

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA
MONDAY, DECEMBER 4, 2023**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions, in the Council Chamber of the City-County Building at 7:03 p.m. on Monday, December 4, 2023, with Councillor Osili presiding.

Indianapolis Metropolitan Youth Orchestra provided music prior to the meeting, and performed an additional piece to start the meeting. President Osili thanked them for sharing their talents with the Council and audience this evening.

Councillor Adamson recognized Pastor Jay Height, Shepherd Community, who led the opening prayer. Councillor Adamson then invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
1 ABSENT: Barth

A quorum of twenty-four members being present, the President called the meeting to order.

OFFICIAL COMMUNICATIONS

President Osili called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen:

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, December 4, 2023, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Vop Osili
President, City-County Council

November 16, 2023

TO PRESIDENT OSILI AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Journal of the City-County Council

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, November 24, 2023, a copy of a Notice of Public Hearing on Proposal Nos. 325-328, 334-336, 346-349, and 355, 2023, said hearing to be held on Monday, December 4, 2023, at 7:00 p.m. in the Public Assembly Room of the City-County Building.

Respectfully,
s/Yulonda Winfield
Clerk of the City-County Council

November 15, 2023

TO PRESIDENT OSILI AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Yulonda Winfield, the following ordinance:

GENERAL ORDINANCE NO. 47, 2023 – authorizes intersection controls at St. Clair Street and Ellenberger Parkway (District 12)

GENERAL RESOLUTION NO. 33, 2023 – establishes interest in the purchase of specified land by the Department of Public Works of a portion of the site of the abandoned CSX B&O Railroad, located south of 21st Street between Midwest Boulevard and Maradona Drive (District 6), for the construction and maintenance of the B&O Trail, Phase 6; which real estate is owned by CSX Transportation, Inc.

GENERAL RESOLUTION NO. 34, 2023 – establishes interest in the purchase of specified land by the Department of Public Works of a portion of the northeastern boundary of the site of the abandoned CSX B&O Railroad, near Parc Estates, Westridge Village, and Farley's Speedway Homeplace (District 15), for the construction and maintenance of the B&O Trail, Speedway; which real estate is owned by CSX Transportation, Inc.

GENERAL RESOLUTION NO. 35, 2023 – establishes interest in the purchase of specified land by the Department of Public Works commonly known as 305 S. Tibbs Avenue (Districts 16,22) , for the construction and maintenance of the Fleming Gardens Drainage Project; which real estate is owned by Christopher George Browder

SPECIAL RESOLUTION NO. 35, 2023 – recognizes the Indiana Union Construction Industry and their recruitment arm, the Indiana Careers in Construction Association

SPECIAL RESOLUTION NO. 36, 2023 – recognizes the career and contributions of Marion County Surveyor, Debra S. Jenkins

SPECIAL RESOLUTION NO. 37, 2023 - recognizes the Alpha Kappa Alpha Sorority, Inc. and October 16, 2023 as "AKA Day at the City Hall"

s/Joseph H. Hogsett, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councillor Adamson moved, seconded by Councillor Carlino, to move Proposal No. 337, 2023 under Special Orders – Public Hearing, and to hear it following Proposal No. 355, 2023 on the agenda this evening. The motion carried by a unanimous voice vote.

Without further objection, the agenda was adopted as amended.

APPROVAL OF THE JOURNAL

The Vice President called for additions or corrections to the Journals of November 13, 2023. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 204, 2023. The proposal, sponsored by Councillor Jackson, recognizes the inaugural Indiana Roundtable on Mental Health Summit, hosted by Lieutenant Governor Suzanne Crouch. Councillors read the resolution and presented representatives with copies of the document and Council pins. Lieutenant Governor Suzanne Crouch thanked the Council for the recognition. Councillor Jackson moved, seconded by Councillor Graves, for adoption. Proposal No. 204, 2023 was adopted by a unanimous voice vote.

Proposal No. 204, 2023 was retitled SPECIAL RESOLUTION NO. 38, 2023, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 38, 2023

A SPECIAL RESOLUTION recognizing the inaugural Indiana Roundtable on Mental Health Summit, hosted by Lieutenant Governor Suzanne Crouch.

WHEREAS, one in five Hoosiers suffer from mental illness and addiction; and many in need of assistance do not realize they need help or are reluctant to seek it, while others do not know where to turn for help or have obstacles or barriers to receiving the help and resources they so desperately need; and

WHEREAS, the Indiana Behavioral Health Commission, established in 2020, held a series of meetings over a two-year period which resulted in policy and funding recommendations to the Indiana General Assembly to better address the mental health crisis in Indiana; and

WHEREAS, in 2021, as a part of these efforts, Lt. Governor Crouch, who throughout her many years of public service has been committed to programs and services for people with disabilities, led the charge in instituting the Indiana Mental Health Roundtable (IMHR), committed to partnering with institutions and organizations, both public and private, to: 1) reduce the stigma surrounding mental health, 2) strengthen the mental health delivery system, and 3) improve access and affordability to resources; and

WHEREAS, in January of this year, Lt. Governor Crouch testified before the Indiana Senate Appropriations Committee to advocate for Senate Bill 1, which allocated more funding toward mental health services across the State, stating that “the untreated cost of mental illness in Indiana is over \$4 billion, so we cannot afford NOT to pass Senate Bill 1;” and

WHEREAS, the first historical Indiana Roundtable on Mental Health Summit was held on May 16, 2023, at the Hyatt Regency in downtown Indianapolis, and brought together over 500 attendees representing more than 200 unique organizations and agencies from across the state of Indiana to work together to find solutions and address the mental health and substance use crisis faced by Hoosiers, centering around faith, youth, and workforce; and

WHEREAS, multiple Indiana Mental Health Roundtable members, including IMHR co-chair Lt. Governor Suzanne Crouch, Chief Justice Loretta Rush, Jay Chaudhary (IN Division of Mental Health and Addiction), Steve Simon (Simon Equity Partners), Dr. Allison Barber (Indiana Fever), Kalen Jackson (Indianapolis Colts), and Dr. Jerome Adams (former US Surgeon General), participated in large-group sessions with guest speakers Dr. Monty Burks (TN Department of Mental Health and Substance Abuse Services), Donna Jackson Nakazawa (Award-Winning Science Journalist, Author, and Speaker), Scott McCorkle (MetaCX), and professional Hoosier athletes to offer insight into current mental health issues and discuss potential solutions; and

WHEREAS, Summit breakout sessions featured a variety of experts and perspectives from faith communities, the behavioral healthcare workforce, and youth professionals sharing knowledge about best practices and innovative ideas for meeting the needs of Hoosier individuals and families across their lifespan through multiple service areas, including schools, churches, medical institutions, community organizations, etc.; and

WHEREAS, Governor Eric Holcomb held a ceremonial signing of the 2023 Indiana General Assembly’s Senate Bill 1, authored by Senator Michael Crider, and House Bill 1006, authored by Representative Gregory Steuerwald, to honor the historic prioritization and promotion of mental health solutions in the Indiana legislature. During the signing, additional key stakeholders from organizations such as Mental Health America of Indiana and the Indiana Council of

Community Mental Health Centers, state agencies such as the Division of Mental Health and Addiction, and IMHR members joined Governor Holcomb on stage to demonstrate their support for these enacted documents; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the inaugural Indiana Roundtable on Mental Health Summit held on May 16, 2023 at the Hyatt Regency in downtown Indianapolis.

SECTION 2. The Council thanks all individuals, agencies, and organizations who participated in this momentous summit, as well as those who seek to find solutions on a daily basis, and encourages all citizens of Indianapolis and the State of Indiana to support continued initiatives to address the critical mental health crisis in our city and state.

SECTION 3. Furthermore, as a participating moderator and member of the planning committee for the Summit, Councillor La Keisha Jackson proudly recognizes the work and efforts of the IRMH and others involved to make this historic event a success.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5 This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 373, 2023. The proposal, sponsored by Councillors Graves and Jackson, honors Ariel Stigler for winning the Boys & Girls Clubs of Indianapolis 2023 Youth of the Year Award. Councillor Jackson moved, seconded by Councillor Graves, to postpone the proposal, as Ms. Stigler was unable to attend this evening. Proposal No. 204, 2023 was postponed by a unanimous voice vote.

PROPOSAL NO. 374, 2023. The proposal, sponsored by Councillor Boots, celebrates the life of Kenneth N. Giffin. Councillors read the resolution and presented representatives with copies of the document and Council pins. Son Matt Giffin thanked the Council for the recognition. Councillor Boots moved, seconded by Councillor Carlino, for adoption. Proposal No. 374, 2023 was adopted by a unanimous voice vote.

Proposal No. 374, 2023 was retitled SPECIAL RESOLUTION NO. 39, 2023, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 39, 2023

A SPECIAL RESOLUTION celebrating the life of Kenneth N. Giffin.

WHEREAS, Kenneth N. Giffin was born on February 23, 1944 in Martinsville, Indiana to Kenneth Carlyle Giffin and Alice Jane Stokesberry Giffin. Ken, a graduate of Mooresville High School, served as student body president in 1962, and graduated from Indiana University in 1966 with a Bachelor of Science degree; and

WHEREAS, Ken was married to Marjie Gates Giffin of Indianapolis for 48 years and they are the parents of three, all of whom reside in the Indianapolis area: Christopher Gates Giffin (Jenica); Matthew Kunkel Giffin (Emily); and Elisabeth Anne Speckman (Christopher). They share five grandchildren: Bailee Anne, Emersyn Grace, and Parker William Giffin and Bronson Ellis and Tatum Carlyle Speckman. By a previous marriage, Ken was the father of two sons, Brian M. Giffin of Westfield and Rt. Rev. Robert T. Giffin of San Antonio, Texas, and was preceded in death by a daughter, Katheryn; and

WHEREAS, Ken had a long and active career in both government and business, beginning when he served on the staff of U.S. Congressman William G. Bray from 1965-1970. From 1970-71, Ken was a legislative staff aide to Indiana Governor Edgar D. Whitcomb. He then held banking positions at American Fletcher Bank before holding executive positions for 32 years at the Indianapolis Water Company, serving as senior vice president and as president of Waterway Holdings, a real estate and development subsidiary; and

WHEREAS, Ken was a longtime Indianapolis City-County Council member. Serving four elected terms on the Council, spanning the years 1972-1976 and 1984-1996. During those tenures, he ran 24 times in primary elections for party posts and Council seats and won 24 times. On the Council, Ken served as majority whip and

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chaired three different committees over time: Economic Development, Parks and Recreation, and Metropolitan Development. Ken also served on the Marion County Tax Adjustment Board, the Public Transportation Board, the Public Safety Board, and the Indianapolis Airport Authority Board of Directors; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly celebrates the life of Kenneth N. Giffiin.

SECTION 2. The Council heartily recognizes the dedicated service of Kenneth N. Giffiin to the City of Indianapolis.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 375, 2023. The proposal, sponsored by Councillor Oliver, recognizes the Crown Hill Neighborhood Association. Councillor Oliver read the proposal and presented representatives with copies of the document and Council pins. President Danita Hoskin and other members thanked the Council for the recognition. Councillor Oliver moved, seconded by Councillor Gray, for adoption. Proposal No. 375, 2023 was adopted by a unanimous voice vote.

Proposal No. 375, 2023 was retitled SPECIAL RESOLUTION NO. 40, 2023, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 40, 2023

A SPECIAL RESOLUTION recognizing the Crown Hill Neighborhood Association.

WHEREAS, Crown Hill Neighborhood Association (CHNA) is comprised of residents, businesses, organizations, municipalities, and other stakeholders who are committed, passionate, and enthusiastic about the community in which they live, work, and recreate; and

WHEREAS, as a volunteer organization, skills run the gamut from finance, community, economic development, entrepreneurial, education, manufacturing, and management, just to name a few. CHNA is determined to strengthen its community through programs, events, community outreach, and partnerships; and

WHEREAS, CHNA's mission is to serve as a conduit for residents, businesses, and municipalities; with the goal of helping individuals and families engage in activities that will foster economic development, empowerment through collaboration, and growth in personal self-awareness, finance, and community connectivity, while developing accountability and integrity through the board members and residents of the Crown Hill Neighborhood community; and

WHEREAS, under the executive leadership of Danita Hoskin, President; Kimberly Meals-Estep, Vice President; Adreonna Riggs, Treasurer; and Teresa Walker, Secretary, the Crown Hill Neighborhood Association's 15-member Board of Directors and its Members work tirelessly to engage, empower, and edify its neighbors. CHNA focuses on key issues that matter to the health, wealth, and legacy-building of its residents (i.e. housing, food access, safety, employment opportunities, quality education, public spaces, and economic development); and

WHEREAS, CHNA's boundaries are 38th Street on the north; 30th Street on the south; Meridian Street on the east; and Dr. Martin Luther King Jr. Street on the west. Many of the more than 4,500 neighborhood residents have lived and owned property in the neighborhood for decades. During their longevity, residents have witnessed the challenges and accomplishments of housing stock, commercial investment, criminal activities, community partnerships, and neighborhood perception; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Crown Hill Neighborhood Association.

SECTION 2. The Council heartily recognizes the dedicated service of the Crown Hill Neighborhood Association to the City of Indianapolis.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 376, 2023. The proposal, sponsored by Councillor Oliver, recognizes the United Northeast Community Development Corporation. Councillor Oliver read the proposal and presented representatives with copies of the document and Council pins. President Ashley Gurvitz and other members thanked the Council for the recognition. Councillor Oliver moved, seconded by Councillor Graves, for adoption. Proposal No. 376, 2023 was adopted by a unanimous voice vote.

Proposal No. 376, 2023 was retitled SPECIAL RESOLUTION NO. 41, 2023, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 41, 2023

A SPECIAL RESOLUTION recognizing the United Northeast Community Development Corporation.

WHEREAS, since 1995, the United Northeast Community Development Corporation (UNEC) has been committed to enhancing the quality of life that benefits every resident, business, organization and visitor with the Indianapolis' Northeast community; and

WHEREAS, through the brokering of resources and services between community residents and community partners, UNEC offers the following: Community Resources and Convening Services, Owner-Occupied Home Repair Services, Community Building through Northeast Corridor Quality of Life Planning, Grassroots and Community Partnership Capacity Building Assistance, Social Determinants of Health and Community Health Advocacy, Small Business Technical Assistance, Community Advocacy Promoting Equitable Community Development, and Resident Self-Sufficiency Programming; and

WHEREAS, UNEC's partnerships with corporate and community entities have yielded results that improve the quality of life for the residents of the Northeast Side. They are speaking to the needs of the community and providing pathways towards a better future; and

WHEREAS, UNEC's mission is to bring resources from community partners to those who live in the community. They endeavor to create a healthier, happier, and more effective Northeast Indy community; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the United Northeast Community Development Corporation.

SECTION 2. The Council heartily recognizes the dedicated service of the United Northeast Community Development Corporation to the residents of Indianapolis.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 377, 2023. The proposal, sponsored by All Councillors, recognizes the public service of Councillors Zach Adamson, Ethan Evans, Monroe Gray, Jason Larrison, William Oliver, Keith Potts and David Ray. Councillors read the proposal and presented the recipients with copies of the document and Council pins. Councillors thanked their colleagues for the recognition. Councillor Lewis moved, seconded by Councillor Mowery, for adoption. Proposal No. 377, 2023 was adopted by a unanimous voice vote.

Proposal No. 377, 2023 was retitled SPECIAL RESOLUTION NO. 42, 2023, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 42, 2023

A SPECIAL RESOLUTION recognizing the public service of Councillors Zach Adamson, Ethan Evans, Monroe Gray, Jr., Jason Larrison, William “Duke” Oliver, Keith Potts, and David Ray.

WHEREAS, responsible citizens who willingly and actively engage in the political process are the foundation of democracy; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillors Zach Adamson, Ethan Evans, Monroe Gray, Jr., Jason Larrison, William “Duke” Oliver, Keith Potts, and David Ray have, with integrity and sincerity, served their constituents and the people of Indianapolis; and

WHEREAS, their leadership has changed the landscape of Indianapolis and laid the groundwork for future endeavors, to the benefit of both citizens and guests of the Circle City; and

WHEREAS, their experience, insight, and dedication to the City of Indianapolis, its citizens, and to the City-County Council has impacted all those they have served alongside and will continue to do so in their next ventures; and

WHEREAS, Councillors Zach Adamson, Ethan Evans, Monroe Gray, Jr., Jason Larrison, William “Duke” Oliver, Keith Potts, and David Ray have over 90 years of combined service to the City of Indianapolis, have served as President, Vice President, Majority Leader, Chair, and on every Council Committee; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the dedicated service given by Councillors Zach Adamson, Ethan Evans, Monroe Gray, Jr., Jason Larrison, William “Duke” Oliver, Keith Potts, and David Ray as members of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillors Zach Adamson, Ethan Evans, Monroe Gray, Jr., Jason Larrison, William “Duke” Oliver, Keith Potts, and David Ray, and we know they will remain active participants in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 316-324, 2023 on November 20, 2023. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 316, 2023. The proposal, sponsored by Councillor Lewis, reappoints Brian Barton to the Marion County Property Tax Assessment Board of Appeals. PROPOSAL NO. 317, 2023. The proposal, sponsored by Councillor Lewis, reappoints Cathi Gould to the Marion County Property Tax Assessment Board of Appeals. PROPOSAL NO. 318, 2023. The proposal, sponsored by Councillor Lewis, reappoints Danielle Hynes to the Marion County Animal Services Advisory Board. PROPOSAL NO. 319, 2023. The proposal, sponsored by Councillor Lewis, reappoints Jennifer Whitt to the Metropolitan Board of Zoning Appeals, Division I. PROPOSAL NO. 320, 2023. The proposal, sponsored by Councillor Lewis, reappoints Craig Von Deylen to the Metropolitan Board of Zoning Appeals, Division II. PROPOSAL NO. 321, 2023. The proposal, sponsored by Councillor Lewis, reappoints Patrice Duckett-Brown to the Metropolitan Board of Zoning Appeals, Division II. PROPOSAL NO. 322, 2023. The proposal, sponsored by Councillor

Lewis, reappoints Percy Bland, Jr. to the Metropolitan Board of Zoning Appeals, Division III. PROPOSAL NO. 323, 2023. The proposal, sponsored by Councillor Lewis, reappoints Aaron McBride to the Metropolitan Board of Zoning Appeals, Alternate. PROPOSAL NO. 324, 2023. The proposal, sponsored by Councillor Lewis, reappoints Hannah Saunders to the Woodruff Place Economic Improvement District Board. By 11-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal Nos. 316-324, 2023 were adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

0 NAYS:

1 ABSENT: Barth

Proposal No. 316, 2023 was retitled COUNCIL RESOLUTION NO. 68, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 68, 2023

A COUNCIL RESOLUTION reappointing Brian Barton to the Marion County Property Tax Assessment Board of Appeals.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Property Tax Assessment Board of Appeals, the Council reappoints:

Brian Barton

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Proposal No. 317, 2023 was retitled COUNCIL RESOLUTION NO. 69, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 69, 2023

A COUNCIL RESOLUTION reappointing Cathi Gould to the Marion County Property Tax Assessment Board of Appeals.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Property Tax Assessment Board of Appeals, the Council reappoints:

Cathi Gould

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Proposal No. 318, 2023 was retitled COUNCIL RESOLUTION NO. 70, 2023, and reads as follows:

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CITY-COUNTY COUNCIL RESOLUTION NO. 70, 2023

A COUNCIL RESOLUTION reappointing Danielle Hynes to the Marion County Animal Services Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Animal Services Advisory Board, the Council reappoints:

Danielle Hynes

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council and until his or her successor is appointed and qualifies, unless the duration of the holdover period for this appointment is limited by statute.

Proposal No. 319, 2023 was retitled COUNCIL RESOLUTION NO. 71, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 71, 2023

A COUNCIL RESOLUTION reappointing Jennifer Whitt to the Metropolitan Board of Zoning Appeals, Division I.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division I, the Council reappoints:

Jennifer Whitt

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council and until his or her successor is appointed and qualifies, unless the duration of the holdover period for this office is limited by statute.

Proposal No. 320, 2023 was retitled COUNCIL RESOLUTION NO. 72, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 72, 2023

A COUNCIL RESOLUTION reappointing Craig Von Deylen to the Metropolitan Board of Zoning Appeals, Division II.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division II, the Council reappoints:

Craig Von Deylen

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Proposal No. 321, 2023 was retitled COUNCIL RESOLUTION NO. 73, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 73, 2023

A COUNCIL RESOLUTION reappointing Patrice Duckett-Brown to the Metropolitan Board of Zoning Appeals, Division II.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division II, the Council reappoints:

Patrice Duckett-Brown

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Proposal No. 322, 2023 was retitled COUNCIL RESOLUTION NO. 74, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 74, 2023

A COUNCIL RESOLUTION reappointing Percy Bland, Jr. to the Metropolitan Board of Zoning Appeals, Division III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division III, the Council reappoints:

Percy Bland, Jr.

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council and until his or her successor is appointed and qualifies, unless the duration of the holdover period for this office is limited by statute.

Proposal No. 323, 2023 was retitled COUNCIL RESOLUTION NO. 75, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 75, 2023

A COUNCIL RESOLUTION reappointing Aaron McBride to the Metropolitan Board of Zoning Appeals, Alternate.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Alternate, the Council reappoints:

Aaron McBride

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Proposal No. 324, 2023 was retitled COUNCIL RESOLUTION NO. 76, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 76, 2023

A COUNCIL RESOLUTION reappointing Hannah Saunders to the Woodruff Place Economic Improvement District Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Woodruff Place Economic Improvement District Board, the Council reappoints:

Hannah Saunders

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2026. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Councillor Oliver reported that the Parks and Recreation Committee heard Proposal Nos. 338 and 339, 2023 on November 30, 2023. He asked for consent to vote on these together. Consent was given.

PROPOSAL NO. 338, 2023. The proposal, sponsored by Councillor Oliver, reappoints Joseph Wynns to the Board of Parks and Recreation. PROPOSAL NO. 339, 2023. The proposal, sponsored by Councillor Oliver, reappoints T. Carlos Simpson to the Indianapolis Greenways Development Committee. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Oliver moved, seconded by Councillor Potts, for adoption. Proposal Nos. 338 and 339, 2023 were adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 338, 2023 was retitled COUNCIL RESOLUTION NO. 77, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 77, 2023

A COUNCIL RESOLUTION reappointing Joseph Wynns to the Board of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks and Recreation, the Council reappoints:

Joseph Wynns

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Proposal No. 339, 2023 was retitled COUNCIL RESOLUTION NO. 78, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 78, 2023

A COUNCIL RESOLUTION reappointing T. Carlos Simpson to the Indianapolis Greenways Development Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Greenways Development Committee, the Council reappoints:

T. Carlos Simpson

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2027. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Councillor Carlino reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 340-342, 344, and 345, 2023 on November 21, 2023. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 340, 2023. The proposal, sponsored by Councillor Robinson, reappoints Dean Babcock to the Assessment and Intervention Center Advisory Board. PROPOSAL NO. 341, 2023. The proposal, sponsored by Councillor Robinson, reappoints Fred Pervine to the Emergency Services Agency Board. PROPOSAL NO. 342, 2023. The proposal, sponsored by Councillor Robinson, reappoints Duane Ingram to the Board of Public Health and Safety. PROPOSAL NO. 344, 2023. The proposal, sponsored by Councillor Robinson, appoints Rhonda Veen to the Domestic Violence Fatality Review Team. PROPOSAL NO. 345, 2023. The proposal, sponsored by Councillor Robinson, appoints Kelly Doucet to the Citizens Police Complaint Board. By 10-0 votes, the committee reported the proposals to the full Council with the recommendation that they do pass. Councillor Carlino moved, seconded by Councillor Adamson, for adoption. Proposal Nos. 340-342, 344 and 345, 2023 were adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

0 NAYS:

1 ABSENT: Barth

Proposal No. 340, 2023 was retitled COUNCIL RESOLUTION NO. 79, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 79, 2023

A COUNCIL RESOLUTION reappointing Dean Babcock to the Assessment and Intervention Center (AIC) Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Assessment and Intervention Center (AIC) Advisory Board, to fulfill the requirement of a substance abuse/addiction professional, the Council reappoints:

Dean Babcock

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Proposal No. 341, 2023 was retitled COUNCIL RESOLUTION NO. 80, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 80, 2023

A COUNCIL RESOLUTION reappointing Fred Pervine to the Emergency Services Agency Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

December 4, 2023

SECTION 1. As a member of the Emergency Services Agency Board, the Council reappoints:

Fred Pervine

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Proposal No. 342, 2023 was retitled COUNCIL RESOLUTION NO. 81, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 81, 2023

A COUNCIL RESOLUTION reappointing Duane Ingram to the Board of Public Health and Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Health and Safety, the Council reappoints:

Duane Ingram

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council and until his or her successor is appointed and qualifies, unless the duration of the holdover period for this office is limited by statute.

Proposal No. 344, 2023 was retitled COUNCIL RESOLUTION NO. 82, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 82, 2023

A COUNCIL RESOLUTION appoints Rhonda Veen to the Domestic Violence Fatality Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, the Council appoints:

Rhonda Veen

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2025. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Proposal No. 345, 2023 was retitled COUNCIL RESOLUTION NO. 83, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 83, 2023

A COUNCIL RESOLUTION appoints Kelly Doucet to the Citizens Police Complaint Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Police Complaint Board, the Council appoints:

Kelly Doucet

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2024. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Councillor Adamson reported that the Public Works Committee heard Proposal Nos. 352-354, 2023 on November 27, 2023. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 352, 2023. The proposal, sponsored by Councillor Adamson, reappoints Dan Haake to the Board of Public Works. PROPOSAL NO. 353, 2023. The proposal, sponsored by Councillor Adamson, reappoints Damon Richards to the Fatal Crash Review Team. PROPOSAL NO. 354, 2023. The proposal, sponsored by Councillor Adamson, reappoints Tedd Grain to the Fatal Crash Review Team. By 8-0 votes, the committee reported the proposals to the full Council with the recommendation that they do pass. Councillor Adamson moved, seconded by Councillor Gray, for adoption. Proposal Nos. 353-354, 2023 were adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 352, 2023 was retitled COUNCIL RESOLUTION NO. 84, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 84, 2023

A COUNCIL RESOLUTION reappointing Dan Haake to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council reappoints:

Dan Haake

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2024.* The person appointed by this resolution shall serve at the pleasure of the Council and until his or her successor is appointed and qualifies, unless the duration of the holdover period for this office is limited by statute.

{*Clerk's Note: A motion was made and passed at the February 5, 2024 Council meeting to correct a scrivener's error in the term ending date for Proposal No. 352, 2023. These minutes reflect the corrected term ending date.}

Proposal No. 353, 2023 was retitled COUNCIL RESOLUTION NO. 85, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 85, 2023

A COUNCIL RESOLUTION reappointing Damon Richards to Fatal Crash Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

December 4, 2023

SECTION 1. As a member of the Fatal Crash Review Team, the Council reappoints:

Damon Richards

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2025. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

Proposal No. 354, 2023 was retitled COUNCIL RESOLUTION NO. 86, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 86, 2023

A COUNCIL RESOLUTION reappointing Tedd Grain to Fatal Crash Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Fatal Crash Review Team, the Council reappoints:

Tedd Grain

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2025. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 378-385, 2023, PROPOSAL NO. 386, 2023, AND PROPOSAL NOS. 387-395, 2023. Introduced by Councillor Lewis. Proposal Nos. 378-385, 2023, Proposal No. 386, 2023, and Proposal Nos. 387-395, 2023 are proposals for Rezoning Ordinances certified for approval by the Metropolitan Development Commission on November 13, 14 and 17, 2023, respectively. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 127-144, 2023, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 127, 2023.

2023-ZON-074 (Amended)

2013 Southeastern Avenue (*Approximate Address*)

Center Township, Council District #12

Omar Hasan, by Mark and Kim Crouch

Rezoning of 0.22 acre from the C-1 district to the D-8 district to provide for two duplexes / townhome development.

REZONING ORDINANCE NO. 128, 2023.

2023-ZON-079 (Amended)

2153 North Arsenal Avenue (*Approximate Address*)

Center Township, Council District #17

Greater Joshua Missionary Baptist Church, by Kevin Thomas

Rezoning of 0.634 acre from the I-3 district to the SU-1 district to provide for religious uses.

REZONING ORDINANCE NO. 129, 2023.

2023-ZON-089

2918 Jackson Street (*Approximate Address*)

Wayne Township, Council District #16

Hi-Tone Ventures, LLC, by Anthony Morman

Rezoning of 0.23 acre from the D-5 (TOD) district to the D-8 (TOD) district to provide for a small apartment use.

