

**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.

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

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

SECTION 6. 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 that the deduction from the assessed value of the new manufacturing and information technology equipment shall be for a period of ten years.

SECTION 7. The deduction schedule from the assessed value of the real property 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%

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

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

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

SECTION 11. For real property, a deduction application must contain a performance report showing the extent to which there has been compliance with the Statement of Benefits

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
the same time the property owner is required to file a personal property tax return in the taxing
district in which the property for which the deduction was granted is located. If the taxpayer does
not file a personal property tax return in the taxing district in which the property is located, the
information must be provided by May 15.

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

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

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

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

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

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Member of Council

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20 APPROVED AS TO FORM A LEGALITY

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Malak Heiny, City Attorney
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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