5 WHEREAS, the Board of Trustees of the Coliseum has determined that, in
6 order to remain competitive with other cities in Indiana and surrounding states in
7 attracting events, an expansion of the existing Exposition Center is necessary,
8 said plans calling for the addition of 50,412 gross square footage to the Memorial
9 Coliseum complex, said improvements to bear a hard cost of \$16,185,000; and

10 WHEREAS, the Board of Commissioners of the County of Allen did adopt
11 Confirmatory Resolution No. 97-8-6 on August 6, 1997, designating property
12 generally known as the Allen County War Memorial Coliseum as a Professional
13 Sports and Convention Development Area; and

14 WHEREAS, the State Budget Agency did subsequently approve the
15 designation of this PSCDA as provided in Indiana Code 36-7-31.3-12; and
16

17 WHEREAS, on November 10, 1999, the Board of Commissioners of the
18 County of Allen approved Amended Confirmatory Resolution 97-8-6 that
19 amended said PSCDA plan and resolution to include the Grand Wayne Center in
20 the Allen County PSCDA; and

21 WHEREAS, in 2009 the Indiana State Legislature approved HEA 1514
22 which added the facilities located at the Indiana University-Purdue University
23 regional campus (Indiana Purdue Fort Wayne) to the Allen County PSCDA; and
24

25 WHEREAS, the aforementioned plans were adopted under I.C. 36-7-31.3-
26 1 *et seq.* (the "Act"); and
27
28
29
30

1 WHEREAS, I.C. 36-7-31.3-9.7(c) provides that Allen County may modify
2 the terms governing its PSCDA in the same manner as the establishment of the
3 initial tax area; and

4
5 WHEREAS, the Board of Trustees of the Coliseum has presented an
6 amended plan entitled "Allen County PSCDA Plan Amendment 2", which the
7 Board has determined will allow Fort Wayne/Allen County to encourage
8 convention and tourism activities in the Fort Wayne/Allen County area; and

9 WHEREAS, the physical area of the Allen County PSCDA is not being
10 changed by the proposed amendment as the proposed expansion is occurring
11 within the existing boundary of the Allen County PSCDA; and

12
13 WHEREAS, the expansion of the Allen County War Memorial Coliseum's
14 Exposition Center is consistent with existing facilities and located within the
15 existing Allen County PSCDA.

16 WHEREAS, on September 23, 2014 the Fort Wayne City
17 Plan Commission did adopt Resolution No. _____, and pursuant thereto
18 did resolve the following:

19 1. The amendment of the Allen County Professional Sports and
20 Convention Development Area conforms to the Master Plan of Development (the
21 "Comprehensive Plan") for the City of Fort Wayne.

22
23 WHEREAS, the Common Council of Fort Wayne is the local public
24 body authorized by state law to adopt the Master Plan of Development for
25 the City of Fort Wayne; and

26
27 WHEREAS, on March 28, 2007 the Fort Wayne Common Council did
28 enact Ordinance No. G-08-07 adopting the Comprehensive Plan as the

1 amended Master Plan of Development for the City of Fort Wayne.

2
3 NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne Common
4 Council as follows:

5 SECTION 1. The amendment of the Allen County
6 Professional Sports and Convention Development Area
7 conforms to the Master Plan of Development (the
8 "Comprehensive Plan") for the City of Fort Wayne.

9
10 SECTION 2. The Clerk of the City of Fort Wayne is
11 hereby authorized to deliver to the Board of Commissioners
12 of the County of Allen a certified copy of this resolution.

13 SECTION 3. That this Resolution is in full force and
14 effect from and after any and all necessary approval by the Mayor.

15
16 _____
17 Council Member

18 APPROVED AS TO FORM AND LEGALITY

19 _____
20 Carol Helton, City Attorney

ALLEN COUNTY PROFESSIONAL SPORTS & CONVENTION DEVELOPMENT AREA PLAN

AMENDMENT 2



PREPARED BY:

**ALLEN COUNTY DEPARTMENT OF PLANNING SERVICES &
ALLEN COUNTY WAR MEMORIAL COLISEUM**

AUGUST 2014

ALLEN COUNTY PSCDA PLAN AMENDMENT 2

INTRODUCTION

In 1997, the Indiana General Assembly adopted a new State law (I.C. 36-7-31.3 et. seq.) that allows a city or county legislative body to designate a special taxing district known as a Professional Sports and Convention Development Area (PSCDA). The benefits of designating a facility as a PSCDA is that the local unit of government can capture the state gross retail tax, the adjusted gross income tax on an individual, the county option income tax, and the food and beverage tax within this area. The proceeds can then be used to provide an additional revenue stream to fund capital improvements within the area.