REZONING ORDINANCE NO. 130, 2023.

2023-ZON-091

9371 Zionsville Road (8902 Zionsville Road) (*Approximate Address*)

Pike Township, Council District #1

Callaway Group, LLC, by Marc Menkveld

Rezoning of 1.061 acres from the SU-39 district to the I-4 district to provide for heavy industrial uses.

REZONING ORDINANCE NO. 131, 2023.

2023-ZON-092

2701 North College Avenue (*Approximate Address*)

Center Township, Council District #17

JBCC Holdings, LLC, by John Cross

Rezoning of 0.15 acre from the C-3 district to the MU-2 district to provide for mixed-use development.

REZONING ORDINANCE NO. 132, 2023.

2023-CZN-830

201 West 38th Street and 3750 North Capitol Avenue (*Approximate Addresses*)

Center Township, Council District #7

C-4 / D-5

Martin Petroleum Inc., by Pat Rooney

Rezoning of 0.44 acre from the D-5 and C-4 districts to the C-4 district.

REZONING ORDINANCE NO. 133, 2023.

2023-CZN-847

4175 and 4225 West Washington Street (*Approximate Addresses*)

Wayne Township, Council District #22

Department of Parks and Recreation, by Kate Warpool

Rezoning of 2.11 acres from the C-5 (TOD) and SU-2 (TOD) districts to the PK-1 (TOD) district to provide for park uses.

REZONING ORDINANCE NO. 134, 2023.

2023-CZN-853

2029 Massachusetts Avenue (*Approximate Address*)

Center Township, Council District #17

Shanea Howell, by Sarah Walters

Rezoning of 0.14 acre from the C-3 district to the D-8 district.

REZONING ORDINANCE NO. 135, 2023.

2023-ZON-053

2500 Lafayette Road (*Approximate Address*)

Wayne Township, Council District #11

Luis Antonio & Maria E. Mena, by Don Fisher

Rezoning of 0.762 acres from the C-4 district to the C-5 district to allow for vehicle sales.

REZONING ORDINANCE NO. 136, 2023.

2023-ZON-004

5680 Eden Village Drive (*Approximate Address*)

Pike Township, Council District #8

Olanrewaju Ahmeed Azeez

Rezoning of 1.55 acres from the C-S district to the D-6 district to allow for a single-family attached residential development.

REZONING ORDINANCE NO. 137, 2023.

2023-ZON-078

4021 West 71st Street (*Approximate Address*)

Pike Township, Council District #7
Turner Adventures, LLC, by Rebekah Phillips
Rezoning of 0.53 acre from the C-1 district to the I-1 district to provide for a commercial contractor.

REZONING ORDINANCE NO. 138, 2023.

2023-ZON-082

1102 and 1138 Roosevelt Avenue (*Approximate Addresses*)

Center Township, Council District #17

Roosevelt Landsite, LLC, by Russell L. Brown

Rezoning of 6.60 acres from the I-4 district to the C-S district to provide for a mixed-use development including multi-family dwellings, neighborhood retail uses and a parking garage.

REZONING ORDINANCE NO. 139, 2023.

2023-ZON-084 (Amended)

5640 East 38th Street (3800 Block of Audubon Road) (*Approximate Address*)

Lawrence Township, Council District #13

Jeff Hasser

Rezoning of 0.598 acre from the SU-1 (TOD) district to the D-5 (TOD) district to provide for single-family detached dwellings.

REZONING ORDINANCE NO. 140, 2023.

2023-ZON-096

4239 Madison Avenue (*Approximate Address*)

Perry Township, Council District #24

Timothy J. Derloshon, by John Cross

Rezoning of 0.17 acre from the D-3 (TOD) district to the C-3 (TOD) district to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 141, 2023.

2023-ZON-097

1620 Industry Drive (*Approximate Address*)

Warren Township, Council District #19

Commercial Team Construction, LLC, by David Gilman

Rezoning of 11.4 acres from the C-S district to the C-S district to add indoor recreational uses to the list of permitted uses and to modify Commitment #2, related to petition 2022-MOD-003, to amend the approved site plan.

REZONING ORDINANCE NO. 142, 2023.

2023-CZN-848

2069 Yandes Street (*Approximate Address*)

Center Township, Council District #17

M/E Residential, LLC, by David Gilman

Rezoning of 0.42 acre from the I-3 district to the D-8 district.

REZONING ORDINANCE NO. 143, 2023.

2023-CZN-852

1902 Alvord Street (*Approximate Address*)

Center Township, Council District #17

Urban Core Associates, LLC, by Joseph D. Calderon

Rezoning of 0.64 acre from the MU-1 district to the D-8 district to provide for a townhome development.

REZONING ORDINANCE NO. 144, 2023.

2023-CZN-857

436-444 Spruce Street and 1441 Deloss Street (*Approximate Addresses*)

Center Township, Council District #17

Structure Midwest, LLC, by Russell L. Brown and Elizabeth Bentz Williams

Rezoning of 0.25 acre from the I-2 (TOD) district to the D-8 (TOD) district.

SPECIAL ORDERS – PUBLIC HEARING

President Osili called on General Counsel LeAnnette Pierce to review the ground rules for public testimony as adopted by this body. Ms. Pierce reminded Council members and the public of the ground rules for the public comment portion of the agenda. She said that in order for everyone to have a fair chance to speak and be heard, it is important to observe the following rules. First, each speaker will be limited to two minutes. Second, any public comments must reasonably relate to the agenda item under consideration. Third, speakers who stray from the item under consideration or become unduly repetitious may be asked to move on to their next point or conclude their comments. Finally, attendees who cause disruptions that prevent the Council from proceeding through today's agenda in a reasonably efficient manner will be removed. Ms. Pierce added that some types of threatening speech or incitement to violence are not protected by the First Amendment and will be dealt with if they come up. President Osili called for consent to adopt the ground rules for public testimony, and consent was given.

Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 325-328, 2023 on November 30, 2023.

Proposal No. 325, 2023. The proposal, sponsored by Councillor Adamson, approves the 2024 Budget of the Woodruff Place Economic Improvement District. By a 12-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

The President called for public testimony at 8:08 p.m.

Larry Vaughn, citizen, said that this type of program turns neighbors against each other, and neighbors can force out residents they do not want by raising their taxes. They should not have this type of authority.

There being no further testimony, Councillor Lewis moved, seconded by Councillor Carlino, for adoption. Proposal No. 325, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 325, 2023 was retitled FISCAL ORDINANCE NO. 20, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 2023

PROPOSAL FOR A FISCAL ORDINANCE approving the 2024 Budget of the Woodruff Place Economic Improvement District.

WHEREAS, General Ordinance No. 67, 2015 (Proposal No. 249, 2015) established the Woodruff Place Economic Improvement District (EID); and

WHEREAS, Section 121-603 of the "Revised Code of the Consolidated City and County" provides that the EID Board is to be appointed by the Council, and the Board is to prepare and submit a proposed budget governing the Board's projected expenditures from the Woodruff -Place Economic Improvement Fund; and

WHEREAS, pursuant to IC 36-7-22-17(a) and Section 121-603(b) of the Revised Code, the Council may approve, modify, or reject the EID Board's proposed budget; and

December 4, 2023

WHEREAS, the EID Board has now prepared and submitted a proposed budget for calendar year 2024 to the Council; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to IC 36-7-22-17(a) and Section 121-603(b) of the “Revised Code of the Consolidated City and County,” the Woodruff Place Economic Improvement Board has submitted its proposed budget for calendar year 2024. The proposed budget is attached hereto and made a part hereof, marked as Exhibit A. The total proposed budget is Forty-five Thousand Dollars (\$45,000).

SECTION 2. The Council hereby approves the proposed budget submitted by the Woodruff Place Economic Improvement Board for calendar year 2024.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 326, 2023. The proposal, sponsored by Councillors Mascari and Adamson, approves the 2024 Budget of the Greater Virginia Avenue Corridor Economic Improvement District. By a 12-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

The President called for public testimony at 8:11 p.m.

Larry Vaughn, citizen, said that the power to tax is the power to destroy any community. This allows your neighbor to assess taxes against you.

There being no further testimony, Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 326, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 326, 2023 was retitled FISCAL ORDINANCE NO. 21, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 21, 2023

PROPOSAL FOR A FISCAL ORDINANCE approving the 2024 Budget of the Greater Virginia Avenue Corridor Economic Improvement District.

WHEREAS, General Ordinance No. 47, 2018 (Proposal No. 199, 2018) established the Greater Virginia Avenue Corridor Economic Improvement District (EID); and

WHEREAS, Section 121-808 and Section 121-809 of the “Revised Code of the Consolidated City and County” provides that the EID Board is to be appointed by the Council, and the Board is to prepare and submit a proposed budget governing the Board’s projected expenditures from the Greater Virginia Avenue Corridor Economic Improvement Fund; and

WHEREAS, pursuant to IC 36-7-22-17(a) and Section 121-809 of the Revised Code, the Council may approve, modify, or reject the EID Board’s proposed budget; and

WHEREAS, the EID Board has now prepared and submitted a proposed budget for calendar year 2024 to the Council; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to IC 36-7-22-17(a) and Section 121-809 of the “Revised Code of the Consolidated City and County,” the Greater Virginia Avenue Corridor Economic Improvement Board has submitted its proposed budget for calendar year 2024. The proposed budget is attached hereto and made a part hereof, marked as Exhibit A. The total proposed budget is Eighty-Two Thousand Dollars (\$82,000).

SECTION 2. The Council hereby approves the proposed budget submitted by the Greater Virginia Avenue Corridor Economic Improvement Board for calendar year 2024.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 327, 2023. The proposal, sponsored by Councillor Jackson, approves an additional appropriation of \$200,000 and transfer of \$10,000 in the 2023 Budget of the Marion County Recorder (County Records Perpetuation Fund) for the purpose of preserving historical City/County records. By a 12-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

The President called for public testimony at 8:14 p.m. There being none, Councillor Lewis moved, seconded by Councillor Jackson, for adoption. Proposal No. 325, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves,
Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili,
Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 327, 2023 was retitled FISCAL ORDINANCE NO. 22, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 22, 2023

PROPOSAL FOR A FISCAL ORDINANCE amending the City-County Annual Budget for 2023 (City-County Fiscal Ordinance No. 18, 2022) by an additional appropriation of two hundred thousand dollars (\$200,000) and a transfer of appropriation of ten thousand dollars (\$10,000) for purposes of the Marion County Recorder.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2023 is hereby amended by the character increases and transfers hereinafter stated for purposes of the Marion County Recorder.

SECTION 2. The Marion County Recorder requests a transfer of ten thousand dollars (\$10,000) in the County Records Perpetuation Fund from character one to character three and additional appropriations totaling two hundred thousand dollars (\$200,000) in the County Records Perpetuation Fund in character three for the purpose funding additional contractual costs relating to historical City/County record preservation efforts:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
County Records Perpetuation	(10,000)		210,000			200,000

SECTION 3. In support of the additional appropriations provided in Section 2, funds totaling two hundred thousand dollars (\$200,000) are to be transferred from the County Elected Officials Training Fund to the County Records Perpetuation Fund pursuant to IC 36-2-7-19.

SECTION 4. Upon approval of this and other pending approvals, the 2022 year-end and projected 2023 year-end fund balances are as follows:

Fund	2022 Year-End Balance	Projected 2023 Year-End Balance
County Records Perpetuation	4,717,709	4,274,224
County Elected Officials Training	775,064	569,777

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 328, 2023. The proposal, sponsored by Councillors Lewis and Jackson, approves an additional appropriation of \$4,115,000 in the 2023 Budget of the Department of Metropolitan Development and City Non-Departmental (Consolidated County General, State Grants, and Revenue Bonds Funds) for the purpose of providing local contributions to the Housing to Recovery program, land acquisition, and affording additional debt service capacity for the HUD Section 108 Loan program. By a 12-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

The President called for public testimony at 8:15 p.m.

Larry Vaughn, citizen, said that the city is supposed to have a specified purpose for these bond funds; but these are put into the general fund without specifying how they will be used, which is illegal and unconstitutional.

Councillor E. Evans said that the ordinance itself lays out that these funds will go toward the housing recovery program and land acquisition.

There being no further testimony, Councillor Lewis moved, seconded by Councillor Jackson, for adoption. Proposal No. 328, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 325, 2023 was retitled FISCAL ORDINANCE NO. 23, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 20, 2023

PROPOSAL FOR A FISCAL ORDINANCE approving the 2024 Budget of the Woodruff Place Economic Improvement District.

WHEREAS, General Ordinance No. 67, 2015 (Proposal No. 249, 2015) established the Woodruff Place Economic Improvement District (EID); and

WHEREAS, Section 121-603 of the “Revised Code of the Consolidated City and County” provides that the EID Board is to be appointed by the Council, and the Board is to prepare and submit a proposed budget governing the Board’s projected expenditures from the Woodruff -Place Economic Improvement Fund; and

WHEREAS, pursuant to IC 36-7-22-17(a) and Section 121-603(b) of the Revised Code, the Council may approve, modify, or reject the EID Board’s proposed budget; and

WHEREAS, the EID Board has now prepared and submitted a proposed budget for calendar year 2024 to the Council; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to IC 36-7-22-17(a) and Section 121-603(b) of the “Revised Code of the Consolidated City and County,” the Woodruff Place Economic Improvement Board has submitted its proposed budget for calendar year 2024. The proposed budget is attached hereto and made a part hereof, marked as Exhibit A. The total proposed budget is Forty-five Thousand Dollars (\$45,000).

SECTION 2. The Council hereby approves the proposed budget submitted by the Woodruff Place Economic Improvement Board for calendar year 2024.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Mascari reported that the Administration and Finance Committee heard Proposal Nos. 334-336, 2023 on November 14, 2023.

PROPOSAL NO. 334, 2023. The proposal, sponsored by Councillor Mascari, approves the transfer of existing appropriations from various City-County funds for use by various City-County departments and agencies, and the appropriation of \$4,820,000 in grant awards not previously appropriated. By a 7-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councillor Evans asked if this is a specific grant award. Abby Hanson, Deputy Controller, said that this clean-up ordinance includes a lot of different grant appropriations, and a mix of county, state and federal grants. These were either surprise or unexpected grants or grants that were not appropriated in the proper characters the first time.

The President called for public testimony at 8:20 p.m.

Larry Vaughn, citizen, said that this is very vague and they do not know where half these grants are coming from and where they are going to, but they are all going into the general fund, and can be spent however the mayor wants. He said that cities are going bankrupt for this very reason, because there is no oversight into how funds are being used. He said that the city should not be involved in building hotels and syndicating against the private sector; and vague ordinances like this one endangers the stability of this city.

There being no further testimony, Councillor Mascari moved, seconded by Councillor Adamson, for adoption. Proposal No. 334, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

0 NAYS:

1 ABSENT: Barth

Proposal No. 334, 2023 was retitled FISCAL ORDINANCE NO. 24, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 24, 2023

A FISCAL ORDINANCE amending the City-County Annual Budget for 2023 (City-County Fiscal Ordinance No. 18, 2022) by the transfers and additional appropriations listed herein for the purposes of those departments and agencies listed below.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County- Annual Budget for 2023 is hereby amended by the character increases, transfers, and reductions hereinafter stated for purposes of the following departments and agencies.

SECTION 2. The Office of Corporation Counsel requests a transfer of appropriation of three hundred eighty-five thousand dollars (\$385,000) in the Consolidated County General Fund from character one to character three for the purpose of affording contractual costs:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Consolidated County General	-385,000		385,000			-

SECTION 3. The Department of Business & Neighborhood Services requests a transfer of appropriation of seven hundred eighty-five thousand dollars (\$785,000) in the Consolidated County General Fund from characters one and five to characters two and three for the purpose of additional supplies and contractual expenses:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Consolidated County General	-282,000	194,000	591,000		-503,000	-

SECTION 4. The Department of Parks and Recreation requests a transfer of appropriation of sixty thousand dollars (\$60,000) in the Parks General Fund from character two to character three, a transfer of appropriation of sixty thousand dollars (\$60,000) in the City Cumulative Capital Development Fund from character two to character three, and a transfer of appropriation of twelve thousand dollars (\$12,000) in the Federal Grants-City Fund from character three to character two for the purposes of addressing additional operations costs, additional facility maintenance costs, and to procure supplies for the Americorp Planning Grant:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Parks General		-60,000	60,000			-
City Cumulative Capital Development		-60,000	60,000			-
Federal Grants- City		12,000	-12,000			-

SECTION 5. Marion County Community Corrections requests a transfer of appropriation of four hundred thousand dollars (\$400,000) in the County General Fund from character three to character one for the purpose of funding personnel costs:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
County General	400,000		-400,000			-

SECTION 6. The Marion Superior Court requests a transfer of appropriation of four million nine hundred eighty-five thousand dollars (\$4,985,000) in the County General Fund from character one to character three for the purpose of funding constitutionally required court services:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
County General	-4,985,000		4,985,000			-

SECTION 7. The Marion Superior Court requests a reduction of appropriation of fifteen thousand dollars (\$15,000) in the County General Fund character one and an additional appropriation of fifteen thousand dollars (\$15,000) in the Guardian Ad Litem Fund in character three for the purpose of funding GAL/CASA services:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
County General	-15,000					-15,000
Guardian Ad Litem			15,000			15,000

SECTION 8. In support of the additional appropriation in the Guardian Ad Litem Fund provided in Section 7, additional funds of fifteen thousand dollars (\$15,000) are to be transferred from the County General Fund to the Guardian Ad Litem Fund.

SECTION 9. The Marion County Coroner's Office requests a transfer of appropriation of one hundred twenty-nine thousand dollars (\$129,000) in the State of Indiana Grants-County Fund from character two to character four and a transfer of appropriation of two thousand six hundred dollars (\$2,600) in the Federal Grant Fund - County from character two to character four for the purpose of funding equipment purchases:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
State of Indiana Grants-County		-129,000		129,000		-
Federal Grants-County		-2,600		2,600		-

SECTION 10. The Marion County Election Board requests a transfer of appropriation of three hundred thousand dollars (\$300,000) in the Cumulative Capital Improvement Fund from character three to character four for the purpose of funding equipment purchases:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Cumulative Capital Improvement			-300,000	300,000		-

SECTION 11. The Marion County Prosecutor – Child Support requests a transfer of appropriation of sixty thousand dollars (\$60,000) in the County General Fund from character three to character one for the purpose of funding personnel costs:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
County General	60,000		-60,000			-

SECTION 12. The Metropolitan Emergency Services Agency requests a transfer of appropriation of six hundred five thousand dollars (\$605,000) in the Public Safety Communications Fund from characters one and two to characters three and four, a transfer of appropriation of thirty thousand dollars (\$30,000) in the 911 Emergency Dispatch Fund from character two to character one, and an additional appropriation of seventy thousand dollars (\$70,000) in Federal Grants-County Fund in characters two, three, and four for the purposes of funding technology upgrades to the computer aided dispatch system (CAD) and additional grant awards:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Public Safety Communications	-600,000	-5,000	305,000	300,000		-
911 Emergency Dispatch	30,000	-30,000				-
Federal Grants-County		10,000	50,000	10,000		70,000

SECTION 13. The Marion County Clerk requests a transfer of appropriation of six hundred nine thousand dollars (\$609,000) in the County General Fund from character one to characters two and three, a reduction of appropriation of

ninety-six thousand five hundred dollars (\$96,500) in the County General Fund in character one, and an additional appropriation of ninety-six thousand five hundred dollars (\$96,500) in the Clerk's Perpetuation Fund in characters two and three for the purposes of funding supplies, contractual services and facility improvements:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
County General	-705,500	19,000	590,000			-96,500
Clerk's Perpetuation		40,000	56,500			96,500

SECTION 14. The Office of Finance and Management requests an additional appropriation of fifty-four million six hundred seventy-five thousand four hundred twenty-five dollars (\$54,675,425) in the Consolidated County General Fund in characters three and four, a transfer of appropriation of four hundred twenty thousand dollars (\$420,000) in the Consolidated County General Fund from character one to character three, a reduction of appropriation of five million three hundred thousand dollars (\$5,300,000) in Consolidated County Cumulative Capital Development Fund in character four, an additional appropriation of five million three hundred thousand dollars (\$5,300,000) in the Capital Asset Lifecycle and Development Fund in character four, and an additional appropriation of two million dollars (\$6,500,000) in the Federal Grants-City Fund in character three for the purposes of land acquisition, various facility improvements, contractual costs, and reimbursing county agencies for new grant awards:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Consolidated County General	-420,000		782,000	54,313,425		54,675,425
Consolidated County Cumulative Capital Development			-5,300,000			-5,300,000
Capital Asset Lifecycle and Development			5,300,000			5,300,000
Federal Grants-City			2,000,000			2,000,000

SECTION 15. In support of the additional appropriation provided in Section 14, funds of five million three hundred thousand dollars (\$5,300,000) are to be transferred from the Consolidated County Cumulative Capital Development Fund to the Capital Asset Lifecycle and Development Fund.

SECTION 16. The Office of Audit and Performance requests a reduction of appropriation of two hundred sixty-two thousand dollars (\$262,000) in the Consolidated County General Fund in characters one, three, and four for the purposes of supporting the additional appropriation for Office of Finance and Management as requested in Section 14:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Consolidated County General	-220,000		-40,000	-2,000		-262,000

SECTION 17. The Office of Minority and Women Business Development requests a reduction of appropriation of one hundred thousand dollars (\$100,000) in the Consolidated County General Fund in character one for the purposes of supporting the additional appropriation for Office of Finance and Management as requested in Section 14:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Consolidated County General	-100,000					-100,000

SECTION 18. The City Non-Departmental requests an additional appropriation of two million seven hundred fifty thousand dollars (\$2,750,000) in the Federal Stimulus-Coronavirus Pandemic Fund for the purpose of funding the final disbursements of the Emergency Rental Assistance program and a transfer of appropriation of fifty-four million three hundred thirteen thousand four hundred twenty-five dollars (\$54,313,425) in the Federal Stimulus-Coronavirus Pandemic Fund from character four to character one for the purpose of funding public safety employee salaries:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Federal Stimulus-Coronavirus Pandemic	54,313,425		2,750,000	-54,313,425		2,750,000

SECTION 19. The Marion County Auditor requests a transfer of appropriation of one hundred and fifty thousand dollars (\$150,000) in the County General Fund from character three to character one for the purpose of additional personnel costs:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
County General	150,000		-150,000			-

SECTION 20. The Marion County Assessor requests a transfer of appropriation of one hundred five thousand dollars (\$105,000) in the County General Fund from characters one and two to character three for the purpose of financing facility improvements:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
County General	-100,000	-5,000	105,000			-

SECTION 21. Upon approval of this and other pending proposals, the 2022 year-end and projected 2023 year-end fund balances are as follows:

Fund	2022 Year-End Balance	Projected 2023 Year-End Balance
911 Emergency Dispatch	-748,377	-653,051
Capital Asset Lifecycle & Development	2,609	-
City Cumulative Capital Development	8,942,300	11,776,655
Clerk's Perpetuation	420,248	402,598
Consolidated County Cumulative Capital Development	4,289,308	-
Consolidated County General	166,288,731	170,764,649
County General	30,941,197	31,833,370
Cumulative Capital Improvement	8,208,985	4,424,534
Federal Grants-City	-	-
Federal Grants-County	-	-
Federal Stimulus-Coronavirus Pandemic	-	-
Guardian Ad Litem	-	-
Parks General	3,228,606	3,990,784
Public Safety Communications	1,144,195	1,044,390
State of Indiana Grants-County	-	-

SECTION 22. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 23. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 335, 2023. The proposal, sponsored by Councillor Mascari, approves an additional appropriation of \$110,000 in the 2023 Budget of the Marion County Treasurer (County General Fund) for the purposes of additional personnel and contractual expenses. By a 7-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

The President called for public testimony at 8:23 p.m. There being no one present to testify, Councillor Mascari moved, seconded by Councillor Adamson, for adoption. Proposal No. 335, 2023 was adopted on the following roll call vote; viz:

December 4, 2023

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 335, 2023 was retitled FISCAL ORDINANCE NO. 25, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 2023

PROPOSAL FOR A FISCAL ORDINANCE amending the City-County Annual Budget for 2023 (City-County Fiscal Ordinance No. 18, 2022) by an additional appropriation totaling one hundred ten thousand dollars (\$110,000) for the purposes of additional contractual and personnel expenses.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2023 is hereby amended by the character increases hereinafter stated for purposes of the County agencies listed below.

SECTION 2. The Marion County Treasurer requests additional an appropriation totaling one hundred ten thousand dollars (\$110,000) in the County General Fund in character one and three to afford additional personnel and contractual expenses:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
County General	60,000		50,000			110,000

SECTION 3. Upon approval of this and other pending proposals, the following unappropriated fund balances are projected to remain at the end of 2023:

Fund	2022 Year-End Balance	Projected 2023 Year-End Balance
County General	30,941,197	31,833,370

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 336, 2023. The proposal, sponsored by Councillor Carlino, approves an additional appropriation of \$225,000 and transfers of \$541,544 in the 2023 Budget of the Marion County Information Services Agency (Information Services Fund) for the purpose of affording costs related to IT services and equipment. By a 7-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

The President called for public testimony at 8:24 p.m. There being no one present to testify, Councillor Mascari moved, seconded by Councillor Adamson, for adoption. Proposal No. 336, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 336, 2023 was retitled FISCAL ORDINANCE NO. 26, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 2023

PROPOSAL FOR A FISCAL ORDINANCE amending the City-County Annual Budget for 2023 (City-County Fiscal Ordinance No. 18, 2022) by an additional appropriation of two hundred twenty-five thousand dollars (\$225,000) and a transfer of appropriation of five hundred forty-one thousand five hundred forty-four dollars (\$541,544) for purposes of the Marion County Information Services Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2023 is hereby amended by the character increases and transfers hereinafter stated for purposes of the Marion County Information Service Agency.

SECTION 2. The Marion County Information Services Agency requests a transfer of five hundred forty-one thousand five hundred forty-four dollars (\$541,544) from characters one, two, and four to character three and an additional appropriation of two hundred twenty-five dollars (\$225,000) in character three to address additional costs related to IT services and equipment:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Information Services	-461,544	-30,000	766,544	-50,000		225,000

SECTION 3. Upon approval of this and other pending approvals, the 2022 year-end and projected 2023 year-end fund balances are as follows:

<u>Fund</u>	<u>2022 Year-End Balance</u>	<u>Projected 2023 Year-End Balance</u>
Information Services	2,387,599	3,764,560

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 346, 2023. Councillor Carlino reported that the Public Safety and Criminal Justice Committee heard Proposal No. 346, 2023 on November 21, 2023. The proposal, sponsored by Councillor Robinson, approves an additional appropriation of \$10,610,000 and a reduction in appropriation of \$2,200,000 in the 2023 Budget of the Marion County Sheriff (County General, Federal Grants, and Medical Care for Inmates Funds) for the purposes of funding overtime expenses, contractual obligations for food services and operations of the jail, and additional grant awards. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councillor Mowery said that he asked for the number of accidental releases at the jail in committee and has not yet received that information. Kallan Karr, Chief Financial Officer, Marion County Sheriff's Department, said that Colonel Martin will get that information to Councillors as soon as possible. Councillor Mowery said that he does not understand why they did not receive it before this vote.

Councillor Gray asked if they are reducing medical care for inmates in order to pay for overtime. Ms. Karr said that they are not reducing the medical care fund, but they have instituted credits with their medical care provider, and these are funds they do not have to pay out; and so they are shifting it to overtime pay.

Councillor E. Evans asked what the split amounts are. Ms. Karr said that \$4.7 million is for overtime, \$1.1 million is for food service, with \$167,000 to the first payment on the transport van,

and \$200,000 to the KPMG assessment. The rest of the funds are divided among other contractual increases, criminal transport costs, and a larger copier facility.

The President called for public testimony at 8:25 p.m.

Mr. Vaughn stated that with the consolidation of police forces, the Sheriff lost their jurisdiction over their own budget, and this jeopardizes public safety by taking money away from the Sheriff's Department.

There being no further testimony, Councillor Carlino moved, seconded by Councillor Adamson, for adoption. Proposal No. 346, 2023 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
1 NAY: Evans-E
1 ABSENT: Barth

Proposal No. 346, 2023 was retitled FISCAL ORDINANCE NO. 27, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 2023

A FISCAL ORDINANCE amending the City-County Annual Budget for 2023 (City-County Fiscal Ordinance No. 18, 2022) by a reduction of appropriation of two million two hundred thousand dollars (\$2,200,000) and an additional appropriation of ten million six hundred ten thousand dollars (\$10,610,000) for the purposes of the Marion County Sheriff.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2023 is hereby amended by the increases and decreases hereinafter stated for purposes of the Marion County Sheriff.

