

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA  
MONDAY, NOVEMBER 7, 2022**

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 7:00 p.m. on Monday, November 7, 2022 with Councillor Osili presiding.

Councillor Carlino introduced Pastor Tim Lindsey, Public Servants' Prayer, who led the opening prayer. Councillor Carlino then invited all present 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:

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

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

**OFFICIAL COMMUNICATIONS**

The President 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, November 7, 2022, 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

October 17, 2022

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:

*Journal of the City-County Council*

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, October 21, 2022 a copy of a Notice of Public Hearing on Proposal No. 365, 2022, said hearing to be held on Monday, November 7, 2022 at 7:00 p.m. in the Public Assembly Room of the City-County Building.

Respectfully,  
s/SaRita Hughes  
Clerk of the City-County Council

October 25, 2022

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:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, November 4, 2022 a copy of a Notice of Public Hearing on Proposal Nos. 367 and 371, 2022, said hearing to be held on Monday, November 14, 2022 at 5:30 p.m. in the Public Assembly Room of the City-County Building by the Metropolitan and Economic Development Committee of the City-County Council.

Respectfully,  
s/SaRita Hughes  
Clerk of the City-County Council

October 31, 2022

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:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, November 4, 2022 a copy of a Notice of Public Hearing on Proposal No. 380, 2022, said hearing to be held on Monday, November 14, 2022 at 5:30 p.m. in the Public Assembly Room of the City-County Building by the Metropolitan and Economic Development Committee of the City-County Council.

Respectfully,  
s/SaRita Hughes  
Clerk of the City-County Council

October 21, 2022

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, SaRita Hughes, the following ordinance:

FISCAL ORDINANCE NO. 17, 2022 – approves an additional appropriation of \$1,825,000 in the 2022 Budget of the Indianapolis Fire Department (Federal Grants Fund) to fund expenses incurred during the deployments of Indiana Task Force One as part of the National Urban Search and Rescue Response System Cooperative agreement

FISCAL ORDINANCE NO. 18, 2022 – adopts the annual budget for the City of Indianapolis and Marion County for 2023

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2022 - approves the tax levy and rate for the Police Special Service District for 2023

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2022 - approves the tax levy and rate for the Fire Special Service District for 2023

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2022 - approves the tax levy and rate for the Solid Waste Collection Special Service District for 2023

GENERAL RESOLUTION NO. 27, 2022 – proposes a resolution of the Marion County Local Income Tax Council to: modify the local income tax rate, modify the allocation of the previously imposed expenditure rate, and to cast the vote of the City-County Council on such resolution

s/Joseph H. Hogsett, Mayor

## **ADOPTION OF THE AGENDA**

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

## **APPROVAL OF THE JOURNAL**

The President called for additions or corrections to the Journals of October 17, 2022. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 412, 2022. The proposal, sponsored by Councillor Graves, recognizes the City League Basketball League. Councillor Graves read the proposal and presented representatives with copies of the document and Council pins. Austin Taylor, City League, thanked the Council for the recognition. Councillor Graves moved, seconded by Councillor Adamson, for adoption. Proposal No. 412, 2022 was adopted by a unanimous voice vote.

Proposal No. 412, 2022 was retitled SPECIAL RESOLUTION NO. 28, 2022, and reads as follows:

### **CITY-COUNTY SPECIAL RESOLUTION NO. 28, 2022**

A SPECIAL RESOLUTION recognizing The City League Basketball League.

WHEREAS, Culturally there isn't any single institution in Indiana that transcends the different groups we belong to - race, class, gender, religion, profession- like basketball. It is a simple game that we Hoosiers have embraced like no other people in the world. For this reason, the game is a great tool in bringing diverse groups of people together for collaboration; and

WHEREAS, the City League traces its origin back to a Crosstown Neighborhood Association Meeting in the summer of 2013. It was decided soon after that Little Bethel Missionary Baptist Church would use its gym facility to host a basketball open gym – free of charge- for young men in the neighborhood. A year after the open gym began, a competitive tournament was organized. The goal being to generate some revenue to support the open gym activities. Three tournaments were held before a decision was made – in order to elevate the quality of the basketball it was imperative that the surrounding community be involved; and

WHEREAS, the City League's aim is to use the energy generated by high level basketball to provide a platform. A platform that the people, businesses, organizations, and community groups - both old and new- in our area can utilize for their specific purposes. The City League, being a hub for community activity for 7 weeks, the Boner Fitness and Learning Center gymnasium is alive in June, July, & August. The City League is a part of the effort to elevate the quality of life for residents in our city, Indianapolis; and

WHEREAS, the City League is the product of collaboration between local businesses and organizations who provide both financial resources and volunteer hours to produce a unique, high quality basketball event. In exchange, the energy the basketball tournament provides creates a great platform to promote area businesses and different initiatives being worked on to improve the quality of life in the area; and

WHEREAS, over four years, The City League has connected 52 different, financially participating organizations with the goal of creating a shared community platform, hosted a community forum the past two years with Indianapolis Public Schools, created revenue for the for the Little Bethel Crosstown Community Center, run basketball clinics, a 3-on-3 tourney at Tarkington Park Fest, a showcase game with city police, and a tournament for EmployIndy on the far-eastside; now, therefore:

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

SECTION 1. The Indianapolis City-County Council proudly recognizes The City League and all of its talented athletes.

SECTION 2. The Council heartily congratulates The City League and its athletes for their outstanding work, commitment and dedication and efforts to elevate the quality of life for residents in our city.

