

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA
MONDAY, SEPTEMBER 9, 2024**

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 7:15 p.m. on Monday, September 9, 2024, with Councilor Osili presiding.

Councilor Delaney recognized Pastor John Russell, IMPD Chaplain and Senior Pastor of University United Methodist Church, who led the opening prayer. Councilor Delaney then invited all to join her 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: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
1 ABSENT: Evans*

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, September 9, 2024, 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

August 19, 2024

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, August 23, 2024 a copy of a Notice of Public Hearing on Proposal No. 257, 2024, said hearing to be held on Thursday, September 19, 2024, at 5:30 p.m. in the Public Assembly Room of the City-County Building and Notices of Public Hearing on Proposal Nos. 281, 283 and 286, 2024, said hearing to be held on Monday, September 9, 2024 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

August 15, 2024

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. 24, 2024 – repeals Chapter 121, Article X of the Code, the Mile Square Economic Enhancement District, and creates Chapter 121, Article XI, entitled Economic Enhancement District

GENERAL ORDINANCE NO. 25, 2024 – amends the Code to add Chapter 852, Indianapolis Short-Term Rental Permit Program

GENERAL ORDINANCE NO. 26, 2024 – amends Chapter 531 of the Code, regarding Animals, to allow for the registry of unaltered dogs

GENERAL ORDINANCE NO. 27, 2024 – approves weight limit restrictions on Mitthoeffer Road, from East Washington Street to Prospect Street, and on Prospect Street, from South Post Road to South County Line Road 800 West (District 20)

GENERAL ORDINANCE NO. 28, 2024 – authorizes a speed limit reduction to 25 mph along Delaware Street, from Penway Street to 40th Street (Districts 7, 8)

GENERAL ORDINANCE NO. 29, 2024 – authorizes a speed limit reduction to 25 mph in the Heritage Park subdivision (District 3)

GENERAL ORDINANCE NO. 30, 2024 – authorizes a speed limit reduction to 25 mph along Redfern Drive, from Sherman Drive to 9th Avenue (District 19)

GENERAL ORDINANCE NO. 31, 2024 – authorizes a speed limit reduction to 25 mph in the Rosebrock Estates subdivision (District 22)

GENERAL ORDINANCE NO. 32, 2024 – authorizes a speed limit reduction to 25 mph in the Plantation Meadows subdivision (District 22)

SPECIAL ORDINANCE NO. 6, 2024 – amends Special Ordinance No. 9, 2021, relating to the approval of the execution of a lease with the Indianapolis-Marion County Building Authority, for a new animal care shelter facility

SPECIAL ORDINANCE NO. 7, 2024 – approves the appropriation of proceeds and investment earnings of the Indianapolis-Marion County Public Library General Obligation Bonds, in an original aggregate principal amount not to exceed \$6,350,000, for the purpose of financing all or any portion of the 2024 Long-Term Capital Maintenance and Equipment Update Project

SPECIAL ORDINANCE NO. 8, 2024 – approves the issuance of general obligation bonds for the Indianapolis-Marion County Public Library in an original aggregate principal amount not to exceed \$6,350,000 for the Long-Term Capital Maintenance and Equipment Upgrade Project, to improve patron experience and provide better access to information

GENERAL RESOLUTION NO. 28, 2024 – amends a declaratory resolution and redevelopment plan of the Metropolitan Development Commission for the purpose of: 1) expanding the Greater Martindale Brightwood Housing Redevelopment Area to include an Enlarged Area; 2) designating the expanded area as the Expanded Greater Martindale Brightwood Housing Redevelopment Area; 3) establishing the Reagan Park Housing TIF Allocation Area as an allocation area for the purposes of capturing incremental assessed value as provided under Indiana Code 36-7-15.1; and 4) amending the Original Redevelopment Plan with the Amended Plan, as defined in the declaratory resolution

GENERAL RESOLUTION NO. 29, 2024 – approves the statement of benefits of TWG Development, LLC, an applicant for tax abatement for property located in an economic revitalization area

September 9, 2024

GENERAL RESOLUTION NO. 30, 2024 – approves a request of the Department of Public Works to purchase certain real estate interests for the Bluff Road Reconstruction Project, which property is owned by Jerry Hornback

GENERAL RESOLUTION NO. 31, 2024 – approves a request of the Department of Public Works to purchase certain real estate interests for the Bluff Road Reconstruction Project, which property is owned by Henry Arnold

GENERAL RESOLUTION NO. 32, 2024 – approves a request of the Department of Public Works to purchase certain real estate interests for the Girls School Road from Perimeter Road to 21st Street Project, which property is owned by Mahrtdt Family Properties II, LLC

GENERAL RESOLUTION NO. 33, 2024 – approves a request of the Department of Public Works to purchase certain real estate interests for the Girls School Road from Perimeter Road to 21st Street Project, which property is owned by Eco-Bat Indiana, LLC

GENERAL RESOLUTION NO. 34, 2024 – approves a request of the Department of Public Works to purchase certain real estate interests for the Girls School Road from Perimeter Road to 21st Street Project, which property is owned by Dayton Hudson, Corp

GENERAL RESOLUTION NO. 35, 2024 – approves a request of the Department of Public Works to purchase certain real estate interests for preservation of the floodplain and future habitat restoration work, which property is owned by Rudolph and Anna Rouhana

GENERAL RESOLUTION NO. 36, 2024 – approves a request of the Department of Public Works to purchase certain real estate interests for the Girls School Road from Perimeter Road to 21st Street Project, which property is owned by Button Habit, LLC

s/Joseph H. Hogsett, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without further objection, the agenda was adopted as amended.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of August 12, 2024. There being no additions or corrections, the minutes were approved as distributed.

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

Councilor Mascari reported that the Administration and Finance Committee heard Proposal Nos. 253 and 254, 2024 on August 13 and September 3, 2024.

PROPOSAL NO. 253, 2024. The proposal, sponsored by Councilor Mascari, reappoints Marion Faye Godwin to the Equal Opportunity Advisory Board. By a 12-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councilor Mascari moved, seconded by Councilor Carlino, for adoption. Proposal No. 253, 2024 was adopted on the following roll call vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson

0 NAYS:

1 ABSENT: Evans

Proposal No. 253, 2024 was retitled COUNCIL RESOLUTION NO. 59, 2024, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 59, 2024

A COUNCIL RESOLUTION reappointing Marion Faye Godwin to the Equal Opportunity 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 Equal Opportunity Advisory Board, the Council, reappoints:

Marion Faye Godwin

SECTION 2. The appointment made by this resolution is for a term ending June 30, 2027. The person appointed by this resolution shall serve at the pleasure of the Council or 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. 254, 2024. The proposal, sponsored by Councilor Mascari, reappoints Doug Huntsinger to the Equal Opportunity Advisory Board. By a 12-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councilor Mascari moved, seconded by Councilor A. Brown, for adoption. Proposal No. 254, 2024 was adopted on the following roll call vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 ABSENT: Evans

Proposal No. 254, 2024 was retitled COUNCIL RESOLUTION NO. 60, 2024, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 60, 2024

A COUNCIL RESOLUTION reappointing Doug Huntsinger to the Equal Opportunity 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 Equal Opportunity Advisory Board, the Council reappoints:

Doug Huntsinger

SECTION 2. The appointment made by this resolution is for a term ending June 30, 2027. The person appointed by this resolution shall serve at the pleasure of the Council or 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. 260, 2024. Councilor Carlino reported that the Public Safety and Criminal Justice Committee heard Proposal No. 260, 2024 on August 14, 2024. The proposal, sponsored by Councilor Robinson, appoints Emily Reuben to the Assessment Intervention Center Advisory Board. By a 9-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councilor Carlino moved, seconded by Councilor McCormick, for adoption. Proposal No. 260, 2024 was adopted on the following roll call vote; viz:

September 9, 2024

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 ABSENT: Evans

Proposal No. 260, 2024 was retitled COUNCIL RESOLUTION NO. 61, 2024, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 61, 2024

A COUNCIL RESOLUTION appointing Emily Reuben to the Assessment Intervention Center 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 Intervention Center Advisory Board, the Council appoints:

Emily Reuben

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. 285, 2024. Councilor A. Brown reported that the Municipal Corporations Committee heard Proposal No. 285, 2024 on August 22, 2024. The proposal, sponsored by Councilor Osili, appoints Stephanie Quick to the Indianapolis Public Transportation Corporation (IndyGo) Board of Directors. By a 7-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councilor A. Brown moved, seconded by Councilor Carlino, for adoption. Proposal No. 285, 2024 was adopted on the following roll call vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 ABSENT: Evans

Proposal No. 285, 2024 was retitled COUNCIL RESOLUTION NO. 62, 2024, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 62, 2024

A COUNCIL RESOLUTION appointing Stephanie Quick to the Indianapolis Public Transportation Corporation (IndyGo) Board of Directors.