SECTION 2. The Marion County Sheriff requests a reduction of appropriation totaling two million two hundred thousand dollars (\$2,200,000) in the Medical Care for Inmates Fund in character three, an additional appropriation totaling eight million eight hundred fifty-five thousand dollars (\$8,855,000) in the County General Fund in characters one and three, and an additional appropriation totaling one million seven hundred fifty-five thousand dollars (\$1,755,000) in the Federal Grants Fund in characters one and four for the purposes of funding overtime expenses, contractual obligations for food services and operations of the jail, and additional grant awards:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Medical Care for Inmates			(2,200,000)			(2,200,000)
County General	4,000,000		4,855,000			8,855,000
Federal Grants	1,700,000			55,000		1,755,000

SECTION 3. In support of the additional appropriation provided in Section 2, transfer from County General Fund to Medical Care for Inmates Fund will be reduced by two million two hundred thousand dollars (\$2,200,000).

SECTION 4. Upon approval of this and other pending proposals, the 2022 year-end and projected 2023 year-end fund balances are as follows:

Fund	2022 Year-End Balance	Projected 2023 Year-End Balance
Medical Care for Inmates	-	-
County General	30,941,197	31,833,370
Federal Grants	-	-

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 347, 2023. Councillor Carlino reported that the Public Safety and Criminal Justice Committee heard Proposal No. 347, 2023 on November 21, 2023. The proposal, sponsored by Councillor Barth, approves an additional appropriation of \$1,080,000 and transfers totalling \$87,975 in the 2023 Budget of the Marion County Prosecutor (County General and Deferral Program Fee Funds) for the purpose of financing personnel costs and professional services. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

The President called for public testimony at 8:35 p.m.

Mr. Vaughn said that this transfer is trying to catch up a \$32 million loan in default with HUD and all of these transfers are happening to pay for this and the Prosecutor will not see a penny of it.

There being no further testimony, Councillor Carlino moved, seconded by Councillor Barth, for adoption. Proposal No. 347, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 347, 2023 was retitled FISCAL ORDINANCE NO. 28, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 2023

A FISCAL ORDINANCE amending the City-County Annual Budget for 2023 (City-County Fiscal Ordinance No. 18, 2023) by an additional appropriation of one million eighty thousand dollars (\$1,080,000) and transfer of appropriation of eighty-seven thousand nine hundred seventy-five dollars (\$87,975) for the purposes of the Marion County Prosecutor.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2023 is hereby amended by the character increases and transfers hereinafter stated for purposes of the Marion County Prosecutor.

SECTION 2. The Marion County Prosecutor requests an additional appropriation totaling one million eighty thousand dollars (\$1,080,000) in the County General Fund in characters one and three, a transfer of appropriation of seventy-two thousand nine hundred seventy-five dollars (\$72,975) in the County General Fund from characters two and four to character three, and a transfer of appropriation of fifteen thousand dollars (\$15,000) in the Deferral Program Fee Fund from character four to character three for the purposes of funding personnel costs and professional services.

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
County General	930,000	-55,000	222,975	-17,975		1,080,000
Deferral Program Fee			15,000	-15,000		-

SECTION 3. Upon approval of this and other pending proposals, the 2022 year-end and projected 2023 year-end fund balances are as follows:

Fund	2022 Year-End Balance	Projected 2023 Year-End Balance
County General	30,941,197	31,833,370
Deferral Program Fee	2,162,091	1,600,361

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 348, 2023. Councillor Carlino reported that the Public Safety and Criminal Justice Committee heard Proposal No. 348, 2023 on November 21, 2023. The proposal, sponsored by Councillor Robinson, approves a transfer of \$358,350 and an additional appropriation of \$220,000 in the 2023 Budget of the Marion County Public Defender Agency (County General, Supplemental Public Defender, State Grants, and Federal Grants Funds) for the purpose of funding constitutionally required court expenses. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councillor Boots asked for consent to abstain from voting to avoid the appearance of a conflict of interest. Consent was given.

The President called for public testimony at 8:38 p.m.

Mr. Vaughn said that this is another transfer scheme; and grants are contracts, where the state and federal government use the city as a laboratory to achieve certain circumstances. He said if not for these grants, this city would fall apart.

There being no further testimony, Councillor Carlino moved, seconded by Councillor Adamson, for adoption. Proposal No. 348, 2023 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Bain, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
1 NOT VOTING: Boots
0 NAYS:
1 ABSENT: Barth

Proposal No. 348, 2023 was retitled FISCAL ORDINANCE NO. 29, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 29, 2023

A FISCAL ORDINANCE amending the City-County Annual Budget for 2023 (City-County Fiscal Ordinance No. 18, 2022) by transferring three hundred fifty-eight thousand three hundred fifty dollars (\$358,350) and appropriating an additional two hundred twenty thousand dollars (\$220,000) for the purposes of the Marion County Public Defender Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2023 is hereby amended by the character increases and transfers hereinafter stated for purposes of the Marion County Public Defender Agency.

SECTION 2. The Marion County Public Defender Agency requests a transfer of appropriation of two hundred thousand dollars (\$200,000) from character one to character three and an additional appropriation of two hundred twenty thousand dollars (\$220,000) in the County General Fund in character three, a transfer of appropriation of one hundred twenty-two thousand six hundred dollars (\$122,600) in the Supplemental Public Defender Fund from character three to character one, a transfer of appropriation of eleven thousand seven hundred fifty dollars (\$11,750) in the State of Indiana Grants Fund from character three to character two and a transfer of appropriation of twenty-four thousand dollars (\$24,000) in the County Federal Grant Fund from character three to character four for the purpose of funding contractual court costs, death penalty expenses, intern stipends, program supplies and office equipment:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
County General	-200,000		420,000			220,000
Supplemental Public Defender	122,600		-122,600			-
State of Indiana Grants		11,750	-11,750			-
Federal Grants			-24,000	24,000		-

SECTION 3. Upon approval of this and other pending proposals, the 2022 year-end and projected 2023 year-end fund balances are as follows:

Fund	2022 Year-End Balance	Projected 2023 Year-End Balance
County General	30,941,197	31,833,370
Supplemental Public Defender	391,239	357,610
State of Indiana Grants	-	-
Federal Grants	-	-

SECTION 4. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 349, 2023. Councillor Carlino reported that the Public Safety and Criminal Justice Committee heard Proposal No. 349, 2023 on November 21, 2023. The proposal, sponsored by Councillor Robinson, approves an additional appropriation of \$336,700 and a transfer of \$258,331 in the 2023 Budget of the Indianapolis Fire Department (Fire General Fund) for the purposes of funding contractual firefighter health and wellness services and utility payments. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

The President called for public testimony at 8:41 p.m.

Mr. Vaughn said that the Council has not done their homework in anticipating the actual budgets for these agencies, and if they had commissioners overseeing these budgets, they would not need to come back asking for additional funding.

There being no further testimony, Councillor Carlino moved, seconded by Councillor Adamson, for adoption. Proposal No. 349, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 349, 2023 was retitled FISCAL ORDINANCE NO. 30, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 2023

A FISCAL ORDINANCE amending the City-County Annual Budget for 2023 (City-County Fiscal Ordinance No. 18, 2022) by an additional appropriation of three hundred thirty-six thousand seven hundred dollars (\$336,700) and a transfer of appropriation of two hundred fifty-eight thousand three hundred thirty-one dollars (\$258,331) for the purposes of the Indianapolis Fire Department.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City--County Annual Budget for 2023 is hereby amended by the character increases and transfers hereinafter stated for purposes of the Indianapolis Fire Department.

SECTION 2. The Indianapolis Fire Department requests an additional appropriation totaling three hundred thirty-six thousand seven hundred dollars (\$336,700) in character three and a transfer of appropriation of two hundred fifty-eight thousand three hundred thirty-one dollars (\$258,331) from character four to character three in the Fire General Fund for the purpose of funding contractual firefighter health & wellness services and utility payments:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Fire General			595,031	-258,331		336,700

SECTION 3. Upon approval of this and other pending proposals, the 2022 year-end and projected 2023 year-end fund balances are as follows:

<u>Fund</u>	<u>2022 Year-End Balance</u>	<u>Projected 2023 Year-End Balance</u>
Fire General	3,515,167	4,063,128

SECTION 4. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 355, 2023. Councillor Adamson reported that the Public Works Committee heard Proposal No. 355, 2023 on November 27, 2023. The proposal, sponsored by Councillor Adamson, approves an additional appropriation of \$4,711,000 and transfers totalling \$2,170,000 in the 2023 Budget of the Department of Public Works (Consolidated County General, Transportation General, and Solid Waste Collection General Funds) for the purpose of affording increased contractual and fuel costs, equipment acquisition, funding a local contribution to the Greenways Stewardship Endowment, costs relating to the School Zone Flashing Beacon Program, and for capital expenditures toward the Southeastern Avenue Trail project. By an 8-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

The President called for public testimony at 8:43 p.m.

Mr. Vaughn said that he pays an excise tax to use his vehicle, and considering the importance of being able to use his vehicle, he does not want to think that this city is being controlled by a green agenda. He said that they are using government grants to put lane restrictions and bike lanes all over town to make up for the deficits in public works.

There being no further testimony, Councillor Adamson moved, seconded by Councillor Lewis, for adoption. Proposal No. 355, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

0 NAYS:

1 ABSENT: Barth

Proposal No. 355, 2023 was retitled FISCAL ORDINANCE NO. 31, 2023, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 2023

PROPOSAL FOR A FISCAL ORDINANCE amending the City-County Annual Budget for 2023 (City-County Fiscal Ordinance No. 18, 2022) by an additional appropriation of four million seven hundred eleven thousand dollars (\$4,711,000) and transfer of appropriation of two million one hundred seventy thousand dollars (\$2,170,000) for the purposes of the Department of Public Works.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2023 is hereby amended by the character increases and transfers hereinafter stated for purposes of the Department of Public Works.

SECTION 2. The Department of Public Works requests transfers of appropriation totaling nine hundred twenty thousand dollars (\$920,000) in the Consolidated County General Fund from characters one and four to character three and an additional appropriation totaling one million five hundred thousand dollars (\$1,500,000) in the Consolidated County General Fund in character two for the purposes of funding increased contractual and fuel costs for the Indianapolis Fleet Services Division:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Consolidated County General	-175,000	1,500,000	920,000	-745,000		1,500,000

SECTION 3. The Department of Public Works requests transfer of appropriation totaling one million dollars (\$1,00,000) in the Transportation General Fund from character two to characters three and four and a transfer of appropriation totaling two hundred fifty thousand dollars (\$250,000) in the Solid Waste Collection General Fund from character five to character three for the purposes of funding increased contractual costs and capital needs for the Solid Waste and Operations Divisions:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Transportation General		-1,000,000	300,000	700,000		-
Solid Waste Collection General			250,000		-250,000	-

SECTION 4. The Department of Public Works requests an additional appropriation totaling two million three hundred sixty-one thousand dollars (\$2,361,000) in the Consolidated County General Fund in characters three and four and an additional appropriation totaling eight hundred fifty thousand dollars (\$850,000) in the Capital Asset Lifecycle and Development Fund in character four for the purposes of funding a local contribution to the Greenways Stewardship Endowment, costs relating to the School Zone Flashing Beacon Program, and for capital expenditures towards the Southeastern Avenue Trail project:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Consolidated County General			500,000	1,861,000		2,361,000
Capital Asset Lifecycle and Development				850,000		850,000

SECTION 5. In support of the additional appropriation provided in Section 4, funds totaling eight hundred fifty thousand dollars (\$850,000) are to be transferred from the Transportation General Fund to the Capital Asset Lifecycle and Development Fund.

SECTION 6. Upon approval of this and other pending approvals, the 2022 year-end and projected 2023 year-end fund balances are as follows:

Fund	2022 Year-End Balance	Projected 2023 Year-End Balance
Consolidated County General	166,288,731	170,764,649
Transportation General	18,364,756	13,061,250
Solid Waste Collection General	7,697,187	7,338,369
Capital Asset Lifecycle and Development	2,609	-

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 337, 2023. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 337, 2023 on November 14, 2023. The proposal, sponsored by Councillors Lewis and Mascari, authorizes the issuance of facility revenue bonds in an amount not to exceed \$37,000,000 to finance the proposed improvements and upgrades to the City-County Building, including its mechanical, electrical, HVAC systems, and other improvements related thereto; and demolition of the old Marion County Jail I, together with any appurtenances and ancillary work related thereto. By a 7-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

The President called for public testimony at 8:46 p.m. There being no one present to testify, Councillor Mascari moved, seconded by Councillor Adamson, for adoption. Proposal No. 337, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

0 NAYS:

1 ABSENT: Barth

Proposal No. 337, 2023 was retitled SPECIAL ORDINANCE NO. 18, 2023, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 18, 2023

A SPECIAL ORDINANCE of the City of Indianapolis, Indiana (the "City") authorizing the issuance of and appropriating the proceeds of one or more series of revenue bonds or bond anticipation notes in a maximum principal amount not to exceed Thirty-Seven Million Dollars (\$37,000,000) (the "Bonds") for the purpose of providing funds to pay the cost of renovating, repairing, improving or demolishing certain buildings and facilities of the City and of Marion County, Indiana (the "County"); providing for the payment of such Bonds from legally available funds of the City; providing for the safeguarding of the interests of the owners of said Bonds, and approving and authorizing other actions in respect thereto.

WHEREAS, the City and the County now own, lease, utilize or derive benefit from certain buildings and facilities constituting public improvements, which buildings and facilities are in need of certain renovations, repairs, improvements or demolition as hereinafter described; and

WHEREAS, the City-County Council of the City of Indianapolis, Indiana and of Marion County, Indiana (the "Council") now finds that certain renovations, repairs, improvements and demolition to said buildings and facilities are necessary and serve a public purpose; and that preliminary plans, specifications and estimates have been or will be prepared and filed by the architects and engineers employed by the City or its agent for the construction or completion of said renovations, repairs, improvements or demolition, as more fully described on Exhibit A attached hereto (collectively "Projects"), which preliminary plans and specifications have been or will be approved by all governmental authorities having jurisdiction; and

WHEREAS, the City, in conjunction with the Indianapolis-Marion County Building Authority (the "Building Authority"), as necessary, has obtained or will obtain architects' and engineers' estimates of the costs for the construction or completion of said Projects and will advertise and receive bids for the Projects, which bids will be subject to the City's obtaining funds to pay for said Projects; that on the basis of preliminary architectural and engineering estimates, the cost of the Projects, including costs of issuing the Bonds, capitalized interest on the Bonds during the renovation, repair, improvement or demolition, bond insurance premium, if necessary, and the funding of a debt service reserve account for the Bonds, if necessary; and

WHEREAS, the City finds that there are not sufficient funds available to apply on the cost of the Projects and that the cost of the Projects is to be financed by the issuance of revenue bonds in an aggregate principal amount not to exceed \$37,000,000; and

WHEREAS, the Bonds to be issued pursuant to this Ordinance will be secured by and payable from legally available funds of the City, and are to be issued subject to the provisions of the State of Indiana, including, without limitation, IC 5-1-14 and IC 36-3-4-21, as in effect on the date of delivery of the Bonds (the "Act") authorized herein, and the terms and restrictions of this Ordinance; and

WHEREAS, a notice of a public hearing on the appropriation of the proceeds of the Bonds in an amount not to exceed Thirty-Seven Million Dollars (\$37,000,000), plus or minus any respective original issue premium or discount and investment earnings, to be issued for the purpose of procuring funds to be applied on the cost of the Project, the incidental expenses to be incurred in connection therewith and with the issuance and sale of the Bonds, funding capitalized interest, bond insurance premium, if necessary, and funding a debt service reserve, if necessary, was properly published in two newspapers published in the City and the proofs of publication were presented to the Council and placed in the Council's records; and

WHEREAS, IC 5-1.4 provides that a qualified entity, which term includes the City, may issue and sell its Bonds, in one or more series, to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank"); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Bonds in a negotiated sale with the proceeds of bonds to be issued by the Bond Bank (the "Bond Bank Bonds"), subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the Bonds to be issued under Section 1 of this Ordinance are issued pursuant to authority granted in the Act; and

WHEREAS, the City has obtained, or will obtain, all necessary approvals required by law for the issuance of the Bonds; and

WHEREAS, the Council has determined that it will be in the best interest of the City to sell the Bonds in a negotiated sale to the Bond Bank; and

WHEREAS, all conditions precedent to the adoption of an ordinance authorizing the issuance of said Bonds have been complied with in accordance with the provisions of the Act; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. Issuance of Bonds.

(a) In order to procure funds with which to pay for the cost of the Projects, including the costs of issuance of the Bonds, the Controller is, without further authorization from the Council, authorized to proceed with the issuance of revenue bonds pursuant to and in the manner prescribed by the Act and in this Ordinance.

(b) The City shall issue its bonds, designated "Facility Revenue Bonds of 2024," in one or more series, in a principal amount not to exceed Thirty-Seven Million Dollars (\$37,000,000) for the purpose of procuring funds to: (i) pay the costs of the Projects, (ii) pay the costs of issuing the Bonds, (iii) pay capitalized interest on the Bonds during construction or completion, (iv) pay the cost of bond insurance premium, if necessary, and (v) fund a debt service reserve account for the Bonds, if necessary.

(c) The Bonds shall be sold at a price not less than 97% of the par value thereof, shall be issued in the denomination of Five Thousand Dollars (\$5,000) each or integral multiples thereof, numbered consecutively from 24R-1 upward, dated as of the first day of the month in which they are sold or delivered, or the date of delivery, as determined by the Controller with the advice of the City's financial advisor, and shall bear interest at an initial rate or rates not to exceed eight percent (8.0%) per annum, which interest shall be payable semiannually on January 15 and July 15, commencing on the January 15 or July 15 following the issue date of the Bonds. The Bonds shall mature semiannually or annually, or shall be subject to mandatory sinking fund redemption if term bonds are issued, on January 15 or July 15, each as determined by the Controller with the advice of the City's financial advisor, over a period ending no later than twenty-five (25) years after their date of delivery and in such amounts which will produce as level annual debt service as practicable with \$5,000 denominations.

(d) Interest on the Bonds shall be calculated according to a 360-day calendar year containing twelve 30-day months.

(e) All or a portion of the Bonds may be issued as one or more term bonds, as determined by the Bond Bank. Such term bonds shall have a stated maturity or maturities on January 15 or July 15 in the years as determined by the Bond Bank, but no later than the final serial maturity of the Bonds as established in accordance with the above paragraph (c). The Bonds shall be subject to mandatory sinking fund redemption and final payment(s) at maturity at 100% of the principal amount thereof, plus accrued interest to the redemption date, on dates which correspond to the principal payment dates hereinafter set in accordance with the above paragraph.

(f) The Bonds are redeemable at the option of the City on any date no earlier than eight (8) years after their date of delivery, on thirty (30) days' notice, in whole or in part, in the order of maturity as determined by the City and by lot within a maturity, at par, plus in each case accrued interest to the date fixed for redemption, or as otherwise determined by the Bond Bank in connection with the issuance of its Bond Bank Bonds.

(g) If any Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement and corresponding mandatory redemption obligation, in the order to be determined by the City, any Bonds maturing which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Bond so delivered or canceled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption.

(h) Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of optional and mandatory redemption. If less than an entire maturity is called for redemption, the Bonds to be called shall be selected by lot by the Registrar. If some Bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the Bonds for optional redemption before selecting the Bonds by lot for the mandatory sinking fund redemption.

(i) Notice of such redemption shall be mailed to the registered owner not less than thirty (30) days prior to the date fixed for redemption at the address of the registered owner as shown on the registration record of the City as of the date which is forty-five (45) days prior to said redemption date, unless such redemption notice is waived by the owner of the Bond or Bonds redeemed. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption may be determined by the City. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named. Coincidentally with the payment of the redemption price, the Bonds so called for redemption shall be surrendered for cancellation.

SECTION 2. Registrar and Paying Agent. The Controller is hereby authorized to contract with a qualified institution to serve as Registrar and Paying Agent for the Bonds ("Registrar" or "Paying Agent"). Said Registrar is hereby charged

with the responsibility of authenticating the Bonds. The Controller is hereby authorized to enter into such agreements or understandings with the Registrar on the date of issuance of the Bonds, or at any later date until all the Bonds mature or are redeemed, as will enable the institution to perform the services required of a registrar and paying agent. The Controller is further authorized to pay such fees as the Registrar may charge for the services it provides as Registrar and Paying Agent and such fees may be paid from the Bond and Interest Account, as hereinafter defined in Section 9, to pay the principal of and interest on the Bonds and fiscal agency charges.

If Bonds are sold to a purchaser that does not object to such designation, the Controller may be designated the Registrar and Paying Agent, and in that case, will be charged with the performance of all of the duties and responsibilities of Registrar and Paying Agent.

The principal of the Bonds shall be payable at the principal office of the Paying Agent. All payments of interest on the Bonds shall be paid by check mailed one business day prior to the payment date to the registered owners thereof, as of the fifteenth day of the month preceding such interest payment date ("Record Date"), at the addresses as they appear on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by such registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall be instructed to wire transfer payments by 1:00 p.m. (New York City time) so such payments are received at the depository by 2:30 p.m. (New York City time). All payments on the Bonds shall be made in any lawful money of the United States of America, which on the date of such payment, shall be legal tender for the payment of public and private debts.

Each Bond shall be transferable or exchangeable only upon the books of the City kept for that purpose at the principal office of the Registrar by the registered owner thereof in person, or by its attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the City except for any tax or governmental charge required to be paid with respect to the transfer or exchange, which taxes or governmental charges are payable by the person requesting such transfer or exchange. The City and the Registrar and Paying Agent for the Bonds may treat and consider the person in whose name such Bonds are registered as the absolute owner thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

Interest on such Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date of the Bonds unless the Bonds are authenticated after the Record Date and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless the Bonds are authenticated on or before the Record Date preceding the first interest payment date in which case they shall bear interest from the original date of the Bonds until the principal shall be fully paid.

SECTION 3. Execution; Revenues Available for Debt Service. Each of said Bonds shall be executed in the name of the City by the manual or facsimile signature of the Mayor, attested by the manual or facsimile signature of its Controller and the seal of the City shall be affixed, imprinted or impressed to or on each of said Bonds manually, by facsimile or any other means; and said officials, by the execution of a Signature and No Litigation Certificate, shall adopt as and for their own proper signatures the facsimile signatures appearing on said Bonds. In case any officer whose signature or facsimile signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, the signature of such officer shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery. The Bonds shall also be authenticated by the manual signature of an authorized representative of the Registrar and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed.

Said Bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Indiana, subject to the provisions for registration herein.

The City shall make payment of the principal of, premium, if any, and interest on the bonds from legally available funds of the City. The City shall not be obligated to pay said Bonds or the interest thereon except from such legally available funds. The Bonds shall not constitute an indebtedness of the City within the meaning of the provisions and limitations of the constitution of the State of Indiana.

SECTION 4. Form of Bonds. The form and tenor of said Bonds shall be substantially as follows, all blanks to be filled in properly prior to delivery thereof:

December 4, 2023

STATE OF INDIANA
COUNTY OF MARION

UNITED STATES OF AMERICA

NO: 24R-1

CITY OF INDIANAPOLIS, INDIANA
FACILITY REVENUE BONDS OF 2024

<u>Original Date</u> <u>Rate</u>	<u>Maturity Date</u>	<u>Authentication Date</u>	<u>Interest</u>
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[____], 2024	[____], 20__	[____], 2024	
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REGISTERED OWNER: [_____]

PRINCIPAL AMOUNT: [_____] MILLION DOLLARS (\$ [_____])

The City of Indianapolis ("City"), in Marion County, State of Indiana, for value received, hereby promises to pay to the Registered Owner named above ("Registered Owner") or registered assigns, the Principal Sum set forth above, or so much thereof as may be advanced from time to time and be outstanding as evidenced by the records of the registered owner making payment for this Bond, or its assigns on the Maturity Date set forth above (unless this Bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon until the Principal Sum shall be fully paid at the Interest Rate per annum specified above, from the interest payment date to which interest has been paid next preceding the Authentication Date of this Bond unless this Bond is authenticated after the first day of the month preceding an interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date, or unless this Bond is authenticated on or before [_____]15, 202_. (January 15 or July 15 next succeeding date of issuance), in which case it shall bear interest from the Original Date, which interest is payable semiannually on January 15 and July 15, beginning [_____] 15, 202_ (January 15 or July 15 next succeeding date of issuance). Interest shall be calculated according to a 360-day calendar year containing twelve 30-day months. The principal of this Bond is payable at the principal office of [_____] ("Registrar" or "Paying Agent"), in the City of Indianapolis, Indiana. All payments of interest on the Bond shall be paid by check mailed on the business day prior to the interest payment date to the registered owner hereof, as of the first day of the month preceding an interest payment date, at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the registered owner. If payment of principal or interest is made to a depository, payment shall be made by wire transfer on the payment date in same-day funds. If the payment date occurs on a date when financial institutions are not open for business, the wire transfer shall be made on the next succeeding business day. The Paying Agent shall wire transfer payments by 1:00 p.m. (New York City time). All payments on the Bond shall be made in any lawful money of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

THIS BOND, TOGETHER WITH THE INTEREST HEREON, SHALL BE PAYABLE FROM LEGALLY AVAILABLE FUNDS OF THE CITY, AND NEITHER THIS BOND NOR THE ISSUE OF WHICH IT IS A PART SHALL IN ANY WAY OR RESPECT CONSTITUTE A CORPORATE INDEBTEDNESS OF THE CITY WITHIN THE PROVISIONS AND LIMITATIONS OF THE CONSTITUTION OF THE STATE OF INDIANA.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this Bond have been done and performed in regular and due form as provided by law.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the City of Indianapolis, in Marion County, Indiana, has caused this Bond to be executed in its corporate name by the manual or facsimile signature of the Mayor and its

corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by its Controller.

CITY OF INDIANAPOLIS, INDIANA

By: _____

Mayor

[SEAL]

Attest: _____
Controller

REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned ordinance.

Date of Authentication: _____

_____, as Registrar

By: _____
Authorized Representative

This Bond is one of an authorized issue of Bonds of the City of Indianapolis, Indiana, of like date, tenor and effect, except as to rates of interest and dates of maturity; with an aggregate principal amount of [_____] Million Dollars (\$[_____]); numbered consecutively from 24R-1 up. This Bond is issued pursuant to an ordinance adopted by the City-County Council of said City on [December 4], 2023, entitled "A SPECIAL ORDINANCE of the City of Indianapolis, Indiana authorizing the issuance of one or more series of its revenue bonds of the City, the pledge of revenues sufficient to pay the debt service on such bonds; providing for the safeguarding of the interests of the owners of said bonds, other matters connected therewith, including the issuance of notes in anticipation of bonds, and repealing ordinances inconsistent herewith ("Ordinance"), and in accordance with the provisions of Indiana law, including without limitation Indiana Code 5-1-14 and 36-3-4-21, each as in effect on the date of delivery of the Bonds (collectively, the "Act").

Pursuant to the provisions of said Act and said ordinance, the principal of and interest on this Bond are payable solely from the Revenue Fund ("Revenue Fund") created by the ordinance to be provided from the legally available funds of the City. In the event there is a default in the payment of the interest on or principal of this Bond, the owner of this Bond shall have all of the rights and remedies provided for under Indiana law.

The City further covenants that it will set aside and pay into its Revenue Fund legally available funds in a sufficient amount for payment of: (a) the interest on all Bonds, as such interest shall fall due; (b) the necessary fiscal agency charges for paying Bonds and interest; (c) the principal of all Bonds, as such principal shall fall due; and (d) an additional amount as a margin of safety to create and maintain the debt service reserve account required by this Ordinance.

This Bond is transferable or exchangeable only upon the books of the City kept for that purpose at the office of the Registrar, by the registered owner hereof in person, or by its attorney duly authorized in writing, upon surrender of this Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner, or its attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in an authorized aggregate principal amount and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or to the registered owner, as the case may be, in exchange therefor. This Bond may be transferred or exchanged without cost to the registered owner except for any tax or governmental charge required with respect to the transfer. The City, the Registrar and any paying agent for this Bond may treat and

December 4, 2023

consider the person in whose name this Bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

[The Bonds of this issue maturing on or after [] 15, 20, are redeemable at the option of the City on [] 15, 20, or any date thereafter, on thirty (30) days' notice, in whole or in part, in the order of maturity as determined by the City and by lot within a maturity, at a redemption price of par plus accrued interest to the redemption date without premium.]