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

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

PROPOSAL NO. 413, 2022. The proposal, sponsored by Councillor Gray, recognizes the Centennial Anniversary of Pleasant Run Golf Course. Councillors read the proposal and presented representatives with copies of the document and Council pins. Ryan Ford, Director of Golf, Pleasant Run Golf Course, and Parks Board Member Joe Wynns thanked the Council for the recognition. Councillor Gray moved, seconded by Councillor Ray, for adoption. Proposal No. 413, 2022 was adopted by a unanimous voice vote.

Proposal No. 413, 2022 was retitled SPECIAL RESOLUTION NO. 29, 2022, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 29, 2022

A SPECIAL RESOLUTION recognizing the Centennial Anniversary of Pleasant Run Golf Course.

WHEREAS, the Pleasant Run Golf Course was part of the Indianapolis Park and Boulevard System (often referred to as the Kessler System), designed by landscape architect George Kessler in the early 1900s; and

WHEREAS, the Kessler System consisted of approximately 3,474 acres that included parks, parkways, golf courses, and boulevards in an area roughly bounded by 38th Street and Emerson, Southern and Tibbs Avenues, with extensions on Fall Creek and Pleasant Run Parkway to Shadeland Avenue; and

WHEREAS, taking advantage of the meandering streams, open vistas, and wooded areas that the city's four major waterways afforded, Mr. Kessler's plan combined the ideals of the City's "Beautiful Movement", with practical functionality, and the system was nationally recognized and added to the National Register of Historic Places in 2003; and

WHEREAS, established as a part of this system in 1922, Pleasant Run Golf Course, located at 601 North Arlington Avenue on the City's eastside, is a hidden gem that combines picturesque natural scenery with a challenging design including strategically placed bunkers and hazards, with multiple tee lengths in order to cater to golfers of all age and skill levels, and a reputation for having the best putting greens in the City; and

WHEREAS, golf pro Denny Ford, who has been the Director of Golf at Pleasant Run for 43 years, is joined by golf pro and Co-Director Ryan Ford, and superintendent Tim Kahle, to ensure that the Pleasant Run Golf Course continues to be maintained at a high level, providing courteous, helpful staff and a quality challenging course year after year; and

WHEREAS, on October 1, 2022, Pleasant Run Golf Course hosted a Centennial Event to celebrate 100 years, with opening announcements beginning at 8:00 a.m. at the first tee/practice putting green; and

WHEREAS, the event featured rounds of golf, prizes on every hole, friendly competition, complimentary keg beer, and a catered lunch, beginning with a shotgun start at 8:30 a.m. and ending with lunch catered by Edwards' Drive-In at 1:30 p.m.; 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 recognizes the directors/pros, superintendent, staff and patrons of the Pleasant Run Golf Course and congratulates them on their 100<sup>th</sup> Anniversary.

SECTION 2. The Council wishes IndyParks and the Pleasant Run Golf Course continued success for another 100 years.

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

November 7, 2022

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

PROPOSAL NO. 414, 2022. The proposal, sponsored by Councillor Ray, recognizes the Indiana Union Construction Industry and their recruitment arm, the Indiana Careers in Construction Association. Councillor Ray read the proposal and presented representatives with copies of the document and Council pins. Andre Wilcox, Training Director, thanked the Council for the recognition. Councillor Ray moved, seconded by Councillor J. Evans, for adoption. Proposal No. 414, 2022 was adopted by a unanimous voice vote.

Proposal No. 414, 2022 was retitled SPECIAL RESOLUTION NO. 30, 2022, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 30, 2022

A SPECIAL RESOLUTION recognizing the Indiana Union Construction Industry and their recruitment arm, the Indiana Careers in Construction Association.

WHEREAS, the week of November 14<sup>th</sup> – 20<sup>th</sup>, 2022 the Country celebrates National Apprenticeship Week recognizing the value of skilled training to workforce and economic development along with the impact made by the Indiana Union Construction Industry and their recruitment arm and the Indiana Careers in Construction Association, throughout Indiana; and

WHEREAS, by providing skilled apprenticeship training programs to Hoosiers statewide, the Indiana Union Construction Industry and the Indiana Careers in Construction Association are providing opportunities for residents of Indianapolis, Marion County and the surrounding areas to improve their skills, careers, and their lives. These registered apprentice training programs are an asset to our community and our state; and

WHEREAS, there are currently more than 75,000 skilled tradesmen and women in the Indiana Union Construction Industry; and

WHEREAS, there are currently more than 9,000 apprentices enrolled in union construction apprenticeship programs in the Indiana Union Construction Industry, consisting of 20% minorities, 9% veterans, and 6% females; and

WHEREAS, these skilled tradespersons are essential for successful completion of public works and private construction projects that elevate our communities; and

WHEREAS, each year, the Indiana Union Construction Industry makes a private industry investment of more than \$54 million dollars in apprenticeship training through their jointly managed apprenticeship programs which represents 85% of annual apprentice program investments throughout the state; and

WHEREAS, since 1993, more than 20,000 apprentices from the Indiana Union Construction Industry have earned an Associate's Degree in Applied Science from Ivy Tech Community College as a direct result of their enrollment in a union construction apprenticeship program. This two-year degree is earned at no additional cost to the student; now, therefore:

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

SECTION 1. The Indianapolis City-County Council proudly recognizes the Indiana Union Construction Industry and their recruitment arm, the Indiana Careers in Construction Association.

SECTION 2. The Council heartily congratulates the Indiana Union Construction Industry and the Indiana Careers in Construction Association and wishes them continued success.

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

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

PROPOSAL NO. 415, 2022. The proposal, sponsored by Councillors Potts, Adamson, Barth, Boots, Brown, Carlino, J. Evans, Gray, Jackson, Jones, Larrison, Lewis, Mascari, McCormick,

Oliver, Osili, Ray and Robinson, recognizes the Damien Center's work serving the Indianapolis community for 35 years. Councillors read the proposal and presented representatives with copies of the document and Council pins. Allen Witchey, President/CEO, Damien Center, thanked the Council for the recognition. Councillor Potts moved, seconded by Councillor Carlino, for adoption. Proposal No. 415, 2022 was adopted by a unanimous voice vote.