On August 6, 1997, the Allen County Board of Commissioners designated the Allen County War Memorial Coliseum as a PSCDA. Subsequently, the Fort Wayne City Council designated the Grand Wayne Center as a PSCDA on November 24, 1998. In March 1999, the State Budget Agency notified the City and County that they would prefer only one PSCDA district per eligible county, and that they did not intend to act upon the City's request to designate the Grand Wayne Center as a separate PSCDA. The State suggested that the original Allen County PSCDA be amended to include the Grand Wayne Center.

In April 1999, the interested parties entered into an agreement setting forth the distribution of funds from a combined PSCDA. On November 10, 1999 the Allen County Board of Commissioners amended the Allen County PSCDA to add both the Grand Wayne Center and the Allen County Courthouse to the Allen County PSCDA. However, on December 15, 1999, the State Budget Committee only approved the addition of the Grand Wayne Center as a part of the Allen County PSCDA.

In 2009, the State legislature approved HEA 1514 which added the facilities located at the Indiana University-Purdue University regional campus to the tax area designated by a county with a population between 300,000 to 400,000. This effectively added the Indiana Purdue Fort Wayne (IPFW) campus to the Allen County PSCDA. It also limited the maximum amount of taxes collected in the area to \$3 million per year.

NEW STATE LAW PROVIDES FUNDING OPPORTUNITY

In 2014, SEA 308 added I.C. 36-7-31.3-9.7(c) and amended I.C. 36-7-31.3-10 to allow Allen County to modify its PSCDA to finance a proposed facility expansion and extend the designation to a date agreed to with the State Budget Agency. However, the PSCDA expiration date may not be later than 25 years after the debt to issue the proposed facility is issued. Allen County has until January 1, 2015 to modify its PSCDA.

ALLEN COUNTY PSCDA PLAN AMENDMENT 2

EXPOSITION CENTER EXPANSION-PROJECT DESCRIPTION

The proposed expansion of the Exposition Center will add 50,412 of gross square footage to the Memorial Coliseum complex. This additional space will include 27,666 square feet of new multi-use exhibit and meeting space, 12,586 square feet of pre-function/lobby area, and approximately 10,160 square footage for restrooms and event support space. Furthermore, the project will include the partial renovation of 16,573 square feet of the existing Exposition Center. A rendering of exterior view is on the cover page, while the interior and floor layout is shown in Exhibit A.

The total cost of the project is estimated to be \$16,185,000. Included in this total cost is \$13,715,363 for construction hard costs, \$1,134,337 for construction soft costs, \$1,315,400 for furniture, fixtures, and equipment (FF & E), and \$19,900 for net bond issuance costs which include public discount and public premium.

ALLEN COUNTY PSCDA

The Allen County PSCDA covers an area on the north side of Fort Wayne, Indiana, in a portion of Section 25 of Washington Township (War Memorial Coliseum), Sections 19 and 30 in St. Joseph Township (IPFW), and a portion of downtown Fort Wayne in Section 2 of Wayne Township. The area is more particularly described in Exhibit B. Note that the Allen County PSCDA boundaries are not being changed by this amendment.

FINDINGS REQUIRED FOR DESIGNATING A PROFESSIONAL SPORTS AND CONVENTION DEVELOPMENT AREA

The State Law that allows Allen County to modify its PSCDA requires it to follow the same process as in the establishment of the initial PSCDA. I.C. 36-7-31.3 Section 9 (b) states that the city or county legislative body must make certain findings. The original findings were discussed and made in the original Allen County PSCDA plan and are included here by reference to that plan. The new findings with regard to the proposed expansion and the modification of the PSCDA are provided on the following page.

Finding 1

There is a capital improvement that will be undertaken or that has been undertaken in the tax area for a allowed facility under I.C. 36-7-31.3-8(a).

The expansion of the Exposition Center is primarily intended to provide additional space for convention and tourism type events, such as the Home and Garden show.

ALLEN COUNTY PSCDA PLAN AMENDMENT 2

The Board of Commissioners finds that there is a capital improvement that has been undertaken and/or that will be undertaken in a facility used to promote conventions and tourism, namely, the Exposition Center.

Finding 2

The capital improvement that will be undertaken or that has been undertaken in the tax area will benefit the public health and welfare and will be of public benefit.

The convention and tourism business has a significant impact on the local economy in terms of jobs. Not just jobs at the Exposition Center, but in hotels, restaurants, shopping centers, and elsewhere. As a result, the expansion will offer a public benefit.

The Board of Commissioners finds that since improvements to the Exposition Center will increase the economic impact of the facility and will benefit the public health and welfare and be of public benefit.

Finding 3

The capital improvement that will be undertaken or that has been undertaken in the tax area will protect or increase state and local tax bases and tax revenues.