[The Bonds are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount thereof plus accrued interest, in the years and amounts set forth below:]

Year

Amount

*	

* Final Maturity

Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of optional [and mandatory] redemption. If less than an entire maturity is called for redemption, the Bonds to be redeemed shall be selected by lot by the Registrar. [If some Bonds are to be redeemed by optional redemption and mandatory sinking fund redemption on the same date, the Registrar shall select by lot the Bonds for optional redemption before selecting the Bonds by lot for the mandatory sinking fund redemption.]

Notice of such redemption shall be mailed to the address of the registered owner as shown on the registration record of the City, as of the date which is forty-five (45) days prior to such redemption date, not less than thirty (30) days prior to the date fixed for redemption. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption may be determined by the City. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the date so named.

If this Bond shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with its depository bank an amount sufficient to pay such Bond or the redemption price, as the case may be, and thereafter the registered owner shall look only to the funds so deposited in trust with said bank for payment and the City shall have no further obligation or liability in respect thereto.

THE OWNER OF THIS BOND, BY THE ACCEPTANCE HEREOF, HEREBY AGREES TO ALL THE TERMS AND PROVISIONS CONTAINED IN THE ORDINANCE. This Bond is subject to defeasance prior to redemption or payment as provided in the ordinance. The ordinance may be amended without the consent of the owners of the Bonds as provided in the ordinance if the City-County Council determines in its sole discretion, that the amendment shall not adversely affect the rights of any of the owners of the Bonds.

The Bonds maturing in any one year are issuable only in fully registered form in the denomination of Five Thousand Dollar (\$5,000) integral multiples thereof not exceeding the aggregate principal amount of the Bonds maturing in such year.

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sell, assigns, and transfers unto [] the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints [] to transfer the within bond in the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

[END OF BOND FORM]

SECTION 5. Authorization for Preparation and Delivery of the Bonds.

(a) The Controller is hereby authorized and directed to have said Bonds prepared, and the Mayor and Controller are hereby authorized and directed to execute and attest said Bonds in the form and manner herein provided.

(b) The Controller is hereby authorized and directed to deliver the Bonds to the Bond Bank on the closing date, subject to the terms and provisions of the Purchase Agreement (as defined herein) and this Ordinance.

(c) The Bonds herein authorized and delivered to the purchaser shall be the binding revenue obligations of the City, payable out of legally available funds of the City, to be set aside in the Revenue Fund as herein provided. The proper officers of the City are hereby directed to draw all proper and necessary warrants, and to do whatever acts and things which may be necessary to carry out the provisions of this Ordinance.

SECTION 6. Bond Sale. The Controller is hereby authorized and directed to sell the Bonds of each series with terms consistent with this Ordinance by negotiated sale to the Bond Bank in accordance with a qualified entity purchase agreement between the City and the Bond Bank providing for the sale of the Bonds of each series to the Bond Bank ("Purchase Agreement") upon terms consistent with this Ordinance.

The Mayor and the Controller are hereby authorized to execute and deliver the Purchase Agreement with the Bond Bank provided that the terms of such Purchase Agreement are in conformance with the terms of this Ordinance.

The Bonds of each series shall be delivered by the Controller to the Bond Bank, provided that the price for such Bonds, which shall not be less than 97% of the par value, is paid for such Bonds to the Controller, and the Bond Bank delivers an Investment letter acceptable to the City and its attorneys.

Prior to the delivery of the Bonds of each series, the Controller shall obtain a legal opinion as to the validity of the Bonds from Ice Miller LLP of Indianapolis, Indiana, bond counsel, and shall furnish such opinion and a customary reliance letter to the Bond Bank. The cost of such opinion shall be considered as part of the costs incidental to these proceedings and shall be paid out of proceeds of the Bonds.

SECTION 7. Financial Records and Accounts; Continuing Disclosure. The City shall keep proper books of records and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all deposits and withdrawals to the funds and accounts created hereunder. Copies of all such statements shall be kept on file in the office of the Controller. The substantially final form of Continuing Disclosure Undertaking Agreement (the "Agreement") is hereby approved by the Council and the Mayor and the Controller are hereby authorized and directed to complete and execute the same on behalf of the City. Notwithstanding any other provision of this Ordinance, failure of the City to comply with the Agreement shall not be considered an event of default under the Bonds or this Ordinance.

SECTION 8. Project Fund. There is hereby created the Project Fund into which there shall be deposited all net proceeds received from the sale of the Bonds, excluding any amount required to satisfy the Reserve Requirement (as defined herein), if necessary, which shall be deposited into the Debt Service Reserve Account of the Revenue Fund. Moneys in the Project Fund shall be deposited and invested in a bank or banks which are legally designated and qualified depositories for the funds of the City. Moneys in the Project Fund shall be deposited, secured and held or invested in accordance with the laws of the State of Indiana relating to the depositing, securing and holding or investing of public funds, including particularly, IC 5-13, as amended and supplemented. Moneys in the Project Fund and any income derived from the investment hereof shall be expended only for the purpose of paying the cost of the Projects and the incidental expenses incurred in connection therewith and with the issuance of Bonds. Proceeds of the Bonds will be drawn and disbursed in accordance with this Ordinance.

Any balance or balances remaining unexpended in the Project Fund after the completion of the Projects, which are not required to meet unpaid obligations incurred in connection with the construction of the Projects, shall either: (i) be deposited in the Revenue Fund and used solely for the purposes of the Revenue Fund; or (ii) be used for the same purpose or type of project for which the Bonds were issued, all in accordance with IC 5-1-13, as amended.

SECTION 9. Revenue Fund. There is hereby created the Revenue Fund (the "Revenue Fund") into which the City shall deposit from time to time such amounts as shall be necessary to pay, when due, the principal of, premium, if any, and interest on the Bonds, and any fiscal agency charges in connection with the payment of bonds and interest thereon. There shall be set aside and deposited into the Revenue Fund, as available, an amount of the legally available funds of the City sufficient to meet the requirements of the Bond and Interest Account and the Debt Service Reserve Account, if necessary, created in the Revenue Fund. Upon deposit by the City, such legally available funds shall be credited to the Bond and

Interest Account solely to pay the principal of, premium, if any, and interest on the Bonds due and payable within the next thirteen calendar months and, to the extent required hereby, to the Debt Service Reserve Account, if necessary.

Bond and Interest Account. There is hereby created, within the Revenue Fund, the Bond and Interest Account. There shall be credited on the fourteenth (14th) day of each calendar month, or on such other day as shall be necessary or desirable as indicated by the Bond Bank, to the Bond and Interest Account an amount equal to the sum of one-twelfth (1/12) of the principal and one-sixth (1/6) of the interest on all then outstanding Bonds on the next succeeding principal and interest payment dates, until the amount so credited shall equal the interest and principal payable on the next succeeding principal and interest payment dates, respectively.

Debt Service Reserve Account. If it is determined to be necessary by the City, upon the advice and certification by its financial advisor, there shall be created within the Revenue Fund, the Debt Service Reserve Account. If such Debt Service Reserve Account is created, the City shall deposit on the date of delivery of the Bonds funds, a debt service reserve surety bond, available monies, proceeds of the Bonds, or a combination thereof, into the Debt Service Reserve Account until the balance therein equals but does not exceed the least of: (i) maximum annual principal and interest requirements of the Bonds; (ii) 125% of average annual debt service on the Bonds; or (iii) 10% of the proceeds of the Bonds ("Reserve Requirement").

If the Debt Service Reserve Account is created pursuant to this Ordinance, the Debt Service Reserve Account shall constitute the margin for safety and a protection against default in the payment of principal of and interest on said Bonds, and the moneys in the Debt Service Reserve Account shall be used to pay current principal and interest on the Bonds, to the extent that moneys in the Bond and Interest Account are insufficient for that purpose. Any deficiency in balance maintained in the Debt Service Reserve Account shall be promptly made up from legally available funds of the City after the required deposits are made to the Bond and Interest Account. Moneys maintained in the Debt Service Reserve Account in excess of the Reserve Requirement shall be used for redemption of then outstanding Bonds. In the event the financial advisor to the City certifies to the City that it would be economically advantageous for the City to acquire a debt service reserve surety bond to satisfy the Reserve Requirement, the City hereby authorizes and directs the Mayor and the Controller to obtain such a surety bond. If such a surety bond is purchased, the Mayor and the Controller are hereby authorized to execute and deliver all agreements with the provider of the surety bond to the extent necessary to comply with the terms of such surety bond and the commitment to issue the surety bonds.

Without further action or approval by the Council, the City may rely upon the certification by its financial advisor that creating and funding the Debt Service Reserve Account is reasonably required and that the Reserve Requirement is no larger than necessary to market the Bonds.

There shall similarly be credited to the account any amount necessary to pay the fiscal agency charges for paying principal and interest on outstanding bonds as the same become payable. The City shall, from the sums deposited in the Revenue Fund and credited to the Bond and Interest Account, remit promptly to the registered owner or to the fiscal agency sufficient moneys to pay the interest and principal on the due dates thereof together with the amount of fiscal agency charges.

SECTION 10. Investment of Funds. The Revenue Fund shall be maintained as a separate account or accounts from all other accounts of the City. All moneys deposited in the account shall be deposited, held and secured as public funds in accordance with the public depository laws of the State of Indiana provided that moneys therein may be invested in obligations in accordance with the applicable laws, including particularly IC 5-13, as amended or supplemented, and in the event of such investment, the income therefrom shall become a part of the funds invested and shall be used only as provided in this Ordinance. Such account or accounts may be established and held by the Bond Bank for the benefit of the City.

SECTION 11. Defeasance of the Bonds. If, when the Bonds issued hereunder or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds or any portion thereof then outstanding shall be paid; or (i) sufficient moneys or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds issued hereunder or any designated portion thereof shall no longer be deemed outstanding.

SECTION 12. Further Covenants of the City; Maintenance, Insurance and Contract with Bondholders. For the purpose of further safeguarding the interests of the owners of the Bond, it is hereby specifically provided as follows:

(a) All contracts let by the City in connection with the construction of the Projects shall be let after due advertisement as required by the laws of the State of Indiana, and all contractors shall be required to furnish surety bonds in an amount equal to 100% of the amount of such contracts, to insure the completion of said contracts in accordance with their terms, and such contractors shall also be required to carry such employers' liability and public liability insurance as are required under the laws of the State of Indiana in the case of public contracts, and shall be governed in all respects by the laws of the State of Indiana relating to public contracts.

(b) The Projects shall be constructed under plans and specifications approved by competent architects and engineers designated by the City. All estimates for work done or material furnished shall first be checked by the architect or engineer and approved by the City prior to payment therefor.

(c) So long as any of the Bonds herein authorized are outstanding, the City shall maintain, or cause to be maintained, insurance on the insurable parts of the Projects, of a kind and in an amount such as is usually carried by private corporations engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana, and insurance proceeds shall be used either in replacing or restoring the property destroyed or damaged, or shall be deposited in the Revenue Fund.

(d) The provisions of this Ordinance shall constitute a contract by and between the City and the owners of the Bonds herein authorized and after the issuance of the Bonds, this Ordinance shall not be repealed or amended in any respect which will adversely affect the rights of the owners of the Bonds, nor shall the Council adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of the Bonds, or the interest thereon, remain unpaid. Except in the case of changes described in Section 14(a)-(d), this Ordinance may be amended, however, without the consent of owners of the Bonds, if the Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the Bonds.

(e) The provisions of this Ordinance shall be construed to create a trust in the proceeds of the sale of the Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this Ordinance and of said governing Act. The provisions of this Ordinance shall also be construed to create a trust in moneys directed to be set apart and paid into the Revenue Fund for the uses and purposes of that fund as in this Ordinance set forth.

SECTION 13. Tax Covenants. In order to preserve the excludability of interest on the Bonds from gross income, under the Internal Revenue Code of 1986, as in effect on the date of delivery of the Bonds (the "Code"), and as an inducement to the purchasers of the Bonds, the City represents, covenants and agrees:

(a) The Projects will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity other than the City or another state or local governmental unit will use more than 10% of the proceeds of the Bonds or property financed by the Bond proceeds other than as a member of the general public. No person or entity other than the City or another state or local governmental unit will own property financed by the Bond proceeds or will have any actual or beneficial use of such property pursuant to a lease, management, service or incentive payment contract, an arrangement including take-or-pay or other type of output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person's or entity's use of such property from use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the Bonds, as the case may be. If the City enters into a management contract for all or a portion of the Projects, the terms of the contract will comply with the Regulations and IRS Revenue Procedure 97-13, as amended, supplemented or superseded from time to time, so that the contract will not give rise to private business use under the Code and the Regulations unless such use in the aggregate will not relate to more than 10% of the proceeds of the Bonds, as the case may be.

(b) No more than 10% of the principal of or interest on the Bonds is (under the terms of the Bonds, this Ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for private business use or payments in respect of such property, or to be derived from payments (whether or not to the City) in respect of such property or borrowed money used or to be used for a private business use.

(c) No more than 5% of the Bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than 5% of the Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.

(d) The City reasonably expects, as of the date hereof, that the Bonds will not meet either the private business use test described in paragraphs (a) and (b) above or the private loan test described in paragraph (c) above during the entire term of the Bonds.

(e) No more than 5% of the proceeds of the Bonds will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(f) The City will not take any action nor fail to take any action with respect to the Bonds that would result in the loss of excludability from gross income for federal tax purposes of interest on the Bonds pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion, and it will not make any investment or do any other act or thing during the period that the Bonds are outstanding which would cause the Bonds to be private activity bonds under the meaning of Section 141 of the Code.

(g) It shall not be an event of default under this Ordinance if the interest on any Bonds is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds.

SECTION 14. Amendments with Consent of Bondholders. Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds issued pursuant to this Ordinance and then outstanding shall have the right from time to time, anything contained in this Ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Council of such ordinance or ordinances supplemental hereto or amendatory hereof, as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of, mandatory sinking fund redemption dates, if any, or interest on any Bond issued pursuant to this Ordinance; or

(b) A reduction in the principal amount of any Bond or the redemption premium or the rate of interest thereon; or

(c) A preference or priority of any Bond or Bonds issued pursuant to this Ordinance over any other Bond or Bonds issued pursuant to the provisions of this Ordinance; or

(d) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance.

In the event that the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Controller, no owner of any Bond issued pursuant to this Ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Council from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the City and all owners of Bonds then outstanding, shall thereafter be determined, exercised and enforced in accordance with this Ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the City and of the owners of the Bonds authorized by this Ordinance, and the terms and provisions of the Bonds and this Ordinance, or any supplemental or amendatory ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the Bonds then outstanding.

SECTION 15. Compliance with Tax Covenants. Notwithstanding any other provisions of this Ordinance, the covenants and authorizations contained in this Ordinance ("Tax Sections") which are designed to preserve the excludability of interest on the Bonds from gross income under federal tax law ("Tax Exemption") need not be complied with if the City receives an opinion of bond counsel that any Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 16. Additional Appropriation; Appropriation for Reserve Fund.

(a) The Council hereby makes an appropriation in an amount not to exceed Thirty-Seven Million Dollars (\$37,000,000), plus or minus any respective original issue premium or discount and any investment earnings thereon, to be applied to the payment of the costs of the Projects, including the costs of issuance of the Bonds, capitalized interest thereon, bond insurance premium, if necessary, and the funding of the Debt Service Reserve Account, if necessary, all as more particularly described in this Ordinance; and that the funds to meet this appropriation be provided out of the proceeds of the Bonds (to include any original issue premium or discount and any investment earnings thereon). This appropriation is in addition to all other appropriations provided for in the approved and existing budget of the City for the fiscal year ending December 31, 2024. The Controller is hereby authorized and directed to provide information to the Department of Local Government Finance concerning this appropriation.

(b) Further, the Council hereby makes an appropriation in an amount not to exceed Three Million Dollars (\$3,000,000), to fund of the Debt Service Reserve Account, if necessary, all as more particularly described in this Ordinance; and that the funds to meet this appropriation be provided from the Consolidated County General Fund and the Revenue Bond Fund, together in an amount to satisfy the Reserve Requirement. This appropriation is in addition to all other appropriations provided for in the approved and existing budget of the City for the fiscal year ending December 31, 2024. The Controller is hereby authorized and directed to provide information to the Department of Local Government Finance concerning this appropriation.

(c) The City and the Bond Bank have agreed that the Bond Bank shall purchase the Bonds. In order to provide the Bond Bank with funds with which to purchase the Bonds from the City, the Bond Bank will issue its bonds, which bonds may be secured by a debt service reserve fund as authorized by IC 5-1.4-5-1.

(d) The Council hereby acknowledges that the Bond Bank Bonds may be supported by a debt service reserve fund established by the Bond Bank that will be subject to the provisions of Indiana Code 5-1.4-5, as amended.

(e) If the Bond Bank determines that its bonds will be secured by a debt service reserve fund, in order to assure the maintenance of the required debt service reserve created by the Bond Bank in the aforementioned reserve fund, the Council may annually appropriate to the Bond Bank for deposit in such reserve fund the sum, certified by the chairperson of the Board of the Bond Bank to the Council, that is necessary to restore such reserve fund to an amount equal to the required debt service reserve. The chairperson of the Board of the Bond Bank, shall, within 90 days of a determination of a deficiency or by December 1 of each year, whichever is earlier, make and deliver to the Council a certificate stating the sum required to restore the funds to that amount. Nothing contained herein shall create debt or liability of the City to make any appropriation.

(f) All amounts received on account of money appropriated by the Council to such reserve fund shall be held and applied in accordance with IC 5-1.4-5-1(b). However, at the end of each fiscal year, if the amount in such reserve fund exceeds the required debt service reserve, any amount representing earnings or income received on account of any money appropriated to the reserve fund that exceeds the expenses of the Bond Bank for that fiscal year may be transferred to the general fund of the City.

SECTION 17. Conflicting Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 18. Headings. The headings or titles of the several sections shall be solely for convenience of reference and shall not affect the meaning, construction or effect of this Ordinance.

SECTION 19. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 299-300, 314, 315, and 329-333, 2023 on November 20, 2023. She asked for consent to vote on Proposal Nos. 299 and 300, 2023 together. Consent was given.

PROPOSAL NO. 299, 2023. The proposal, sponsored by Councillor Osili, approves a declaratory resolution and redevelopment plan of the Metropolitan Development Commission establishing the Alabama Street Redevelopment Project Area and Alabama Street Allocation Area and removes the territory from the Consolidated/Harding Street Redevelopment Project and Allocation Areas.

PROPOSAL NO. 300, 2023. The proposal, sponsored by Councillor Osili, authorizes the issuance of taxable economic development tax increment revenue bonds for TWG Development, LLC in a maximum aggregate principle amount not to exceed \$18,000,000 for the purpose of financing, reimbursing, or refinancing the costs of acquisition, construction, renovation, installation, and equipping a mixed-use 32-floor tower that will include approximately 190 new multi-family residential units, a hotel with approximately 150 keys which may include a curated art venue open to the public, 24 condominium units, 8,000 square feet of curated retail and hospitality space, and approximately 300 spaces of structured parking, located at 222 and 202 North Alabama Street, known as the TWG Development Old City Hall Project, and approves and authorizes other actions in respect thereto (District 11). By 12-0 votes, the committee reported the proposals to the full Council with the recommendation that they do pass.

Councillor E. Evans asked how much of the project will be affordable housing. Chase Smith, TWG Development, stated that 5% of the development will be allotted for affordable housing for 99 years, and the balance of the project will be at market rate.

Councillor Lewis moved, seconded by Councillor Carlino for adoption. Proposal Nos. 299 and 300, 2023 were adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 299, 2023 was retitled GENERAL RESOLUTION NO. 36, 2023, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 36, 2023

A GENERAL RESOLUTION of the City-County Council of the City of Indianapolis and of Marion County, Indiana, approving a Declaratory Resolution and Redevelopment Plan of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana.

WHEREAS, on October 4, 2023, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), being the governing body of the Redevelopment District, adopted a declaratory resolution (the "Declaratory Resolution") initially approving a Redevelopment Plan (the "Plan") for the Alabama Street Redevelopment Project Area (the "Area") and declaring that the Area is an area in need of redevelopment and subject to redevelopment activities pursuant to Indiana Code 36-7-15.1, as amended (the "Act"); and

WHEREAS, the Area includes a tax increment allocation area designated as the Alabama Street Allocation Area (the "Allocation Area"), as more particularly described in the Declaratory Resolution and the Plan; and

WHEREAS, in establishing the Area and Allocation Area, the Declaratory Resolution removed the territory within the Area from the Consolidated/Harding Street Redevelopment Project Area (the "Consolidated Area") and Consolidated Redevelopment Project Allocation Area (Market Street Expansion Area) (the "Consolidated Allocation Area") so that the Area and Allocation Area could be established as a new redevelopment area and allocation area; and

WHEREAS, the Declaratory Resolution amended the declaratory resolutions and confirmatory resolutions related to the Consolidated Area and Consolidated Allocation Area, as well as the Redevelopment Plan therefor to reflect such removal; and

WHEREAS, the Act requires approval of the Declaratory Resolution and the Plan by the City-County Council; and

WHEREAS, the Declaratory Resolution and the Plan have been submitted to this City-County Council; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Declaratory Resolution and the Plan for the Area are in all respects approved, ratified and confirmed by the City-County Council.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

Proposal No. 300, 2023 was retitled SPECIAL ORDINANCE NO. 19, 2023, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 19, 2023

A SPECIAL ORDINANCE of the City-County Council of the City of Indianapolis, Indiana authorizing the issuance of one or more series of its City of Indianapolis, Indiana Taxable Economic Development Tax Increment Revenue Bonds, Series 202__ (TWG Development Old City Hall Project) (to be completed with the year in which issued and such further series or other designation as determined to be necessary), in a maximum aggregate principal amount not to exceed \$18,000,000, and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code 36-7-11.9 and 12 (collectively, the “Act”) declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

WHEREAS, pursuant to the Act, the City of Indianapolis, Indiana (the “City”) is authorized to issue revenue bonds for the purpose of financing, reimbursing or refinancing the costs of acquisition, construction, renovation, installation and equipping of economic development facilities in order to foster diversification of economic development and creation or retention of opportunities for gainful employment in or near the City; and

WHEREAS, TWG Development, LLC, or a subsidiary or affiliate thereof (“TWG”), has informed the City that it will be constructing a project consisting of a mixed-use, 32-floor tower that will include (i) approximately 190 new multi-family residential units occupying approximately 13 floors, (ii) a hotel occupying approximately 8 floors with approximately 150 keys that may be inclusive of a curated art venue open to the general public, (iii) approximately 24 condominium units occupying approximately 4 floors, (iv) approximately 8,000 square feet of curated retail and hospitality space occupying the ground floor and (v) structured parking creating approximately 300 spaces and occupying approximately 4 floors (collectively, the “Project”); and

WHEREAS, the Project will be located at 222 North Alabama Street and 202 North Alabama Street in the Alabama Street Allocation Area (the “Allocation Area”) as will be established by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City, prior to the issuance of the bonds herein authorized; and

WHEREAS, TWG has advised the Indianapolis Economic Development Commission (the “Commission”) and the City concerning the Project, and has requested that the City issue one or more series of its Taxable Economic Development Tax Increment Revenue Bonds, Series 202__ (TWG Development Old City Hall Project) (to be completed with the year in which issued and such further series or other designation as determined to be necessary), in an aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000) (the “Bonds”) under the Act and loan the proceeds of the Bonds to TWG for the purpose of financing a portion of the costs of the Project, including costs of issuance of the Bonds and, if necessary, funding capitalized interest and a reserve for the Bonds; and

WHEREAS, the Commission has rendered its report regarding the proposed financing of economic development facilities for TWG for its Project and the Metropolitan Development Commission of Marion County, Indiana, has been given an opportunity to comment thereon; and

WHEREAS, the Commission has heretofore conducted a public hearing in accordance with Indiana Code 36-7-12-24 and adopted its resolution subsequent thereto finding that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the City; and

WHEREAS, the Commission has heretofore approved and recommended the adoption of this form of ordinance by this City-County Council, has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the City-County Council, the Financing Documents (as hereinafter defined); and

WHEREAS, pursuant to and in accordance with the Act, the City desires to loan funds necessary to finance a portion of the Project by issuing the Bonds and loaning the proceeds thereof to TWG; and

WHEREAS, the Act provides that such Bonds may be secured by a trust indenture between an issuer and a corporate trustee; and

WHEREAS, the City intends to issue the Bonds consistent with the terms of this Ordinance and pursuant to a Trust Indenture for the Bonds, to be dated as of the first day of the month in which the Bonds are sold or delivered (or such other date or dates as the officers of the City may hereafter approve) (the "Indenture"), by and between the City and a corporate trustee to be selected by the City (the "Trustee"), in order to obtain funds necessary to loan to TWG to provide for the financing of a portion of the Project, including capitalized interest, a debt service reserve, if necessary, and costs of issuance, in accordance with the terms of a Loan Agreement for the Bonds, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date or dates as the officers of the City may hereafter approve) (the "Loan Agreement"), by and between the City and TWG; and

WHEREAS, pursuant to the Loan Agreement, TWG will make certain representations, warranties and commitments with respect to the Project which will permit the City to derive incremental real property tax revenues from the Project within the Allocation Area (the "TIF Revenues") which will be sufficient to pay principal of and interest on the Bonds, and to pay administrative expenses in connection with the Bonds, as further described herein; and

WHEREAS, in connection with the issuance of the Bonds, TWG or its designee will (i) either purchase the Bonds or provide sufficient guaranties, including any taxpayer agreements, to enable the purchase of such Bonds by a third party purchaser and (ii) provide certain representations and covenants in respect of the disbursement of proceeds of the Bonds for costs of the Project; and

WHEREAS, no member of the City-County Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the City-County Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16; and

WHEREAS, there has been submitted to the Commission for its approval forms of the Indenture, the Bonds and the Loan Agreement (collectively, the "Financing Documents"), and a form of this proposed Ordinance, which were incorporated by reference in the Commission's Resolution adopted on October 18, 2023, which Resolution has been transmitted to the City-County Council; and

WHEREAS, prior to the issuance of the Bonds, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City, will adopt a resolution pledging the lesser of eighty percent (80%) of the TIF Revenues or the amount of the debt service due on the Bonds in such year and considering any prior year shortfalls to the payment of interest on and principal of the Bonds, as more particularly described in such resolution (the "Pledge Resolution"); and

WHEREAS, based upon the resolution adopted by the Commission pertaining to the Project, the City-County Council hereby finds and determines that the financing approved by the Commission for the Project will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to finance a portion of the costs of the Project will require the issuance, sale and delivery of one or more series of economic development tax increment revenue bonds in an aggregate combined principal amount not to exceed \$18,000,000; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. It is hereby found, determined, ratified and confirmed that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the use of the net proceeds thereof to finance a portion of the Project (i) will result in the diversification of industry, the creation or retention of business opportunities and the creation or retention of opportunities for gainful employment within the jurisdiction of the City, (ii) will serve a public purpose, and will be of benefit to the health and general welfare of the City, (iii) complies with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the diversification of industry, the creation or retention of business opportunities, and the creation or retention of opportunities for gainful employment within the

jurisdiction of the City, and (iv) will not have a material adverse competitive effect on any similar facilities already constructed or operating in or near the City.

SECTION 2. The forms of the Financing Documents presented herewith are hereby approved and all such documents shall be kept on file by the Clerk of the City-County Council or City Controller. In compliance with Indiana Code 36-1-5-4, two (2) copies of the Financing Documents are on file in the office of the Clerk of the City-County Council for public inspection.

SECTION 3. The City shall issue its Bonds in one or more series, in the maximum aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000), with a maximum term not to exceed twenty-five (25) years and with a maximum interest rate not to exceed eight percent (8.0%) per annum, for the purpose of procuring funds to finance a portion of the Project. The Bonds will be payable as to principal and interest solely from eighty percent (80%) of the TIF Revenues as more particularly provided in the Pledge Resolution, upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance. The Bonds may be further secured by a debt service reserve fund as may be provided under the Financing Documents and payments under one or more taxpayer agreement. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City.