Proposal No. 415, 2022 was retitled SPECIAL RESOLUTION NO. 31, 2022, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 31, 2022

A SPECIAL RESOLUTION recognizing the Damien Center's work serving the Indianapolis community for 35 years.

WHEREAS, the Damien Center's mission is to be a trusted partner in providing services, education, and advocacy for all people living with or at risk for HIV and any person seeking a safe and welcoming home for care. Founded in 1987, Damien Center is Indiana's oldest and largest AIDS service organization and serves more than 6,000 individuals affected and infected by HIV/AIDS through a comprehensive, innovative approach to HIV care and prevention; and

WHEREAS, as the state's largest AIDS service organization, the Damien Center provides services to more than 25% of all individuals living with HIV in the state. The Damien Center makes its wide variety of programs and services available in-house, utilizing a one-stop-shop approach to caring for those affected by HIV and preventing its spread; and

WHEREAS, the Damien Center consistently utilizes data and builds the skills needed to design and deliver highly impactful programs and services that achieve meaningful outcomes.; and

WHEREAS, the Damien Center prioritizes increasing access to services and eliminating barriers to care by meeting the unique needs of diverse communities and being a safe, welcoming place for all people; now, therefore:

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

SECTION 1. The Indianapolis City-County Council recognizes and expresses gratitude for the Damien Center's vision that every person in Indiana has equitable access to client-centered care, ending the HIV epidemic, and ensuring all people can thrive and live with dignity.

SECTION 2. The Council recognizes and heartily congratulates the Damien Center on its 35<sup>th</sup> anniversary, and joins them in celebrating with their annual Grande Masquerade.

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

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

PROPOSAL NO. 397, 2022. The proposal, sponsored by Councillors Barth, Adamson, Larrison, Boots, Osili, Carlino, J. Evans, Jones, Ray and Jackson, supports the development of mechanisms intended to protect and generate revenue for maintenance of urban forests and trees throughout the City of Indianapolis and Marion County. Councillor Barth moved to refer Proposal No. 397, 2022 to the Environmental Sustainability Committee for more in-depth discussion. Councillor Lewis seconded the motion. President Osili stated that it takes eight votes to refer the proposal to committee, and he called for a roll call vote; viz:

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

President Osili said that Proposal No. 397, 2022 will therefore be referred to the Environmental Sustainability Committee.

PROPOSAL NO. 416, 2022. The proposal, sponsored by Councillors E. Evans, Adamson, Brown, Jackson, Boots, Jones, Oliver and Carlino, opposes the petition of Health and Hospital Corporation of Marion County to the U.S. Supreme Court, Case No. 21-806, and seeks its dismissal. Councillors read the proposal and urged support from fellow Councillors. Bryce Gustafson, Citizens Action Coalition, thanked the Council for taking this action, and stated that they will continue the fight to keep this case from moving forward. Councillor E. Evans moved, seconded by Councillor Adamson, for adoption. Proposal No. 416, 2022 was adopted by a unanimous voice vote.

Proposal No. 416, 2022 was retitled SPECIAL RESOLUTION NO. 32, 2022, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 32, 2022

PROPOSAL FOR A SPECIAL RESOLUTION to oppose the petition of Health & Hospital Corporation of Marion County (HHC) to the U.S. Supreme Court, Case No. 21-806, and to seek its dismissal.

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana, stands in solidarity with our Black and Brown communities, Latinx communities, the LGBTQIA+ community, women, seniors and especially nursing home residents, and the disability community; and

WHEREAS, federal safety net programs and civil rights laws are vital to protect our most vulnerable neighbors and historically marginalized communities; and

WHEREAS, in the *HHC v. Talevski* case, HHC is asking the Supreme Court to block the enforcement of a broad array of federal laws that provide lifesaving healthcare, services, and civil rights protections for these communities; and

WHEREAS, this Supreme Court has demonstrated that it will not hesitate to overturn long standing legal precedents that ensure access to individual civil rights and liberties; and

WHEREAS, the City-County Council of the City of Indianapolis and of Marion County, Indiana, opposes the harmful changes to federal law requested by HHC; and

WHEREAS, the enforcement of federal laws and programs, such as Medicaid, Section 1557 of the Affordable Care Act, Section 504 of the Rehabilitation Act, Title IX of the Education Amendments of 1972, and Title VI of the Civil Rights Act of 1964, is critical to the rights and freedoms of our citizens, and must be defended; and

WHEREAS, Medicaid and the other threatened federal programs are essential to the ability of seniors and people with disabilities to live in our community and participate in society; and

WHEREAS, the petition being pursued by HHC in the Supreme Court is contrary to our public policy. ; 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 urges HHC to dismiss its petition, end the Supreme Court review, and pursue other means of resolving this case that do not harm important federal rights.

SECTION 2. 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. 417, 2022. The proposal, sponsored by Councillors Osili, Adamson and Lewis, approves a schedule of regular council meetings for the year 2023. Councillor Adamson moved, seconded by Councillor Mowery, for adoption. Proposal No. 417, 2022 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 ABSENT: Brown, Hart, McCormick

Proposal No. 417, 2022 was retitled COUNCIL RESOLUTION NO. 78, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 78, 2022

A PROPOSAL FOR A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 2023.

