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Patricia M. Miller
Clerk-Treasurer

CERTIFICATION

I, Patricia M. Miller, the duly elected and acting Clerk-Treasurer of the Municipal City of Auburn, DeKalb County, State of Indiana, do hereby certify that attached thereto is an exact true copy of Executive Order 2021-01 LITED Plan to take effect January 1, 2022, and that the same is spread of record in the Ordinance & Resolution Book of the City of Auburn.

A handwritten signature in black ink, appearing to read "Patricia M. Miller", written over a horizontal line.

Patricia M. Miller, Clerk-Treasurer
City of Auburn, Indiana



EXECUTIVE ORDER NO. 2021-01

**AMENDMENT AND RESTATEMENT OF THE CITY OF AUBURN, INDIANA'S
CAPITAL IMPROVEMENT PLAN**

SUMMARY

This Executive Order (2021-01) authorizes the City to expend monies realized from the **Economic Development Income Tax, under I.C. 6-3.6 et. al** as set forth in **Exhibit A**, which is attached hereto and incorporated herein.

This Executive Order removes completed projects from the previous plan and adds additional capital and economic growth projects for the Municipal City of Auburn. This Executive Order updates and replaces previous Executive Orders, including the Executive Order 2019-01 of December 18, 2019.

EXECUTIVE ORDER NO. 2021-01

**AMENDMENT AND RESTATEMENT OF THE CITY OF AUBURN, INDIANA'S
CAPITAL IMPROVEMENT PLAN**

WHEREAS, pursuant to I.C. 6-3.6 et al (Act) the LIT-Economic Development Tax (Referred to as LITED) has been imposed in DeKalb County, Indiana by the DeKalb County Council; and

WHEREAS, the City of Auburn, Indiana receives a distributive share of the Economic Development revenues collected in the County (LITED Revenues), which share is payable to the City in regular installments throughout each year relating to the capital improvement plan specifying the use of at least 75% of said LITED Revenues for the entire term of the capital improvement plan;

WHEREAS, the City of Auburn, Indiana adopted Ordinance 08-94 to provide funding which promotes and funds various economic development activities and projects for the City, which are applicable to LITED under I.C. 6-3-6-9.5 as more fully described and set forth in Exhibit "A" attached hereto and incorporated herein;

WHEREAS, The City of Auburn has previously approved a capital improvement plan which specified certain use for the LITED Revenues; and

WHEREAS, the City of Auburn, Indiana now desires to modify, amend, and restates the capital improvement plan as set forth in Exhibit "A".

It is hereby Ordered by the Office of the Executive of the Municipal City of Auburn, Indiana as follows:

Section 1.

That the current Capital Improvement Plan as designated by **EXECUTIVE ORER NO. 2019-01** and all other previously filed Capital Improvement Plans and Executive Orders that have been entered by the City of Auburn under the provisions allowed by Indiana Code and under the Act are hereby amended, restated and replaced by Executive Order of the Mayor of the City of Auburn, Indiana with the Exhibit "A" entitled, **LOCAL INCOME TAX ECONOMIC DEVELOPMENT CAPITAL IMPROVEMENT PLAN FOR THE CITY OF AUBURN, INDIANA**, which is attached hereto and made a part hereof.


In all other respects the Local Income Tax Economic Development Capital Improvement Plan for the City of Auburn, Indiana is hereby ratified and confirmed.

This ORDER shall be effective on beginning on January 1, 2022.

Dated this 21st day of December 2021.

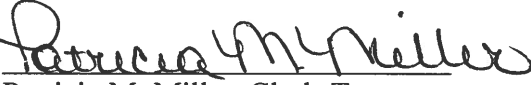
SO, ORDERED.

THE CITY OF AUBURN, INDIANA



Michael D. Ley, Mayor
The City of Auburn, Indiana

ATTEST:



Patricia M. Miller, Clerk-Treasurer
The City of Auburn, Indiana

EXHIBIT "A"

(As Amended Through December 31, 2023)
LOCAL INCOME TAX ECONOMIC DEVELOPMENT
CAPITAL IMPROVEMENT PLAN
FOR THE CITY OF AUBURN, INDIANA

I. PURPOSE OF PLAN

I.C. 6-3.6-6-9.5 requires the adoption and or maintaining of a current Capital Improvement Plan (PLAN) by the Mayor before the City may receive its certified distribution of revenues from the Local Income Tax Economic Development (LITED). The plan must specify the uses for which the Municipality proposes to use LITED revenues. This PLAN covers an amended period which period begins upon execution and filing of the same and encompasses the dates as set forth below and ends on December 31, 2023.