SECTION 4. The Mayor and City Controller are authorized and directed to sell the Bonds to the purchaser or purchasers thereof at a price not less than 98.5% of the aggregate principal amount thereof plus accrued interest, if any, at a rate of interest not to exceed eight percent (8.0%) per annum, and with a final maturity no later than twenty-five (25) years from the date of issuance the Bonds. A bond purchase agreement in form and substance acceptable to the Mayor and the Controller for the Bonds (the "Purchase Agreement") should be, and hereby is, approved, and the Mayor and the Controller are hereby authorized and directed to execute and deliver the Purchase Agreement, if necessary, in form and substance acceptable to them and consistent with the terms and conditions set forth in this Ordinance. If necessary or desirable in connection with the sale of the Bonds, the Mayor, the Controller and any other officer of the City are authorized to enter into a continuing disclosure undertaking agreement, in compliance with Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule"), which will be in such a form as may be deemed necessary, appropriate or desirable by the Mayor, the Controller and any other officer of the City, with such to be conclusively evidenced by their execution thereof.

SECTION 5. The Mayor, the Controller and any other officer of the City are authorized and directed to execute the Financing Documents, such other documents approved or authorized herein and any other document which may be necessary, appropriate or desirable to consummate the transaction contemplated by the Financing Documents and this Ordinance, including any taxpayer agreements, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor, the Controller and any other officer of the City on the Bonds which may be necessary or desirable to consummate the transactions, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor, the Controller and any other officer of the City on the Bonds may be facsimile signatures. The Mayor, the Controller and any other officer of the City are authorized to arrange for the delivery of such Bonds to the purchasers, payment for which will be made in the manner set forth in the respective Financing Documents. The Mayor, the Controller and any other officer of the City may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in those Financing Documents which do not require the signature of the Mayor, the Controller or any other officer of the City without further approval of this City-County Council or the Commission if such changes do not affect terms set forth in Sections 27(a)(1) through and including (a)(10) of the Act.

SECTION 6. The provisions of this Ordinance and the Financing Documents shall constitute a contract binding between the City and the holder or holders of the Bonds and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 7. Subject to the provisions of Sections 5 and 15 of this Ordinance, if necessary or desirable, a Preliminary Official Statement, or other form of offering document of the City, relating to the Bonds (the "Preliminary Official Statement"), in a form or forms acceptable to the Mayor, is hereby (a) authorized and approved, together with such changes in form and substance as may be deemed necessary or appropriate by the Mayor pursuant to Sections 5 and 15 of this Ordinance, (b) authorized and approved, as the same may be appropriately confirmed, modified and amended pursuant hereto, for distribution as the Preliminary Official Statement of the City for the Bonds, (c) authorized to be deemed and determined by the Mayor on behalf of the City, as of its date, to constitute the "final" official statement of the City with respect to the Bonds to be offered thereby, subject to completion as permitted by and otherwise pursuant to the provisions of the SEC Rule, as and to the extent applicable, and (d) authorized and approved, consistent with the provisions of any bond purchase agreement and the SEC Rule, as and to the extent applicable, to be placed into final form and distributed and delivered to purchasers and potential purchasers of the Bonds offered thereby as the final official statement of the City, as of the date thereof, with respect to the Bonds.

SECTION 8. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this ordinance, the Financing Documents or under any judgment obtained against the City, including without limitation the Commission, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Financing Documents, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City, including without limitation the Commission, either directly or through the City, or otherwise, for the payment for or to the City or any receiver thereof or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may remain due and unpaid by the City upon any of such Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Financing Documents and the issuance, sale and delivery of the Bonds.

SECTION 9. If any section, paragraph or provision of this Ordinance 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 Ordinance.

SECTION 10. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 11. It is hereby determined that all formal actions of the City-County Council relating to the adoption of this Ordinance were taken in one or more open meetings of the City-County Council, that all deliberations of the City-County Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5, as amended.

SECTION 12. The Mayor, the Controller, the Clerk and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute and deliver such further documents and to take such further actions as such person deems necessary or desirable to effect the purposes of this Ordinance, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved.

SECTION 13. This Ordinance shall be in full force and effect upon compliance with Indiana Code 36-3-4-14.

PROPOSAL NO. 314, 2023. The proposal, sponsored by Councillor Adamson, designates Ontario Street between St. Clair Street to the north and E. Walnut Street to the south as Tom Jones Memorial Way. By a 12-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 314, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 314, 2023 was retitled GENERAL RESOLUTION NO. 37, 2023, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 37, 2023

A GENERAL RESOLUTION designating Ontario St. between St. Clair Street to the north and E. Walnut Street to the south as Tom Jones Memorial Way.

WHEREAS, Tom Jones, a self-taught home builder, constructed 14 new homes in downtown Indianapolis. Tom was instrumental in the development and revitalization of the Chatham Arch neighborhood by building 10 homes there, along with three in the Old Northside neighborhood and one in Lockerbie; and

WHEREAS, Tom Jones and his partner Paul Atkinson became staples in the Chatham Arch neighborhood when they built their stately two-story brick home at the corner of Ontario St. and St Clair St. in 1990. Tom and Paul were active in Chatham Arch neighborhood activities. Tom served on the Chatham Arch Neighborhood Association's Urban Design Committee, was a writer for and editor of the Chatham Arch Archives for 11 years and was a member of the Board of Directors of the Chatham Arch Neighborhood Association; and

WHEREAS, when the Indianapolis Historical Preservation Committee denied Tom and Paul the ability to build a larger home covering the footprint of two city lots, they chose to donate the lot closest to East St and St Clair St. to the Chatham Arch Neighborhood Foundation. Tom and Paul requested that the Foundation use the land as a neighborhood park, which is now Chatham Commons Park. The center of Chatham Commons Park features a Tom Otterness sculpture called "Boy and Dog" which was also donated to the foundation for the park by Tom Jones; and

WHEREAS, Tom Jones's legacy continues to live on in the Chatham Arch Neighborhood every year. The Chatham Arch Foundation was left a financial gift upon Tom's death, which the foundation invested. Each year the Foundation uses the annual interest from the gift to maintain Chatham Commons Park and to beautify the Chatham Arch Neighborhood. The interest from Tom's final gift, along with generous donations from Chatham Arch neighbors and the assistance of the City of Indianapolis, the Chatham Arch Neighborhood Foundation has been able to improve the neighborhood by re-bricking many of our alleyways; and

WHEREAS, The Chatham Arch Neighborhood Foundation cannot think of a better way to honor Tom Jones than to name our most recent alley restoration project, which abuts Tom and Paul's former home, Tom Jones Memorial Way; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council does hereby honor the memory of Tom Jones.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 315, 2023. The proposal, sponsored by Councillors Osili and Jones, approves, ratifies, and confirms a declaratory resolution, economic development plan, and establishment of an allocation area by the Metropolitan Development Commission, designated as the Additional Professional Sports Development Area. By a 12-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 315 2023 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

1 NAY: Evans-E

1 ABSENT: Barth

Proposal No. 315, 2023 was retitled GENERAL RESOLUTION NO. 38, 2023, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 38, 2023

A GENERAL RESOLUTION of the City-County Council of the City of Indianapolis and of Marion County, Indiana, approving a Declaratory Resolution and Development Area Plan of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission") for the establishment of an Additional Professional Sports Development Area.

WHEREAS, on November 1, 2023, the Commission adopted its Resolution No. 23-E-044, entitled "Resolution of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana, Declaring an Area in Marion County, Indiana as an Additional Professional Sports Development Area and Approving a Development Area Plan" (the "Declaratory Resolution"), declaring a certain

December 4, 2023

geographical area located within the City of Indianapolis, Indiana, as an additional professional sports development area (the "Tax Area"), pursuant to the provisions of Indiana Code 36-7-31.5, as amended (the "Act"), and approving an additional professional sports development area plan (the "Plan"); and

WHEREAS, the Act requires approval of the Declaratory Resolution and the Plan by the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "Council"); and

WHEREAS, the Declaratory Resolution and Plan have been submitted to this Council; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby approves the determination of the Commission that the Tax Area as set forth in the Declaratory Resolution is an additional professional sports development area under the Act. The Declaratory Resolution and Plan for the Tax Area are in all respects approved, ratified and confirmed by the Council.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

PROPOSAL NO. 329, 2023. The proposal, sponsored by Councillor Osili, amends Special Ordinance No. 15, 2018, a bond ordinance which approved the issuance of economic development tax increment revenue bonds for the ILMAR/KG 220 Building projects, to permit the sale of the bonds to a purchaser secured by the project TIF revenues and a taxpayer agreement, and also increases the permissible interest rate and bond discount due to market changes since the bond ordinance was adopted. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 329, 2023 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

1 NAY: Evans-E

1 ABSENT: Barth

Proposal No. 329, 2023 was retitled SPECIAL ORDINANCE NO. 20, 2023, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 20, 2023

A SPECIAL ORDINANCE of the City-County Council of the City of Indianapolis, Indiana amending Ordinance No. 15, 2018 concerning the issuance of one or more series of the City of Indianapolis, Indiana Taxable Economic Development Tax Increment Revenue Bonds (ILMAR/KG 220 Building Projects) in a maximum aggregate principal amount not to exceed \$17,500,000.

WHEREAS, on September 24, 2018, the City-County Council adopted Ordinance No. 15, 2018 (the "Bond Ordinance") which, among other matters, approved the issuance of one or more series of the City of Indianapolis, Indiana Taxable Economic Development Tax Increment Revenue Bonds (ILMAR/KG 220 Building Projects) in a maximum aggregate principal amount not to exceed \$17,500,000 (the "Bonds") and, if necessary, bond anticipation notes in a maximum aggregate principal amount not to exceed \$16,700,000 (the "BANs"); and

WHEREAS, pursuant to the Bond Ordinance the proceeds of the Bonds or, if necessary, BANs were to be provided, in accordance with Indiana Code 36-7-11.9 and 12, to (i) ILMAR LLC ("ILMAR") to construct the historic building located at 17 West Market Street in the City in connection with the development of the building into a high end hotel (the "Hotel Building Project") and (ii) KG 220 LLC ("KG 220") to construct improvements to the building located at 220 North Meridian Street in connection with the development of the building into a mixed-use office, commercial retail and residential development with a related parking garage (the "Mixed-Use Building Project", together with the Hotel Building Project, the "Projects"); and

WHEREAS, in accordance with the Bond Ordinance, on December 14, 2018 the City issued BANs in the principal amount of \$15,855,000 to provide interim funding to ILMAR and KG 220 for the Projects; and

WHEREAS, on October 12, 2022, the City extended the maturity date of said BANs to December 14, 2023; and

WHEREAS, the City-County Council has been advised that the Mixed-Use Building Project has been completed and the Hotel Building Project is expected to be finally completed in April of 2024; and

WHEREAS, the City-County Council has been further advised that the City is preparing to issue Bonds to retire the BANs and pay costs of issuance thereof and that it has identified a purchaser of the Bonds that is willing to purchase the Bonds secured only by the Project TIF Revenues (as defined in the Bond Ordinance) with one or more taxpayer agreements provided by ILMAR and KG 220 (each a "Taxpayer Guaranty" and collectively, the "Taxpayer Guaranties"); and

WHEREAS, the Bond Ordinance contemplates that the Bonds may be sold to a purchaser and secured only by the Project TIF Revenues but not with one or more Taxpayer Guaranties; and

WHEREAS, the City-County Council finds that the Bond Ordinance should be amended to permit the sale of the Bonds to a purchaser with the Bonds secured only by the Project TIF Revenues and secured by one or more Taxpayer Guaranties; and

WHEREAS, due to changes in market conditions since the adoption of the Bond Ordinance, the City-County Council finds that the permitted discount and interest rate on the Bonds as provided in the Bond Ordinance should also be amended as herein provided; and

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City has adopted an amending resolution permitting the pledge of the Project TIF Revenues to the payment of the Bonds with such Bonds also secured by one or more Taxpayer Guaranties; and

WHEREAS, the City-County Council finds that the amendment to the Bond Ordinance herein provided will be of public benefit to the City by permitting the Bonds to be structured in a manner that limits the lien on the tax increment revenues derived from the Projects solely to such Projects without any further backing by the City and also enable the retirement of the BANs; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The reference to the maximum interest rate on the Bonds as set forth in the first sentence of Section 4 of the Bond Ordinance is hereby amended from eight and one-half percent (8.5%) per annum to ten percent (10%) per annum.

SECTION 2. The last sentence of Section 4 of the Bond Ordinance is hereby amended and restated as follows:

"Notwithstanding the foregoing and as more particularly set forth in the Financing Documents, the Bonds may be secured solely by the TIF Revenues derived only from the Projects (the "Project TIF Revenues") with one or more Taxpayer Guaranties, in the event the Developers purchase the Bonds or find a purchaser of the Bonds acceptable to the City, either of which is willing to purchase the Bonds solely secured by the Project TIF Revenues and one or more Taxpayer Guaranties."

SECTION 3. The first sentence of Section 6 of the Bond Ordinance is hereby amended and restated as follows:

"The Mayor and City Controller are authorized and directed to sell the Bonds to the purchaser or purchasers thereof at a price not less than 92% of the aggregate principal amount thereof plus accrued interest, if any, at a rate of interest not to exceed ten percent (10%) per annum, and with a final maturity no later than twenty-five (25) years from the date of issuance of the Bonds."

SECTION 4. If any section, paragraph or provision of this Ordinance 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 Ordinance.

SECTION 5. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. The Bond Ordinance, except as amended hereby, shall remain in full force and effect.

SECTION 6. It is hereby determined that all formal actions of the City-County Council relating to the adoption of this Ordinance were taken in one or more open meetings of the City-County Council, that all deliberations of the City-County Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5, as amended.

SECTION 7. This Ordinance shall be in full force and effect upon compliance with Indiana Code 36-3-4-14.

PROPOSAL NO. 330, 2023. The proposal, sponsored by Councillor Adamson, approves the issuance of special taxing district bonds of the Redevelopment District, payable from taxes on real property located in the Near Eastside HOTIF (Housing Tax Increment Financing) Area and other revenues of the Metropolitan Development Commission, pledged for such purpose, in an aggregate principal amount not to exceed \$19,000,000 for the purpose of procuring funds to be applied to the costs of redevelopment and economic development serving or benefitting the allocation area (including, but not limited to acquisition, construction, renovation and equipping of certain road, sidewalk, lighting and streetscape improvements); and approves other matters related thereto. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 330, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 330, 2023 was retitled GENERAL RESOLUTION NO. 39, 2023, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 39, 2023

A GENERAL RESOLUTION (i) approving the issuance of special taxing district bonds of the Redevelopment District of the City of Indianapolis, Indiana, in one or more series or issues payable from taxes on real property located in the Near Eastside HOTIF Area allocated and deposited in the Near Eastside HOTIF Area Allocation Fund pursuant to Indiana Code 36-7-15.1-26 and Indiana Code 36-7-15.1-35 (the "Tax Increment"), and other revenues of the Metropolitan Development Commission of Marion County, Indiana, pledged for such purpose pursuant to Indiana Code 36-7-15.1-17(h), if any, and (ii) approving other matters related thereto.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), has previously created the Near Eastside Redevelopment Area (the "Near Eastside Area"), pursuant to the provisions of Indiana Code 36-7-15.1; and

WHEREAS, the Commission has previously issued its Redevelopment District Tax Increment Revenue Bonds, Series 2010A (Near Eastside Housing Program) in the aggregate principal amount of \$7,200,000, dated June 3, 2010, of which \$982,469.37 are outstanding (the "Prior Bonds") and which are payable solely from Tax Increment from the Near Eastside Area;

WHEREAS, the resolution authorizing the Prior Bonds and the City's Ordinance authorizing the Prior Bonds (the "Prior Resolution") permit the issuance of additional obligations on a parity with the Prior Bonds if certain conditions can be met;

WHEREAS, the Commission has determined that, based on the advice of its municipal advisor, it can issue bonds on a parity with the Prior Bonds with respect to payments from the Near Eastside HOTIF Area (the "Allocation Area"), in accordance with the conditions set forth in the Prior Resolution;

WHEREAS, the Commission has found and determined that in order to proceed with the planning, replanning, development and redevelopment of the Near Eastside Area, it is necessary for the Commission to issue bonds (the "Bond Resolution"), in one or more series or issues, in an aggregate principal amount not to exceed Nineteen Million Dollars (\$19,000,000) (the "Bonds"), which shall mature on or before February 1, 2037 and bear interest at rates not to exceed 8.50%, and which shall be issued in the name of the City of Indianapolis, for and on behalf of the Redevelopment District of the City of Indianapolis, Indiana (the "District"), the principal and interest on which are payable solely from taxes on real property located in the Allocation Area allocated and deposited into the Near Eastside HOTIF Area Allocation Fund (the "Allocation Fund"), pursuant to Indiana Code 36-7-15.1-26 and Indiana Code 36-7-15.1-35, and other revenues of the Commission pledged for such purpose pursuant to Indiana Code 36-7-15.1-17(h), if any, for the purpose of procuring funds to be applied to the costs of redevelopment and economic development in or serving the Allocation Area (including, but not limited to, in particular, the acquisition, construction, renovation and equipping of certain road, sidewalk, lighting and streetscape improvements in, serving or benefitting the Allocation Area), together with expenses associated therewith and expenses in connection with or on account of the issuance of the Bonds therefor (collectively, the "Project"); and

WHEREAS, the Bonds are currently anticipated to be sold to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank") pursuant to the provisions of Indiana Code 5-1.4; and

WHEREAS, the Bond Bank anticipates purchasing the Bonds with the proceeds from the issuance of one or more series of bonds of the Bond Bank (the "Bond Bank Bonds"); and

WHEREAS, the Commission has requested the approval of the City-County Council for the issuance of the Bonds pursuant to Indiana Code 36-3-5-8, and the City-County Council now finds that the issuance of the Bonds should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council does hereby approve (i) the Bond Resolution and (ii) the issuance of the Bonds in the name of the City, for and on behalf of the District, in one or more series or issues payable solely from taxes on real property located in the Allocation Area allocated and deposited into the Allocation Fund pursuant to the provisions of Indiana Code 36-7-15.1-26 and Indiana Code 36-7-15.1-35, and other revenues of the Commission pledged for such purpose pursuant to Indiana Code 36-7-15.1-17(h), if any, in an aggregate principal amount not to exceed Nineteen Million Dollars (\$19,000,000), which shall mature on or before February 1, 2037 and bear interest at rates not to exceed 8.50%, and which amount is reasonably expected to be sufficient to finance all estimated costs of the Project including the necessary and incidental costs of issuance.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15, and 36-3-4-16.

PROPOSAL NO. 331, 2023. The proposal, sponsored by Councillors Potts and Barth, approves the issuance of bonds of the Redevelopment District in an aggregate principal amount not to exceed \$26,000,000 in the North Midtown Allocation Area for the purpose of procuring funds to be applied to the cost of the acquisition of the Broad Ripple Park Family Center, together with expenses associated therewith and expenses in connection with or on account of the issuance of the bonds. By a 12-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councillor Potts said that there has been community concern about ownership, but this is a very creative use of funds, and allows the city to keep parks projects on track. He said that there has been a very thorough, robust discussion about this project, which has re-ignited other discussions and priorities; and he is grateful for the conversation and hopes for unanimous support.

Councillor E. Evans asked if this will be funded in one fell swoop or in installments. Ms. Hanson said that it will be purchased outright with an issuance of bonds payable over 20 years.

Councillor Gray asked how they intend to pay back the bonds. Ms. Hanson said that it will be a mix of sources, with some coming from the midtown tax increment financing, some from parks revenue, and some from revenue from community health.

Councillor Lewis moved, seconded by Councillor Potts, for adoption. Proposal No. 331, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 331, 2023 was retitled GENERAL RESOLUTION NO. 40, 2023, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 40, 2023

A GENERAL RESOLUTION of the City-County Council of the City of Indianapolis, and Marion County, Indiana, approving of the issuance of bonds of the Redevelopment District of the City of Indianapolis, Indiana.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission"), has previously created the North Midtown Allocation Area (the "Area"), pursuant to the provisions of Indiana Code 36-7-15.1, as amended; and

WHEREAS, the Commission is considering or is expected to consider the approval and authorization of the issuance of bonds of the Redevelopment District of the Consolidated City of Indianapolis, Indiana (the "District"), in one or more series or issues, in an aggregate principal amount not to exceed Twenty-Six Million Dollars (\$26,000,000) (the "Bonds"), the principal of and interest on which shall be payable from a special tax to be levied upon all of the taxable property located within the District pursuant to Indiana Code 36-7-15.1-19 (the "Special Tax"), provided that tax increment revenues deposited in the allocation fund for the Allocation Area pursuant to Indiana Code 36-7-15.1-26 (the "Tax Increment") and other revenues legally available to the Commission may be used to pay all or a portion of the principal of and interest on the Bonds, for the purpose of procuring funds to be applied to the cost of the acquisition of the Broad Ripple Park Family Center (the "Project"), together with expenses associated therewith and expenses in connection with or on account of the issuance of the Bonds therefor; and

WHEREAS, it is anticipated and expected that the Commission will use Tax Increment and other revenues legally available to the Commission to pay the principal of and interest on the Bonds, such that the Commission reasonably anticipates that it will not be required to levy the Special Tax to pay such principal and interest; and

WHEREAS, the Bonds shall be issued in a principal amount not to exceed Twenty-Six Million Dollars (\$26,000,000), shall have a term not to exceed twenty (20) years, and shall bear interest at a rate or rates not to exceed eight percent (8.0%) per annum; and

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana now desires to approve the issuance of the Bonds, pursuant to Indiana Code 36-3-5-8(b) and Indiana Code 36-3-6-9(c); now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

SECTION 1. The issuance of the Bonds by the District to finance the Project is hereby approved in all respects.

SECTION 2. The maximum principal amount of the Bonds of Twenty-Six Million Dollars (\$26,000,000), the maximum term of the Bonds of twenty (20) years, and the maximum interest rate for the Bonds of eight percent (8.0%) per annum, are each hereby approved.

SECTION 3. This Resolution shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14, 36-3-4-15 and 36-3-4-16.

PROPOSAL NO. 332, 2023. The proposal, sponsored by Councillors Osili and Jones, adds Chapter 121, Article X, the Mile Square Economic Enhancement District, to the Revised Code. By an 8-3 vote, the committee reported the proposal to the full Council with the recommendation that it do pass as amended. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 332, 2023 was adopted on the following roll call vote; viz:

19 YEAS: Adamson, Boots, Brown, Carlino, Evans-E, Evans-J, Graves, Gray, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Oliver, Osili, Potts, Ray, Robinson
5 NAYS: Annee, Bain, Dilk, Hart, Mowery
1 ABSENT: Barth

Proposal No. 332, 2023 was retitled GENERAL ORDINANCE NO. 48, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 48, 2023

A PROPOSAL FOR A GENERAL ORDINANCE to add Chapter 121, Article X, the Mile Square Economic Enhancement District to the Revised Code.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 121 of the "Revised Code of the Consolidated City and County," regarding taxation, is hereby amended to add Article X, "Mile Square Economic Enhancement District" reading as follows:

ARTICLE X – MILE SQUARE ECONOMIC ENHANCEMENT DISTRICT

Sec. 121-1001. - Definitions

- (a) "Board" shall refer to an economic enhancement district board established in this Article
- (b) "Economic enhancement project" as used in this Article, means the following:
 - (1) Providing security for public areas, including installing and maintaining exterior cameras directly linked with the Indianapolis metropolitan police department central control.
 - (2) Employing safety ambassadors to:
 - (A) deter aggressive panhandling and other nuisance behavior;
 - (B) assist with directions and information;
 - (C) facilitate open communications with police to report ongoing issues;
 - (D) provide safety escort services; and
 - (E) maintain a network of communication throughout the downtown area by engaging with private and public security companies.
 - (3) Cleaning and maintaining sidewalks, including picking up litter, removing graffiti, and power washing.
 - (4) Conducting extensive outreach to unsheltered homeless individuals.
 - (5) Funding facility operations for a low barrier shelter for homeless individuals.
 - (6) Designing, landscaping, beautifying, or maintaining public areas.

- (7) Activating and promoting public events.
 - (8) Creating innovative approaches to attracting new businesses.
 - (9) Supporting business development.
 - (10) Planning improvement activities.
- (c) “*District*” shall refer to the Economic Enhancement District established in this Article.

Sec. 121-1002. – Establishment of the Mile Square Economic Enhancement District

- (a) The City-County Council finds that the area bounded by North Street on the North, East Street on the east, South Street on the south and West Street on the west is hereby established as the Mile Square Economic Enhancement District.
- (b) The City-County Council further finds that the proposed economic enhancement projects will provide special benefits to all property owners in the economic enhancement district;
- (c) The initial special benefits assessment shall be calculated in a manner that will generate an initial budget not to exceed \$5,500,000.00. For each taxable property in the district the special benefits assessment shall be calculated as follows:
 - (1) Residential properties shall be assessed a flat fee of \$250.00 each.
 - (2) All other taxable, nonresidential property shall be assessed at a rate based on the formula below:
 - (A) The total budget amount minus the total amount raised from residential properties shall be divided by the total assessed value of all the nonresidential taxable property in the district. This fraction shall be considered the EED Assessment Rate.
 - (B) The EED Assessment Rate can be multiplied by the assessed value of any nonresidential taxable property to determine that property’s individual assessment.
- (d) This designation and associated benefits for this district shall expire ten (10) years from the date of adoption of this ordinance. However, the district may be extended for a period of ten (10) additional years if the Council adopts an ordinance and the general assembly enacts legislation to extend the life of the economic enhancement district.

Sec. 121-1003. – Appointment of board members; staff support

- (a) The economic enhancement board shall consist of eight (8) members to be appointed as follows:
 - (1) Two (2) members appointed by the city-county council.
 - (2) Two (2) members appointed by the mayor.
 - (3) Two (2) members appointed by the governor. One (1) of the members appointed under this subdivision must represent the business community and own real property located within the economic enhancement district.
 - (4) One (1) member of the state senate appointed by the president pro tempore.
 - (5) One (1) member of the house of representatives appointed by the speaker.

A majority of the board members must own real property within the economic enhancement district. Each board member shall serve a term of one (1) year from the first day of January after the board member's appointment and until the board member's successor is appointed and qualified.

- (b) A proposal before the board must receive at least five (5) votes to authorize action by the board.
- (c) Downtown Indy, Inc., or its successor organization, shall provide staff support to the economic enhancement board.

- (d) The members may not receive compensation for service on the board.

Sec. 121-1004 - Imposition of special benefits assessment; apportionment of benefits; public hearing

- (a) The board, after approval of the city-county council and subject to Section 121-1011, may impose an annual special benefits assessment on all of the taxable real property of the economic enhancement district based on the relative benefits to be received by each type of property. The benefits accruing to parcels of real property within an economic enhancement district may be apportioned among those parcels on any basis reasonably representative of the diffusion of benefits from the economic enhancement projects, including but not limited to the following:
 - (1) Proximity of the parcel to the projects.
 - (2) Accessibility of the parcel to the projects.
 - (3) True cash value of the parcels.
 - (4) True cash value of any improvement on the parcel.
 - (5) Age of any improvement on the parcel.
 - (6) Other similar factors.

The apportionment of benefits under this subsection may be adjusted by zone or land use as provided in subsections (c) and (d).

- (b) Upon determining the proposed assessment for each parcel, the board shall promptly mail notice to each owner of property to be assessed. This notice must:
 - (1) set forth the amount of the proposed special assessment;
 - (2) state that the proposed special assessment on each parcel of real property in the economic enhancement district is on file and may be seen in the board's office;
 - (3) set forth the time and place where the board will hold a public hearing to hear any owner of assessed real property regarding their proposed assessment; and
 - (4) state that the board, after hearing evidence, may decrease, or leave unchanged, the special assessment on any parcel.

The notices must be deposited in the mail not later than twenty (20) days before the hearing date. The notices to the owners must be addressed as the names and addresses appear on the tax duplicates and the records of the county auditor.

- (c) If the benefit of the economic enhancement project varies from one (1) area to another within the economic enhancement district, up to three (3) zones may be established within the economic enhancement district to delineate the approximate difference in beneficial impact, and benefits may be apportioned accordingly.
- (d) In order to encourage the retention or development of various land uses within the economic enhancement district, assessments may be adjusted according to the zoning classification of the property.
- (e) Each special assessment is a lien on the real property that is assessed, second only to ad valorem property taxes levied on that property.
- (f) After the public hearing is conducted under subsection (b), the board shall certify to the county auditor the schedule of special assessments of benefits. For purposes of providing substantiation of the deductibility of a special assessment for federal adjusted gross income tax purposes under Section 164 of the Internal Revenue Code, the board shall, to the extent practicable, supplement the schedule of special assessments provided to the county auditor with a statement that identifies the part of each special assessment that is allocable to interest, maintenance, and repair charges. If the board provides the county auditor with the statement, the county auditor shall show, on the tax statement, the part of the special assessment that is for interest and maintenance and repair items separately from the remainder of the special assessment.
- (g) Not later than thirty (30) days after the county auditor receives the certification of final scheduled assessments for the completion of the economic enhancement projects, the county auditor shall deliver a copy of the certificate to the county

treasurer. Each year, the county treasurer shall add the full annual assessment due in that year to the tax statements of the person owning the property affected by the assessment, designating it in a manner distinct from general taxes.