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 approves the following schedule of regular meetings for the year 2023:

- |                              |                                |
|------------------------------|--------------------------------|
| (1) Monday, January 9, 2023  | (8) Monday, August 14, 2023    |
| (2) Monday, February 6, 2023 | (9) Monday, September 11, 2023 |
| (3) Monday, March 6, 2023    | (10) Monday, October 2, 2023   |
| (4) Monday, April 3, 2023    | (11) Monday, October 16, 2023  |
| (5) Monday, May 8, 2023      | (12) Monday, November 13, 2023 |
| (6) Monday, June 5, 2023     | (13) Monday, December 4, 2023  |
| (7) Monday, July 10, 2023    |                                |

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

PROPOSAL NO. 267, 2022. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 267, 2022 on November 1, 2022. The proposal, sponsored by Councillor Osili, reappoints Amy Carroll to the Public Art for Neighborhoods Selection Committee. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Mascari moved, seconded by Councillor Adamson, for adoption. Proposal No. 267, 2022 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 ABSENT: Brown, Hart, McCormick

Proposal No. 267, 2022 was retitled COUNCIL RESOLUTION NO. 79, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 79, 2022

A COUNCIL RESOLUTION reappointing Amy Carroll to the Public Art for Neighborhoods Selection Committee.

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

SECTION 1. As a member of the Public Art for Neighborhoods Selection Committee, the Council reappoints:

Amy Carroll



November 7, 2022

SECTION 2. The appointment made by this resolution is for a term ending May 12, 2024. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualifies unless the duration of the holdover period for this office is limited by statute.

PROPOSAL NO. 363, 2022. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 363, 2022 on November 1, 2022. The proposal, sponsored by Councillor Mascari, approves the Mayor's appointment of Dan Parker as Chief Deputy Mayor. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councillor Mascari moved, seconded by Councillor Adamson, for adoption. Proposal No. 363, 2022 was adopted on the following roll call vote; viz:

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

Proposal No. 363, 2022 was retitled COUNCIL RESOLUTION NO. 80, 2022, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 80, 2022

A COUNCIL RESOLUTION approving the Mayor's appointment of Dan Parker as the Chief Deputy Mayor for a term ending December 31, 2022, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-4 of the "Revised code of the Consolidated City and County," a mayoral appointment of Chief Deputy Mayor is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Dan Parker to serve as the Chief Deputy Mayor at his pleasure for a term ending December 31, 2022; now, therefore:

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

SECTION 1. Dan Parker is approved and confirmed by the City-County Council to serve as Chief Deputy Mayor for a term ending December 31, 2022, and until a successor is appointed and confirmed.

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

**INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 380, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves a declaratory resolution of the Metropolitan Development Commission removing certain parcels of property from Consolidated/Harding Street Allocation Area; designating the "Cole Motor Allocation Area" as a separate allocation area within the Consolidated Redevelopment Area; and adopting a supplement to the Consolidated Redevelopment Plan"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 381, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the issuance of Economic Development Tax Increment Revenue Bonds to 1820 Ventures in a maximum aggregate principal amount not to exceed \$15,500,000 for the purpose of financing, reimbursing or refinancing the costs of acquisition, construction, renovation, installation and equipping of the former Arrestee

Processing Center and Jail II facility into a mixed-use development, including, but not limited to, a multi-family development consisting of approximately 110-140 new residential units, commercial space including retail and education center space, and a performance venue, known as the Cole Motor Project, located at 730 East Washington Street"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 382, 2022. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Barato Britt to the Board of Business and Neighborhood Services"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 383, 2022. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Belinda Drake to the Board of Business and Neighborhood Services"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 384, 2022. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Jennifer Whitt to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 385, 2022. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Victoria Beaty to the City Market Corporation Board of Directors"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 386, 2022. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Greg Henneke to the City Market Corporation Board of Directors"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 387, 2022. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Craig Mince to the City Market Corporation Board of Directors"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 388, 2022. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Michael Solari to the City Market Corporation Board of Directors"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 389, 2022. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Nora Spitznogle to the City Market Corporation Board of Directors"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 390, 2022. Introduced by Councillors Mowery and Adamson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Stacie Hurre to the Marion County Animal Services Advisory Board"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 391, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Danielle Hynes to the Marion County Animal Services Advisory Board"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 392, 2022. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation of \$85,210 and transfers totaling \$89,000 in the 2022 Budget of the Marion County Recorder (County Records Perpetuation Fund) for the purposes of financing temporary staffing contractual costs"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 393, 2022. Introduced by Councillors Jones and Lewis. The Clerk read the proposal entitled: "A Proposal for a General Resolution which amends General Resolution No. 21, 2020 to revise the maximum allowable interest rate of redevelopment district bonds"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 394, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which amends Special Ordinance No. 10, 2022 to increase the maximum interest rate on proposed economic development tax increment revenue bonds for the Monon 32 and Domino Projects from 6.5% per annum to 8.0% per annum"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 395, 2022. Introduced by Councillor Evans. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Chapter 231 of the Code regarding the Department of Metropolitan Development to add Article VIII to establish an affordable housing commission"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 396, 2022. Introduced by Councillor Mascari. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves appropriations totaling \$27,812,420 in the 2022 Budgets of various City and County Departments and Agencies (Various Funds) for end of the year adjustments, funded by transfers of existing appropriations among characters and funds totaling \$19,195,838, and \$8,616,582 of grant awards not previously appropriated"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 397, 2022. Introduced by Councillors Barth, Adamson, Larrison, Boots, Osili, Carlino, Evans, Jones and Ray. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which supports the development of mechanisms intended to protect and generate revenue for maintenance of urban forests and trees throughout the City of Indianapolis and Marion County "; and the President referred it to the Environmental Sustainability Committee.