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 Public Transportation Corporation (IndyGo) Board of Directors, the Council appoints:

Stephanie Quick

SECTION 2. The appointment made by this resolution is for a term ending August 5, 2028. 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.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 289, 2024. Introduced by Councilor Mascari. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$1,200,000 in the 2024 Budget of the Office of Finance and Management (City Cumulative Capital Improvement Fund) to fund a debt service reserve for anticipated debt issuance for the animal shelter"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 290, 2024. Introduced by Councilor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Jane Henegar to the Woodruff Place Economic Improvement District Board"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 291, 2024. Introduced by Councilor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Brandon Fishburn to the Woodruff Place Economic Improvement District Board"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 292, 2024. Introduced by Councilor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Berry Konijisky to the Greater Virginia Avenue Corridor Economic Improvement District Board"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 293, 2024. Introduced by Councilor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Todd VonDeylen to the Greater Virginia Avenue Corridor Economic Improvement District Board"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 294, 2024. Introduced by Councilors Evans and Gibson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the operating and maintenance budgets and tax levies of the Indianapolis Airport Authority and establishes appropriations for said municipal corporation for 2025"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 295, 2024. Introduced by Councilors Evans and Gibson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the operating and maintenance budgets and tax levies of the Capital Improvement Board of Managers and establishes appropriations for said municipal corporation for 2025"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 296, 2024. Introduced by Councilors Evans and Gibson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the operating and maintenance budgets and tax levies of the Health and Hospital Corporation and establishes appropriations for said municipal corporation for 2025"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 297, 2024. Introduced by Councilors Evans and Gibson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the operating and maintenance budgets and tax levies of the Indianapolis-Marion County Public Library and establishes appropriations for said municipal corporation for 2025"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 298, 2024. Introduced by Councilors Evans and Gibson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which adopts the operating and maintenance budgets and tax levies of the Indianapolis Public Transportation Corporation (IndyGo) and establishes appropriations for said municipal corporation for 2025"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 299, 2024. Introduced by Councilor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Lindsay Stawick to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 300, 2024. Introduced by Councilor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which confirms the Marion County Public Defender Board's nomination of Raymond Casanova as the Marion County Chief Public Defender"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 306, 2024. Introduced by Councilors Bain and Hart. The Clerk read the proposal entitled: "A Proposal for a General Resolution which a resolution to have the city controller revise the 2025 budget proposal to add additional funds to the Department of Public Works dedicated for road and bridge repair by reducing the budget from certain other departments in an equal increment"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 301-305, 2024, PROPOSAL NOS. 307-308, 2024, PROPOSAL NO. 309, 2024 AND PROPOSAL NO. 310, 2024. Introduced by Councilor Lewis. Proposal Nos. 301-305, 2024, Proposal Nos. 307-308, 2024, Proposal No. 3309, 2024, and Proposal No. 310, 2024 are proposals for Rezoning Ordinances certified for approval by the Metropolitan Development Commission on August 19, 27, 30 and September 4, 2024, 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. 94-, 2024, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 94, 2024.
2024-ZON-042
3404, 3432, 3434, 3438 and 3444 North Illinois Street (*Approximate Addresses*)
Center Township, Council District #8
Redline Holdings XII, LLC, by Emily Duncan and David Kingen
Rezoning of 1.12 acres from the D-8 (TOD) and C-4 (TOD) district to the D-10 (TOD) district to provide for multi-family dwelling uses.

REZONING ORDINANCE NO. 95, 2024.

2024-ZON-060

2401 West Morris Street (*Approximate Address*)

Wayne Township, Council District #17

Amy Lapka

Rezoning of 3.99 acres from the D-5 (FF) and C-4 (FF) districts to the C-7 (FF) district to provide for a landscaping business.

REZONING ORDINANCE NO. 96, 2024.

2024-ZON-064

8155 Brookville Road (*Approximate Address*)

Warren Township, Council District #20

Johnson's Commercial Flooring, Inc, by Joseph D. Calderon

Rezoning of 3.29 acres from the C-4 district to the I-2 district for an office and warehouse for a flooring contractor.

REZONING ORDINANCE NO. 97, 2024.

2024-ZON-069

2810 and 2814 East Michigan Street (*Approximate Address*)

Center Township, Council District #13

Arcangel Tellez-Garcia, by David Gilman

Rezoning of 0.221-acre from the C-3 district to the D-8 district to provide for multi-family residential development.

REZONING ORDINANCE NO. 98, 2024.

2024-CZN-827

2923, 2925, 2929, 2931, and 2933 North Park Avenue (*Approximate Addresses*)

Center Township, Council District #8

City of Indianapolis, Department of Parks and Recreation, by Benjamin Jackson

Rezoning of 0.124-acre from the D-5 district to the PK-1 district for park uses.

REZONING ORDINANCE NO. 99, 2024.

2024-ZON-076

4701 East Thompson Road (*Approximate Address*)

Perry Township, Council District #24

Grace Bible Christian Church of Indiana, by Misha Rabinowitch

Rezoning of 3.65 acres from the D-A (FF) and SU-1 (FF) districts to the SU-1 (FF) district to provide for religious uses.

REZONING ORDINANCE NO. 100, 2024.

2024-CZN-824 (Amended)

1402 Shelby Street (*Approximate Address*)

Center Township, Council District #18

Carnivore Properties, LLC, by Emily Duncan and David Kingen

Rezoning of 0.14-acre from the MU-1 (TOD) district to the C-3 (TOD) district.

REZONING ORDINANCE NO. 101, 2024.

2024-ZON-059 (Amended)

2345 South Arlington Avenue (*Approximate Address*)

Warren Township, Council District #20

Doris M. Lambert, by Teri L. Hutchison

Rezoning of five acres from the D-A (FF) district to the C-1 (FF) district to provide for office-buffer commercial uses.

REZONING ORDINANCE NO. 102, 2024.

2024-ZON-079

2400 and 2406 North Tibbs Avenue (*Approximate Address*)

Wayne Township; Council District #11

Noble, Inc., by Joseph D. Calderon

Rezoning of 14.7 acres from the SU-7 District to the D-P District, to provide for a fire station, attached multi-family dwellings, a community center, community garden, indoor and outdoor recreation facilities,

offices, medical and dental center, or clinic, surface parking and uses permitted in the SU-7 and SU-9 districts.

PROPOSAL NO. 311, 2024. Introduced by Councilor Lewis. Proposal No. 311, 2024 is a proposal for Rezoning Ordinance certified by the Metropolitan Development Commission for denial on August 12, 2024. The President called for any motions for public hearings on this zoning maps change. There being no motions for public hearings, the proposed ordinance, pursuant to IC 36-7-4-608, was denied by the City-County Council, the original copy of which ordinance is on file with the Metropolitan Development Commission, which was certified as follows:

2024-ZON-057
1709 East 38th Street (*Approximate Address*)
Center Township, Council District #8
Francis Olanipekun, by Oluwaseun Famosinpe
Rezoning of 2.32 acres from the SU-1 (TOD) district to the C-4 (TOD) district to provide for commercial uses including an event hall.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 281, 2024. Councilor Jones reported that the Public Works Committee heard Proposal No. 281, 2024 on August 15, 2024. The proposal, sponsored by Councilor Jones, approves an additional appropriation of \$1,500,000 in the 2024 Budget for the City Non-Departmental in the Flood Control District Bonds Fund for the purpose of supporting the payoff of interest costs of the 2021 Stormwater Revenue Notes of the Marion County Stormwater District. By a 10-0-1 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councilor Boots asked for permission to abstain from voting in order to avoid the appearance of a conflict of interest. Consent was given.

The President called for public testimony at 7:32 p.m.

Larry Vaughn, citizen, said that more and more flood districts are being established since the flood district designation was amended. He said that they are not paying off bonds, but just paying interest, and it seems this process will never end and the bonds will never be retired. He asked when revenue will actually be created for the City. He said that previously, they only had 100 flood districts, and now there are over 200. He said that he feels these bonds are being used as a source of revenue to fund other projects.

There being no further testimony, Councilor Jones moved, seconded by Councilor McCormick, for adoption. Proposal No. 281, 2024 was adopted on the following roll call vote; viz:

23 YEAS: Allen, Annee, Bain, Barth, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Evans, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 NOT VOTING: Boots
1 ABSENT: Evans

Proposal No. 281, 2024 was retitled FISCAL ORDINANCE NO. 3, 2024, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 3, 2024

A FISCAL ORDINANCE amending the City-County Annual Budget for 2024 (City-County Fiscal Ordinance No. 14, 2023) by an additional appropriation of one million five hundred thousand dollars (\$1,500,000) for the purposes of the City Non-Departmental.

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 2024 is hereby amended by the character increase hereinafter stated for purposes of the City Non-Departmental.

SECTION 2. The City Non-Departmental requests an additional appropriation of one million five hundred thousand dollars (\$1,500,000) in the Flood Control District Bonds Fund in character three for the purpose of supporting additional accrued interest on outstanding bonds of the Marion County Stormwater District:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Flood Control District Bonds			1,500,000			1,500,000

SECTION 3. In support of the additional appropriation provided in Section 2, funds on deposit totaling one million five hundred thousand dollars (\$1,500,000) in the Storm Water Management Fund will subsequently be transferred into the Flood Control District Bonds Fund.

SECTION 4. Upon approval of this and other pending proposals, the 2023 year-end and projected 2024 year-end fund balances are as follows:

Fund	2023 Year-End Balance	Projected 2024 Year-End Balance
Flood Control District Bonds	-	-
Storm Water Management	35,249,566	33,660,911

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

PROPOSAL NO. 283, 2024. Councilor Jones reported that the Public Works Committee heard Proposal No. 283, 2024 on August 15, 2024 and the Parks and Recreation Committee heard the proposal on September 5, 2024. The proposal, sponsored by Councilors A. Brown, Lewis, Mascari, Carlino, Jones, Osili, Gibson and Boots, approves an additional appropriation totaling \$25,000,000 in the 2024 Budget for the Department of Public Works and the Department of Parks and Recreation in the Capital Asset Lifecycle and Development Fund for the purpose of financing local public improvements for transportation and recreational infrastructure. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councilor Carlino stated that the Parks and Recreation Committee also heard the proposal, but no vote was taken in committee.

The President called for public testimony at 7:36 p.m.