- (h) The proceeds of the special benefits assessments shall be deposited into a special fund known as the economic enhancement district project fund, and shall be used by the board solely to finance economic enhancement projects in or directly serving or benefiting the economic enhancement district. Any money earned from investment of money in the fund becomes a part of the fund.

Sec. 121-1005 - Annual budget; expenditures

- (a) Not later than November 1 of each year, the board shall prepare and submit to the council a budget for the following calendar year governing the board's projected expenditures from the economic enhancement district project fund. The council may approve, modify, or reject the proposed budget.
- (b) The board's budget submittal shall include the total number of residential properties, the flat fee to be assessed for residential properties, a break down and a total of the assessed value of all of the nonresidential taxable properties and the total amount to be raised for a given year.
- (c) Any increase in the annual special benefits assessment budget shall be calculated in a manner not to exceed an inflationary adjustment based on the six-year moving average of Indiana non-farm personal income as published by the U.S. Bureau of Economic Analysis.
- (d) The board may make an expenditure from the economic enhancement district project fund only if the expenditure is approved by the city fiscal body in its review of the board's budget or is otherwise approved by the council.

Sec. 121-1006 - Compliance with requirements for contracting for public works, open door, public records

The board shall comply with IC 36-1-12 when contracting for public works. All meetings of the board shall comply with Indiana's Open Door Law, IC 5-14-1.5-1 *et seq.* All records of the board shall be kept as directed under Indiana's Access to Public Records Act, IC 5-14-3-1 *et seq.*

Sec. 121-1007. - Leases or contracted agreements

The board may enter into lease or contractual agreements, or both, with governmental, not-for-profit, or other private entities for the purpose of carrying out recovery projects.

Sec. 121-1008. - Disposal of assets and liabilities upon repeal of ordinance

If this ordinance is repealed or the district is otherwise terminated, the assets and liabilities of the economic enhancement district shall be disposed of in the manner determined by the city. However, liabilities incurred by the economic enhancement district are not an obligation of the city and are payable only from the special benefits assessments and other revenues of the economic enhancement district.

Sec. 121-1009. - Annual report to city fiscal body

The board shall submit an annual report to the city fiscal body not later than June 30 of each year. The report must summarize the board's activities and expenditures during the preceding calendar year.

Sec. 121-1010. - Power of the board to finance projects

Subject to section 121-1011, after approval of the city fiscal body, the board may issue revenue bonds payable from special benefits assessment revenues or other revenues of the economic enhancement district to finance an economic enhancement project.

Sec. 121-1011. - Failure to comply with statutory requirements

If the board fails to comply with a requirement under IC 36-7-40, the board may not issue revenue bonds and a special assessment may not be assessed within the economic enhancement district.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected,

if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 333, 2023. The proposal, sponsored by Councillor Ray, amends the Revised Code to make changes to Chapter 531, Animals, and to Chapter 836, Kennel, Pet Shop and Stable Registrations. By a 12-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 333, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 333, 2023 was retitled GENERAL ORDINANCE NO. 49, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 49, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make changes to Chapter 531, Animals and to Chapter 836, Kennel, Pet Shop and Stable Registrations.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 531-101 of the "Revised Code of the Consolidated City and County," regarding the definition of "Kennel" hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 531-101. Definitions

As used in this chapter, the following terms shall have the meanings ascribed to them in this section.

Animal means any living, nonhuman vertebrate creature.

Animal care services division means the animal care services division of the department of business and neighborhood services.

Animal care services shelter means the shelter described in section 226-512 of this Code.

At large means being loose and free roaming, not being on a leash and under the control of a competent person, or any portion of the animal's body not being confined within a pen, corral, yard, cage, house, vehicle, or other secure enclosure or structure or by other means that prevents escape.

Board means the board of business and neighborhood services of the department of business and neighborhood services.

Community cat means an unowned cat that has been captured, evaluated, ear tipped, sterilized and vaccinated against rabies by a licensed veterinarian and released in accordance with section 531-209 of this Code.

Community cat caretaker means a person that provides food, water or outdoor areas of shelter to a community cat and who is not otherwise prohibited from owning or keeping animals.

Crime prevention dog means and includes a dog that is trained and used by its owner or keeper primarily for the protection of persons or property, or both.

Dangerous animal means any animal that:

- (1) Would constitute a danger to human life or property if it were not kept in the manner required by this chapter;
- (2) Has caused serious injury to a person without having been provoked by that person;
- (3) At a place other than its owner's or keepers property has:
 - a. Chased or approached a person in a menacing fashion or apparent attitude of attack; or
 - b. Attacked another domestic animal; or
- (4) Because of its training or behavior, is capable of inflicting physical harm or death to humans.

Dog means and includes animals of the *Canis familiaris* species, and hybrids of a *Canis familiaris* and any other member of the *Canis* genus, including wolves.

Domestic animals means rabbits, cattle, horses, ponies, mules, donkeys, jackasses, llamas, swine, sheep, goats, dogs, cats and poultry.

Exposed to rabies means an animal has been exposed to rabies if it has been bitten by or been in contact with any animal known or reasonably suspected to have been infected with rabies.

Free-roaming cat means a cat that is at large that does not possess an identification tag or microchip as required by section 501-202 of this Code nor has been ear tipped to indicate it is a community cat.

Kennel means a facility operated commercially and principally for the purpose of boarding, housing, ~~grooming~~, breeding or training dogs or cats, or both. For purposes of this chapter, kennel shall not include a facility in or adjoining a private residence where dogs or cats are kept for the hobby of the owner, lessee or other occupant of the property using the animals for hunting, practice tracking, exhibiting in shows or field or obedience trials or for the guarding or protecting of the property, and an occasional sale of pups or kittens by the owner, lessee or other occupant of the property shall not make such property a kennel for the purposes of this chapter.

Law enforcement animal means an animal that is owned or used by a law enforcement agency for the purpose of aiding in the detection of criminal activity, enforcement of laws, the apprehension of offenders and ensuring the public welfare.

Monitored means that the animal:

- (1) Is controlled by means of a leash or other device held by a competent person, subject to the provisions of sections 531-401 and 531-728, which animal is sufficiently near the owner or handler as to be under his or her direct control and is obedient to that person's command;
- (2) Is on or within a vehicle being driven or parked; or
- (3) Is confined as required by this chapter.

Nonbite exposure means and includes scratches, abrasions, open wounds or mucous membranes contaminated with saliva or other potentially infectious material from a rabid animal.

Own means to keep, harbor or have custody, charge or control of an animal, and owner means any person who owns an animal; however:

- (1) Veterinarians and operators of kennels, pet shops and stables, as those terms are defined in Chapter 836 of this Code, who temporarily keep animals owned by, or held for sale to other persons shall not be deemed to own or be owners, but rather to be keepers of such animals.
- (2) A community cat caretaker shall not be deemed to own or keep a community cat but rather to provide limited oversight of such animals.

Person means and includes any individual, corporation, partnership or other association or organization, but shall exclude the following for purposes of section 531-401:

- (1) Police officers, federal or state armed forces, park rangers, game wardens, conservation officers and other such governmental agencies, with respect to actions that constitute a discharge of their official duties; and
- (2) An individual, partnership, corporation or other association, organization, or institution of higher education, that is registered as a research facility with the United States Secretary of Agriculture

under 7 USC § 2131 et seq., commonly known as the "Animal Welfare Act," while engaged in the course of their performance as such.

Provoke means the infliction of bodily harm on the animal or another person, or conduct that constitutes a substantial step toward the infliction of bodily harm on the animal or another person.

Quarantining authority means the department of business and neighborhood services, its contractors, agents, employees and designees, acting under directives and regulations of the Health and Hospital Corporation of Marion County or the state board of animal health.

Serious injury means any injury that results in permanent disfigurement, unconsciousness, extreme pain, or permanent or protracted loss or impairment of the function of a bodily member or organ and includes, in regard to an animal, an injury requiring euthanasia.

Veterinarian means a person licensed to practice veterinary medicine in the state.

Wild animal means and includes:

- (1) A Class III wild animal for which a state permit is required under 310 IAC 3.1-11-8 and/or IC 14-22-26; and
- (2) A venomous snake, poisonous amphibian, or other large reptile.

SECTION 2. Section 836-1 of the "Revised Code of the Consolidated City and County," regarding definitions hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 836-1. Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section:

Kennel means a facility operated commercially and principally for the purpose of boarding, housing, ~~grooming~~, breeding or training dogs or cats, or both; a kennel, for purposes of this chapter, shall not include a facility in or adjoining a private residence where dogs are kept for the hobby of the householder using them for hunting, practice tracking, exhibiting in shows or field or obedience trials or for the guarding or protecting of the householder's property, and an occasional sale of puppies or kittens by the owner, lessee or other occupant of such property shall not make that property a kennel for the purposes of this chapter.

Pet shop means a facility operated commercially and principally for the purpose of selling animals which, in the hands of their immediate purchasers, will be pets.

Stable means a facility operated commercially and principally for the purpose of lodging and feeding domestic animals.

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 305, 2023. Councillor Carlino reported that the Public Safety and Criminal Justice Committee heard Proposal No. 305, 2023 on November 21, 2023. The proposal, sponsored by Councillor Robinson, amends Sec. 283-26 of the Revised Code, regarding the Criminal Justice Planning Council, to make various changes. By a 9-1 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Carlino moved, seconded by

Councillor Adamson, for adoption. Proposal No. 305, 2023 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
1 NAY: Evans-J
1 ABSENT: Barth

Proposal No. 305, 2023 was retitled GENERAL ORDINANCE NO. 50, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 50, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend Section 283-26 of the Revised Code to make various changes.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 283-226 of the "Revised Code of the Consolidated City and County," regarding the Criminal Justice Planning Council, hereby is amended by deleting the language that is stricken and adding the language that is underlined to read as follows:

Sec. 283-226. Offices; quorum; meetings.

(a) All contracts, agreements, resolutions and official communications of the CJPC shall be in writing and executed by these officers upon being authorized by motion passed by the CJPC by simple majority of its voting members present. In the event of a tie vote, the chairman shall cast an additional vote to break the tie.

(b) A quorum of the CJPC shall be five (5) voting members.

(c) The CJPC shall meet ~~monthly~~ as often as necessary, but not less than quarterly, at such place and time as may be set by the chairman ~~and~~. ~~The CJPC may meet at such other times and places as may be needed, called by the chairman~~ for a particular purpose. Four (4) voting members may also call a meeting.

(
d) Administrative support for the CJPC shall be provided by the office of public health and safety.

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 350, 2023. Councillor Carlino reported that the Public Safety and Criminal Justice Committee heard Proposal No. 305, 2023 on November 21, 2023. The proposal, sponsored by Councillors Dilk and Annee, authorizes the Metropolitan Emergency Services Agency to enter into a lease for approximately 4,700 square feet of space at the Perry Township Government Center, located at 4925 South Shelby Street. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Carlino moved, seconded by Councillor Adamson, for adoption. Proposal No. 350, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

0 NAYS:

1 ABSENT: Barth

Proposal No. 350, 2023 was retitled GENERAL RESOLUTION NO. 41, 2023, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 41, 2023

PROPOSAL FOR A GENERAL RESOLUTION authorizing the Metropolitan Emergency Services Agency ("MESA") to enter into a lease approximately 4700 square feet of space at the Perry Township Government Center, located at 4925 South Shelby Street.

WHEREAS, MESA utilizes the space at the Perry Township Government Center as a backup Public Safety Answering Point ("PSAP"), a backup public safety radio operation center, and training center; and

WHEREAS, the current Facility lease expires on December 31, 2023, and lists the Office of Public Health and Safety through its Division of Public Safety Communications ("PSC") as the Lessee; and

WHEREAS, PSC was reorganized under MESA in accordance with G.O. 40, 2021, § 6 and continues to operate the leased property under MESA; and

WHEREAS, MESA wishes to continue to occupy the Perry Township Government Center as a backup PSAP, a backup public safety radio operation center, and training center;

WHEREAS, the MESA Board of Directors adopted a resolution finding that such a lease will serve the public purpose of MESA and is in the best interest of the residents of Marion County; now therefore;

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council, pursuant to Indiana Code § 36-8-15-15.1, approves the resolution adopted by MESA to use special benefits taxes for the purposes of the subject lease with a term of five (5) years, and determines the lease of space consisting of approximately 4700 square feet for use by MESA is needed.

SECTION 2. The property to be leased is located at 4925 South Shelby Street Indianapolis, Indiana, and is owned by Perry Township, Marion County, Indiana.

SECTION 3. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 356, 2023. Councillor Adamson reported that the Public Works Committee heard Proposal No. 356, 2023 on November 27, 2023. The proposal, sponsored by Councillor Adamson, approves an amendment to the existing public street lighting contract with Indianapolis Power & Light Company, doing business as AES Indiana, in accordance with Revised Code Sec. 261-405. By a 9-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Adamson moved, seconded by Councillor McCormick, for adoption. Proposal No. 356, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

0 NAYS:

1 ABSENT: Barth

Proposal No. 356, 2023 was retitled GENERAL RESOLUTION NO. 42, 2023, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 42, 2023

PROPOSAL FOR A GENERAL RESOLUTION approving an amendment to a public lighting contract.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Rev. Code Sec. 261-405, the Board of Public Works may contract with any individual or corporation for providing streetlights, maintenance for streetlights and lighting for streets, alleys or public places, but any such contract shall be submitted to the City-County Council for approval, and the term of such contract may not be for a term longer than twenty-five (25) years.

SECTION 2. On October 11, 2017, the Board of Public Works approved a contract with Indianapolis Power & Light Company, doing business as AES Indiana ("IPL"), to provide public street lighting, which contract was approved by the City-County Council by General Resolution No. 27, 2017 adopted on December 4, 2017.

SECTION 3. The existing public lighting contract with IPL expires on December 31, 2023.

SECTION 4. IPL and the Consolidated City of Indianapolis, acting by and through the Department of Public Works, have agreed to amend the existing public street lighting contract to extend its term through the earlier of December 31, 2024 or until new rates are in effect after a future order of the Indiana Utility Regulatory Commission in IPL's pending rate case.

SECTION 5. On November 15, 2023, the Board of Public Works approved the amendment to the existing public street lighting contract.

SECTION 6. Therefore, by this resolution, the City-County Council hereby approves the amendment to the existing public street lighting contract and authorizes the Director of the Department of Public Works to execute said contract amendment and take all necessary actions to implement said contract amendment.

SECTION 7. This resolution shall be in full force and effect upon adoption and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 357, 2023. Councillor Adamson reported that the Public Works Committee heard Proposal No. 357, 2023 on November 27, 2023. The proposal, sponsored by Councillors Carlino and McCormick, approves an interlocal agreement between the City of Indianapolis/Marion County and Hendricks County for the construction and operation of improvements to Raceway Road, due to the reconstruction of County Bridge 39. By a 9-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Adamson moved, seconded by Councillor Carlino, for adoption. Proposal No. 357, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

0 NAYS:

1 ABSENT: Barth

Proposal No. 357, 2023 was retitled SPECIAL ORDINANCE NO. 21 2023, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 21, 2023

PROPOSAL FOR A SPECIAL ORDINANCE approving an interlocal cooperation agreement between the Consolidated City of Indianapolis and Marion County, Indiana ("Indianapolis") and Hendricks County, Indiana ("Hendricks County") for the construction and operation of improvements to County Line Road.

WHEREAS, I.C. § 8-17-1-45 provides that each county is responsible for the construction, reconstruction, maintenance, and operation of the roads, including the ditches and signs for those roads, making up its southern and eastern boundaries; and

WHEREAS, Raceway Road is the boundary road between Hendricks County and Marion County, and is Hendricks County's eastern boundary; therefore, Hendricks County is responsible for the construction, reconstruction, maintenance, and operation of Raceway Road, including any bridge or culvert structure; and

WHEREAS, Hendricks County has determined that County Bridge 39 on Raceway Road, located approximately 0.7 miles north of County Road 100 North (10th Street in Indianapolis) is needs to be replaced and, therefore, it is preparing plans and specifications for a capital improvement project to reconstruct County Bridge 39 (the "Project"); and

WHEREAS, the Project will require Hendricks County to acquire right-of-way, to perform construction activities, and to operate and maintain the bridge within the borders of Indianapolis and Marion County; and

WHEREAS, pursuant to I.C. § 36-1-3-9, Hendricks County may exercise its powers within the boundaries of Indianapolis pursuant only to an interlocal cooperation agreement approved by their respective fiscal bodies pursuant to I.C. § 36-1-7-2; and

WHEREAS, accordingly, Indianapolis and Hendricks County desire to enter into an interlocal cooperation agreement to allow Hendricks County to carry out the Project by acquiring right-of-way, performing construction activities, and operating and maintaining the bridge within the borders of Indianapolis; and

WHEREAS, the City-County Council, having considered the matter and being duly advised, finds that Raceway Road serves and affects the citizens of and the economic well-being of both Indianapolis and Hendricks County, that the Project will improve safety and mobility, and that it will be of public utility and benefit to enter into an interlocal cooperation agreement with Hendricks County to carry out the Project; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves and authorizes the Department of Public Works to enter into an interlocal cooperation agreement with Hendricks County for purposes of authorizing the Hendricks County to acquire right-of-way, to conduct construction activities, and to operate and maintain Hendricks County Bridge 39 on Raceway Road as necessary for the completion and continuation of the bridge.

SECTION 2. The Director of the Department of Public Works is hereby authorized to finalize, execute, and deliver an appropriate interlocal cooperation agreement on behalf of the Consolidated City of Indianapolis and Marion County upon approval of the form and substance of such agreement by the Corporation Counsel or their designee.

SECTION 3. This Special Ordinance shall be in full force and effect upon its passage by the City-County Council and compliance with IC 36-3-4-14.

Councillor Adamson reported that the Public Works Committee heard Proposal Nos. 358-361 and 370, 2023 on November 27, 2023. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 358, 2023. The proposal, sponsored by Councillor Osili, approves the installation of parking meters in Parking Meter Zone 3, on portions of Senate Avenue and Capitol Avenue between 11th and 13th Streets, due to the development of the new IU Health Campus (District 11). PROPOSAL NO. 359, 2023. The proposal, sponsored by Councillor Adamson, authorizes residential permit parking at 652 East St. Clair Street (District 17). PROPOSAL NO. 360, 2023. The proposal, sponsored by Councillors Osili and Jones, authorizes parking restriction modifications on the north side of Ohio Street between West Street and Capitol Avenue and on the south side of Washington Street between Alabama and Delaware Streets (Districts 11,16). PROPOSAL NO. 361, 2023. The proposal, sponsored by Councillor Jones, authorizes one-way northbound street designation along Delaware Street between Louisiana Street and Fall Creek

Parkway, South Drive (District 16). PROPOSAL NO. 370, 2023. The proposal, sponsored by Councillor Adamson, authorizes the removal of residential permit parking on the south side of 11th Street from Brookside Avenue to Arsenal Avenue (District 17). By 9-0 votes, the committee reported the proposals to the full Council with the recommendation that they do pass. Councillor Adamson moved, seconded by Councillor Lewis, for adoption. Proposal Nos. 358-361 and 370, 2023 were adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Bain, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

1 NOT VOTING: Carlino

0 NAYS:

1 ABSENT: Barth

Proposal No. 358, 2023 was retitled GENERAL RESOLUTION NO. 43, 2023, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 43, 2023

PROPOSAL FOR A GENERAL RESOLUTION approving the installation of parking meters in Parking Meter Zone 3.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Rev. Code Sec. 621-201 (a), four parking meter zones are established in the city of Indianapolis, designated as Parking Meter Zone 1, Parking Meter Zone 2, Parking Meter Zone 3 and Parking Meter Zone 4. Pursuant to Rev. Code Sec. 621-201 (b) parking meters may be installed in Parking Meter Zone 3 only if the City-County Council approves the installation.

SECTION 2. The Council hereby approves the installation of parking meters on the following streets, portions of streets and public rights-of-way in Parking Meter Zone 3:

Senate Avenue, on the east side, from 11th Street to 12th Street

Senate Avenue, on the west side, from 11th Street to 10th Street

Capitol Avenue, on the west side, from 13th Street to 12th Street

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this resolution be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this resolution. To this end the provisions of this resolution are severable.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 359, 2023 was retitled GENERAL ORDINANCE NO. 51, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 51, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 621, Parking, standing and stopping restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-602 (a), Residential permit parking zones established, be, and the same is hereby amended by the addition of the following, to wit:

Street	Orientation From Centerline	Boundary
St. Clair Street	n/a	652 E.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Proposal No. 360, 2023 was retitled GENERAL ORDINANCE NO. 52, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 52, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 621, Parking, standing and stopping restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-125, Stopping, standing, and parking prohibited at designated locations on certain days and hours, be amended by the deletion of the following:

ON ANY DAY EXCEPT SATURDAY
AND SUNDAY

*From 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.*

Ohio Street, on the north side, from a point 95 feet east of West Street to Capitol Avenue;

SECTION 2. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-125, Stopping, standing, and parking prohibited at designated locations on certain days and hours, be, and the same is hereby amended by the addition of the following, to wit:

ON ANY DAY EXCEPT SATURDAY
AND SUNDAY

*From 6:00 a.m. to 9:00 a.m. and
from 3:00 p.m. to 6:00 p.m.*

Ohio Street, on the north side, from a point 95 feet east of West Street to Senate Avenue;

SECTION 3. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-402 (c) Bus Stop Zones, be, and the same is hereby amended by the addition of the following, to wit:

December 4, 2023

Washington Street, on the south side, from a point 183 east of Alabama Street to a point 420 feet east of Alabama Street (237 feet);

SECTION 4. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Proposal No. 361, 2023 was retitled GENERAL ORDINANCE NO. 53, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 53, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 441, Traffic.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-342, One-way streets and alleys designated, be hereby amended by the deletion of the following:

NORTHBOUND

Delaware Street, from Maryland Street to Fall Creek Parkway, South Drive;

SECTION 2. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-342, One-way streets and alleys designated, be, and the same is hereby amended by the addition of the following, to wit:

NORTHBOUND

Delaware Street, from Louisiana Street to Fall Creek Parkway, South Drive;

SECTION 3. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 5. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Proposal No. 370, 2023 was retitled GENERAL ORDINANCE NO. 54, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 54, 2023

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 621, Parking, standing and stopping restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 621-602 (a), Residential permit parking zones established, be, and the same is hereby amended by the deletion of the following, to wit:

Street	Orientation From Centerline	Boundary
11 TH Street	South Side	Brookside Ave. -to- Arsenal Ave.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 371, 2023. Councillor Adamson reported that the Public Works Committee heard Proposal No. 371, 2023 on November 27, 2023. The proposal, sponsored by Councillors Jones and Osili, establishes interest in the purchase of specified land by the Department of Public Works at 402 Kentucky Avenue (District 16), for the construction and maintenance of the White River Innovation District Infrastructure; which real estate is owned by 402 Kentucky Avenue, LLC. By a 9-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Adamson moved, seconded by Councillor Jones, for adoption. Proposal No. 371, 2023 was adopted on the following roll call vote; viz:

23 YEAS: Adamson, Annee, Bain, Boots, Brown, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
1 NOT VOTING: Carlino
0 NAYS:
1 ABSENT: Barth

Proposal No. 371, 2023 was retitled GENERAL RESOLUTION NO. 44, 2023, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 44, 2023

PROPOSAL FOR A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana, is interested in making the purchase of specified land.

WHEREAS, the City-County Council of the Consolidated City of Indianapolis and Marion County, Indiana (the "City") is the fiscal body of the City pursuant to IC 36-1-2-6; and

WHEREAS, pursuant to IC 36-1-10.5-1, *et seq.*, the City may purchase interests in land for a total price exceeding twenty-five thousand dollars (\$25,000) only after the City-County Council, as the fiscal body, passes a resolution to the effect that it is interested in making a purchase of the specified land; and

WHEREAS, the City, through its Department of Public Works ("DPW"), wishes to purchase fee simple title to the real estate described in Exhibit "A" attached hereto and incorporated herein (the "Real Estate"); and

December 4, 2023

WHEREAS, acquisition of the Real Estate is needed for the construction and maintenance of DPW Project Number ST-31-059; White River Innovation District Infrastructure; and

WHEREAS, the City-County Council, having considered the acquisition of the Real Estate and being duly advised, finds that the City-County Council has an interest in acquiring the Real Estate; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby establishes that it has an interest in acquiring the Real Estate described in Exhibit "A" attached to and incorporated into the official copy of this Resolution on file with the Clerk of the Council.

SECTION 2. For purposes of Revised Code Sec. 151-66, the Real Estate is owned by 402 Kentucky Avenue LLC.

SECTION 3. DPW is directed to appoint two (2) appraisers to appraise the fair market value of the Real Estate and to provide a copy of both appraisals to the Chair of the Public Works Committee of the City-County-Council.

SECTION 4. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 306, 2023. Councillor Brown reported that the Rules and Public Policy Committee heard Proposal No. 306, 2023 on November 28, 2023. The proposal, sponsored by Councillor Adamson, amends Chapters 141, 151, 175, 192, 285, 293 and 431 of the Revised Code to change the British English "councillor" to the American English "councilor." By a 10-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Brown moved, seconded by Councillor Adamson, for adoption. Proposal No. 306, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson

0 NAYS:

1 ABSENT: Barth

Proposal No. 306, 2023 was retitled GENERAL ORDINANCE NO. 55, 2023, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 55, 2023

A PROPOSAL FOR A GENERAL ORDINANCE amending Chapters 141, 151, 175, 192, 285, 293, and 431 of the Revised Code to change the British English "councillor" to the American English "councilor".

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. All references in the Revised Code of the Consolidated City and County to the word "councillor" are hereby deleted (indicated by a strikethrough) and replaced with the word "councilor" (indicated by an underline) to read as follows:

Sec. 141-301. Purpose.

The purpose of this article is to assure that those regulations of the consolidated city and county that have a broad regulatory effect on the lives of citizens, business activities, and development:

- (1) Do not impose costs (on regulated parties, on persons who pay taxes and fees for government services, and consumers of products and services of regulated parties) that exceed the benefits that are realized by the community;
- (2) Achieve the regulatory goal in the least restrictive way;

- (3) Do not duplicate existing standards found in either local, state, or federal codes and do not exceed existing federal or state standards unless there is a significant reason to do so;
- (4) Are simply written; and
- (5) Are practically enforceable.

To achieve these purposes, this chapter establishes procedures for making such proposed regulations subject to informed and open public discussion and debate that is led by elected ~~councillors~~ councilors and involves representatives of affected interests, including the interests of neighborhoods, business, regulated parties, customers of regulated parties, taxpayers, and the applicable regulatory agency.

Sec 151-2. Membership of councils

The city-county council and each special service district council shall consist of twenty-five (25) members elected as provided by statute. The preferred form of address for members of the council shall be ~~councillor~~ councilor.

Sec. 151-4. Days, time and place of regular meetings.

Regular meetings shall be held at least once each month on such dates and at such times as the council shall establish by resolution adopted at least forty-five (45) days prior to such meeting. If no such dates are so established, the regular meeting shall be held on the first Monday of each month at 7:00 p.m. prevailing local time, in the council chamber, on the second floor of the city-county building in Indianapolis. In the event that the date of the regular meeting is on a holiday observed by state law or local ordinance for employees of the consolidated city, the regular meeting shall be held on the next succeeding day that is not such a holiday nor a Saturday, or Sunday, unless the council, by a majority vote at a prior meeting, shall cancel the meeting or postpone it to another date. The time or place of any regular meeting may be changed by majority vote at a prior regular meeting.

In addition, in the event of severe weather or other emergency making it unsafe or impractical for ~~councillors~~ councilors, staff, and the public to travel to or from a regular meeting, the meeting may be cancelled by a majority vote of the president, majority leader and minority leader of the council. This vote shall be documented by e-mail, text, or facsimile, and conference calls may be used for initial discussions.

Sec. 151-7. Litigation procedures.