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Further, the Plan also incorporates the previous year's projects for 2019-2021, as applicable to date as part of the Capital Improvement Plan (PLAN) as amended herein.

II. USE OF LITED REVENUES

Use of LITED Revenues

I.C. 6-3.6-10 et al provides that LITED revenues may be used for the following:

- (A) Economic development projects (as defined by Indiana Code)
- (B) Construction of capital projects for which the Municipality is empowered to issue general obligation bonds or establish a fund under appropriate Indiana statutes for municipalities;
- (C) Payment of lease rentals under any statute for a capital project;

- (D) Retirement of bonds issued under any provision of Indiana law for a capital project;
- (E) Contract payments to a not-for-profit corporation whose primary corporate purpose is to assist government in planning and implementing economic development projects;
- (F) Operating expenses of a governmental entity that plans or implements economic development projects;
- (G) Retirement of bonds for economic development projects;
- (H) Leases or bonds entered into or issued prior to the date LITED was imposed if the purpose of the lease or the bonds would have qualified as a purpose under Indiana Code when the Lease was entered into or the bonds were issued.

III. PROJECT DESCRIPTIONS

- (A) Grandstaff Drive Extended To Intersection of Betz and Indiana and Improvements and Expansion of other Streets.

The City of Auburn may use LITED funds to pay its share of the improvements and extension of Grandstaff Drive north to the intersection of Betz Road and Indiana Avenue. The monies may be used for the purposes of right-of-way acquisition, engineering costs, professional services, and infrastructure improvements. The City may consider using LITED funds to pay for other street maintenance, improvements and expansion as needed herein.

(B) Bond Security, Auburn Essential Services Telecommunication, Infrastructure, Hardware, and Software Development.

The City continues to develop telecommunication infrastructure, hardware, and software, which will assist in the development of telecommunications services for governmental, industrial, commercial, and residential areas within the City of Auburn, Indiana, and surrounding areas. The approximate cost of said projects and the security for the repayment of certain revenue bonds shall not exceed the LITED funds available on a yearly basis.

(C) Professional Economic Development.

The City is in the planning and development states of partnering with neighboring governmental entities in the DeKalb County Economic Partnership, Inc., Northeast Indiana Partnership, and/or other economic development organizations.

(D) Electric, Water, and Water Pollution Control Infrastructure Improvements.

The City of Auburn may be considering additional upgrades to the infrastructure associated with the Electric, Water, and Water Pollution Control facilities of the City of Auburn for the years 2021, and into 2023. The monies associated with said upgrades will be used for the purpose of providing expansion to infrastructure to meet the needs of the City of Auburn's growing customer base.

- (E) Connecting the trail(s)/ bikeways between Auburn and Garrett, Indiana.
And constructing additional trails within the city or adjacent there to.
- (F) Community Commons Public Pavilion/Restroom Facility or similar structure to be located in Auburn, Indiana.
- (G) Community Bridge and infrastructure providing access to and gateways to geographic areas of the City of Auburn, Indiana.
- (H) Promenade – type park in downtown adjoining Cedar Creek
- (I) Expansion of the Skate Park located in Eckhart Park.
- (J) Infrastructure Improvements extending utility services along County Road 427 from County Road 62 to County Road 72 to accommodate business and residential development.
- (K) Replacement and /or upgrade to downtown Watermains.
- (L) Construction of a Railroad Overpass/Underpass.
- (M) Downtown Infrastructure Study.
- (N) Comprehensive Citywide Sidewalk Program.
- (O) West Seventh Street/State Road Corridor/I-69 Sidewalks & Beautification.
- (P) Downtown beautification program (sidewalks & ancillary uses)
- (Q) Pedestrian bridge over Cedar Creek at Morningstar Road
- (R) City Hall/Police Station Remodel
- (S) Frank Groscup Drain Re-Construction
- (T) Fulton Street Stormwater System

IV. PROJECT COST AND OTHER SOURCES OF FUNDS

- (A) Grandstaff Drive Extended To Intersection of Betz and Indiana and Improvements and Expansion of other Streets.