PROPOSAL NO. 398, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Duane Ingram to the Board of Public Health and Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 399, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Greg Stowers to the Board of Public Health and Safety"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 400, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Alfarena Ballew to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 401, 2022. Introduced by Councillor Mowery. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Andrew Harrison to the Juvenile Detention Center Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 402, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Patrice Abdullah to the Citizens' Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 403, 2022. Introduced by Councillor Mowery. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Evan Shearin to the Citizens' Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 404, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Sarah Miller to the Assessment and Intervention Center (AIC) Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 405, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Bill Moreau to the Assessment and Intervention Center (AIC) Advisory Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 406, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves additional appropriations and transfers totaling \$9,087,910 in the 2022 Budgets of various public safety City and County Departments and Agencies (Fire General and County General Funds) for end of year adjustments, funded by transfers of existing appropriations among characters totaling \$445,800, and \$8,642,110 of funds not previously appropriated"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 407, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Dan Haake to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 408, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Nicole Martinez-LeGrand to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 409, 2022. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Jywanza Sibeko to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 410, 2022. Introduced by Councillor Bain. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a speed limit reduction to 30 miles per hour on Mann Road, from Southport Road to the Johnson County Line (District 20)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 411, 2022. Introduced by Councillor Evans. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Chapter 231 of the Code regarding protections for the homeless"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 422, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Dr. Clyde Posley to the General Orders Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 423, 2022. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Professor Lahny Silva to the General Orders Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

### **SPECIAL ORDERS - PRIORITY BUSINESS**

PROPOSAL NOS. 418-420, 2022. Introduced by Councillor Lewis. Proposal Nos. 418-420, 2022 are proposals for Rezoning Ordinances certified for approval by the Metropolitan Development Commission on October 26, 2022. 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. 128-130, 2022, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 128, 2022.

2022-ZON-074

1305 WEST TROY AVENUE (*APPROXIMATE ADDRESS*)

PERRY TOWNSHIP, COUNCIL DISTRICT #20

BEN SINGH BASHAL

Rezoning of 0.8 acre from the C-5 (FF) and D-4 (FF) districts to the I-2 (FF) district.

REZONING ORDINANCE NO. 129, 2022.

2022-CZN-812 (AMENDED)

3544 AND 3602 SOUTH HARDING STREET (*APPROXIMATE ADDRESSES*)

PERRY TOWNSHIP, COUNCIL DISTRICT #20

3602 S HARDING, LLC, by David Kingen and Emily Duncan

Rezoning of 4.47 acres from the D-4 (FF) district to the I-3 (FF) district.

REZONING ORDINANCE NO. 130, 2022.

2022-CZN-830

7320 EAST HANNA AVENUE (*APPROXIMATE ADDRESS*)

FRANKLIN TOWNSHIP, COUNCIL DISTRICT #18

M/I HOMES OF INDIANA LP, by Joseph D. Calderon

Rezoning of five acres from the D-A district to the D-3 district.

PROPOSAL NO. 421, 2022. Introduced by Councillor Lewis. Proposal No. 421, 2022 is a proposal for Rezoning Ordinance certified for denial by the Metropolitan Development Commission on October 26, 2022. The President called for any motions for public hearings on this zoning map change. There being no motions for public hearings, the recommendation of the

Metropolitan Development Commission was upheld, pursuant to IC 36-7-4-608, and Proposal No. 421, 2022 was denied and a copy is on file with the Metropolitan Development Commission, which was certified as follows:

2022-ZON-062  
6900 EAST 21ST STREET (*APPROXIMATE ADDRESS*)  
WARREN TOWNSHIP, COUNCIL DISTRICT #19  
TOP INVESTMENTS LLC, by Patrick Rooney  
Rezoning of 10.523 acres from the C-4 and D-4 (FW) (FF) classifications to the C-7 (FW) (FF) district to provide for a truck/heavy equipment repair facility and truck/trailer parking.

### **SPECIAL ORDERS – PUBLIC HEARING**

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

PROPOSAL NO. 365, 2022. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 365, 2022 on November 1, 2022. The proposal, sponsored by Councillors Adamson, Barth, Boots, Brown, Carlino, J. Evans, Graves, Gray, Jackson, Jones, Larrison, Mascari, McCormick, Oliver, Osili, Potts, Robinson, Ray, and E. Evans, approves an additional appropriation totaling \$55,000 in the 2022 Budget of the Office of Corporation Counsel (Consolidated County General Fund) for the purposes of hiring outside counsel to conduct litigation testing on state public nuisance laws. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councillor Boots said out-of-state landlords have abused this city's tenants, and he is a big fan of this and encourages making these individuals accountable. Councillor Jackson agreed and said that she has the highest number of affordable housing units, and has had to take two of these negligent landlords to courts, and they should not have to resort to this in order to provide fair and decent housing for tenants.

The President called for public testimony at 8:19 p.m. There being none, Councillor Mascari moved, seconded by Councillor Adamson, for adoption. Proposal No. 365, 2022 was adopted on the following roll call vote; viz:

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

Proposal No. 315, 2022 was retitled FISCAL ORDINANCE NO. 24, 2022, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 27, 2022

PROPOSAL FOR A GENERAL RESOLUTION of the City-County Council proposing an ordinance of the Marion County Local Income Tax Council to: (1) modify the local income tax rate, (2) modify the allocation of the previously imposed expenditure 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

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 six hundred seventy-two thousandths (3.672) vote shares; and

WHEREAS, the Marion County Income Tax Council adopted an ordinance, effective January 1, 2008, which 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 rate; and

WHEREAS, pursuant to IC 6-3.6-11-1(b), the department of local government finance has approved a lower levy freeze tax rate for Marion County; and

WHEREAS the Marion County Local Income Tax Council has determined that a need now exists to lower the levy freeze tax rate from 0.2303% to 0.2199%, which corresponds to a levy freeze tax reduction in the amount of \$2,774,263; and

WHEREAS, the Marion County Local Income Tax Council wishes to increase the certified shares rate equivalent to the levy freeze tax rate reduction of 0.0104%; and

WHEREAS, pursuant to IC 6-3.6-3-10(b), a local income tax council may pass only one (1) ordinance adopting, increasing, decreasing, or rescinding a tax in one (1) year; and

WHEREAS, the City-County Council wishes to propose an ordinance of the Marion County Local Income Tax Council to: (1) lower the levy freeze tax rate by 0.0104%; (2) increase the certified shares expenditure rate by 0.0104%; 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 proposes an ordinance of the Marion County Local Income Tax Council pursuant to IC 6-3.6-11-1, IC 6-3.6-6, IC 6-3.6-5-6 and IC 6-3.6-3.