(a) If the city-county council or members of the city-county council are named as parties in any judicial or administrative proceeding under circumstances that any member of the council or the corporation counsel deems the interests of the council or the city may be adverse to each other, such ~~councillor~~ councilor or the corporation counsel shall inform the president of the city-county council of such circumstances. Upon being so advised the president shall determine if such a conflict exists. If he determines that a conflict does exist, the general counsel shall represent the city-county council in accordance with section 151-101(d) of the Code.

(b) In any judicial or administrative proceeding that either the city-county council or members of the city-county council are named as parties or in which the city-county council has intervened as a party, the president is authorized to provide instructions to the attorney representing the city-county council as to the conduct of the proceeding, including agreeing to settlement, decisions to petition for review or appeal, and other issues arising during the proceedings.

(c) During any such proceeding, any member of the city-county council may introduce a proposal for a council resolution that specific instructions issued by the president to the attorney representing the council be reviewed or reconsidered. The president shall refer such proposal to the committee on rules and public policy. If the city-county council adopts the proposal, the instructions of the president's are overruled and replaced by those contained in the proposal.

(d) The instructions of the president to the attorney representing the city-county council shall be in force and effect until and unless those instructions are overruled or replaced by those contained in a resolution adopted by the city-county council. If such a resolution is adopted, the instructions contained in such resolution shall be in force and effect and the president may issue further instructions, provided that the president's further instructions do not conflict with the instructions contained in such resolution. Thereafter, the city-county council may modify or rescind its prior resolution in accordance with subsection (c) of this Section.

Sec. 151-29. Attendance at meetings of standing committees by council members who are not on the committee.

Any member of the council shall be entitled to attend and participate in the discussions before any standing committee. The ~~councillor(s)~~ ~~councilor(s)~~ introducing any proposal referred to a standing committee shall be a member of that committee while it is considering that proposal, but such ~~councillors~~ ~~councilors~~ shall not be entitled to vote or be counted in determining a quorum.

Sec. 151-51. Time limit on speaking.

(a) No member of a council shall speak more than twice, nor for more than five (5) minutes on each occasion, upon any one (1) question in debate during the same session or meeting, without leave therefor of the council, except in explanation, unless such member is the mover, proposer or introducer of the matter pending, in which case such member shall be permitted to speak in reply, but not until every other member desiring to speak shall have spoken.

(b) After the president has called for the vote on final adoption of a proposal and after the vote count has been announced, a ~~councillor~~ ~~councilor~~ may be granted up to one (1) minute to explain the vote such ~~councillor~~ ~~councilor~~ has cast, which explanation shall be limited to the subject matter of that proposal.

Sec. 151-52. Roll call votes.

(a) *Recorded votes.* All votes upon the final adoption of proposals for ordinances or general resolutions, motions to reconsider or motions to suspend the rules, shall be by roll call vote. If electronic or mechanical voting systems are installed for use by the council, the recording of the vote by such methods shall be the same as a vote by calling the roll and may be used for the roll call at the opening of a meeting and to determine a quorum. All ordinances or resolutions shall be adopted solely upon the affirmative vote of a majority of all members of the council. All members present shall vote on all roll call votes unless under section 151-1121 a member is permitted to abstain or is disqualified.

(b) *Challenges.* Whenever the propriety of voting of a ~~councillor~~ ~~councilor~~ on any matter is challenged by another ~~councillor~~ ~~councilor~~ and such ~~councillor~~ ~~councilor~~ refuses to abstain, a motion shall be in order to disqualify such ~~councillor~~ ~~councilor~~. Such motion shall be decided by majority vote of those present, including the ~~councillor~~ ~~councilor~~ challenged. If the motion to disqualify carries, the vote of such member shall not be counted on the matter with respect to which the ~~councillor~~ ~~councilor~~ was disqualified. Unless the propriety of a ~~councillor's~~ ~~councilor's~~ vote is challenged under this subsection prior to the call for the vote by the presiding officer, the right of the ~~councillor~~ ~~councilor~~ to vote shall not thereafter be challenged.

Sec. 151-63. Procedures for introduction of proposals.

(a) ~~Councillors~~ ~~Councilors~~ or other persons authorized by law may initiate proposals for introduction by submitting such proposals to the clerk for review by the general counsel as to form and legality. If such person is not a ~~councillor~~ ~~councilor~~, the person shall indicate the ~~councillor~~ ~~councilor~~ who has agreed to sponsor the proposal. ~~Councillors~~ ~~Councilors~~ or other persons authorized by law may not refile the same or substantively the same proposal within a six (6) month period without first obtaining the president's approval.

(b) If such proposal is approved by the general counsel and was submitted by noon on the fifth business day prior to the date the preliminary agenda is to become available to the public pursuant to SECTION 151-95(2)(b)3., the proposal shall be entered on the agenda of that meeting for introduction.

(c) The deadline established by subsection (b) may be waived only by the president of the council.

Sec. 151-69. Notice of board and commission vacancies and expiring terms.

In order to facilitate ~~councillor~~ ~~councilor~~ input into the process by which the council appoints members of boards, commissions, committees, and authorities, the clerk shall, at least once per quarter:

(a) Provide notice to all ~~councillors~~ ~~councilors~~ of current board, commission, committee, and authority vacancies to which the council makes appointments; and

(b) Provide notice to all ~~councillors~~ ~~councilors~~ of the board, commission, committee, and authority terms, to which the council makes appointments, that will expire during the following quarter.

The clerk shall also provide notice of any legal requirements with respect to the vacancies and expiring terms.

Sec. 151-74. Introduction of proposals.

Proposals shall be introduced and presented to the city-county council only in the following manner: Under the proper item of business, the clerk shall read the proposal, stating only the number, reciting the title and stating the name of the person initiating the proposal. After each proposal is introduced, the president shall state the committee to which the proposal is referred or, if the proposal has been previously referred to a committee, the committee to which the referral was made. If, by law, a public hearing before the entire council is required, the public hearing shall be at the next regular meeting unless the president shall state another date for the public hearing.

If the proposal is to change the zone maps incorporated by reference into the zoning ordinance under IC 36-7-4-608, and the metropolitan development commission has certified the proposal to the clerk under IC 36-7-4-605(c), the **councillor councilor** in whose district the parcel of real property under consideration is located, may move that the proposal be set for public hearing before the entire city-county council. If no such motion is made, or if the motion is not adopted by a majority vote of the council, then the decision of the metropolitan development commission shall be deemed affirmed. (G.O. 68, 1988, § 6; G.O. 144, 1993, § 1; G.O. 36, 2014, § 1; G.O. 98, 2015, § 2)

Sec. 151-79. Special procedures for rezoning ordinances.

(a) *Application.* Proposals for changing the zone maps incorporated by reference into the Marion County zoning ordinance may be scheduled for a public hearing pursuant to IC 36-7-4-608. Whenever pursuant to IC 36-7-4-608 the council schedules such a public hearing, the rules set forth in this section shall apply.

(b) *Prehearing procedures.* After such public hearing is scheduled by vote of the council, a preliminary investigation shall proceed as follows:

- (1) The general counsel shall notify the administrator of the division of planning within two (2) days after a rezoning hearing is scheduled, and the administrator shall distribute in writing to all **councillors councilors** and the general counsel the staff comments and any other information deemed by him or her relevant to the matter to be heard. Such materials shall be mailed or delivered at least seven (7) days prior to the hearing date.
- (2) Any interested party may distribute any relevant written materials to **councillors councilors**, provided all such information is distributed to all **councillors councilors**. Such materials will be distributed to **councillors councilors** by the clerk's staff if thirty-five (35) copies are delivered at the staff conference provided in paragraph (3) of this subsection.
- (3) The general counsel shall conduct a preliminary staff conference on all rezoning petitions on the Wednesday immediately preceding the scheduled hearing beginning at 2:00 p.m. in the clerk's offices, unless the petitioners and remonstrators agree to a different time. The petitioners and any remonstrators each shall be represented at such conference by not more than two (2) persons for each side, one (1) of whom may be their attorney.
- (4) The purpose of the staff conference shall be to ensure agreement as to the procedures for the public hearing, to promote agreement on order of presentation, to list witnesses and exhibits, to narrow issues to be heard, and to consider compromises, which can be implemented by modifications of petitioners' commitments.
- (5) If the petitioners and remonstrators compromise their differences and advise the general counsel of such settlement prior to release of the preliminary agenda for the meeting at which such public hearing has been scheduled, the preliminary agenda shall indicate that a proposed settlement has been reached.

(c) *Action on prehearing settlements.* If the petitioners and remonstrators negotiate a compromise that can be implemented by petitioners' modification of commitments and such settlement is acceptable to the **councillor councilor** who requested the public hearing, the petitioners shall file executed copies of the revised or additional commitments with the metropolitan development commission and the clerk of the council. If such commitments are filed prior to the commencement of the public hearing, it shall be in order to move for a vote on the rezoning proposal subject to the modified commitments without full public hearing. If such motion is made, any person still desiring to be heard shall have two (2) minutes each to explain why a full public hearing should still be held by the council. If that motion fails, the council shall proceed with the public hearing under this section, but if that motion is carried, the vote shall immediately be taken on the rezoning proposal subject to the modifications of commitments filed by petitioners.

(d) *Order of public hearings:*

- (1) ~~Councillor~~ ~~Councilor~~ requesting hearing (two (2) minutes);
- (2) Petitioners' presentation (twenty (20) minutes or less);
- (3) Remonstrators' presentation (twenty (20) minutes or less);
- (4) Public comment from any citizen who has an interest distinct from that represented by petitioners or remonstrators (two (2) minutes or less each);
- (5) Petitioners to close (remainder of twenty (20) minutes if any);
- (6) Remonstrators to close (remainder of twenty (20) minutes if any);
- (7) Council questioning and debate:
 - a. Each ~~councillor~~ ~~councilor~~ has the floor only once for not more than two (2) minutes; and
 - b. All questions by ~~councillors~~ ~~councilors~~ and the responses shall be counted within the time allocated in subparagraph a.;
- (8) ~~Councillors~~ ~~Councilors~~ requesting hearing have five (5) minutes to close debate; and
- (9) Hearing ends; petition is decided.

(e) *Time computation.* The petitioners and remonstrators each shall have twenty (20) minutes total per side for presentation and closing, which may be used at their discretion. All testimony, except public comment and questions by ~~councillors~~ ~~councilors~~ and the response thereto, shall be treated as part of either the petitioners' or remonstrators' time whether or not called by a party.

(f) *Additional time requests.* If either party is of the opinion that the issues are sufficiently complex to justify additional time, such request shall be made at the staff conference and decided by the council prior to the hearing. No additional time shall be allowed after the hearing begins except by action suspending these rules.

(g) *Council vote.* After the public hearing on a proposal for a rezoning ordinance, by a vote of fifteen (15) of the members of the city-county council, the decision of the metropolitan development commission is adopted or rejected as the case may be. Any vote of less than fifteen (15) shall be indecisive; and the decision of the metropolitan development commission shall take effect pursuant to IC 36-7-4-608(c)(3) on the final action date (as extended).

Sec. 151-86. Adjournment motions recognizing deceased persons—Generally.

At the conclusion of each council meeting immediately prior to traditional adjournment, the clerk or a member of the council as designated by the president shall have the opportunity to adjourn the meeting in recognition of and respect for the life and contributions of specifically named deceased persons. The name(s) of such deceased persons shall be submitted to the clerk by the sponsoring ~~councillor~~ ~~councilor~~ by 5:00 p.m. at least two (2) workdays before the regularly scheduled meeting of the council at which the motion is to be offered. The motion shall be in writing on a form devised and approved by the clerk and shall contain all information necessary to facilitate the full intent and process of this section and section 151-87. The following protocol for offering motions is to be used:

The president: The docketed agenda for this meeting of council having been completed, the chair will now entertain motions for adjournment.

President's designee: Mr. President.

The president: The chair recognizes (the clerk) ~~Councillor~~ ~~Councilor~~ _____.

The ~~councillor~~ ~~councilor~~: Mr. President, I have been asked to offer the following motion(s) for adjournment:

by ~~Councillor~~ ~~Councilor~~ _____ in memory of _____.

by ~~Councillor~~ ~~Councilor~~ _____ in memory of _____.

(This format will be followed through the completion of all names.)

Mr. President, I would like to move the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of those persons I have here specifically named. I respectfully ask the support of fellow ~~councillors~~ ~~councilors~~. I further request that the motion(s) be made a part of the permanent records of this body and that a letter bearing the council seal and the signature of the president be sent to the family of each person advising of this action.

The president: Thank you, ~~Councillor~~ ~~Councilor~~ _____. Hearing no objections, the motion(s) is/are received and the requests are so ordered.

Hearing no further motions for adjournment, we are adjourned. (gavel)

Sec. 151-87. Same—Letter sent to involved families.

The letter sent to the involved families will take the following form:

Dear _____

I am very pleased to advise you that upon motion made by ~~Councillor~~ ~~Councilor~~ _____, the _____ session of the Indianapolis City-County Council was adjourned "in recognition of and respect for the life and contributions of _____."

~~Councillor~~ ~~Councilor~~ _____'s motion was supported by the full Council and is now a part of our permanent records.

America has been made great by those persons who have made the landmark contributions as well as those whose very presence in the community is a stabilizing influence which lends a sense of purpose and direction. We join you at this time in remembering _____.

Sec. 151-94. Journal.

The journal of the council shall contain a complete and accurate record of the official proceedings of the city-county council and each special service district council and shall be prepared and kept in the following manner:

- (1) *Contents.* The clerk shall enter in the journal at least the following information:
 - a. The complete text of all correspondence from the mayor;
 - b. The numbers and titles of all proposed ordinances and resolutions when introduced;
 - c. A brief statement of the contents of any petition or other paper presented for consideration;
 - d. The complete text of each ordinance, resolution or other proposal when before the council for adoption and each amendment proposed thereto;
 - e. Every vote of the council, including the yeas and nays;
 - f. Such other matters as are necessary to keep an accurate record of the proceedings of the councils.
- (2) *Publication.* After the journal is approved, the clerk shall have one hundred (100) copies of the journal of each meeting printed. One (1) copy shall be delivered to each member of the city-county council as soon as possible. At least fifty (50) copies shall be preserved to be bound with a proper index after the end of each year as the permanent official journal of the councils; one (1) bound copy shall be delivered to each ~~councillor~~ ~~councilor~~ who served during that year.

Sec. 151-95. Calendar and agenda.

The clerk shall prepare a calendar of pending matters and agendas for each meeting of a council, as follows:

- (1) A current calendar shall be available to members of the council within three (3) days after each meeting indicating the status of each matter pending before the council.
- (2) a. The council staff will prepare in advance of each council meeting a preliminary agenda.
 - b. The preliminary agenda shall list all items of business on which action is anticipated as of the date of such preliminary agenda, but might not contain:
 1. Economic development bond proposals not yet heard by the economic development committee;
 2. Rezoning proposals not then certified by the administrator of zoning;
 3. Resolutions not then submitted to the clerk; and
 4. Items which may be added to the agenda by suspension of the rules or other lawful procedures.
 - c. The preliminary agenda shall be available to the public by 2:00 p.m. on the last business day prior to the date of the meeting and shall be mailed to the ~~councillors~~ **councilors** requesting the same that afternoon.
- (3) The clerk shall prepare an agenda prior to each meeting of the council showing all matters eligible for consideration under each order of business.

Sec. 151-101. Duties of the general counsel generally.

- (a) The general counsel shall be responsible to see that all ordinances and resolutions requested by members of the council are drafted, shall review and approve all proposed ordinances and resolutions as to form and legality, shall advise the clerk as to all matters regarding publication and codification of ordinances and shall give legal advice as requested by the councils, their committees and their members.
- (b) The general counsel shall be responsible for editing and supervising of the codification of the ordinances and is authorized to renumber and rearrange sections of ordinances or the codification as deemed appropriate.
- (c) The general counsel shall also attend meetings of the majority and minority caucuses upon request of the respective caucus leaders, to discuss or advise as respects council business or procedures, unless the general counsel determines that an ethical conflict would arise from such request.
- (d) The general counsel shall represent the council, or ~~councillors~~ **councilors** (or supervise counsel retained for such purposes, as approved by the president) whenever the corporation counsel has refused to do so or when authorized by resolution of the council.
- (e) The general counsel shall not represent a ~~councillor~~ **councilor** on a private matter or in a private capacity. This shall not prohibit the general counsel from appearing for ~~councillor~~ **councilors** individually in civil matters arising out of actions taken by ~~councillors~~ **councilors** which they in good faith believed were within the scope of their official duties and such representation is authorized under subsection (d) of this section.

Sec. 151-102. Caucus attorneys and consultants.

- (a) Within the appropriations specified and available for such purposes, the majority leader and minority leader may recommend contracting for attorneys or consultants for their respective caucuses. Such recommendations shall be submitted to the general counsel for distribution to the members of the committee on committees. Upon approval of any such recommendation by another member of that committee, the clerk shall contract for such services.
- (b) If an attorney is employed or retained to provide legal services to a caucus, the client shall be the caucus. Such attorney may appear on behalf of the respective caucus at committee meetings but shall not be entitled to appear before the full council, except by vote of the full council. Such attorney shall not represent a ~~councillor~~ **councilor** on a private matter or in a private capacity.
- (c) No caucus consultant shall be compensated for time spent on partisan political activities.
- (d) Statements for services of caucus consultants shall be verified by the respective caucus leader before being submitted to the clerk for payment.

Sec. 151-901. Use of assigned portable computers.

(a) Portable computers assigned to full-time council employees shall be used only for official governmental purposes and personal records relating to the performance of governmental duties.

(b) Portable computers assigned to ~~councillors~~ ~~councilors~~ and part-time staff shall be used predominately for governmental purposes and for personal records relating to the performance of governmental duties.

(c) Portable computers shall be used only by the person to which assigned, and others shall not be allowed to control or use governmental equipment.

(d) Any software installed on the computer which is not provided by the city shall only be installed as authorized by the licenses pertaining to such software. Any such software shall be removed prior to returning the computer to the city, upon which return the clerk will cause such software to be removed prior to reissuance of the computer.

Sec. 151-903. On-line services.

Any ~~councillor~~ ~~councilor~~ or staff member, to whom a portable computer is assigned, may install on-line internet connection services on such computer, but all charges for such services and connections shall be paid by the user or subscriber. Such charges shall not be reimbursed by the council.
(G.O. 42, 1998, § 1)

ARTICLE XI. ETHICS CODE FOR ~~COUNCILLORS~~ ~~COUNCILORS~~

Sec. 151-1101. Establishment and review of standards of ethical conduct for ~~councillors~~ ~~councilors~~.

Prior to March 31 of each year, the members of the ethics committee shall individually review the standards of ethical conduct for councilors and may devise and propose any amendments for the ethics committee to review. Any amendments proposed by committee members shall be submitted to the chair of the ethics committee. No later than thirty (30) days after submission of any proposed changes, the chair shall schedule a meeting of the ethics committee to review proposed changes to the standards of ethical conduct for councilors. If no committee member deems necessary any changes or amendments to the current standards of ethical conduct, the ethics committee shall not meet. On an annual basis, the chair of the ethics committee must confirm to the clerk that all members of the ethics committee have reviewed and consented to the establishment and review of standards for ethical conduct for councilors.

Sec. 151-1102. Review of alleged violations.

In addition to the duties provided in section 151-1101, the ethics committee may do any of the following:

- (1) Receive and hear any complaint filed pursuant to Division 2 of this Article, that alleges any violation of the standards of ethical conduct for ~~councillors~~ ~~councilors~~, regardless of when the misconduct or violation is alleged to have occurred;
- (2) Obtain information with respect to any complaint filed pursuant to Division 2 of this Article and, as provided therein, to compel the attendance and testimony of witnesses and the production of documents;
- (3) Recommend to the council that, because of his or her violation of the standards of ethical conduct for ~~councillors~~ ~~councilors~~, a ~~councillor~~ ~~councilor~~ be subject to censure or such other punishment as the council may deem proper, or the law may provide, as will best maintain, in the minds of the public, a good opinion of the conduct and character of ~~councillors~~ ~~councilors~~; and
- (4) Act as an advisor to ~~councillors~~ ~~councilors~~ on ethics questions.

Sec. 151-1121. Allegations of violations of ethical standards.

(a) Any allegation of violations of the ethical standards of this chapter must be initiated by a ~~councillor~~ ~~councilor~~ in one of the following manners:

- (1) An allegation by a ~~Councillor~~ ~~Councilor~~ of violations of ethical standards by a ~~councillor~~ ~~councilor~~ during a meeting of the council or any committee of the council shall be made by the ~~councillor~~ ~~councilor~~ stating the allegation which shall be noted in the minutes. No further statement of allegation is required, but the ~~Councillor~~ ~~Councilor~~ making the allegation may file a further statement of allegation that complies with section 151-1122.

- (2) An allegation of violations of ethical standards by a **councillor councilor** with respect to conduct of a **councillor councilor** not during a meeting of the council or a council committee shall be made by filing a statement of allegation, that complies with section 151-1122, with the clerk of the council.
- (b) The allegation shall be referred to the chairperson of the ethics committee by the president of the council if made during a council meeting, by the chairperson of the committee if made during a committee meeting, or by the clerk if filed with the clerk.
- (c) As used in this division, "complainant" means the **councillor councilor** alleging the violation, and "respondent" means the **councillor councilor** against whom the allegation is made.
- (d) If the respondent or the complainant is the chairperson of the ethics committee, the member of the committee, who has served the longest on the council, shall fulfill the duties of the chairperson with respect to such statement of allegation.
- (e) If a member of the ethics committee is the complainant or the respondent, such member or members shall recuse themselves from consideration of such statement of allegation. The committee on committees shall name another **councillor councilor** or **councillors councilors** of the **councillor's councilor's** political party, to serve during the consideration of the statement of allegations.
- (f) If the general counsel, chairperson of the ethics committee or the committee determines that the general counsel has a personal interest or involvement in the matters described in the statement of allegation, the committee shall retain another attorney to perform the duties assigned by this chapter to the general counsel with respect to proceedings with respect to that statement of allegation.

Sec. 151-1122. Statement of allegation.

The statement of allegation shall contain the following:

- (1) A description of the conduct by the **councillor councilor** that is alleged to be a violation of the ethical standards and the standard of conduct that applies;
- (2) The time and place the alleged conduct occurred;
- (3) The names of other persons present when the conduct occurred;
- (4) The full name, address and phone numbers of any persons who provided information to the **councillor councilor** upon which the statement of allegation is based;
- (5) Any documents which form the basis of the allegation; and
- (6) An affirmation under penalties of perjury that the statement of allegation is true or based on information considered in good faith to be correct.

Sec. 151-1123. Referral of statement of allegation.

- (a) The clerk of the council, within ten (10) days of the filing of the statement of allegation or notation of allegation by a **councillor councilor** in the minutes, shall refer the matter to the chairperson of the ethics committee. The clerk shall provide copies of the allegation to the members of the ethics committee and to the **councillor councilor** against whom the allegation is made.
- (b) The chairperson of the ethics committee, shall set a date for the ethics committee to meet in executive session for an informal review of the matter by the ethics committee not later than thirty (30) days after the filing under subsection (a).
- (c) The chairperson shall forward the statement of allegation or notation in the minutes to the general counsel, who shall issue an opinion under section 151-1124.
- (d) Notice of the action taken by the chairperson shall be given to the complainant, the respondent and the members of the ethics committee.

Sec. 151-1128. Action by council.

(a) Respondent has the right to appeal to the council any recommendation by the ethics committee and request a hearing. Such request shall be filed with the clerk of the council within ten (10) days after the ethics committee adopts its recommendation. On filing of the appeal the clerk shall forthwith prepare a transcript or video record of the committee hearing, along with all exhibits and minutes of the hearing and committee deliberations and deliver copies to each ~~councillor~~ **councilor**.

(b) If an appeal is filed by respondent, action on the committee report and resolution shall be postponed until after the hearing is concluded.

(c) At the first regular meeting of the council after an appeal is filed, the council by simple majority vote of those voting shall decide whether the appeal shall be held on the record of the ethics committee hearing or a hearing de novo shall be held. The president of the council shall schedule such hearing before the council at a regular or called meeting within thirty (30) days of the filing of the request by respondent.

(d) If the council schedules a hearing on the record, no additional evidence shall be received at the hearing. The respondent and complainant, in that order, shall each have fifteen (15) minutes to present arguments on the appeal.

(e) If a hearing de novo is held:

(1) The president, or if president be the respondent, the vice-president, may preside or may appoint the general counsel or another qualified person to preside; and if the person who is appointed to preside is not a ~~councillor~~ **councilor**, such person shall not be entitled to vote and whenever the complainant, respondent or a council member objects to a ruling of the presiding officer, such ruling may be appealed to the council, which ruling shall be sustained unless a majority of the council vote to overrule the presiding officer;

(2) The presiding officer, with consent of the council, may establish reasonable limits for presentation and closing arguments;

(3) Complainant shall present evidence to support the statement of allegation and may be represented by counsel employed by complainant;

(4) Respondent may present evidence in response to complainant's evidence and may be represented by counsel employed by respondent;

(5) Complainant and respondent shall in order be allowed closing arguments; and

(6) The hearing shall be open to the public.

(f) The council shall act on the recommendation of the ethics committee by adopting the recommendation, modifying the recommendation, or determining that no action be taken.

*DIVISION 3. STANDARDS OF ETHICAL CONDUCT FOR ~~COUNCILLORS~~ **COUNCILORS***

Sec. 151-1130. General ethical considerations.

(a) *Purposes.* Ethical standards for members of the city-county council are essential to maintaining public trust in the handling of public affairs of the city and county. The purpose of this article is to set forth those acts and actions that are incompatible with the best interests of the city and county by directing disclosure by ~~councillors~~ **councilors** of private financial or other interests in matters affecting the city or county. By requiring ethics disclosures and providing a guide for ethical conduct, the council can promote the faith and confidence of its citizens in its government.

(b) *Duty to act in public interest.* It is the duty of all ~~councillors~~ **councilors** to act at all times in the best interest of the public and to avoid any appearance of acting in their own private interest.

(c) *Acknowledgment of part time ~~councillors~~ **councilors**.* It is recognized that service as a member of the city-county council is a part-time endeavor and that members of the city-county council are active in the community and elsewhere and that it is necessary that they maintain a livelihood and source of income apart from their council compensation.

(d) *Duty to disclose employment and material business interests.* It is the duty of each ~~councillor~~ **councilor** to disclose his or her employments and positions of control or ownership interests in businesses or civic organizations that have business relationships with, contracts with, or are funded by, the city or county.

Sec. 151-1131. Conflicts of interest, voting.

(a) *Voting.* This section establishes standards for determining when a **councillor councilor** is disqualified from acting or may be permitted to abstain from acting in conflict of interest situations.

(b) *Actual conflicts of interest.*

(1) *Defined.* A **councillor councilor** has an actual conflict of interest whenever the outcome of a vote on a matter before the council would either:

- a. Confer a direct material pecuniary benefit with a value in excess of one thousand dollars (\$1,000.00) which would be received (i) by the **councillor councilor**, the **councillor's councilor's** spouse or **councillor's councilor's** dependent children or (ii) by any business in which the **councillor councilor**, the **councillor's councilor's** spouse or **councillor's councilor's** dependent children have an interest that is required to be disclosed under section 151-1132, which benefit would be materially different from the benefits conferred generally on the public or the **councillor's councilor's** constituents; or
- b. Affect a private personal interest by either conferring any preference or causing any detriment to the **councillor councilor**, the **councillor's councilor's** business, or **councillor's councilor's** family which would be different from that which would apply to the public or the **councillor's councilor's** constituents generally.

A **councillor councilor** who is also an employee of an agency whose budget is subject to approval by the city-county council, shall not be deemed to have an actual conflict of interest either (i) with respect to votes on budgets or revenue proposals, unless the proposal pertains primarily to such employee or the employee's supervisor, or (ii) with respect to votes on proposals setting the compensation of **councillors councilors**.

(2) *Disclosure of actual conflicts.* As soon as it becomes apparent that a **councillor councilor** has an actual conflict of interest with respect to a matter before the council, the **councillor councilor** shall immediately disclose the conflict and thereafter not participate in the debate.

(3) *Disqualification from voting.* A **councillor councilor** with an actual conflict of interest shall be disqualified from voting on the matter.