A member of the public who did not disclose his name commended the Council for spending money on parks and public works, and stated that he has been a resident of Indianapolis for most of his life and is a constituent of Councilor Jones. He said that he definitely sees a need for parks in the neighborhoods and likes seeing his tax dollars used for public parks and libraries. However, he does not like seeing federal money and grants being used for sending bombs to Israel to kill children and families. He said he would like to see the Council back a ceasefire ordinance requesting that tax dollars not be used for those kinds of things.

Mr. Vaughn stated that he has been noticing that in almost all thoroughfares across the city, transit is being diminished by turning roads into one-way streets or taking up multiple lanes for bike lanes, so that many streets have gone from being four lanes in both directions to barely getting by on one lane each way. He said that amenities are being stripped away and some improvements funded by vision zero will diminish the number of cars on the road. Thoroughfares were made for commerce, and messing with the traffic patterns in this way deprives small business of the traffic they need, and the commercial life of the city will definitely be affected. He said that, as always, these monies are being appropriated into the General Fund, which means the Mayor can use them however he sees fit.

There being no further testimony, Councilor Jones moved, seconded by Councilor Carlino, for adoption. Proposal No. 283, 2024 was adopted on the following roll call vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 ABSENT: Evans

Proposal No. 283, 2024 was retitled FISCAL ORDINANCE NO. 4, 2024, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 4, 2024

A FISCAL ORDINANCE amending the City-County Annual Budget for 2024 (City-County Fiscal Ordinance No. 14, 2023) by an additional appropriation of twenty-five million dollars (\$25,000,000) for the purposes of the Department of Public Works and the Department of Parks and Recreation.

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 2024 is hereby amended by the character increases hereinafter stated for purposes of the Department of Public Works and the Department of Parks and Recreation.

SECTION 2. The Department of Public Works requests an additional appropriation of twelve million five hundred thousand dollars (\$12,500,000) in the Capital Asset Lifecycle and Development Fund in character four for the purpose of financing design, construction, and inspection costs related to transportation infrastructure:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Capital Asset Lifecycle and Development				12,500,000		12,500,000

SECTION 3. The Department of Parks and Recreation requests an additional appropriation of twelve million five hundred thousand dollars (\$12,500,000) in the Capital Asset Lifecycle and Development Fund in characters three and four for the purpose of financing design, construction, and inspection costs related to recreational infrastructure:

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Capital Asset Lifecycle and Development			3,100,000	9,400,000		12,500,000

SECTION 4. In support of the additional appropriation provided in Section 2 and Section 3, funds on deposit totaling twenty-five million dollars (\$25,000,000) in the Consolidated County General Fund will subsequently be transferred into the Capital Asset Lifecycle and Development Fund.

SECTION 5. Upon approval of this and other pending proposals, the 2023 year-end and projected 2024 year-end fund balances are as follows:

Fund	2023 Year-End Balance	Projected 2024 Year-End Balance
Consolidated County General	183,157,222	179,569,446
Capital Asset Lifecycle and Development	-	3,297,635

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

PROPOSAL NO. 286, 2024. Councilor Mascari reported that the Administration and Finance Committee heard Proposal No. 286, 2024 on August 13, 2024. The proposal, sponsored by Councilor Mascari, proposes a resolution of the Marion County Local Income Tax Council to request approval from the department of local government finance to lower the levy freeze tax rate and to cast the vote of the City-County Council on such resolution. 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 7:41 p.m.

Mr. Vaughn said that a decrease in the levy means that something will eventually become unfunded, and this proposal is very vague with no idea of how this money is spent. These appropriations go into the General Fund, and there are no commissioners to oversee that these dollars will be available to the approved projects when they are needed. He said that they have unfinished projects all over the city, including the 30th Street bridge over Whitewater, which has been unfinished for five years.

There being no further testimony, Councilor Mascari moved, seconded by Councilor Carlino, for adoption. Proposal No. 286, 2024 was adopted on the following roll call vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 ABSENT: Evans

Proposal No. 286, 2024 was retitled GENERAL RESOLUTION NO. 38, 2024, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 38, 2024

PROPOSAL FOR A GENERAL RESOLUTION of the City-County Council proposing a resolution of the Marion County Local Income Tax Council to request approval from the department of local government finance to lower the levy freeze tax rate and to cast the vote of the City-County Council on such resolution.

WHEREAS, the General Assembly established the expenditure rate component of the local income tax under IC 6-3.6-6; and

WHEREAS, IC 6-3.6-3-1 established the Marion County Local Income Tax Council; and

WHEREAS, the Local Income Tax Council is composed of the City-County Council of the Consolidated City of Indianapolis and Marion County, the City Council of Beech Grove, the City Council of the City of Lawrence, the City Council of the City of Southport, and the Town Council of the Town of Speedway; and

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WHEREAS, the City-County Council of the Consolidated City of Indianapolis and Marion County holds ninety-one and eighty hundredths (91.80) of the one hundred (100) vote shares allocated among the members of the Local Income Tax Council, constituting a majority of all vote shares;

WHEREAS, Marion County is a county with a single voting bloc, as that term is defined by IC 6-3.6-2-7.4, meaning that each member of the City-County Council therefore holding a vote share equal to one twenty-fifth, or four percent (4%) of the Consolidated City's overall vote share, with such individual member vote share being equal to three and sixty-seven hundredths (3.67) vote shares; and

WHEREAS, the Marion County Income Tax Council adopted an ordinance, effective January 1, 2008, which originally set the levy freeze tax rate at 0.20%; and

WHEREAS, pursuant to IC 6-3.6-11-1(b), the tax rate used to provide for a levy freeze shall be part of the certified shares component of the expenditure tax rate under IC 6-3.6-6; and

WHEREAS, IC 6-3.6-11-1(b) requires approval from the department of local government finance before an adopting body may lower a levy freeze tax rate; and

WHEREAS, the City-County Council wishes to propose a resolution of the Marion County Local Income Tax Council to request approval from the department of local government finance to lower the levy freeze tax rate; 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 adopts a resolution to propose and of the Marion County Local Income Tax Council pursuant to IC 6-3.6-11-1 and IC 6-3.6-3.

SECTION 2. The City-County Council hereby casts its Ninety-One and Eighty Hundredths (91.80) votes with respect to the proposed resolution of the Marion County Local Income Tax Council, which resolution is attached hereto and incorporated herein as "Exhibit A," as follows:

88.08 (representing the number of Council members voting "yes," multiplied by each member's individual vote share of 3.67)

0 (representing the number of Council members voting "no," multiplied by each member's individual vote share of 3.67)

3.67 (representing the number of Council members not voting or abstaining, multiplied by each member's individual vote share of 3.67)

The Clerk of the Council shall perform the above calculation of vote shares following the Council's vote on this Resolution.

SECTION 3. The Clerk of the Consolidated City of Indianapolis and Marion County hereby is ordered to deliver an original executed copy of this resolution and the proposed resolution of the Marion County Local Income Tax Council to the Controller of the Consolidated City of Indianapolis and Marion County forthwith so that the Controller shall deliver copies of such proposed resolution to other members of the Marion County Local Income Tax Council, namely, the City Council of the City of Beech Grove, the City Council of the City of Lawrence, the Town Council of the Town of Speedway, and the City Council of the City of Southport, after receipt from the City Clerk and so that the other members of the Marion County Local Income Tax Council may, after receipt from the Controller, vote on such proposed resolution; however, pursuant to IC 6-3.6-3-8(d), the other members need not vote on it.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with I.C. 36-34-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 255, 2024. Councilor Mascari reported that the Administration and Finance Committee heard Proposal No. 255, 2024 on August 13, 2024. The proposal, sponsored by Councilor Mascari, authorizes the issuance of Indiana Redevelopment District Tax Increment Revenue Bonds in a maximum aggregate principal amount not to exceed \$60,000,000, with a maximum term not to exceed twenty five years, and ordinary interest at a rate not to exceed 8%.), for the purpose of providing funds for paying all or a portion of (i) the costs of the infrastructure Projects and any projects related to the improvements described in the Ordinance; (ii) capitalized interest (if necessary); (iii) a debt service reserve (if necessary) and (vi) all incidental expenses incurred 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. Councilor Mascari moved, seconded by Councilor McCormick , for adoption. Proposal No. 255, 2024 was adopted on the following roll call vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 ABSENT: Evans

Proposal No. 255, 2024 was retitled SPECIAL ORDINANCE NO. 9, 2024, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 9, 2024

A SPECIAL ORDINANCE authorizing the City of Indianapolis (the “City”), through its Metropolitan Development Commission of Marion County, acting as the Redevelopment Commission of the City (the “Redevelopment Commission”) to issue one or more series of its City of Indianapolis, Indiana Redevelopment District Tax Increment Revenue Bonds, Series 2024D (with such further series or other designation as determined to be necessary, desirable or appropriate), in a maximum aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000) (the “Infrastructure Bonds”) and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code 36-7-15.1 (the “Act”) permits the Redevelopment Commission to issue bonds on behalf of the City for the purpose of providing for the payment of all or any portion of: (a) the costs of the acquisition, planning, design, construction, inspection and equipping by the City of drainage improvements, storm water control, utilities, roads, streets, bridges, streetscapes, landscaping and any projects related to the improvements described in this clause (a) and any and all costs related thereto, all as identified in Exhibit A hereto, all of which are in the Consolidated Redevelopment Allocation Area (the “Consolidated Area”) previously created by the Redevelopment Commission; (b) funding a debt service reserve fund or paying the costs of a premium for a debt service reserve fund surety policy (if necessary); (c) paying capitalized interest on the Infrastructure Bonds until completion of each project (if necessary); and (d) paying all costs of issuing the Infrastructure Bonds (collectively, the “Infrastructure Projects”); and