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

80.78 (representing the number of Council members voting “yes,” multiplied by each member’s individual vote share of 3.672)

0.00 (representing the number of Council members voting “no,” multiplied by each member’s individual vote share of 3.672)

11.02 (representing the number of Council members not voting or abstaining, multiplied by each member’s individual vote share of 3.672)

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 City of Indianapolis hereby is ordered to deliver an original executed copy of this Resolution and the proposed ordinance 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 ordinance 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 ordinance; 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. 364, 2022. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 364, 2022 on November 1, 2022. The proposal, sponsored by Councillor Mascari, renews the existing investment policy authorizing the investment of public funds of the Consolidated City of Indianapolis and authorizes the investing officer of the City of Indianapolis to make investments having a stated final maturity that is: (1) more than two (2) years; but (2) not more than five (5) years; after the date of purchase or entry into a repurchase agreement. By an 11-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councillor E. Evans asked if there are different risky investments being allowed. Councillor Mascari said that they are governed by federal guidelines and are not risky. Council Chief Financial Officer Brandon Herget said that there is no change in the investment policy, but they simply have to renew it every few years.

Councillor Mascari moved, seconded by Councillor Lewis, for adoption. Proposal No. 364, 2022 was adopted on the following roll call vote; viz:

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

*0 NAYS:*

*3 ABSENT: Brown, Hart, McCormick*

Proposal No. 364, 2022 was retitled GENERAL RESOLUTION NO. 28, 2022, and reads as follows:

#### **CITY-COUNTY GENERAL RESOLUTION NO. 28, 2022**

A PROPOSAL FOR A GENERAL RESOLUTION to renew our existing investment policy authorizing the investment of public funds of the Consolidated City of Indianapolis and to authorize the investing officer of the City of Indianapolis to make investments having a stated final maturity that is: (1) more than two (2) years; but (2) not more than five (5) years; after the date of purchase or entry into a repurchase agreement.



WHEREAS, IC 5-13-7 establishes the Marion County Board of Finance; and

WHEREAS, pursuant to IC 5-13-7-7, the Marion County Board of Finance must annually review the overall investment policy of the county, the consolidated city, and the school city.

WHEREAS, pursuant to IC 5-13-9-5.7(a), the City-County Council of the Consolidated City of Indianapolis and Marion County, Indiana ("City-County Council") may "adopt an investment policy authorizing the investment of public funds of the political subdivision for more than two (2) years and not more than five (5) years"; 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, pursuant to IC 5-13-9-5.7(a), hereby adopts the City of Indianapolis Investment Policy, and attached to this ordinance as EXHIBIT A.

SECTION 2. The City-County Council, pursuant to IC 5-13-9-5.7(c), hereby authorizes the Controller for the Consolidated City of Indianapolis and Marion County to make investments having a stated final maturity that is: (1) more than two (2) years; but (2) not more than five (5) years; after the date of purchase or entry into a repurchase agreement.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

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

PROPOSAL NO. 366, 2022. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 366, 2022 on October 24, 2022. The proposal, sponsored by Councillor Robinson, approves the statement of benefits of RayzeBio, Inc. and PLDAB LLC as an applicant for tax abatement for property located in an economic revitalization allocation area. By an 8-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass.

Councillor E. Evans asked about the disparity between payrates inside and outside of the County. Rusty Carr, Department of Metropolitan Development (DMD), deputy director, said that the average wage is \$50 an hour for Marion County residents and they are recruiting positions throughout the Indiana region, but Marion County residents can apply for any of those jobs. Councillor Adamson said that he would like to see more focus on Marion County residents instead of casting such a wide net. Mr. Carr said that they are working with EmployIndy and other organizations to focus on Marion County.

Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 366, 2022 was adopted on the following roll call vote; viz:

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

0 NAYS:

3 ABSENT: Brown, Hart, McCormick

Proposal No. 366, 2022 was retitled GENERAL RESOLUTION NO. 29, 2022, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 29, 2022

PROPOSAL FOR A GENERAL RESOLUTION to approve the statement of benefits of RayzeBio, Inc. and PLDAB LLC (hereinafter referred to as "Applicant"), an applicant for tax abatement for property located in an allocation area as defined by IC 36-7-15.1-26.

