

**RESOLUTION NO. 22-18**

**CITY OF WEST LAFAYETTE, INDIANA  
COMMON COUNCIL**

**Resolution of the Common Council approving the Lease between the West Lafayette Community School Corporation and the City of West Lafayette Redevelopment Commission and other matters related thereto.**

- WHEREAS**, within the City of West Lafayette, Indiana, a governmental unit and political subdivision of the State (the “City”), there has been created and exists the City of West Lafayette, Indiana, Redevelopment District (the “District”), governed by the City of West Lafayette Redevelopment Commission (the “Redevelopment Commission”); and
- WHEREAS**, the Redevelopment Commission has previously created the Levee/Village Redevelopment Area (the “Levee/Village Area”) and separate allocation area consisting of the entirety thereof, respectively, (the “Area”) pursuant to IC 36-7-14 (the “RDC Act”); and
- WHEREAS**, the Redevelopment Commission adopted Resolution No. RC 2018-13 on November 28, 2018 (the “RDC Lease resolution”) approving the lease for facilities for city offices in the Levee/Village Area (the “Levee/Village Area Lease”); and
- WHEREAS**, the Lease provides for the lease of the facilities from the West Lafayette Community School Corporation (“WLCSC”) to the Redevelopment Commission and provide for payments from the Redevelopment Commission to WLCSC thereunder (the “Lease Payments”); and
- WHEREAS**, pursuant to I.C. 36-7-14-25.2(c) a notice of public hearing on the Lease was published and a public hearing on the Lease was conducted by the Redevelopment Commission prior to its approval of the Lease; and
- WHEREAS**, the Lease Payments to be paid under the Leases by the Redevelopment Commission, as lessee, will be derived from taxes allocated to Redevelopment Commission for the Area pursuant to I.C. 36-7-14-39(b)(3);
- WHEREAS**, the Act provides that the Common Council of the City (the “Common Council”) must approve the Leases.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WEST LAFAYETTE, INDIANA COMMON COUNCIL, AS FOLLOWS:

1. The Common Council hereby finds and determines that the execution of the Lease is necessary and wise and will serve the public purposes of the City and is in the best interests of the City's residents.

2. The execution of the Lease, with a maximum term of not more than two (2) years from January 1, 2019 and a maximum Lease Payment of \$1,500,000 as more particularly described in the RDC Lease Resolution is hereby approved.

3. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

4. Unless the context or law clearly requires otherwise, references herein to statutes or other laws include the same as modified, supplemented or superseded from time to time.

5. All resolutions or parts of resolutions in conflict herewith are hereby repealed. This Resolution shall be in full force and effect from and after its passage.

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INTRODUCED ON FIRST READING ON THE 3 DAY OF December, 2018.

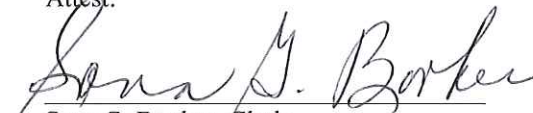
MOTION TO ADOPT MADE BY COUNCILOR DeBoer, AND SECONDED BY COUNCILOR Dietrich.

DULY RESOLVED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 3 DAY OF December, 2018, HAVING BEEN PASSED BY A VOTE OF 8 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

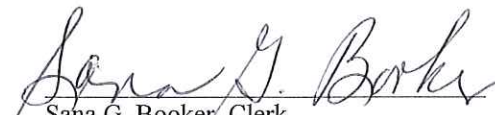
	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jones	✓			
Keen			✓	
Leverenz	✓			
Sanders	✓			
Thomas	✓			
Wang	✓			

  
Peter Bunder, Presiding Officer

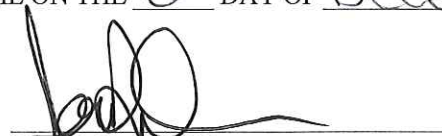
Attest:

  
Sana G. Booker, Clerk

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA ON THE 4 DAY OF December, 2018.

  
Sana G. Booker, Clerk

THIS RESOLUTION APPROVED AND SIGNED BY ME ON THE 6 DAY OF December, 2018.

  
John R. Dennis, Mayor

Attest:

  
Sana G. Booker, Clerk