The City of Auburn may use LITED funds to pay its share of the improvements and extension of Grandstaff Drive north to the intersection of Betz Road and Indiana Avenue. The monies may be used for the purposes of right-of-way acquisition, engineering costs, professional services, and infrastructure improvements. The City may consider using LITED funds to pay for other street maintenance, improvements and expansion as needed herein.

- (B) Bond Security and Auburn Essential Services Telecommunication Infrastructure, Hardware, and Software Development.

Said LITED revenues may be used for the economic support and development of telecommunication systems for government, industrial, commercial, and residential consumers.

Furthermore, the City has pledged and shall make available as a source of collateral LITED funds to secure the repayment of certain revenue bonds should the same become necessary.

- (C) Professional Economic Development.

Continuing in January 2022, LITED funds may be appropriated and available for contribution to the DeKalb County Economic Partnership, Inc. The purpose of the contribution is to assist in the promotion of economic development within the Municipal City of Auburn, Indiana, and

the surrounding area. The Plan may then allow for contribution in the years 2023, 2024, and 2025 as long as the City is a participant in the DeKalb County Economic Partnership, Inc, Northeast Indiana Economic Development Partnership, Inc., and/or other economic development organizations. Said LITED funds may be used for economic support, development, and contribution to entities dedicated to promoting and furthering economic development within the City of Auburn and surrounding area.

(D) Electric, Water, and Water Pollution Control Infrastructure Improvements.

For the years 2022 and 2023 the City of Auburn may use LITED funds for upgrades and improvements to the infrastructure for the Electric, Water and Water Pollution Control Infrastructure. These infrastructure improvements relate to providing expansion to infrastructure to meet the needs of the City of Auburn's growing customer base.

(E) Trail Partnership with DeKalb County Government, Garrett, and other entities.

For years 2022 and 2023 the City of Auburn may consider partnering with the DeKalb County Government, the City of Garrett, Indiana, and other entities and constructing a connecting trail between the Cities of Auburn and Garrett, Indiana and connection additional trails within the city or adjacent there to. The said cost for this project is unknown at this time.

(F) Public Pavilion and Restroom.

For the year 2022 and into 2023 the City of Auburn may construct a publicly owned and operated covered pavilion and restroom facility. The City may use LITED revenues as a portion of the cost to provide utilities to and the construction of this facility and to make future upgrades of said facility.

(G) Community Bridge in Downtown Auburn.

For the years 2022 and 2023 the City of Auburn may consider using LITED revenues to construct The Community Bridge over Cedar Creek in downtown Auburn. The bridge will serve as an economic stimulator and connector for various downtown venues and improvements and open gateways to neighborhoods, and attractions such as the DeKalb County Outdoor Theatre.

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(H) Promenade – Type park in Downtown Adjoining Cedar Creek

For the years 2022 and 2023 the City of Auburn may consider using LITED revenues for public improvements at the Cedar Creek Landing project.

(I) Expansion of the Public Skate Park.

For the years 2022 and 2023 the City of Auburn may consider using LITED revenues to partner with local businesses and citizens to construct a publicly owned and operated skate park.

(J) Infrastructure Extension.

For the years 2022 and 2023 the City of Auburn may consider using LITED revenues to extend a City watermain along County Road 427 from near County Road 62 South to County Road 72 to accommodate business and residential development.

(K) Replacement and /or upgrade to downtown Watermains.

For the years 2022 and 2023 the City of Auburn may consider using LITED revenues to replace and / or upgrade downtown Watermains.

(L) Railroad Overpass/Underpass Study.

For the years 2022 and 2023 and beyond the City of Auburn may consider using LITED revenues to do a study and prepare a plan to construct an overpass or underpass across the CSX railroad tracks across the South end of the City.

(M) Downtown Infrastructure Design Study.

For the years 2022 and 2023 the City of Auburn may consider using LITED revenues for the purpose of studying and making recommendations on the Downtown Infrastructure improvements and upgrades.

(N) Comprehensive Citywide Sidewalk Program.

For the years 2022 and 2023 the City of Auburn may consider using LITED revenues for the purpose of developing a Citywide Sidewalk Program that will address maintenance and replacement of sidewalks.

- (O) West Seventh Street/State Road 8 Corridor/I-69 Sidewalks and Beautification.

For the years 2022 and 2023 and beyond the City of Auburn may consider using LITED revenues to make roadway improvements for traffic movement and safety, pedestrian movement and safety, and roadway beautification to West Seventh Street/State Road 8 corridor. The estimated LITED monies to be used for this project is unknown at this time.

