

RESOLUTION NO. 1 2000

**VALPARAISO COMMON COUNCIL  
APPROVING A DECLARATORY RESOLUTION AND  
ECONOMIC DEVELOPMENT PLAN OF THE REDEVELOPMENT  
COMMISSION OF VALPARAISO, INDIANA, AND APPROVING  
ORDER OF THE VALPARAISO PLAN COMMISSION**

WHEREAS, the City of Valparaiso ("City") Redevelopment Commission ("Commission") has, on the 10th day of Jan., 2000, initially approved two allocation areas for the Southeast Economic Development Area ("Area") in the City; and

WHEREAS, the Commission has, on the 10th day of Jan., 2000, adopted a Declaratory Resolution initially approving the Area as an economic development area pursuant to IC 36-7-14 and IC 36-7-25 ("Act"); and

WHEREAS, the Act requires approval of the Declaratory Resolution and the Plan and the action of the Plan Commission by the Common Council of the City;

NOW THEREFORE BE IT RESOLVED by the Common Council of Valparaiso, Indiana as follows:

1. That the Plan for the Area is in all respects approved, ratified and confirmed by the Common Council.
2. That the action of the Plan Commission on Jan. 11, 2000, approving the Plan and the Declaratory Resolution is in all respects approved, ratified and confirmed by the Common Council.
3. That the Clerk-Treasurer is hereby directed to file a copy of the Declaratory Resolution, the Plan and approving Order of the Plan Commission with the permanent minutes of this meeting.
4. This Resolution shall be effective from and after passage and approval by the Mayor on the effective date of the Declaratory Resolution.

PASSED AND ADOPTED by the Common Council of the City of Valparaiso, Indiana, this 24th day of Jan., 2000, by a vote of 7 ayes and 0 nays.

COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA

[Signature]  
Presiding Officer

ATTEST:

[Signature]  
Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso this  
24th day of Jan., 2000; at 8:45 o'clock PM.

[Signature]  
Clerk-Treasurer

Signed and approved by me, the Mayor of the City of Valparaiso on this 24th day of Jan., 2000 at  
8:45 o'clock PM.

[Signature]  
Mayor

ATTEST:

[Signature]  
Clerk-Treasurer

[Signature]  
Charles Bird

[Signature]  
Don Ragsdale

[Signature]  
Joey Larr

[Signature]  
Jan Dick

[Signature]  
Aaron Carlberg

[Signature]  
Fred Kruger

[Signature]  
Al Eisenmenger

RESOLUTION 1, 2000

ORDER OF THE VALPARAISO PLAN COMMISSION DETERMINING THAT DECLARATORY RESOLUTION AND DEVELOPMENT PLAN APPROVED AND ADOPTED BY THE VALPARAISO REDEVELOPMENT COMMISSION CONFORM TO THE COMPREHENSIVE PLAN AND APPROVING THAT RESOLUTION AND THE DEVELOPMENT PLAN

WHEREAS, the City of Valparaiso ("City") Redevelopment Commission ("Commission") on the 6<sup>th</sup> day of February, 1995, adopted a declaratory resolution ("Declaratory Resolution") which was confirmed by a Confirmatory Resolution adopted March 15, 1995, after a public hearing declaring that the Southeast Economic Development Area ("Area") is an economic development area and subject to economic development activities pursuant to IC 36-7-14 and IC 36-7-25, and all acts supplemental and amendatory thereto ("Act") and designated an Allocation Area within the Area ("Southeast Allocation Area"); and

WHEREAS, the Commission on the 6<sup>th</sup> day of February, 1995, initially approved an Economic Development Plan ("Plan") for the Area in the City; and

WHEREAS, on the tenth day of Jan., 2000, the Commission adopted its Declaratory Resolution ("Amending Declaratory Resolution"), for the purpose of deleting that portion of the Southeast Allocation Area located in Washington Township and creating a second allocation area consisting of the property in the Area located in Washington Township to be designated the "Washington Township Allocation Area"; and

WHEREAS, the Commission through its Amending Declaratory Resolution reduced the boundaries of the Southeast Allocation Area and created the Washington Township Allocation Area (collectively, the "Allocation Areas"); and

WHEREAS, the Act requires approval of the Amending Declaratory Resolution and the Plan by the Valparaiso Plan Commission ("Plan Commission");

NOW THEREFORE BE IT ORDERED by the Valparaiso Plan Commission by a vote of 6-0-1, as follows:

1. That the Plan for the Area conforms to the Comprehensive Plan of development for the City.
2. That the Plan is in all respects approved, ratified, and confirmed.
3. That the staff on the Plan Commission is hereby directed to file a copy of the Declaratory Resolution and the Plan with the permanent minutes of this meeting.

