

**RESOLUTION OF THE
NORTHWEST INDIANA REGIONAL DEVELOPMENT AUTHORITY**

RESOLUTION NO. 22-04

WHEREAS, the Northwest Indiana Regional Development Authority (RDA) was established by IC 36-7.5-2-1 for the purpose of fostering regional development in northwest Indiana through connectivity, including among other things, financing projects and facilities for lease to or for the benefit of eligible political subdivisions under IC 36-7.5 *et seq.*; and

WHEREAS, the Northern Indiana Commuter Transportation District ("NICTD") was established under IC 8-5-15-2 to aid commuter transportation systems and is an eligible political subdivision as provided in IC 36-7.5-1-12 and the Indiana Finance Authority ("IFA") was established under IC 5-1.2-3-1 as a separate body corporate and politic to oversee State of Indiana debt issuance and provide effective financing solutions; and

WHEREAS, IC 5-1.3 and other provisions within Indiana Code authorize the RDA, NICTD and IFA (collectively referred to herein as the "Parties") to cooperate in the construction, financing, maintenance, operation and ownership of rail projects as defined in IC 5-1.3-2-14 and IC 36-7.5-1-13.5, including specifically the West Lake Corridor Project and Double Track Project (individually, as stated; collectively referred to herein as the "Projects"); and

WHEREAS, the Indiana General Assembly provided the RDA with the authority to create and oversee transit-oriented development along the Projects under IC 36-7.5-4.5 *et seq.*, (the "TDD Act") with Transit Development Districts (each, a "TDD" and, collectively, "TDDs") with the goal of spurring development and enhancing economic development due to the investment in the Projects; and

WHEREAS, the Indiana General Assembly instituted particular provisions within the TDD Act for the creation and oversight of development within the TDDs; and

WHEREAS, the TDD Act currently provides that establishment of a TDD does not provide the RDA with any powers or preempt the authority of the underlying political subdivision having jurisdictions in the TDD concerning the regulation of property or its uses, including planning and zoning provisions; and

WHEREAS, with the progress made on the Projects by the Parties, the RDA now wishes to establish the Gary Miller Transit Development District (the "New TDD") pursuant to the TDD Act; and

WHEREAS, the RDA has undergone significant efforts with the local areas to understand economic development goals and desires for each TDD through various public gatherings in order to understand and hear from local officials and local citizens; and

WHEREAS, the RDA has consistently met with and updated the TDD Steering Committee in accordance with the TDD Act; and

WHEREAS, at the public hearings information was provided that the New TDD is included in a tax allocation area established by the City of Gary pursuant to a resolution adopted under IC 36-7-14 before January 1, 2017 (the "TIF Area"); and

WHEREAS, there are currently outstanding bonds payable from the tax increment generated in the TIF Area and said bonds and related findings will be set forth in the MOA; and

WHEREAS, the TDD Act provides that the RDA may provide funding for a development project that will be located within the New TDD and the local income tax increment revenue and the local property tax increment revenue shall be spent by the RDA on projects within the New TDD; and

WHEREAS, the base year for the property and income tax within a TDD shall be the same calendar year as the New TDD Effective Date; and

WHEREAS, the first year of incremental property tax and income tax shall be the calendar year following the New TDD Effective Date; and

WHEREAS, the Development Board of the RDA (the "Board") takes the actions under this Resolution in accordance with IC 5-1.3 *et seq.*, IC 36-7.5 *et seq.*, and other relevant laws

NOW, THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT BOARD OF THE NORTHWEST INDIANA REGIONAL DEVELOPMENT AUTHORITY AS FOLLOWS:

Section 1.

- A. The Board approves the creation of the New TDD, including the parcels and maps located within Exhibit A, and makes the following findings pursuant to IC 36-7.5-4.5-17, based upon the current provisions of the TDD Act:
1. The New TDD is the only TDD established with regard to the Gary Miller train station.
 2. The New TDD is located within Lake County, a member of the RDA.
 3. The New TDD includes the Gary Miller train station or regular train stop, including accompanying parking lots.
 4. The New TDD contains parcels which are all contiguous.
 5. The New TDD is less than 0.5 square miles in area.
- B. The Board directs the RDA staff to create a South Shore Improvement and Development Fund for the New TDD pursuant to IC 36-7.5-4.5 *et seq.*, and to collect the moneys for such fund in the manner provided in the TDD Act and to disburse such moneys for payment of expenses to be accrued therefrom under the TDD Act.
- C. The Board understands that it may be desirable in the future to expand the New TDD in the manner and subject to the provisions of the TDD Act.

Section 2. The New TDD is to terminate on June 30, 2047, except as otherwise provided in IC 36-7.5-4.5-17.

ALL OF WHICH HAVING BEEN RESOLVED this ___ day of _____, 2022 by the Development Board of the Northwest Indiana Regional Development Authority.

BY THE DEVELOPMENT BOARD OF THE
NORTHWEST INDIANA REGIONAL DEVELOPMENT AUTHORITY

Donald P. Tesko
Chair

[Signature]
Vice Chair

[Signature]

[Signature]

[Signature]

Mike Reed

[Signature]

ATTEST:

[Signature]

David L. Hollenbeck, General Counsel

Parcel List - Gary Miller TDD

Parcel Number	TIF/NonTIF
45-09-05-381-011.000-004	TIF
45-09-05-381-012.000-004	TIF
45-09-05-381-013.000-004	TIF
45-09-05-381-014.000-004	TIF
45-09-05-381-015.000-004	TIF
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45-09-05-381-017.000-004	TIF
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45-09-05-381-019.000-004	TIF
45-09-05-381-020.000-004	TIF
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45-09-05-381-022.000-004	TIF
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45-09-06-260-003.000-004	TIF
45-09-06-260-004.000-004	TIF
45-09-06-260-005.000-004	TIF

Parcel List - Gary Miller TDD

Parcel Number	TIF/NonTIF
45-09-06-403-017.000-004	TIF
45-09-06-403-018.000-004	TIF
45-09-06-403-019.000-004	TIF
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Parcel Number	TIF/NonTIF
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45-09-06-476-017.000-004	TIF
45-09-06-476-018.000-004	TIF
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Parcel Number	TIF/NonTIF
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45-09-06-330-006.000-004	NonTIF

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Parcel Number	TIF/NonTIF
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