WHEREAS, it would be of public utility and benefit and in the best interests of the City, the Redevelopment Commission and the Redevelopment District of the City (the “District”) and its citizens to complete the Infrastructure Projects, which will provide special benefits to property owners in the District; and

WHEREAS, pursuant to the Act, with the approval of this City-County Council of the City of Indianapolis and of Marion County, Indiana (the “Council”), the Redevelopment Commission is authorized to issue revenue bonds for the purpose of financing, reimbursing or refinancing the costs of acquisition, construction, renovation, installation and equipping of projects such as the Infrastructure Projects, which revenue bonds are payable from incremental taxes collected in certain established areas, including the Consolidated Area; and

WHEREAS, pursuant to and in accordance with the Act, the City desires to provide funds necessary to finance all or a portion of the Infrastructure Projects by issuing the Infrastructure Bonds; and

WHEREAS, the City has created the Consolidated Area and has previously issued bonds payable from and secured by incremental taxes in the Consolidated Area above the Base (as defined therein) (the “Consolidated Increment”) and

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such bonds are issued on a parity basis with respect to the Consolidated Increment pursuant to one or more prior indentures (the "Prior Indentures") which permit the issuance of additional obligations payable from Consolidated Increment if certain conditions can be met; and

WHEREAS, pursuant to City-County Special Ordinance No. 9. 2022 (the "Refunding Ordinance"), the Council has previously approved the refunding of bonds previously issued and payable from the Consolidated Increment (the "Refunding Bonds" and with the Infrastructure Bonds, the "Bonds"); and

WHEREAS, the City intends to issue the Bonds consistent with the terms of this Ordinance and pursuant to one or more additional trust indentures or supplemental trust indentures, each to be dated the first day of the month in which the related bonds are sold or delivered (or such other date as the officers of the City may or have approved) (the "Bond Indenture" and collectively with the Prior Indentures, 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 provide for the financing of all or a portion of the Infrastructure Projects and to complete the refunding; and

WHEREAS, the Redevelopment Commission has determined that, based on the advice of its municipal advisor, it can issue the Bonds on a parity with the other obligations payable from the Consolidated Increment, in accordance with the conditions set forth in the Indenture; and

WHEREAS, based upon the advice of its municipal advisor, the Redevelopment Commission intends to issue the Infrastructure Bonds consistent with the terms of this Ordinance and pursuant to the Indenture, to be dated the first day of the month in which the Infrastructure Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve), each by and between the City and the Trustee, in order to obtain funds for the City to finance the Infrastructure Projects and to sell such Infrastructure Bonds to The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank") in accordance with the provisions of Indiana Code 5-1.4 and the terms of one or more Qualified Entity Purchase Agreements, each to be dated the first day of the month in which the Infrastructure Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (collectively, the "QE Purchase Agreement"), each by and between the City and the Bond Bank with respect to the Infrastructure Projects; and

WHEREAS, the Redevelopment Commission adopted a bond resolution regarding bonds payable from the Consolidated Increment and has supplemented and amended such resolution over time, including the Eighteenth Supplemental Resolution in connection with the Infrastructure Bonds (collectively, the "Bond Resolution") and has determined that in order to proceed with the planning, development and redevelopment of the Consolidated Area, it is necessary for the Redevelopment Commission to issue the Infrastructure Bonds, in one or more series or issues, in an aggregate principal amount not to exceed Sixty Million Dollars (\$60,000,000), with a maximum term not to exceed twenty-five (25) years, and bear ordinary interest at rates not to exceed 8.0%, and which shall be issued in the name of the City of Indianapolis, for and on behalf of the District, the principal and interest on which are payable solely from Consolidated Increment from the Consolidated Area allocated and deposited into the Consolidated 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 Redevelopment Commission pledged for such purpose pursuant to Indiana Code 36-7-15.1-17(h), if any, for procuring funds to be applied to the costs of redevelopment in the Consolidated Area, including the Infrastructure Projects; and

WHEREAS, pursuant to the QE Purchase Agreement, the Bond Resolution, the Indenture and the Infrastructure Bonds, the City will make certain representations, warranties and commitments with respect to the respective Infrastructure Projects and will agree to make payments from the Consolidated Increment from the Consolidated Area to pay principal of, premiums, if any, and interest on the Infrastructure Bonds as the same becomes due and payable, together with administrative expenses in connection with the Infrastructure Bonds; and

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

WHEREAS, no member of the Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Infrastructure Bonds authorized herein, which pecuniary interest has not been fully disclosed to the Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-15.1-5; and

WHEREAS, the Redevelopment Commission has requested the approval of the Council for the issuance of the Infrastructure Bonds and ratification of the approval for the issuance of the Refunding Bonds and the Council now finds that the issuance of such bonds should be approved and or ratified; now, therefore:

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

SECTION 1. The Council does hereby approve (i) the Bond Resolution and (ii) the issuance of the Infrastructure Bonds in one or more series, any series of which may be taxable or tax-exempt for federal income tax purposes, in an amount not to exceed Sixty Million Dollars (\$60,000,000), in the name of the City, for and on behalf of the District, in one or more series or issues payable solely from Consolidated Increment from the Consolidated 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 Redevelopment Commission pledged for such purpose pursuant to Indiana Code 36-7-15.1-17(h), if any, and which bonds shall bear interest at ordinary rates not to exceed 8.0% per annum, and which amount is reasonably expected to be sufficient to finance all or a portion of the estimated costs of the Infrastructure Projects.

SECTION 2. The Mayor and the Controller are authorized and directed to sell the Infrastructure Bonds to the purchaser or purchasers thereof at a price not less than ninety-eight and one-half percent (98.5%) of the aggregate principal amount thereof plus accrued interest.

SECTION 3. The Mayor, the Clerk, the Controller and any other officer of the City are authorized and directed to execute documents as may be required by the Act, such other documents approved or authorized herein and any other document which may be necessary, appropriate or desirable to consummate the transaction contemplated by this Ordinance, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor, the Clerk, the Controller and any other officer of the City on the Infrastructure Bonds which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor, the Clerk, the Controller and any other officer of the City on the Infrastructure Bonds may be facsimile signatures. The Mayor, the Clerk, the Controller and any other officer of the City are authorized to arrange for the delivery of such Infrastructure Bonds to the purchaser, payment for which will be made in the manner set forth in the documents. The Mayor, the Clerk, the Controller and any other officer of the City may, by their execution of the documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in those documents which do not require the signature of the Mayor, the Clerk, the Controller or any other officer of the City without further approval of this Council or the Redevelopment Commission.

SECTION 4. Subject to the provisions of this Ordinance, if necessary or desirable, a term sheet, forward-delivery agreement and/or a Preliminary Official Statement of the City relating to the Infrastructure Bonds and the Bond Bank Bonds (the "Preliminary Official Statement"), in a form acceptable to the Executive Director of the Bond Bank, is hereby (a) authorized and approved, together with such changes in form and substance as may be deemed necessary or appropriate by such parties, (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, (c) authorized to be deemed and determined by the Executive Director on behalf of the City, as of its date, to constitute the "final" official statement of the City with respect to the Infrastructure Bonds to be offered thereby, subject to completion as permitted by and otherwise pursuant to the provisions of Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule"), and (d) authorized and approved, consistent with the provisions of any bond purchase agreement and the SEC Rule, to be placed into final form and distributed and delivered to purchasers and potential purchasers of the Infrastructure Bonds offered thereby as the final official statement of the City, as of the date thereof, with respect to the Infrastructure Bonds (the "Official Statement").

SECTION 5. The provisions of this Ordinance 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 6. 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 7. The Council specifically ratifies and confirms the provisions of the Refunding Ordinance and authorizes the Commission to issue Refunding Bonds and to proceed to complete the refunding of all or a portion of any remaining bonds authorized for refunding thereunder in accordance with such terms.

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SECTION 8. 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 9. 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 10. The Mayor, the Controller, the Clerk and any other officer of the City are each hereby authorized and directed to execute, attest and deliver such further instruments and documents and to take such further actions, in the name and on behalf of the City, as in their judgment shall be necessary, desirable or appropriate in order to fully consummate the transaction described herein and to effect the purposes of this Ordinance, and any such instruments or documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved.

SECTION 11. The City-County Council does hereby acknowledge that the Bonds may be purchased with the proceeds of one or more series of bonds to be issued by The Indianapolis Local Public Improvement Bond Bank (collectively, the "Bond Bank Bonds"), and that the Bond Bank Bonds may be supported by one or more debt service reserve funds that will be subject to the provisions of IC 5-1.4-5-4 and Special Ordinance 67, 85 of this City-County Council.

SECTION 12. This Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-3-4-14.

PROPOSAL NO. 256, 2024. Councilor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 256, 2024 on August 19, 2024. The proposal, sponsored by Councilors Barth, Osili and Roberts, amends the Revised Code to add a new Chapter 288, Animal Care Services Agency. By a 9-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councilor Lewis moved, seconded by Councilor Carlino, for adoption. Proposal No. 256, 2024 was adopted on the following roll call vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson

0 NAYS:

1 ABSENT: Evans

Proposal No. 256, 2024 was retitled GENERAL ORDINANCE NO. 33, 2024, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 33, 2024

A PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to add a new Chapter 288, Animal Care Services Agency.

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

SECTION 1. The "Revised Code of the Consolidated City and County," is hereby amended to add Chapter 288 entitled the "Animal Care Services Agency," reading as follows:

CHAPTER 288 – ANIMAL CARE SERVICES AGENCY

ARTICLE I. - AGENCY ESTABLISHED

Sec. 288-101. Agency established.

There hereby is established an animal care services agency for the consolidated city as provided by IC 36-3-4-23.