WHEREAS, IC 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment, rehabilitation activities or installation of new equipment in Economic Revitalization Areas (each hereinafter referred to as a "Project"); and

WHEREAS, pursuant to IC 6-1.1-12.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (hereinafter referred to as "MDC") is empowered to designate Economic Revitalization Areas; and

WHEREAS, IC 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the MDC, before it makes a decision to designate the area as an Economic Revitalization Area, to determine that (i) the estimated value of a Project is reasonable for projects of that nature, (ii) the estimated employment at the indicated annual salaries for a Project identified in the statement of benefits can reasonably be expected, (iii) a Project can be reasonably expected to yield the benefits identified in the statement of benefits and (iv) the totality of benefits arising from a Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, pursuant to IC 6-1.1-12.1-2(k), a statement of benefits for property located within an allocation area, as defined by IC 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") adopts a resolution approving the statement of benefits; and

WHEREAS, the Applicant has submitted real and personal property Statement of Benefits to the MDC as part of its application for Economic Revitalization Area designation for property where Applicant's Project will occur, located within an allocation area, as defined by IC 36-7-15.1-26; and

WHEREAS, MDC has preliminarily approved Applicant's Statements of Benefits, pending adoption from the Council, to allow the designation of the Economic Revitalization Area and related tax abatement pursuant to IC 6-1.1-12.1; now, therefore:

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

SECTION 1. The Council hereby approves the Statements of Benefits that were submitted to the MDC, as part of the application for Economic Revitalization Area designation, by RayzeBio, Inc. and PLDAB LLC.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Ind. Code 36-3-4-14.

Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 369 and 370, 2022 on October 24, 2022. She asked for consent to vote on these proposals together, as they are companion proposals. Consent was given.

PROPOSAL NO. 369, 2022. The proposal, sponsored by Councillor Osili, approves a declaratory resolution and redevelopment plan of the Metropolitan Development Commission designating a new redevelopment area known as the 1827 Meridian Redevelopment Project Area and a tax increment financing (TIF) allocation area known as the 1827 Meridian Allocation Area. PROPOSAL NO. 370, 2022. The proposal, sponsored by Councillor Osili, authorizes the issuance of taxable economic tax increment revenue bonds to TWG Development, LLC, in a maximum aggregate principal amount not to exceed \$4,900,000 for the purpose of financing, reimbursing or refinancing the costs of acquisition, construction, renovation, installation and equipping of a multi-family residential development consisting of approximately 166 apartment units, with associated

parking and amenities and 1,500 square feet of retail/commercial space, known as the 1827 Lofts Project, located at 1815-1835 North Meridian Street and 1816 North Pennsylvania Street, in the newly created 1827 Meridian Allocation Area. By 8-0 votes, the committee reported the proposals to the full Council with the recommendation that they do pass.

Councillor Gray asked if TWG is a local organization. Councillor Lewis responded in the affirmative. Councillor Gray asked if this project has been cleared with the Minority and Women Business division. Mr. Carr said that the Office of Minority and Women-Owned Businesses has reviewed the project and signed off on the minority hire numbers.

Adamson moved to amend Section 3 of Proposal No. 370, 2022 by deleting the maximum interest rate not to exceed “six and one half percent”, and changing that interest rate to “eight percent” per annum. Councillor Carlino seconded the motion, and Proposal No. 370, 2022 was amended on the following roll call vote; viz:

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

Councillor E. Evans asked what the Average Median Income (AMI) rental rates were based on. Chase Smith, TWG Developers, said that of the 166 units, five percent are offered at rents that are at 30% of AMI, which is the standard as defined by Housing and Urban Development (HUD) as affordable. Those rents range from \$494 to approximately \$600, depending on the number of bedrooms. The remaining units will be offered at market rates. Councillor E. Evans asked what the AMI is. Mr. Smith said that there is a chart provided but he is not sure off the top of his head. Councillor E. Evans asked if these are set locally. Mr. Smith responded in the affirmative and said that they are set county by county. Councillor E. Evans said that he feels 5% at affordable rents is way too low. Mr. Carr said that five percent of units at 30% AMI is what the City requires a developer to comply with in regard to affordability units to qualify for these initiatives. He said that this is the standard for all market-rate projects. He said that they use whatever toolset is available to provide additional affordable housing opportunities. President Osili asked Councillor E. Evans to sit down with DMD staff to better understand these criteria.

Councillor J. Evans moved, seconded by Councillor Mowery, to call the question and end debate. Debate was ended on the following roll call vote; viz:

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

Councillor Lewis moved, seconded by Councillor Adamson, for adoption as amended. Proposal Nos. 369 and 370, 2022, 2022 were adopted on the following roll call vote; viz:

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

Proposal No. 369, 2022 was retitled GENERAL RESOLUTION NO. 30, 2022, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 30, 2022

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

WHEREAS, on October 5, 2022, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the “Commission”), being the governing body of the Redevelopment District, adopted a declaratory resolution (the “Declaratory Resolution”) initially approving a Redevelopment Plan (the “Plan”) for the 1827 Meridian Redevelopment Area (the “Area”) and declaring that the Area is an area in need of redevelopment and subject to redevelopment activities pursuant to Indiana Code 36-7-15.1, as amended (the “Act”); and

WHEREAS, the Area includes a tax increment allocation area designated as the 1827 Meridian Allocation Area, as more particularly described in the Declaratory Resolution and the Plan; and

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

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

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

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

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

Proposal No. 370, 2022 was retitled SPECIAL ORDINANCE NO. 15, 2022, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 15, 2022

A SPECIAL ORDINANCE of the City-County Council of the City of Indianapolis, Indiana authorizing the issuance of one or more series of its City of Indianapolis, Indiana Taxable Economic Development Tax Increment Revenue Bonds, Series 202\_ (1827 Lofts Project) (to be completed with the year in which issued and such further series or other designation as determined to be necessary), in a maximum aggregate principal amount not to exceed \$4,900,000, and approving and authorizing other actions in respect thereto.