The Memorial Coliseum needs to provide a competitive facility in order to retain current events and to bring Fort Wayne its fair share of State and regional events. Losing current and potential events would have a negative impact on the State and local tax bases resulting in reduced revenues. The expansion of the Exposition Center will make the facility more attractive for conventions and events and potentially increase the tax base and tax revenues.

The Board of Commissioners finds that the capital improvements to the Exposition Center will attract additional events will increase the state and local tax bases and tax revenues.

DURATION OF THE PLAN

The original plan was to be in effect for twenty years from the date of approval by the State Budget Agency or December 31, 2027, whichever occurs first. I.C. 36-7-31.3 Section 10 specifies that the amended PSCDA terminate no later than 25 years after the debt to finance the proposed facility is issued, but no sooner than January 1, 2028. It is proposed that the amended plan will be in effect until the earlier of 2040 or twenty years from the issuance of the bonds related to the current expansion of the Exposition Center. Those bonds are expected to be issued in 2014 or 2015 with a 20 year term making them outstanding until 2034 or 2035.

ALLEN COUNTY PSCDA PLAN AMENDMENT 2

THE APPROVAL PROCESS

I.C. 36-7-31.3 Sections 11 and 12, state that upon adoption of a resolution establishing a Sports and Convention Development Area tax area, the Board of Commissioners shall submit the resolution to the budget committee for review and recommendation to the budget agency. The budget agency must approve the resolution prior to the county receiving any allocation of the tax dollars covered by this legislation.

Exhibit A



ALLEN COUNTY WAR MEMORIAL COLISEUM 2015 Expo Expansion

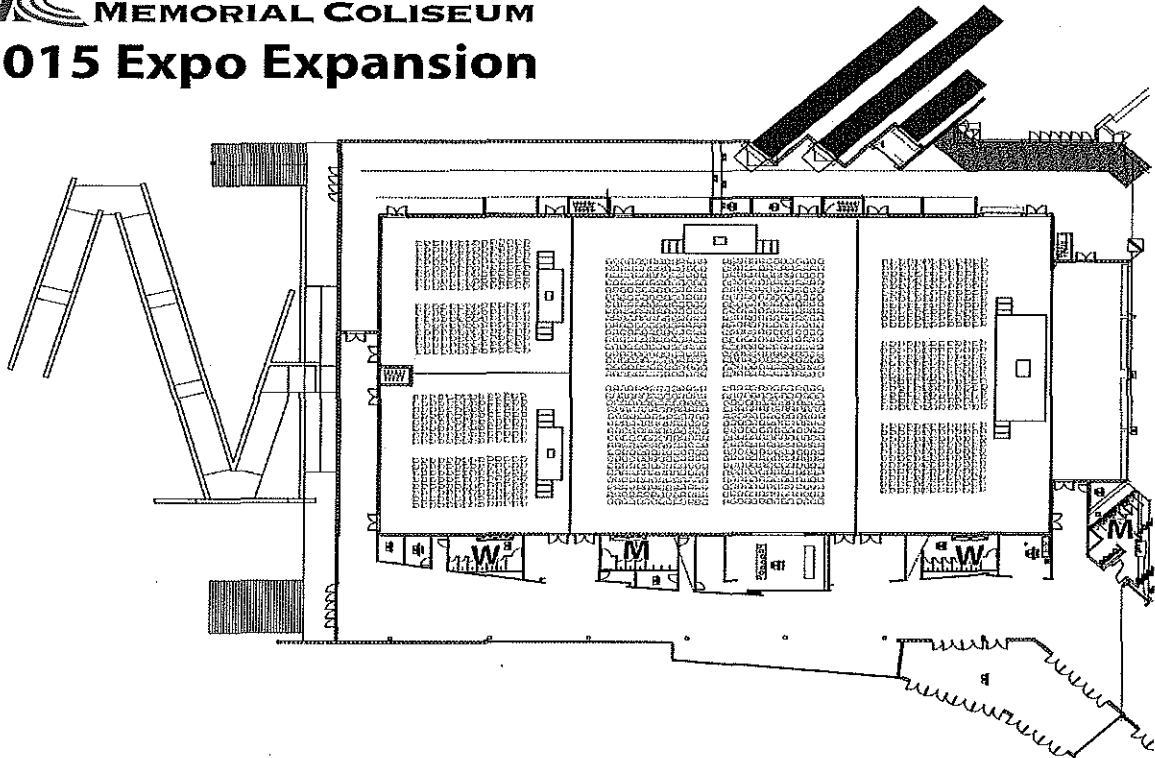


Exhibit B

Allen County War Memorial Coliseum:

Beginning as the intersection of Spy Run Extended and Parnell Avenue, follow the east right-of-way line of Parnell north 2,550 feet to the right-of-way line of Coliseum Boulevard. Then, follow the north right-of-way line of Coliseum Boulevard southeast 200 feet, then east 320 feet to the east boundary line of parcel 80-0025-5047. Follow the parcel line north 450 feet to the southern right-of-way line of California Road. Follow the southern right-of-way line of California Road east 1,750 feet, then southeast for 750 feet. Then, continue to follow the right-of-way line southwest 1,150 feet to the southern right-of-way line of Harry Baals Drive. From the intersection, follow the west right-of-way line of Harry Baals Drive south 800 feet to the south boundary line of parcel 80-0025-5078. Follow the parcel line 700 feet to the southern boundary of the Wabash & Erie Feeder Canal. Then, follow the southern boundary of the Wabash & Erie Feeder Canal 1,600 feet to the intersection of Parnell and Spy Run Extended and hence to the point of beginning.

The address of the Allen County War Memorial Coliseum is 4000 Parnell Avenue. The address of Memorial Stadium is 1616 Coliseum Boulevard East.

Indiana Purdue Fort Wayne

Currently includes the following properties:

PIN 02-08-30-100-004.000-072

118.41 ACRES BETWEEN SR 37 & ANTHONY BLVD N Y2 SECTION 30 & SW PT
SECTION 19 & 2.01 ACRES TRI SPC LOT 1 JF HAYDENSAMD PLAT EX TRS

PIN 02-08-30-100-003.000-072

1.377 ACRES TR MID PT N ½ SECTION 30
CLASSROOM-LABORATORY BLDG

PIN 02-08-30-200-003.000-072

1.575 ACRES TR N ½ SECTION 30

PIN 02-08-30-200-002.000-072

1.056 ACRES TR MID PT N ½ SECTION 30
LIBRARY-LEARNING RESOURCES BLDG

PIN 02-08-30-100-002.000-072

2.11 ACRES MID PT N 1/0 SECTION 30

PIN 02-08-30-200-001.000-072

0.94 ACRES TR N PT OF 118.41 ACRES TR N ½ SECTION 30

PIN 02-08-30-200-004.000-072

N ½ E OF SR 37 & PT W OF SR 37 N OF INDIANA PURDUE FND EX PT TO
STATE & EX PT TO CITY & EX R/W SECTION 30

Exhibit B (Cont.)

PIN 02-08-19-400-004.000-072

FRL E 2601.1 FT S $\frac{1}{2}$ SE $\frac{1}{4}$ EX PT TO CITY SECTION 19

PIN 02-08-30-200-004.000-072

N $\frac{1}{2}$ E OF SR 37 & PT W OF SR 37 N OF INDIANA PURDUE PND EX PT TO
STATE & EX PT TO CITY & EX R/W SECTION 30

Grand Wayne Center

Beginning at the intersection of the south right-of-way line of West Washington Boulevard with the east right-of-way line of South Harrison Street, said intersection being the same as the northwest corner of Lot 448 in Samuel Hanna's Addition, West Part, to the City of Fort Wayne; thence easterly along the south right-of-way line of West Washington Boulevard, being the same as the north lot line of lots 448 through 452, all in Samuel Hanna's Addition, West Part, to the City of Fort Wayne, a distance of 265.3 feet to a point 104.7 feet west of the intersection of the south right-of-way line of West Washington Boulevard with the west right-of-way line of South Calhoun Street, said intersection being the same as the northeast corner of lot 453 in Samuel Hanna's Addition, West Part, to the City of Fort Wayne; thence southerly and parallel to said west right-of-way line of South Calhoun Street a distance of 275.9 feet to a point 11.9 feet south of the south lot line of Lot 419 and 15.3 feet east of the east lot line of Lot 421, both in Samuel Hanna's Addition, West Part, to City of Fort Wayne; thence easterly and parallel to said south lot line of Lot 419 a distance of 7 feet to a point 22.3 feet east of the east lot line of Lot 421 and 11.9 feet south of the south lot line of Lot 419, both in Samuel Hanna's Addition, West Part, to the City of Fort Wayne; thence southerly and parallel to said west right-of-way line of South Calhoun Street a distance of 38.1 feet to a point on the north right-of-way line of West Jefferson Boulevard, being the same as the south lot line of Lot 418 and Lots 421 through 424, all in Samuel Hanna's Addition, West Part, to the City of Fort Wayne, a distance of 272.3 feet to the east right-of-way line of South Harrison Street, being the same as the west lot line of Lot 424 and Lot 448, both in Samuel Hanna's Addition, West Part, to the City of Fort Wayne, a distance of 314 feet to the point of beginning.