(c) *Appearance of a conflict of interest.*

(1) *Voluntary abstention.* Whenever a personal relationship, business interest, or civic involvement of a **councillor councilor** (other than those relationships inherent in the political process and in advocating constituent concerns) is such that it might appear to limit the **councillor's councilor's** objectivity on the merits of the **councillor's councilor's** vote, the **councillor councilor** may request to abstain from voting on such matter. The abstention shall be allowed, unless the abstention prevents the council from deciding the matter, in which circumstances the council by a majority vote of those voting may require the **councillor councilor** to vote. A vote under such circumstances shall not be grounds for ethical complaints against such **councillor councilor**.

(2) *Debate and disclosure.* The appearance of a conflict of interest shall not disqualify a **councillor councilor** from debate on the matter if the nature of the perceived conflict of interest is disclosed as soon as it becomes apparent to the **councillor councilor**.

Sec. 151-1132. Ethics disclosure.

(a) All **councillors councilors** shall file with the clerk of the council an ethics disclosure statement on or before July 1, 2009, and thereafter annually, on or before February 1, or within thirty (30) days of taking office.

(b) Any person filing as a candidate for office of city-county **councillor councilor**, who has not filed, during the current calendar year, an ethics disclosure statement under this section, shall file an ethics disclosure statement under this section before, or at the same time as, filing a declaration of candidacy under IC 3-8-2, a petition of nominations under IC 3-8-6 or a declaration of intent to be a write-in candidate under IC 3-8-2-2.5.

(c) An ethics disclosure statement required under this section shall include the following information:

(1) The name, residence address and business address(es) of the **councillor councilor**.

- (2) The names and addresses of all employers from whom the **councillor councilor** received compensation during the prior calendar year, and if self-employed, the nature of the business or businesses conducted as self-employment and the name or names, if any, under which the business or businesses are conducted.
 - (3) The name and addresses of all employers from whom the **councillor's councilor's** spouse or **councillor's councilor's** dependent children received compensation in excess of five thousand dollars (\$5,000.00) during the prior calendar year.
 - (4) The name and address of any business entity, doing business with the city or county, or which solicits doing business with the city or county, in which the **councillor councilor**, the **councillor's councilor's** spouse or a **councillor's councilor's** dependent child
 - (i) Is an officer; or
 - (ii) Owns an equity interest or interest in the earnings and profits of such business that, individually or in the aggregate, exceeds ten (10) percent; or
 - (iii) Directly or indirectly received compensation in excess of five thousand dollars (\$5,000.00), in aggregate from any one such entity, in the past calendar year.
 - (5) The name and address of any organization which receives or applies for funding from the city or county for which the **councillor councilor**, **councillor's councilor's** spouse or a **councillor's councilor's** dependent child serves as an officer or board member.
 - (6) A list of those persons or firms from which the **councillor councilor** received gifts, or any other item, valued over one hundred dollars (\$100.00), or in aggregate over two hundred fifty dollars (\$250.00), in the prior calendar year if such person or firm does, or seeks to do, business with the city or county or seeks to influence council action. Campaign donations, subject to IC 3-9-2 and reported in accordance with law, and gifts from persons, including family members, with whom the **councillor councilor** has an on going social relationship not related to service on the council, are not subject to reporting under this provision.
 - (7) Any items reported under clauses (1) through (4) of this subsection shall be updated within forty-five (45) days of the change of such information.
- (d) The clerk of the council, with assistance of the general counsel, shall prescribe a form for these disclosures. Such statement shall be verified under penalties for perjury. The clerk shall report any failures to file an ethics disclosure statement to the ethics committee of the council for such action as that committee may deem appropriate.

Sec. 151-1134. Specific conduct prohibited.

- (a) *Political activity, patronage.* **Councillors Councilors** shall not require any council employee to engage in political activity or contribute to any political campaign.
- (b) *Use of council property.* **Councillors Councilors** shall not use council equipment or supplies for personal, political, or private business purposes.
- (c) *Travel to conferences.* No **councillor councilor** shall accept reimbursement for travel, meals or lodging expenses related to municipal conferences unless the **councillor councilor** attends two (2) hours or more of meetings or official functions per half-day.

Sec. 175-201. Extension of local disaster emergency.

If the mayor declares a local disaster emergency under I.C. 10-14-3-29, and requests the council to consent to its continuation or renewal for more than seven (7) days, the clerk of the council shall promptly notify the president of the council and all other **councillors councilors** of such request.

Sec. 175-202. Consent by council.

When notified of a request by the mayor under section 175-201, the president shall attempt to schedule a special meeting before the local disaster emergency declaration of the mayor expires. If, because of the nature of the emergency or other circumstances, the President determines, after consultation with the majority leader and minority leader, that a special meeting

is not possible before the emergency expires, authority to consent to such extension is delegated to the president of the council in accordance with the following procedure. The president shall attempt to contact all **councillors councilors** by telephone or e-mail to obtain consent to the extension of the emergency declaration. If the president obtains the consent of a majority of the **councillors councilors** to seek extension, the president shall advise the mayor of the council's consent to such extension of the declaration.

Sec. 192-102. Compensation of **councillors councilors.**

The compensation of members of the city-county council is fixed pursuant to IC 36-3-6-2 for the calendar year 2024 and thereafter until modified in accordance with article III of this chapter, as:

- (a) Each member of the city-county council shall receive an annual salary of thirty-one thousand, seventy-five dollars (\$31,075.00). In addition, **councillors councilors** shall receive the same cost of living adjustment (COLA) that city and county employees receive under section 192-302(b).
- (b) Each member of the city-county council shall receive, in addition to the annual salary, a per diem allowance of one hundred fifty dollars (\$150.00) for each regular council meeting attended, attendance to be determined solely on the basis of the roll call taken at the opening of each regular meeting.
- (c) Each member of the city-county council, in addition to the annual salary and per diem for council meetings, shall receive a per diem of seventy-five dollars (\$75.00) for attendance at each meeting of a committee of which they are a member. The council may authorize the per diem fee to be paid to a member representing the council on a specific council assignment.
- (d) In addition to the annual salary and per diem fees, the officers of the council shall receive the following additional compensation:
 - (1) The president shall be paid an additional annual compensation of three thousand, two hundred fifty dollars (\$3,250.00);
 - (2) The vice president, majority leader and minority leader shall be paid an additional annual compensation of two thousand, two hundred fifty dollars (\$2,250.00);
 - (3) The chairman of each standing committee shall be paid an additional annual compensation of one thousand, two hundred fifty dollars (\$1,250.00); and
 - (4) The chairman of each special committee shall be paid an additional monthly compensation of sixty-six dollars (\$66.00) for each calendar month during which the committee meets.

No member shall be entitled to but one additional compensation as provided in this paragraph (d). The right to each such additional compensation shall be established by the council rules and resolutions providing for the organization of the council or the establishment of the special committee.

- (e) Members of the city-county council, as part-time employees, may participate in employee benefit programs on the same basis as other elected and part-time employees of the City of Indianapolis.

Sec. 285-801. High performance government team established.

- (a) The high performance government team is established.
- (b) The purpose of the high performance government team is to review the operations of all taxing units in the City of Indianapolis and Marion County, to assist those units in finding ways to operate more efficiently and effectively, and to make recommendations to the mayor, city-county council, relevant elected officials and the taxing units regarding how to implement the team's findings.
- (c) The team consists of the following thirteen (13) members:
 - (1) Two co-chairpersons, with one (1) appointed by the mayor and one appointed by the city-county council;
 - (2) Eleven (11) members appointed by the co-chairpersons in collaboration with the mayor, city-county council and Greater Indianapolis Chamber of Commerce;

- (3) The city controller or his or her designee as a non-voting, ex-officio member; and
 - (4) Two city-county ~~councillors~~ **councilors** of different political parties appointed by the council as non-voting, ex-officio members.
- (d) All members shall serve at the pleasure of the appointing authority, in person and not by proxy, and without compensation.
- (e) Members must be residents of, or employed in, Marion County, Indiana.
- (f) Voting members shall not be elected officials or employees of elected officials.
- (g) Voting members shall have significant experience in the corporate sector, preferably with significant process improvement experience in total quality management, six-sigma, project management, or a particular functional discipline.
- (h) The appointment of each team member shall be for a term of two (2) calendar years and until his or her successor is appointed and qualified. If a vacancy occurs, the appointment of a successor shall be for the unexpired portion of the term. Each member may be appointed to successive terms.
- (i) A quorum of the team for official action shall be seven voting members.
- (j) The team shall meet as often as necessary, at such place and time as may be set by the co-chairpersons. All official action of the team shall be executed by the co-chairpersons upon being authorized by a motion passed by a simple majority of voting members present.
- (k) The team shall adopt rules for the conduct and procedures of the team's meetings that are consistent with the Indiana Open Door Law and the Access to Public Records Act.
- (l) The team is a public agency for purposes of IC 5-14-1.5 and IC 5-14-3.
- (m) The team shall seek city-county council re-authorization every two years.

Sec. 293-101. Name and purpose.

- (a) This chapter shall be referred to as the ethics code of the consolidated city and county.
- (b) The purpose of this chapter is to set clear and high ethical standards for the official conduct of officials, appointees, and employees of city and county government and persons who have a business relationship with city or county government so that the public will have confidence that the conduct of city and county business is always conducive to the public good.
- (c) Public confidence in the integrity of government is essential to the exercise of good government. Accordingly, those persons under the jurisdiction of the ethics commission should be committed to the following goals:
- (1) Duties should be carried out impartially;
 - (2) Decisions and policy should not be made outside of proper channels of city and county government;
 - (3) Public office should not be used for private gain; and
 - (4) Actions, transactions, or involvements that have the potential to become a conflict of interest should not be performed or engaged in.
- (d) This chapter is not meant unduly to restrict or limit the behavior of the officials, appointees, or employees during the time when they are not on duty. Each ~~councillor~~ **councilor**, official, appointee, or employee retains lawful rights and privileges as a private citizen to interests of a personal or private financial nature. These rights and privileges will be honored to the extent that they are compatible with an individual's elected office, appointed position, or employment.

Sec. 293-102. Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section.

Advisory body means an authority, board, commission, committee, task force, or other body designated by any name of the city or county government that is authorized to make only nonbinding recommendations.

Agency means an authority, board, branch, bureau, commission, committee, council other than the city-county council, department, division, office, service, or other instrumentality of city or county government that is established by statute, ordinance, executive order, or other law. The term agency includes the office of mayor and the county offices of the assessor, auditor, clerk, coroner, recorder, sheriff, surveyor, and treasurer. The term does not include any advisory body. The term does not include the city-county council or state offices with county jurisdiction, which are the office of county prosecutor and the judges of the circuit court or superior courts; however, all individuals excluded are invited to comply with this ethics code.

Appointee means a person, other than an official or employee, who is appointed to an agency, a municipal corporation, or a governmental entity in the county whose budget is subject to the review of the city-county council.

Assist or assistance means to help, aid, advise, or furnish information to a person, and includes an offer to assist.

Business relationship means:

- (1) Dealings with an agency by a person who has:
 - a. A financial interest in a contract with, or purchase by, an agency; or
 - b. A license or permit requiring the exercise of judgment or discretion by the agency; or
- (2) *Lobbying activity* by a lobbyist, as those terms are defined in section 909-101 of the Code.

Candidate for elected office means a candidate for the office of mayor and the county offices of the assessor, auditor, clerk, coroner, recorder, sheriff, surveyor, or treasurer.

Compensation means any money, thing of value, or financial benefit conferred on, or received by, any person in return for services rendered, or for services to be rendered, whether by that person or another.

~~Councillor~~ **Councilor** means a member of the city-county council.

Employee means an individual, other than a ~~councillor~~ **councilor**, an official or appointee, who is employed by an agency (other than the city-county council) on a full-time, a part-time, a temporary, an intermittent, or an hourly basis, or via an employment contract.

Entertainment means the free admission or token of admission to a sporting contest, concert, theatrical production, convocation, parade, convention, festival, or other similar show or presentation that is intended for the divertissement of members of the public upon paid admission.

Ethics commission refers to the city-county ethics commission created under section 293-331.

Fair market value means the price that would be paid by a willing buyer to a willing seller in a good faith transaction in which objectively adequate consideration is provided.

Financial interest means an interest that will result in an ascertainable increase or decrease in the income or net worth of the official, appointee, or employee or a member of that individual's immediate family, but does not include an interest:

- (1) Of a ~~councillor~~ **councilor**, official, appointee, or employee in the common stock of a corporation unless the combined holdings in the corporation of the ~~councillor~~ **councilor**, official, appointee, or employee, that individual's spouse, and that individual's dependent are more than one (1) percent of the outstanding shares of the common stock of the corporation; or
- (2) That is held as an asset in a blind trust.

Immediate family means an individual's spouse or dependent.

Information of a confidential nature means information obtained by reason of the position or office held, and that:

- (1) A public agency is prohibited from disclosing under IC 5-14-3-4(a);

- (2) A public agency has the discretion not to disclose under IC 5-14-3-4(b) and that the agency has not disclosed;
or
- (3) Is not in a public record, but if it were, would be confidential.

Official means the mayor and the individuals who hold the county offices of the assessor, auditor, clerk, coroner, recorder, sheriff, surveyor, and treasurer.

Person means an individual, proprietorship, partnership, unincorporated association, trust, business trust, group, limited liability company, or corporation, whether or not operated for profit, or a governmental entity.

Political activity means taking action to support an individual in his or her campaign for elected office, or soliciting contributions for a political party or another candidate for any elected public office.

Property means money, real property, personal property, goods, supplies, services, deeds, trade secrets, contract rights, or other interests in or claims to wealth.

Relative means any person related as grandfather, grandmother, father, mother, stepfather, stepmother, brother, sister, stepbrother, stepsister, uncle, aunt, husband, wife, son, daughter, stepchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandchild, step grandchild, niece, or nephew.

Represent means to attend an agency proceeding, write a letter, or communicate with an official, appointee, or employee of an agency on behalf of a person.

Sanctions means any of the following actions:

- (1) Canceling a contract, or barring a person from entering into a contract with an agency for a certain period of time;
- (2) Making restitution or disgorgement;
- (3) Removal from office, appointment, or employment;
- (4) Barring an individual from future employment or appointment with the city or county for a certain period of time;
- (5) Revocation or suspension of a license, registration, or permit issued by an agency, including but not limited to a lobbyist registration under chapter 909 of the Code, or barring a person from obtaining such a license, registration, or permit for a certain period of time; or
- (6) Disciplinary action.

Travel expenses means the costs of transportation, lodging, and meals. The term includes actual travel expenses or an amount approximating those expenses that would be allowed by travel policies and procedures authorized by the city controller.

Sec. 293-205. Appointment restrictions.

- (a) No appointee shall fail to attend more than one-third of the meetings of the agency to which the appointee is appointed in a twelve-month period.
- (b) No ~~councillor~~ **councilor**, official, or employee may serve as an appointed member of any agency unless the statute, ordinance, or executive order establishing the agency expressly contemplates membership by that type of member.

Sec. 293-209. Additional or excess compensation.

A ~~councillor~~ **councilor**, official, appointee, or employee may not solicit or receive compensation:

- (1) For the sale or lease of any property or service to a person with a business relationship with the ~~councillor~~ **councilor** or an official's, appointee's, or employee's agency that substantially exceeds the amount that the ~~councillor~~ **councilor**, official, appointee, or employee would charge in the ordinary course of business; or

- (2) For the performance of official duties other than as provided by law.

Sec. 293-213. Benefiting from or divulging confidential information.

(a) A ~~councillor~~ **councilor**, official, appointee, employee, former ~~councillor~~ **councilor**, former official, former appointee, or former employee shall not materially benefit from information of a confidential nature except as permitted by law.

(b) A councilor, official, appointee, or employee shall not divulge information of a confidential nature except as permitted by law.

Sec. 293-303. Advisory opinions.

(a) An advisory opinion from the office of corporation counsel may be requested by:

- (1) The mayor, a ~~councillor~~ **councilor**, or an ethics commission member;
- (2) Any official, appointee, employee, or former employee; or
- (3) A person with a business relationship with an agency.

(b) Requests for an advisory opinion shall be in writing, signed by the person making the request, and designated an inquiry. The inquiry shall state the official status of the person making the request and all material facts necessary for the office of corporation counsel to understand the circumstances and render a complete advisory opinion. The inquiry, if requested by someone under subsection (a)(2) or (a)(3), must relate specifically to that person.

(c) All advisory opinions shall be issued in writing, designated as an Official Advisory Opinion, signed by the corporation counsel, and shall be conditioned upon the following:

- (1) The facts and circumstances actually exist; and
- (2) All of the relevant facts and circumstances related to the advisory opinion have been disclosed.

(d) Any person directly affected by the advisory opinion may seek written clarification of the advisory opinion from the office of corporation counsel. Any such request for clarification shall be made in writing to the office of corporation counsel.

(e) Any person directly affected by the advisory opinion may appeal to the corporation counsel or the ethics commission for reconsideration or clarification of the advisory opinion. Any such appeal shall be made in writing.

(f) If a person who has requested an advisory opinion has been advised that certain action or inaction will lead to a violation of this chapter and has failed to comply after having been given a reasonable opportunity to do so, the corporation counsel shall refer the matter to the ethics commission so that it may review the matter to determine compliance with the advisory opinion and, in executive session, vote to initiate an investigation.

(g) A person who relies on an advisory opinion is not subject to sanctions with respect to that subject matter; however, work product of the office of corporation counsel that is not an advisory opinion does not shield the person from sanctions.

(h) The office of corporation counsel, on at least a quarterly basis, shall publish for distribution on its website the accumulated advisory opinions with the names, and other information deemed necessary to protect the identities of persons, removed in a format explaining the facts, the question, and the opinion.

Sec. 293-304. Sexual harassment training.

(a) *Definitions.* The following definitions apply only to section 304 of chapter 293:

Supervisor means an employee of the city, county or city-county council who is empowered to take tangible employment actions against an employee.

Tangible employment actions are actions that effect a significant change in an employee's employment status including but not limited to: hiring, firing, failing to promote, reassigning to a position with significantly different responsibilities, or making a decision that causes a significant change in benefits.

Interactive training program means: (1) a live program conducted face-to-face, (2) a pre-recorded program that is accessible online, or (3) a program presented in slide format that is accessible online.

(b) In order to promote a workplace and culture free from sexual harassment, each official, **councillor councilor**, and all city and county department heads, directors, and supervisors shall attend a two-hour interactive sexual harassment awareness and prevention training program developed by the division of human resources and the office of corporation counsel, within six weeks of becoming such an official, **councillor councilor**, appointee, or supervisor.

(c) In addition to the requirements of subsection (b), each such official, **councillor councilor**, and supervisor, shall attend the two-hour training program referenced in subsection (b) at least every two (2) years during the individual's tenure.

(d) The office of corporation counsel shall maintain documentation to demonstrate each official's, **councillor's councilor's** and supervisor's compliance with subsections (b) and (c) of this section.

(e) Any official or supervisor required to attend the training program who fails to comply with this section shall be subject to appropriate sanctions under article IV of this chapter.

(f) Any **councillor councilor** who fails to comply with this section shall be subject to censure by the city-county council ethics committee.

(g) The training required by this section shall begin in calendar year 2020.

Sec. 293-322. Economic statement of interest—When to file.

The economic statement of interest shall be filed with the office of corporation counsel, as follows:

- (1) Individuals listed in section 293-321 shall file the statement on or before May 1 of each year, but not earlier than April 1 of each year except as necessary to comply with subdivisions (2) through (4) of this section;
- (2) If an individual has not filed under subdivision (1) during the present calendar year and is filing as a candidate for elected office other than **councillor councilor**, the individual shall file the statement before, or at the same time as, filing a declaration of candidacy under IC 3-8-2, petition of nomination under IC 3-8-6, or declaration of intent to be a write-in candidate under IC 3-8-2-2.5;
- (3) An individual listed in subdivisions (2) through (5) of section 293-321 shall file a statement prior to being appointed to or employed by an agency; and
- (4) An individual listed in subdivisions (3) through (5) of section 293-321 shall file a statement within sixty (60) days after leaving employment, unless a subsequent office, appointment, or employment requires the filing of a statement of economic interest.

Sec. 293-332. Appointment, terms, and qualifications of members.

(a) The ethics commission shall be composed of five (5) members to be appointed by the mayor, subject to the approval of the city-county council. No more than three (3) members shall be affiliated with the same political party.

(b) At no time may a member be:

- (1) A **councillor councilor**, official, appointee, or employee;
- (2) A declared candidate for elected office;
- (3) An officer or employee of any political party; however, this shall not include an individual who is elected or appointed to serve as a delegate to a party convention;
- (4) A person with a business relationship with an agency or a person who intends to have a business relationship with an agency; or

(5) A resident of a county other than Marion.

(c) Each appointment shall be made for a term of three (3) years, ending on December 31; however, each member shall serve until his or her successor is duly appointed and qualified. A member appointed to fill a vacancy shall serve for the duration of the unexpired term.

(d) A member may be removed only upon the two-thirds majority vote of the city-county council.

(e) Members of the ethics commission shall serve without compensation or reimbursement of expenses.

Sec. 293-334. Jurisdiction.

(a) The ethics commission has jurisdiction over officials, appointees, employees, persons with a business relationship with any agency, and individuals filing complaints before the ethics commission with respect to suspected violations of Article II and Article III, Division 2, of this chapter.

(b) The ethics commission does not have jurisdiction over the following:

(1) Complaints filed more than two (2) years after the date of the suspected violation;

(2) Suspected violations of agency policies promulgated under section 293-301; or

(3) ~~Councillors~~ **Councillors** or former ~~councillors~~ **councillors**, except to the extent an alleged violation is within a councilor's or former ~~councillor's~~ **councilor's** scope of employment with the city or county.

(c) Any complaint filed alleging a violation by a ~~councillor~~ **councilor** shall be referred by the secretary to the ethics committee established by section 151-25.

(d) A complaint or investigation before the ethics commission may be stayed if the matter is subject to pending litigation or notice by law enforcement that a criminal investigation is underway.

Sec. 431-403. Procedure for memorial designations.

(a) Persons desiring the designation of a memorial area shall file with the clerk of the council a petition in support of the proposed designation signed by at least two-thirds (⅔) of the property owners of record abutting the proposed designated memorial area.

(1) The petition shall designate one (1) person as the spokesperson for the petitioners.

(2) The petition shall recite the exact name, history and rationale for such a memorial designation, a map showing the preferred location of the proposed street or area, and a list of all property owners of record with addresses abutting the streets in the area involved.

(3) A fee of five hundred dollars (\$500.00) to assist in the costs for manufacture and placement of the memorial signs shall accompany the petition. This fee shall be placed in the grants and gifts fund maintained by the city controller, and shall be available to the department of public works upon designation of the memorial area. The fee shall be refunded if the council fails to pass a resolution within twelve (12) months designating the memorial area.

(4) Professional or amateur generated, camera-ready artwork of a silhouette likeness of the memorialized person, and/or an identifying symbol or logo for the proposed signs shall be submitted which is acceptable to the department of public works for safety, reproduction and other reasonable considerations. Such artwork shall be free of any copyright or trademark interests and shall save and hold harmless Indianapolis, Marion County and all appendages thereof from any and all claims brought by any entity asserting copyright or trademark interests relating to that rendering.

(b) A ~~councillor~~ **councilor** may introduce a proposal for a general resolution designating the memorial area. Such proposal is to be assigned to the metropolitan development committee (or to its most direct successor committee), which shall hold a public hearing on the proposal.

(c) No less than twenty-three (23) days prior to the hearing, the petitioner shall send, by first class mail to all property owners of record and to all registered neighborhood organizations within the proposed memorial area, information about the

proposal and the hearing. The petitioner shall file with the clerk a notarized statement that these notices were sent, when they were mailed, to whom, and a copy of the mailed notice.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 362, 2023. Councillor Brown reported that the Rules and Public Policy Committee heard Proposal No. 362, 2023 on November 28, 2023. The proposal, sponsored by Councillor Hart, establishes a study commission to: (1) review the City and County's (City) current use of artificial intelligence (AI) and its associated technologies, (2) gather information from AI experts, industry leaders, and community members as to how AI can be used in the future to provide better services to the citizens of the Consolidated City, (3) recommend to the Mayor and elected county officials policies for trustworthy and transparent usage AI as a part of the provision of services by departments and agencies, (5) recommend to the City-County Council the modification of any existing ordinances or the provision of new ordinances establishing trustworthy and transparent usage AI. By a 10-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councillor Boots said that he would like to be added as a co-sponsor and he would love to serve on this commission. Councillor Hart thanked everyone for their support and said that he is looking forward to this initiative.

Councillor Brown moved, seconded by Councillor Hart, for adoption. Proposal No. 362, 2023 was adopted on the following roll call vote; viz:

24 YEAS: Adamson, Annee, Bain, Boots, Brown, Carlino, Dilk, Evans-E, Evans-J, Graves, Gray, Hart, Jackson, Jones, Larrison, Lewis, Mascari, McCormick, Mowery, Oliver, Osili, Potts, Ray, Robinson
0 NAYS:
1 ABSENT: Barth

Proposal No. 362, 2023 was retitled COUNCIL RESOLUTION NO. 87, 2023, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 87, 2023

PROPOSAL FOR A COUNCIL RESOLUTION establishing a study commission to: (1) review the City and County's (City) current use of artificial intelligence (AI) and its associated technologies, (2) gather information from AI experts, industry leaders, and community members as to how AI can be used in the future to provide better services to the citizens of the Consolidated City, (3) recommend to the Mayor and elected county officials policies for trustworthy and transparent usage AI as a part of the provision of services by departments and agencies, (5) recommend to the City-County Council the modification of any existing ordinances or the provision of new ordinances establishing trustworthy and transparent usage AI.

WHEREAS, the rapid advancement of artificial intelligence presents both opportunities and challenges for cities, including Indianapolis; and

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WHEREAS, Indianapolis recognizes the potential of artificial intelligence to enhance city services, foster economic growth, and improve the quality of life for its residents; and

WHEREAS, the responsible development and deployment of AI technologies require informed policymaking, rooted in robust public discourse and expert insight; and

WHEREAS, the Council acknowledges the need to stay ahead of these technological shifts by monitoring its implications, developing strategic proposals, and educating our constituents on AI's role in the future of the city; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Purpose: A study commission is hereby established under the authority of the council to review and analyze information gathered from AI experts, industry leaders, community members, and other stakeholders with the end goal being to recommend city policy changes. The commission shall hold public meetings and report its findings and recommendations to the full council. Public comment shall be allowed under any rules devised by the Commission.

SECTION 2. Name: The commission shall be named the “Commission on Artificial Intelligence Development (‘Commission’).”

SECTION 3. Members: The Commission shall be composed of nine (9) members, as follows: three (3) Councillors, appointed by the Council President, one of whom shall be designated as the chair of the commission; one (1) Councillor appointed by the Council Minority Leader; one (1) Director of the City's Information Technology; three (3) citizen members referred by the Commission chair and appointed by the Council President; and one (1) citizen member, recommended by the minority leader and appointed by the Council President. All citizen members shall be residents of Marion County.

SECTION 4. Quorum and Vacancies: After its initial meeting, the Commission shall meet upon the call of its chair or a majority of its members. Four (4) members of the Commission shall constitute a quorum. Any findings or reports of the Commission shall only be approved by the vote of five (5) members. Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made. The Commission shall meet and begin its operations as soon as practical.

SECTION 5. Staffing: The Commission will receive staff support from the Council Chief Administrative Officer, Clerk of the Council, the Legislative Officer for the Council and other Council staff as needed. All meetings shall be staffed, recorded, noticed and documented in the same manner as other City-County Council Committee meetings.

SECTION 6. Information Sharing: City and County departments and agencies shall share information and cooperate with the Commission, including, without limitation, permitting personnel to meet with Commission members and testify before the Commission.

SECTION 7. Timeline. The Commission shall meet within two weeks of the appointment of all members and thereafter shall meet upon a regular schedule established by the Commission. The Commission shall gather all needed research within 6 months of being fully constituted and shall have and review an initial draft of the below-described Report within the next 2 months.

SECTION 8. Report: The Commission shall present its final report to the Council by the July 2024 meeting. The final report shall be posted on the City's website.

SECTION 9. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Mowery stated that he had been asked to offer the following motion for adjournment by:

by Councillor Lewis in memory of Amos Howard, Jr.
by Councillor Graves in memory of Vivian Hill.
by Councillor Osili in memory of Emanuel Davis.
by Councillor Mascari in memory of David Page.

Councillor Mowery moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Amos Howard, Jr., Vivian Hill, Emanuel Davis, and David Page. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:13 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 4th day of December, 2023.

In Witness Whereof, we have hereunto subscribed our signatures, caused the Seal of the City of Indianapolis to be affixed.



Vice President

ATTEST:



Clerk of the Council

(SEAL)