- (P) Downtown Beautification Program (Sidewalks & Ancillary Uses)
- (Q) Pedestrian Bridge over Cedar Creek and Morningstar Road
- (R) City Hall / Police Station Remodel
- (S) Frank Groscup Drain Re-Construction
- (T) Fulton Street Stormwater System

V. SEVENTY-FIVE PERCENT (75%) TEST

In accordance with I.C. 6-3.6 et al, the Plan projects the cost of at least seventy-five percent (75%) of the certified distribution the City expects to receive during the term of the Plan. The City expects to or has received its distribution for 2021, which is approximately \$753,339.00 or more. The City expects to receive approximately said amounts in both 2022 and 2023. The Plan, as proposed, anticipates spending up to 100% of available funds that are deposited with the City of Auburn, Indiana LITED ACCOUNT during the term of the Plan.

VI. PLANNING, DEVELOPMENT, AND CONSTRUCTION SCHEDULES

- (A) Grandstaff Drive Extended To Intersection of Betz and Indiana and Improvements and Expansion of other Streets.

Grandstaff Drive extended to the intersection of Indiana Avenue and Betz may go to bid in the near future and the projects will be performed and contributed as monies become available for appropriation. It is possible that the project may involve a joint venture with developers or other entities. Other road improvement projects will also be initiated as money is available.

- (B) Auburn Essential Services Bond Security and Telecommunication Infrastructure, Hardware and Software Development.

The City is in the process of further developing telecommunication infrastructure, hardware, and software, which will assist in the development of telecommunications services for governmental, industrial, commercial, and residential areas within the City of Auburn, Indiana, and surrounding areas. The approximate cost of said projects and the security for the repayment of certain revenue bonds shall not exceed the LITED funds available on a yearly basis.

- (C) Professional Economic Development.

The City is in the planning and development stages of partnering with neighboring governmental entities in the DeKalb County Economic Partnership, Inc., Northeast Indiana Partnership, and /or other economic development organizations.

(D) Electric, Water, and Water Pollution Control Infrastructure Improvements.

The City of Auburn may be considering upgrades to the infrastructure associated with the Water and Water Pollution Control facilities of the City of Auburn for the years 2022 and 2023. The monies associated with the upgrades will be used for the purpose of providing expansion to infrastructure to meet the needs of the City of Auburn's growing customer base. The cost associated with said upgrades and expansion is unknown at this time.

(E) Trail Partnership with DeKalb County Government, Garrett, Indiana, and other entities

It is anticipated to design and construct the trail section in late 2022 and 2023. The expansion of the Trail System to Garrett, Indiana and enhancing the current system shall be part of the plan.

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(F) Downtown Public Pavilion and Restroom

This project may be constructed in 2023.

(G) Community Bridge in Downtown Auburn

It is anticipated this project will be designed and obtain approvals and permitting in 2nd quarter 2022 and constructed in 2022/2023.

(H) Promenade-Type Park in Downtown Adjoining Cedar Creek

It is anticipated this project will be designed and obtain approvals and permitting in 2023/2024 and constructed in 2023.

(I) Public Skate Park

Construction could be completed in 2023.

- (J) Infrastructure Extension
To be considered and potentially implemented during the years 2022 and / or 2023.
- (K) Replacement and/or upgrade to downtown Watermains.
May be addressed in 2022 and /or 2023.
- (L) Railroad Overpass/Underpass Engineering and Design
This project is a long-term project and it is unknown the timetable for various components. The engineering and design may take one (1) to two (2) years. It will be ongoing in 2022 and 2023.
- (M) Downtown Infrastructure.
May be address and be ongoing in 2022 and 2023.
- (N) Comprehensive Citywide Sidewalk Program.
Program to be continued during 2022 and / or 2023.
- (O) West Seventh Street/State Road 8 Corridor/I-69
This study and potential action on the study will be ongoing for 2022 and 2023 and beyond.
- (P) Downtown Beautification Program
Beginning in 2022 and continuing into 2023 and beyond.
- (Q) Pedestrian Bridge over Cedar Creek at Morningstar Road
Beginning in 2022 and continuing into 2023 and beyond.
- (R) City Hall/Police Station Remodel
Beginning in 2022 and continuing into 2023 and beyond.

(S) Frank Groscup Drain Re-Construction

Beginning in 2022 and continuing into 2023 and beyond.

(T) Fulton Street Stormwater System

Beginning in 2022 and continuing into 2023 and beyond.