Sec. 288-102. - Powers and duties.

It shall be the responsibility of the animal care services agency to operate the city's animal shelter and to enforce provisions of statutes and ordinances relating to the care, treatment, and control of animals, or as may be assigned by the mayor including, but not limited to, enforcement of chapter 531, regarding animals.

Sec. 288-103. – Shelter operations; purpose and responsibilities.

The animal care services agency shall operate or contract for the operation of a shelter facility that shall be known as the "animal care services shelter."

- (a) The animal care services shelter is to accept every Marion County resident's animal brought to it. The animal care services shelter may require an appointment to surrender an animal. If the shelter is at or above ninety (90) percent capacity, the shelter may implement a stronger managed-intake approach to reduce the frequency and amount of animal intake.
- (b) The animal care services shelter shall determine the county of residence for the owner, finder, or keeper of each animal brought to it. All non-Marion County residents shall be assessed a surrender fee established by the board of animal care services not to exceed one hundred dollars (\$100.00) per animal drop-off. The shelter may refuse to accept non-Marion County residents' animals if the fee is not paid or if the shelter is at or above eighty (80) percent capacity.
- (c) The agency shall maintain a clean, comfortable, safe, and healthy environment for the animals at the shelter as is reasonably possible.
- (d) The agency shall adopt written standards and operating procedures to ensure that the shelter is as clean, comfortable, safe, and as healthy an environment as is reasonably possible.
- (e) The shelter shall be open for redemption and adoption of animals a minimum of five (5) partial or whole days a week, including one (1) full weekend day.
- (f) The shelter shall be open to the public until at least 7:00 p.m. a minimum of one (1) weeknight each week.
- (g) The shelter shall make arrangements to receive or assist sick or injured animals twenty-four (24) hours a day.
- (h) The shelter shall coordinate with enforcement officers to make arrangements for emergency pickup service for animals.
- (i) The shelter shall contract or arrange for licensed regular veterinary care and for the appropriate veterinary medical supplies for the animals at the facility. This veterinary care shall include, but not be limited to, treatment of sick and injured animals, care for newborn or young animals, administration of preventative vaccines and deworming.
- (j) The shelter shall provide adequate and nutritional food appropriate to the species and circumstances of the individual animal. Animals will be fed in appropriate containers.
- (k) The shelter shall ensure that the kennels and/or cages in which the animals stay at the shelter are cleaned and disinfected regularly and in no case less than once every twenty-four (24) hours. Animals shall be humanely moved from their individual kennel to a clean area while the cleaning and disinfecting are being performed.

- (l) Incoming animals shall be received in an area separate from the rest of the shelter population and shall be immediately examined for injury. They shall remain separated from the rest of the shelter population until they have been evaluated for health and temperament. Incoming animals whose vaccination history is unknown shall be vaccinated before being moved into the shelter population.
- (m) Cages and kennels shall be in good condition, free of sharp or broken edges, covered drains, supplied with clean, fresh bedding as needed. Every animal shall be kept in an appropriate enclosure so as to remain clean, dry, comfortable and free of disease.
- (n) Animals in the shelter shall be separated as follows:
 - (1) Incoming animals from the shelter population for triage and observation period;
 - (2) Sick and injured animals from healthy animals so as to receive appropriate care, including off-site facility care, if needed;
 - (3) Puppies, kittens and nursing mothers with offspring from all other adult animals;
 - (4) Further divisions as needed to accommodate temperament and behavior including, but not limited to, females in heat and overly aggressive animals; and
 - (5) Dogs from cats.

ARTICLE II. – ORGANIZATION

Sec. 288-201. - Director.

The director of the animal care services agency shall be appointed by the mayor, subject to the approval of the city-county council as required by IC 36-3-5-2, to serve at the pleasure of the mayor for a term ending December 31 of the year the appointment is effective and until a successor is appointed and qualified.

Sec. 288-202. - Duties of the director.

- (a) The director shall:
 - (1) Supervise and coordinate the activities of divisions within the agency;
 - (2) Oversee the daily operations of the agency;
 - (3) Prepare and submit the agency's budget to the controller as required by IC 36-3-6-4;
 - (4) Appoint a deputy director or administrator to manage each division subject to the approval of the mayor as provided in IC 36-3-5-5;
 - (5) Approve the hiring and dismissal of the personnel of the agency subject to the limitations prescribed by law and rules adopted by the mayor as provided in IC 36-3-5-5(c);
 - (6) Manage the personnel of the agency;
 - (7) Delegate to the personnel of the agency authority to act on behalf of the director as provided in IC 36-3-5-5(c);
 - (8) Execute contracts subject to the authority of the mayor and any other limitations prescribed by law; and
 - (9) Exercise any other powers that may be granted by statute or ordinance or delegated by the mayor.

- (b) The consolidated city of Indianapolis and Marion County through its animal care services agency shall be the successor in interest to all contracts executed by the department of business and neighborhood services on behalf of Indianapolis animal care and control.

Sec. 288-203. - Divisions.

The animal care services agency shall be comprised of the following divisions:

- (a) The division of administration and financial operations;
- (b) The division of shelter operations;
- (c) The division of medical operations; and
- (d) The division of placement operations.

Sec. 288-204. - Board of animal care services.

- (a) *Established.* There is hereby established a board of animal care services pursuant to IC 36-3-4-23.
- (b) *Members.* The board shall be composed of five (5) members; the agency director, who serves as presiding officer of the board; two (2) members appointed by the mayor, and two (2) members appointed by the city-county council. Each appointed member shall serve a one-year term and until his or her successor is appointed and qualified, but serves at the pleasure of the appointing authority. In the event of a vacancy prior to the expiration of a term, the appointing authority shall appoint a member for the remainder of the unexpired term.
- (c) *Meetings.* The board shall schedule regular meetings at least once a month, at times and places prescribed by its rules or established by resolution. No notice to members is required for holding or taking any action at a regular meeting. A special meeting of the board may be called by the presiding officer or by two-fifths (2/5) of the members, at any place in the county designated in the call. Each member shall be notified of the time and place of such a meeting by written notice that must be delivered, mailed or sent by other expedient means so that each member has at least seventy-two (72) hours' notice of the meeting. The notice requirements may be waived as to a member if he or she attends the meeting or executes a written waiver of notice. The waiver may be executed either before or after the meeting, but if executed after, it must state in general terms the purpose of the meeting.
- (d) *Board action.* A majority of all the members of the board constitutes a quorum. A majority vote of all the board members is required to pass a resolution.
- (e) *Powers.* The board of animal care services shall have the following powers:
 - (1) To review all budgets prepared by the agency and recommend to the city-county council any revisions the board feels desirable;
 - (2) To hold any hearings to be held following public notice and make findings and determinations required by applicable law;
 - (3) To approve the award and amendment of contracts let by the agency for the purchase or lease of capital equipment or other property where the contract is required to be bid under IC 5-22;
 - (4) To approve the award and amendment of public construction contracts let by the agency that are required to be bid under IC 36-1-12;
 - (5) To approve the acquisition of and leases for real estate by the agency;
 - (6) To approve the employment of persons engaged by the agency by contract to render professional or consulting services;
 - (7) To establish fees issued by the agency, as provided by the city-county council;

- (8) To adopt, amend and repeal standards, where allowed by code, pursuant to the procedures established in section 141-201 of the Code; and
- (9) In addition, the board shall have the powers granted to the board of animal care services of a consolidated city by ordinance or by the mayor.

ARTICLE III. – DIVISIONS

Sec. 288-301. – Division of administration and financial operations.

The administration and financial operations division shall:

- (1) Provide support in areas of human resources and staff development, training, payroll administration, personnel policy and procedures, employee relations and labor negotiations;
- (2) Oversee the administration of all grants and sponsorships;
- (3) Manage all aspects of the agency's information systems;
- (4) Provide all marketing, promotion, and communication needs of the agency including public and media relations, social media, and event coordination;
- (5) Provide support in areas of purchasing, procurement, and stock inventory;
- (6) Be responsible for the preparation of the budget and fiscal ordinances, as well as financial planning and analysis for the agency;
- (7) Be responsible for the management of all aspects of the agency's accounting and auditing systems including the monitoring of any cash control systems;
- (8) Administer and coordinate the preparation of all contracts within the agency;
- (9) Develop, implement and manage partnership programs for the agency; and
- (10) Coordinate agency relations with the Friends of Indy Animals organization;

Sec. 288-302. – Division of shelter operations.

The shelter operations division shall:

- (1) Oversee the day-to-day management of the kennels including, but not limited to, feeding animals, taking them outside, and providing enrichment;
- (2) Keep kennels and kennel areas clean as is reasonably possible;
- (3) Implement procedures to limit the spread of infectious diseases;
- (4) Provide notes in the shelter's information system on animals in the shelter's care including, but not limited to, behavior, eating habits, and interactions with other animals;
- (5) Oversee enforcement authority and responsibilities outlined in section 531-712 of the Revised Code;
- (6) Issue and collect civil penalties for animal-related violations outlined in section 103-52 of the Revised Code;
- (7) Provide administrative support to the enforcement authority including filing police reports and affidavits;
- (8) Inspect pet shops, kennels, breeders, and special events for licensing and suitable conditions for animals;

- (9) Be responsible for inventory of food and items regularly used by kennel and enforcement staff; and
- (10) Assist the Indianapolis Metropolitan Police Department, as well as other local and national enforcement authorities on runs or with cases that include animals.

Sec. 288-303. – Division of medical operations.