Passed this 11th day of Jan., 2000

  
Vice-  
President

  
Nancy Pekarek  
City Planner

**NOTICE TO TAXPAYERS AND ALL OTHER PERSONS AFFECTED OF  
ADOPTION AND CONTENT OF RESOLUTION OF VALPARAISO  
REDEVELOPMENT COMMISSION AND NOTICE OF PUBLIC HEARING  
ON RESOLUTION**

Taxpayers of the Valparaiso Redevelopment District ("District") and all other persons affected hereby are notified that the Valparaiso Redevelopment Commission ("Commission"), at a meeting on Jan. 10, 2000, adopted Declaratory Resolution No. 1 establishing two allocation areas in the Southeast Economic Development Area. The District will use incremental real property taxes levied and collected in the Allocation Areas in accordance with IC 36-7-14 and IC 36-7-25 to finance public projects in or serving the Area ("the Projects"). The Declaratory Resolution, the Development Plan ("Plan"), and supporting data including maps and plats describing the Area, have been prepared and can be inspected at the City Planning Office, in the City of Valparaiso, Indiana.

Notice is further given that the Redevelopment Commission and on Feb. 14, 2000 at the hour of 7:30 AM, local time, at City Hall, 166 Lincolnway, Valparaiso, Indiana, will receive and hear remonstrances from persons interested in or affected by the proceedings pertaining to the proposed economic development projects and will determine the public utility and benefit of the proposed Projects; including:

- Reconstruction and/or widening of roads
- Improved drainage outlets and retention ponds
- Infrastructure extensions and improvements

At the time fixed for the hearing or at anytime prior thereto any person interested in the proceedings may file a written remonstrance with the Valparaiso Planning Office. At such hearing, which may be adjourned from time to time, the Commission will hear all persons interested in the proceedings and all remonstrances that have been filed. After considering this evidence, the Commission will take final action by either confirming, modifying and confirming, or rescinding the Declaratory Resolution.

Dated this 10<sup>th</sup> day of Jan., 2000.

**VALPARAISO REDEVELOPMENT COMMISSION**

 , President

Nancy Pekarek, City Planner

Vidette - Times: Please publish on Jan. 29, 2000

Statement and Proof of Publication to Plan Commission, 166 Lincolnway

**RESOLUTION NO. 1, 2000  
DECLARATORY RESOLUTION OF THE  
VALPARAISO REDEVELOPMENT COMMISSION  
FOR THE SOUTHEAST ECONOMIC DEVELOPMENT AREA  
As Amended**

WHEREAS, the City of Valparaiso ("City") Redevelopment Commission ("Commission") did on February 6, 1995 adopt a declaratory resolution ("Declaratory Resolution") which was confirmed by a Confirmatory Resolution adopted March 15, 1995, after a public hearing establishing the Southeast Economic Development Area ("Area") under IC 36-7-14 and IC 36-7-25 (collectively the "Act"); and

WHEREAS, the Declaratory Resolution approved the economic development plan ("plan") presented at the February 6, 1995 meeting of the Commission, which plan contained specific recommendations for the development in the Area; and

WHEREAS, the Declaratory Resolution established an allocation area in accordance with IC 36-7-14-39 ("Southeast Allocation Area") for the purpose of capturing property taxes generated from the incremental assessed valuation of real property located in the Southeast Allocation Area; and

WHEREAS, IC 36-7-4-17.5 authorizes the Commission to amend the Declaratory Resolution, after conducting a public hearing if it finds that:

- (1) The amendment is reasonable and appropriate when considered in relation to the Declaratory Resolution or Plan and the purposes of IC36-7-14; and
- (2) The Declaratory Resolution and the Plan, with the proposed amendment, conform to the Comprehensive Plan of the City;

WHEREAS, the Commission desires to amend the Southeast Allocation Area deleting that portion of the Area located in Washington Township (as illustrated on the map attached hereto as Exhibit A); and

WHEREAS, the Commission desires to create the Washington Township allocation area ("Washington Township Allocation Area") consisting of the property in the Area located in Washington Township as a second allocation area with the Area (as set forth on the map attached hereto as Exhibit B); and

WHEREAS, the real property base assessment date of the Southeast Allocation Area will remain March 1, 1994; and

WHEREAS, the real property base assessment date of the Washington Township Allocation Area will be March 1, 1999; and

**WHEREAS, the Commission has prepared an economic development plan ("plan") for the entire Area, which Plan is attached to and incorporated by reference in this resolution; and**