The medical operations division shall follow the guidance of a licensed veterinarian per IC 25-38.1-4-3, and under that guidance shall:

- (1) Provide initial assessments of animals entering the shelter including, but not limited to, identifying age, breed, sex, spay/neuter status, weight, and pregnancy;
- (2) Administer vaccines, de-worming, flea prevention, medications and other treatments prescribed by the veterinarian;
- (3) Collaborate with kennel operations on animal wellness and care;
- (4) Perform medical and behavioral euthanasia as needed;
- (5) If the employee or contractor is a registered veterinary technician as per IC 25-38.1-3-6, may perform routine procedures as per IC 25-38.1-4-2;
- (6) Maintain records of medical care for each animal;
- (7) Prepare rabies samples for state board of health testing;
- (8) Be responsible for medical supply and drug inventory; and
- (9) Be responsible for managing, coordinating, and arranging licensed veterinary care and contracts with outside service providers.

Sec. 288-304. – Division of placement operations.

The placement operations division shall:

- (1) Oversee the organization's animal adoptions efforts;
- (2) Manage the shelter's diversion program;
- (3) Assist with the intake process when members of the public reach out to surrender animals;
- (4) Oversee the shelter's volunteer program;
- (5) Manage the shelter's partnership with local and regional rescues including, but not limited to, vetting rescue partners and facilitating placement with them; and
- (6) Manage the shelter's foster program including, but not limited to, vetting applications, educating potential fosters, assisting with any necessary medical precursors to foster placement, placing animals in foster homes, and ongoing communication with active and inactive fosters.

SECTION 2. 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 3. This ordinance shall be in effect from and after January 1, 2025, and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 258, 2024. Councilor Jones reported that the Public Works Committee heard Proposal No. 258, 2024 on August 15, 2024. The proposal, sponsored by Councilor Jones, authorizes the issuance of up to \$20 Million of revenue refunding bonds for the purposes of procuring funds to apply to the refunding of outstanding 2011 and 2013 revenue bonds of the Stormwater District, through the Marion County Stormwater Management District, as a special taxing district existing pursuant to IC 36-3-5-8, to effectuate a savings and debt service advantages; and approves and authorizes other actions in respect thereto. By a 10-0-1 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councilor Boots asked for permission to abstain from voting in order to avoid the appearance of a conflict of interest. Consent was given.

Councilor Jones moved, seconded by Councilor Carlino, for adoption. Proposal No. 258, 2024 was adopted on the following roll call vote; viz:

23 YEAS: Allen, Annee, Bain, Barth, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 NOT VOTING: Boots
1 ABSENT: Evans

Proposal No. 258, 2024 was retitled GENERAL RESOLUTION NO. 37, 2024, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 37, 2024

A PROPOSAL FOR A GENERAL RESOLUTION approving the issuance of one or more series of City of Indianapolis, Indiana Stormwater Revenue Refunding Bonds in an aggregate principal amount not to exceed Twenty Million Dollars (\$20,000,000) and approving and authorizing other actions in respect thereto.

WHEREAS, the Board of Public Works (“Board”) of the City of Indianapolis, Indiana (“City”) being the governing body of the Marion County Stormwater Management District (“Stormwater District”), has determined that it is necessary to issue revenue refunding bonds (“Bonds”) of the Stormwater District in one or more series, in the aggregate principal amount not to exceed Twenty Million Dollars (\$20,000,000) for the purposes of procuring funds to apply to the refunding of all, or a portion of, outstanding revenue bonds of 2013, Series A (the “2013 Qualified Obligation”) and revenue bonds of 2011, which were reissued August 4, 2015 (the “2015 Qualified Obligation”), of the Stormwater District to effectuate a savings and debt service advantages; and

WHEREAS, IC 8-1.5-5-23(a) and, to the extent applicable, IC 36-3-5-8, requires the City-County Council to approve the issuance of bonds or notes by the Stormwater District and any special taxing district of the City, respectively; and

WHEREAS, IC 5-1.4 provides that a “qualified entity”, which term includes the Stormwater District, may issue and sell its bonds or notes to the Indianapolis Local Public Improvement Bond Bank (“Bond Bank”); and

WHEREAS, the Executive Director of the Bond Bank has expressed a willingness to purchase the Bonds in a negotiated sale subject to approval by the Board of Directors of the Bond Bank; and

WHEREAS, the City-County Council has determined that the issuance of the Bonds by the Stormwater District should be approved; 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 the issuance of the Bonds of the Stormwater District, to be issued in one or more series , in an aggregate principal amount not to exceed Twenty Million Dollars (\$20,000,000) to apply to the costs of refunding of all, or a portion of, the outstanding 2013 Qualified Obligation and the 2015 Qualified Obligation of the Stormwater District to effectuate a savings and debt service advantages, and hereby approves the sale of the Bonds to the Bond Bank.

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

PROPOSAL NO. 259, 2024. Councilor Jones reported that the Public Works Committee heard Proposal No. 259, 2024 on August 15, 2024. The proposal, sponsored by Councilor McCormick, approves a request of the Department of Public Works to purchase certain real estate interests for the Girls School Road, from Perimeter Road to 21st Street Project, which property is owned by Arkadia Leasing and Management, LLC. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councilor Carlino asked to be added as a co-sponsor on the proposal.

Councilor Jones moved, seconded by Councilor McCormick, for adoption. Proposal No. 259, 2024 was adopted on the following roll call vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 ABSENT: Evans

Proposal No. 259, 2024 was retitled GENERAL RESOLUTION NO. 39, 2024, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 39, 2024

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” and depicted in Exhibit “B” attached hereto and incorporated herein (the “Real Estate”); and

WHEREAS, acquisition of the Real Estate is needed for the construction and maintenance of DPW Project NumberST-29-020; the Girls School Rd from Perimeter Rd to 21st St Project; 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 Arkadia Leasing and Management, 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. 279, 2024. Councilor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 279, 2024 on August 19, 2024. The proposal, sponsored by Councilor Osili, approves a declaratory resolution of the Metropolitan Development Commission: (i) amending the City Market Redevelopment Area; (ii) removing parcels of real property from the City Market North Allocation area; (iii) designating the Gold Building Allocation Area as an allocation area within the City Market Redevelopment Area; and (iii) adopting associated amendments to the redevelopment plan for the City Market Redevelopment Area. By a 9-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councilor Lewis moved, seconded by Councilor Carlino, for adoption. Proposal No. 279, 2024 was adopted on the following roll call vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 ABSENT: Evans

Proposal No. 279, 2024 was retitled GENERAL RESOLUTION NO. 40, 2024, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 40, 2024

A GENERAL RESOLUTION of the City-County Council of the City of Indianapolis and of Marion County, Indiana, approving an amending 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 November 2, 2022, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission (the "Commission") of the City of Indianapolis, Indiana (the "City"), being the governing body of the City of Indianapolis Redevelopment District (the "Redevelopment District"), adopted its Resolution No. 2022-E-042 (the "Original Declaratory Resolution"), which (i) declared an area of the City as the City Market Redevelopment Area (the "Redevelopment Area"), a "redevelopment project area" within the meaning of Indiana Code § 36-7-15.1 (the "Act"), (ii) designated a portion of the Redevelopment Area, known as the City Market North Allocation Area, as an "allocation area" for the purposes of Section 26 of the Act (the "City Market North Allocation Area"), (iii) designated a portion of the Redevelopment Area, known as the City Market East Allocation Area, as an "allocation area" for the purposes of Section 26 of the Act (the "City Market East Allocation Area") and (iv) approved a redevelopment plan for the Redevelopment Area (the "Original Plan"); and

WHEREAS, following approval by the City-County Council of the City and Marion County, Indiana (the "City-County Council"), and after holding a public hearing, all in accordance with the Act, the Commission adopted its Resolution No. 2023-E-011 on March 15, 2023, confirming the Original Declaratory Resolution; and

WHEREAS, on July 18, 2024, the Commission adopted an amending declaratory resolution (the "Amending Declaratory Resolution") initially approving an amendment to the Original Declaratory Resolution and the Original Plan (the "Plan Amendment") for the Area pursuant to the Act; and

WHEREAS, the Amending Declaratory Resolution removes the properties located at 151 North Delaware Street (the “Gold Building”), 251 East Ohio Street (the “Brick Building”), and the adjacent parking structure (the “Parking Garage”), as legally described and depicted in Exhibit B, attached thereto, from the City Market North Allocation Area and establishes the Gold Building, Brick Building, and Parking Garage parcels as a new allocation area under Section 26 of the Act, to be known as the Gold Building Allocation Area (the “Gold Building Allocation Area”), as more particularly described in the Amending Declaratory Resolution; and

WHEREAS, the Gold Building Allocation Area is separate and distinct from the City Market East Allocation Area; and

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

WHEREAS, the Amending Declaratory Resolution has 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 Amending Declaratory Resolution and associated Plan Amendment 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. 284, 2024. Councilor McCormick reported that the Ethics Committee heard Proposal No. 284, 2024 on September 4, 2024. The proposal, sponsored by Councilors Bain and McCormick, amends Chapter 151, Article XI, Ethics Code for Councilors, of the Revised Code. By a 6-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councilor Mascari stated that this proposal goes way too far, and the code for senators does not even go this far. He asked his colleagues to oppose the proposal.

Councilor Bain thanked Councilor McCormick for the way she has handled this issue as chair of the Committee, meeting several times and reviewing all feedback. He said that this proposal had bi-partisan support out of committee and does several things. The first is with respect to employers and lowering the amount for which a Councilor must report income received by their employer down to \$5,000 from \$10,000 at present. This would create no additional burden on the Councilor, as their Human Resources department could easily fill out the form. It also adds the date of hire to the form for the employer and a disclosure regarding stock with any company that does business with the city. He said that it does not restrict investing money into a development, but it just has to be disclosed. He said that the proposal also requires that ethics forms be posted online by March 1st of each year, which has not been done for a long time. At this time an individual would have to do a public records request to get this information; and this change just allows for more transparency.