**WHEREAS, the Commission has caused to be prepared:**

**1. Maps and plats showing:**

- (A) the boundaries of the Area, the boundaries of the Southeast Allocation Area and the Washington Township Allocation Area, the location of various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning, or development of the area, indicating any parcels of property to be excluded from the acquisition; and**
- (B) the parts of the acquired areas that are to be devoted to public ways, levees, sewerage, parks, playgrounds, and other public purposes under the plan:**

**2. Lists of the owners of the various parcels of property proposed to be acquired, if any; and**

**3. An estimate of the cost of acquisition, and development; and**

**WHEREAS, the Commission has caused to be prepared a factual report ("Report") in support of the findings contained in the Declaratory Resolution; which Report was attached to and incorporated by reference in the Declaratory Resolution;**

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION THAT:**

- 1. The Commission hereby confirms the findings, Plan, and Factual Report contained in the Declaratory Resolution, and finds that it will be necessary to amend the Declaratory Resolution to remove the property located in Washington Township from the Southeast Allocation Area and create the Washington Township Allocation Area as a second allocation area within the Area. These amendments are reasonable and appropriate when considered in relation to the Declaratory Resolution and Plan and the proposes of IC 36-7-4. The Declaratory Resolution and Plan as mandated by this Resolution conform to the Comprehensive Plan for the City. These amendments will serve the public interest by increasing the tax base of affected civil taxing units while furthering the Plan for the Area because the creation of a second allocation area will empower the Commission to fund development of the different portions of the Area.**
- 2. The Commission has established the Area as an economic development area within its corporate boundaries, and hereby amends the Declaratory Resolution to remove the property located in Washington Township from the Southeast Allocation Area and creates the Washington Township Allocation Area as a separate allocation area.**

3. This paragraph shall be considered the allocation provision for the purposes of IC 36-7-14-39. The portion of the Area set forth in Exhibit A shall continue to be designated the Southeast Allocation Area and the portion of the Area set forth in Exhibit B shall be designated the Washington Township Allocation Area and each shall constitute an allocation area as defined in IC 36-7-4-39 (collectively, the "Allocation Areas"). The Southeast Allocation Area, as amended, shall continue to have a base assessment date of March 1, 1994. Any property taxes levied on or after the effective date of this resolution by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the Washington Township Allocation Area shall be allocated and distributed in accordance with IC 36-7-14-39 or any applicable successor provision. This allocation shall expire no later than 30 years after the effective date of this resolution.
4. All of the rights, powers, privileges, and immunities that may be exercised by the Commission in a Redevelopment Area or Urban Renewal Area may be exercised by the Commission in the Area, subject to the limitations in IC 36-7-14-43.
5. The presiding officer of the Commission is hereby authorized and directed to submit this resolution, the Plan, and the Report to the Valparaiso Plan Commission ("Plan Commission") for its approval.
6. The Commission also directs the presiding officer, after receipt of the written order of approval of the Plan Commission which has been approved by the Common Council to publish notice of the adoption and substance of this resolution in accordance with IC 5-3-1-4 and to file notice with the Plan Commission, the Board of Zoning Appeals, the Board of Public Works, the Park Board, the building commissioner, and any other departments or agencies of the City concerned with unit planning, zoning variances, land use or the issuance of building permits. The notice must state that maps and plats have been prepared and can be inspected at the office of the City department of planning and must establish a date when the Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed project and will determine the public utility and benefit of the proposed project. Copies of the notice must also be filed with the officer authorized to fix budgets, tax rates and tax levies under IC 6-1.1-17.5 for each taxing unit that is either wholly or partly located within the Allocation Areas.
7. The Commission also directs the presiding officer to prepare or cause to be prepared a statement disclosing the impact of the Allocation Areas, including the following:
  - (A) The estimated economic benefit and costs incurred by the Allocation Areas, as measured by increased employment and anticipated growth of real property, personal property and inventory assessed values; and

(B) The anticipated impact on tax revenues of each taxing unit that is either wholly or partly located within the Allocation Areas. A copy of this statement shall be filed with each such taxing unit with a copy of the notice required under Section 17 of the Act at least 10 days before the date of the hearing described in Section 6 of this Resolution.

8. The Commission further directs the presiding officer to submit this resolution to the Common Council for its approval of the establishment of the Washington Township Allocation Area.

9. This Resolution shall be effective as of its date of adoption.

Adopted January 10, 2000

Stuart P. Summers  
Stuart Summers

Tony Schultz absent  
[Signature]

Aaron Carlberg absent

[Signature]  
John Bowker

ATTEST:

Stuart P. Summers  
Secretary