Councilor Robinson asked if this proposal requires that Councilors disclose personal stock options. Councilor Bain said only if the company has a contract with the city. While Eli Lilly probably is not getting direct funds from the City, they might be receiving tax abatements or other economic development incentives. General Counsel LeAnnette Pierce drafted that language to be as transparent as possible. Councilor Robinson asked if the state and federal legislators have to disclose this. Councilor Bain said that the Statehouse actually has to disclose more, and their social security numbers, personal addresses and phone numbers are also required. He said that at the state the stock option reporting is done in accordance with a specific dollar amount, whether the company does business with the state of Indiana or not. He said that the language in this proposal is only

with regard to stock in companies that do business directly with the city. Councilor Robinson said that he feels there will be other consequences that have not been considered by including this language. Councilor Bain said that any of this could be asked for with a public information request, so that if a complaint is made, it could be investigated. It does not prohibit owning stocks.

Councilor Gibson said that he had some reservations about this, as with a health insurance company that might have to divulge how much revenue they receive from the city, and how that might be unfair in terms of competition. Councilor Bain said that these are only with respect to public funds. The date of hire was added because if he worked for said company 10 years ago, then they started doing business with the city recently, his history of employment would not affect that. He said that he feels this should be disclosed for transparency, to show that he had no influence in the city now using his company for business since he came on the Council. Councilor Gibson said that he still has some reservations.

Councilor Graves asked how much of a change this is from the current code. Councilor Bain said that the one of the biggest changes is that a Councilor must disclose any amount of money their employer receives from the city to the nearest \$5,000 level, instead of \$10,000, as the Code allows for now. The biggest change is putting these ethics disclosure forms back online, so that an individual does not need to file a public records request to access them. Every other level of government makes their forms available online.

Councilor Lewis said that this just seems to be an administrative issue where the staff cannot just be asked to putting these forms back online. Councilor Bain said that the office used to put these online, and the executive branch still does for their officials; however, he feels it is important to enshrine that requirement in code. Although he does not believe the current leadership would balk at putting those online, future leadership might, and this simply adds more transparency. Councilor McCormick said that they could find no explanation as to why these forms ceased to be included online. Councilor Lewis said that it seems this should just be an administrative practice and getting it back online should solve the issue. General Counsel Pierce said that the proposal includes additional information and changes to that form, so they decided to also include the piece on transparency to codify that requirement.

Councilor Carlino said that she feels that this creates an undue burden on employers, and Councilors already abstain from voting on proposals and certain portions of the budget because of their employment. She said that she cannot support the proposal this evening.

Councilor J. Brown said that was prepared to vote for it, and seems this is a minor ask, as the public has concerns about transparency in city government. He said that it is wise to show they have no conflict of interest.

Councilor Barth asked if the stock component would include mutual funds. Councilor Bain said that in a mutual fund, an individual is not doing an investment with a company doing business with the city, but is instead investing in a mutual fund. He said that this language is to prevent a Councilor from using privileged information they receive in the course of public duties to influence and increase stock earnings. Councilor Barth asked if mutual funds would not then be an active decision, and therefore be exempt. Councilor Bain said if a mutual fund is doing the investment on their behalf, that is correct; and this would only pertain to direct investments a Councilor has made themselves. General Counsel Pierce said that the original intent was to disclose a Councilor

directly purchasing stock with a company that does direct business with the city. A mutual fund investment does not show intent. Councilor Barth said that he feels this should go back to committee for further review of this piece.

Councilor Lewis moved, seconded by Councilor McCormick, to return Proposal No. 284, 2024 back to committee.

Councilor Bain said that he is okay with the motion to return the proposal to Committee, as it would not take effect until next year, anyway.

Councilor Robinson asked if an ethics violation occurred to make this review happen. Councilor Bain said that the Ethics Committee was simply charged, as a part of their regular duties, to review the ethics ordinance for Councilors, as well as the disclosure forms.

Councilor Delaney asked in reconsideration at the committee, if the Committee could clarify the language regarding stocks versus mutual funds. She said that it is important that this body pays attention to their ethics and being transparent. She said that agrees generally with these changes, and especially the part about posting the forms online.

Councilor Hart thanked Councilors Bain and McCormick for encouraging the committee to look closely at the ordinance and these disclosure forms. He said that they put a lot of work into it, and to his knowledge no one has reviewed them in the last five years that he has been on the Council. He said that he supports this effort.

Proposal No. 284, 2024 was returned to committee on the following roll call vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:
1 ABSENT: Evans

PROPOSAL NO. 287, 2024. Councilor Boots reported that the Rules and Public Policy Committee heard Proposal No. 287, 2024 on August 23, 2024. The proposal, sponsored by Councilors McCormick and Brown, creates an Investigative Committee that contracts with an independent law and/or human resources firm(s) to thoroughly examine and investigate allegations against members of the Hogsett administration and recommend policy changes and further action to address gaps in human resources policy and code; and recommends further immediate action regarding sexual harassment training and workplace relationships. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass as amended.

Councilor Cahill asked for permission to abstain from voting on Proposal No. 287, 2024. Consent was given.

Councilor Bain made the following motion:

Mr. President:

I move to further amend amended-Proposal No. 287, 2024, by adding the double underlined and highlighted language, to read as follows:

SECTION 2. The Committee shall hire an independent law or human resources firm (Independent Firm) or more than one firm to thoroughly examine and investigate allegations of sexual harassment and abuse by members of the Administration and assess how the Administration addressed these allegations; provide recommendations to remedy policy failures as a result of gaps in the Revised Code and the City's human resources structure and policies; and provide recommendations to remedy personnel failures related to any allegations applying guidelines established through the Equal Employment Opportunity Commission and recommending actions for reprimands, terminations, and/or criminal referrals. All documents collected or received by the Independent Firm and its work product shall be made available to any committee member upon request.

Councilor Hart seconded the motion.

Councilor Bain said that this amendment would mean that any information given to one member of the Committee would not be held back from the other members, so that all seven members would have the same information.

Councilor A. Brown asked if this means that if the retained law firm has Mr. Cook's files, if they would have to send them to all members. Councilor Bain said that it would only need to be sent to the member requesting the information. He said that the member could not use this tool as a vendetta, as Section 7 covers that possibility. Councilor A. Brown said that this makes her nervous, because once information gets out to one member, it can get out to anyone. She said that they intentionally separated this out to an independent firm in order to keep those individuals reporting as victims or witnesses safe. She said that she understands the intention, but a firewall is needed to protect confidential information from getting out. Even the best intentions can leak like a sieve; and this could potentially put people in jeopardy. She said that hiring an outside professional firm means they can rely on their experience as to what parts of the information can be disseminated. She said that she cannot support this amendment.

Councilor Carlino agreed and said that this kills the independent investigation portion of this proposal and procedure, and she also cannot support it.

Councilor Delaney said that she reads the proposal to already say the opposite of what Councilors Brown and Carlino indicated, and she sees this amendment as duplicative and already in the proposal now. Councilor Carlino said that she can agree somewhat, but feels like the committee should not be doing the nitty gritty disclosures of the investigation. Councilor Bain said that Section 7 ensures that these disclosures are not jeopardized, and all it says that one person cannot request information that is then kept withheld from other members of the committee.

Councilor Boots said that he shares some of the same concerns in reading this from a legal standpoint. He said that the language is dangerous and ambiguous, and he does not think it does what Bain says it does. He said that the firm will have tons of information in discovery, and he is concerned about collateral damage due to this amendment and cannot support it.

Councilor J. Brown said that he would support an agreement that any work product provided to one committee member should be provided to the other six, and if that is what this amendment insured, he could support that, but is not sure that is what it does.

The motion to amend failed on the following roll call vote; viz:

2 YEAS: Bain, Hart

21 NAYS: Allen, Annee, Barth, Boots, Brown-A, Brown-J, Carlino, Delaney, Dilk, Gibson, Graves, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson

1 NOT VOTING: Cahill

1 ABSENT: Evans

Councilor Bain made the following motion:

Mr. President:

I move to further amend amended-Proposal No. 287, 2024, by deleting the language that is ~~stricken through and highlighted~~, to read as follows:

SECTION 6. The Committee is granted express authority to subpoena witnesses and documents, both electronic and physical, as deemed necessary, in accordance with Indiana Code 36-3-4-24 and Section 151-33 of the Revised Code. Subpoenas may be requested only by a simple majority of the members of the Committee.

Councilor Hart seconded the motion.

Councilor A. Brown said that none of them should have that much power, and this would provide motivation to do too much. She said that they have to protect people first. She said that there is too much information that could be used against a person in personnel files, and the point of this committee is to figure out where the city's processes and system has gone wrong. That kind of power puts every employee at risk and at the whims of every member of that committee. She said that they need this simple majority language.

Councilor Bain said that he respectfully disagrees and said that Section 7 mandates that no one individual would be targeted; and he does not know why Councilor Brown would think a member of this committee would try to target a victim, because that is ridiculous. He said that other federal and state committees operate this same way. He said that they cannot have a select majority doing the full work of this committee.

Councilor Boots said that the concern is that this could turn into a witch hunt, which is something they do not want to happen. If a simple majority cannot decide, one person should not have that absolute power or be able to exert such authority, regardless if other investigative committees operate this way. He encouraged his colleagues to oppose the amendment. Councilor Bain said that standing committees in Congress have the ability to subpoena, and he is not referring to select investigative committees. Councilor Boots said that this is definitely a select committee, and the subpoena power should be exercised very carefully.

Councilor Delaney said that the number one priority is to protect victims and witnesses, and giving one person this power puts that in jeopardy.

Councilor Hart said that Section 7 has been mentioned over and over, and General Counsel Pierce looked at this from a legal perspective. He asked if Section 7 prohibits these things that Councilors are saying could happen from actually happening. Counsel Pierce said that they are still subject to the public records laws, and if they do not get the information, they do not have to disclose it. Councilor Hart asked if it depends on who sends them the information and whether it is unredacted information; but it could potentially be requested. Counsel Pierce responded in the affirmative.

Councilor McCormick said that we are all human and could make an unintentional error; and for that matter, the human resources or law firm that is engaged could also make an error. However, this is just a double line of protection. She said that the information they receive could be triggering for some, as well, and they do not need to be telling stories about unnamed victims' experiences, and this is something they need to keep their eyes on.

Councilor J. Brown said that this is a healthy debate, but he will oppose the amendment. He said that if they had not chosen to have the committee make-up be five democrats and two republicans, it maybe looks more political than what is in anyone's heart. However, he does not think one person should have those powers, and he thinks everyone wants this to work to everyone's benefit.

The motion to amend failed on the following roll call vote; viz:

5 YEAS: Annee, Bain, Dilk, Hart, Mowery

18 NAYS: Allen, Barth, Boots, Brown-A, Brown-J, Carlino, Delaney, Gibson, Graves, Jones, Lewis, Mascari, McCormick, Nielsen, Osili, Perkins, Roberts, Robinson

1 NOT VOTING: Cahill

1 ABSENT: Evans

Councilor Carlino asked to be added to the proposal as a co-sponsor.

Councilor Barth said that he received a lot of input from constituents at a neighborhood meeting, and he read a prepared statement regarding the outrage and shock that was initially felt and the response and expectation for immediate action and accountability. This is a troubling, fundamental breach of trust, and they must deliver justice to restore confidence. He said that this behavior has no place in any work environment, and they must do all they can to protect the dignity and safety of every employee. It is unacceptable to abuse the power bestowed on managers or to fail to act when behavior of this nature occurs. He said it is the Council's responsibility to foster a safe workplace for all employees.

Councilor Bain said that he intends to support the proposal, even though one part of it does give him some pause, but not enough to oppose it. He asked Counsel Pierce if they will not only investigate what took place in the Hogsett administration, but also within the campaign. General Pierce said that the scope of the work has not yet been defined, so it depends what that turns out to be. Councilor Bain asked if they had legal authority to issue a subpoena regarding the campaign. Counsel Pierce said that they could issue a legislative subpoena, but those subpoenaed could refuse to comply and take it to court. She said that she cannot answer definitively if they would win if this should happen because the scope of the work has not yet been defined by the committee.

President Osili thanked all who worked on this proposal, given the circumstances. He said that they have to hold respect and safety in the highest place for the people who work in city government, and their employees should never feel unsafe in this space.

Councilor Boots moved, seconded by Councilor A. Brown, for adoption. Proposal No. 287, 2024 was adopted on the following roll call vote; viz:

22 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Carlino, Delaney, Dilk, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
1 NAY: Gibson
1 NOT VOTING: Cahill
1 ABSENT: Evans

Proposal No. 287, 2024 was retitled GENERAL RESOLUTION NO. 41, 2024, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 41, 2024

PROPOSAL FOR A GENERAL RESOLUTION to create an Investigative Committee that contracts with an independent law and/or human resources firm or firms to thoroughly examine and investigate allegations against members of the Hogsett administration and recommend policy changes and further action to address gaps in human resources policy and code; and to recommend further immediate action regarding sexual harassment training and workplace relationships.

WHEREAS, recent media coverage detailing the sexual harassment and abuse experienced by women while employed by the Hogsett administration and campaign is unconscionable; and

WHEREAS, the City-County Council (Council) condemns these actions unconditionally, and are grateful to the brave survivors for coming forward; and

WHEREAS, under no circumstances should anyone employed by city agencies feel threatened, harassed, or intimidated. All citizens of Indianapolis should have confidence that city leaders are taking these matters seriously and acting decisively to protect employees who come forward; and

WHEREAS, in order to ensure this type of abuse does not and cannot happen again, the Council should use every power at its disposal to understand where and how systems failed, including through powers granted in Indiana Code 36-3-4-24 and Section 151-33 of the Revised Code; and

WHEREAS, the Council is committed to working to determine the necessary changes to the city's policies and systems to ensure a safe work environment for all employees, now and into the future; and

WHEREAS, the Council agrees with longstanding human resources best practices that a consensual sexual or romantic relationship can never exist between a supervisor and a subordinate due to imbalance in power in the workplace; and

WHEREAS, the Council's priority is to create a workplace where every employee feels secure, valued, and supported; and

WHEREAS, the Council is focused on implementing improvements that will bring greater accountability for all leaders, whether elected, appointed, or hired; 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 (Council) hereby creates an Investigative Committee (Committee) to examine the allegations made by individuals while employed by the Hogsett administration (Administration) and campaign. The Committee will also evaluate and ratify proposed changes to human resources policies including but not limited to creating a separate branch of human resources from the Administration that explicitly addresses sexual harassment and other discrimination-related complaints, creating an anonymous reporting system, and strengthening mental health support through the Employee Assistance Program (EAP) and additional behavioral health services.

SECTION 2. The Committee shall hire an independent law or human resources firm (Independent Firm) or more than one firm to thoroughly examine and investigate allegations of sexual harassment and abuse by members of the Administration and assess how the Administration addressed these allegations; provide recommendations to remedy policy failures as a result of gaps in the Revised Code and the City's human resources structure and policies; and provide recommendations to remedy personnel failures related to any allegations applying guidelines established through the Equal Employment Opportunity Commission and recommending actions for reprimands, terminations, and/or criminal referrals.

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SECTION 3. An Independent Firm is defined as a firm that has no business, political, or financial ties to the City of Indianapolis, the Hogsett Administration and campaign, the Council and the twenty-five (25) members of the Council, and that has a demonstrated expertise in investigating sexual harassment and misconduct allegations within the workplace. Upon the conclusion of the investigation, the Independent Firm shall prepare a report that details the findings from the investigation, recommends policy changes, and provides additional information it deems germane to advising the Committee on any further action. After receiving and reviewing the report, the Committee will recommend further action to be taken by the Council.

SECTION 4. The Committee will be composed of five (5) members from the majority party and two (2) members from the minority party. The members of the committee shall be appointed by the Committee on Committees no later than seventy-two (72) hours after passage of this General Resolution. The chair of the Committee shall be appointed by a simple majority of the members of the Committee.

SECTION 5. The Committee shall meet no later than twenty-one (21) days after passage of this General Resolution. The Committee shall meet at least once a month, until the investigation concludes. Additional meetings shall be called upon the call of the chair or a simple majority of its members. Four (4) members of the Committee shall constitute a quorum. The Committee shall submit a tentative timeline of its work to the Council within fourteen (14) days of its first meeting. The Committee shall submit a tentative timeline of its work to the Council within fourteen (14) days of its first meeting. The Committee shall provide quarterly updates to the timeline to the Council. The Independent Firm shall provide an interim report to the Committee no later than February 28, 2025. All deadlines may be amended by the Council at the recommendation of the Committee.

SECTION 6. The Committee is granted express authority to subpoena witnesses and documents, both electronic and physical, as deemed necessary, in accordance with Indiana Code 36-3-4-24 and Section 151-33 of the Revised Code. Subpoenas may be requested only by a simple majority of the members of the Committee.

SECTION 7. The Committee shall refrain from obtaining any identifying information of a victim. However, the Committee shall ensure that no identifying information of a victim is disclosed to any member of the public, elected official, or employee of the consolidated city. This includes names, personal identifiers, and any information that could reasonably lead to the identification of a victim. The Committee shall implement strict privacy protocols for securing and handling of sensitive information. The Indiana Access to Public Records Act (Indiana Code 5-14-3) shall apply to the Committee and its work products.

SECTION 8. The Council recommends a further General Ordinance modifying Revised Code Section 293-304 to include all city county employees in an annual mandatory sexual harassment training and to amend and add, where appropriate, a requirement that all workplace relationships be disclosed to human resources through a consensual relationship agreement.

SECTION 9. All funds shall be made available to carry out sections of this resolution.

PROPOSAL NO. 288, 2024. The proposal, sponsored by Councilors Mowery, Annee, Bain, Cahill, Dilk and Hart, forms a committee to investigate allegations against the Mayor's Office concerning the conduct of former Chief of Staff Thomas Cook. Councilor Boots reported that because there were two resolutions regarding this subject submitted last-minute at the last Council meeting, the Committee amended one of the proposals to achieve the intent of both proposed resolutions. The committee, by consent, therefore, voted to allow this second proposal to be withdrawn.

President Osili stated that no further action is required, as the proposal has been withdrawn.

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.

Councilor Mowery stated that he had been asked to offer the following motions for adjournment:

by Councilor Lewis in memory of Deborah Ann Knox and Shirley M. Herd.

by All Councilors in memory of Donna Lynn Bailey.

by Councilor Osili in memory of George Nelson, Elizabeth I. Fapetu, and Chester Dorsey.

Councilor Mowery moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Deborah Ann Knox, Shirley M. Herd, Donna Lynn Bailey, George Nelson, Elizabeth I. Fapetu and Chester Dorsey. He respectfully asked the support of fellow Councilors. 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 8:40 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 9th day of September, 2024.

In Witness Whereof, we have hereunto subscribed our signatures, caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)