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

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

WHEREAS, TWG Development, LLC, or a subsidiary or affiliate thereof (“TWG”), has informed the City that it will be constructing a project consisting of a multi-family residential development at 1815-1835 North Meridian Street and 1816 North Pennsylvania Street, consisting of approximately 166 new construction, high-quality apartment units with associated parking and amenities, as well as approximately 1,500 square feet of new retail/commercial space on the first floor (the “Project”); and

WHEREAS, the Project will be located in the 1827 Meridian Allocation Area (the “Allocation Area”) as will be established by the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City, prior to the issuance of the bonds herein authorized; and

WHEREAS, TWG has advised the Indianapolis Economic Development Commission (the “Commission”) and the City concerning the Project, and has requested that the City issue one or more series of its Taxable Economic Development Tax Increment Revenue Bonds, Series 202\_\_ (1827 Lofts Project) (to be completed with the year in which issued and such further series or other designation as determined to be necessary), in an aggregate principal amount not to exceed Four Million Nine Hundred Thousand Dollars (\$4,900,000) (the “Bonds”) under the Act and make the proceeds of the Bonds, exclusive of capitalized interest, a debt service reserve, if necessary, and costs of issuance, available to TWG for the purpose of financing a portion of the Project; and

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

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

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

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

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

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

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

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

WHEREAS, no member of the City-County Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds

authorized herein, which pecuniary interest has not been fully disclosed to the City-County Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16; and

WHEREAS, there has been submitted to the Commission for its approval forms of the Indenture, the Bonds and the Loan Agreement (collectively, the "Financing Documents"), and a form of this proposed Ordinance, which were incorporated by reference in the Commission's Resolution adopted on October 19, 2022, which Resolution has been transmitted to the City-County Council; and

WHEREAS, prior to the issuance of the Bonds, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City, will pledge the lesser of eighty percent (80%) of the TIF Revenues or the amount of the debt service due on the Bonds to the payment of interest on and principal of the Bonds; and

WHEREAS, based upon the resolution adopted by the Commission pertaining to the Projects, the City-County Council hereby finds and determines that the financing approved by the Commission for the Projects will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to finance a portion of the costs of the Project will require the issuance, sale and delivery of one or more series of economic development tax increment revenue bonds in an aggregate combined principal amount not to exceed \$4,900,000; now, therefore:

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

SECTION 1. It is hereby found, determined, ratified and confirmed that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the use of the net proceeds thereof to finance a portion of the Project (i) will result in the diversification of industry, the creation or retention of business opportunities and the creation or retention of opportunities for gainful employment within the jurisdiction of the City, (ii) will serve a public purpose, and will be of benefit to the health and general welfare of the City, (iii) complies with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the diversification of industry, the creation or retention of business opportunities, and the creation or retention of opportunities for gainful employment within the jurisdiction of the City, and (iv) will not have a material adverse competitive effect on any similar facilities already constructed or operating in or near the City.

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

SECTION 3. The City shall issue its Bonds in one or more series, in the maximum aggregate principal amount not to exceed Four Million Nine Hundred Thousand Dollars (\$4,900,000), with a maximum term not to exceed twenty-five (25) years and with a maximum interest rate not to exceed eight percent (8%) per annum, for the purpose of procuring funds to finance a portion of the Project. The Bonds will be payable as to principal and interest solely from eighty percent (80%) of the TIF Revenues, upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance. The Bonds may be further secured by a debt service reserve fund as may be provided under the Financing Documents. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City.

SECTION 4. The Mayor and City Controller are authorized and directed to sell the Bonds to the purchaser or purchasers thereof at a price not less than 98.5% of the aggregate principal amount thereof plus accrued interest, if any, at a rate of interest not to exceed six and one-half percent (6.5%) per annum, and with a final maturity no later than twenty-five (25) years from the date of issuance the Bonds. A bond purchase agreement in form and substance acceptable to the Mayor and the Controller for the Bonds (the "Purchase Agreement") should be, and hereby is, approved, and the Mayor and the Controller are hereby authorized and directed to

execute and deliver the Purchase Agreement, if necessary, in form and substance acceptable to them and consistent with the terms and conditions set forth in this Ordinance. If necessary or desirable in connection with the sale of the Bonds, the Mayor, the Controller and any other officer of the City are authorized to enter into a continuing disclosure undertaking agreement, in compliance with Rule 15c2-12 of the Securities and Exchange Commission (the "SEC Rule"), which will be in such a form as may be deemed necessary, appropriate or desirable by the Mayor, the Controller and any other officer of the City, with such to be conclusively evidenced by their execution thereof.

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

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

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

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

condition of and consideration for the execution and delivery of the Financing Documents and the issuance, sale and delivery of the Bonds.

SECTION 9. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

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

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

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

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

Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 373 and 374, 2022 on October 24, 2022. She asked for consent to vote on these proposals together, as they are companion proposals. Consent was given.

PROPOSAL NO. 373, 2022. The proposal, sponsored by Councillor Osili, approves a declaratory resolution and redevelopment plan of the Metropolitan Development Commission designating new redevelopment and tax increment financing (TIF) allocation areas known as the Oddfellows Redevelopment Area and the Oddfellows Allocation Area, for the purposes of capturing incremental assessed value, and adopts the Oddfellows Redevelopment Area Plan. PROPOSAL NO. 374, 2022. The proposal, sponsored by Councillor Osili, authorizes the issuance of economic development tax increment revenue bonds to Silverstone Development, LLC, in a maximum aggregate principal amount not to exceed \$13,440,000 for the purpose of financing, reimbursing or refinancing the costs of acquisition, construction, renovation, installation and equipping of the Federally Taxable - Oddfellows Project, a lifestyle-brand boutique hotel project consisting of approximately 164 guest rooms with amenities, ground floor retail, rooftop bar/lounge, and 4,500 square feet of ballroom and meeting space, located at One North Pennsylvania Street, in the newly created Oddfellows Allocation Area. By 8-0 votes, the committee reported the proposals to the full Council with the recommendation that they do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 373 and 374, 2022 were adopted on the following roll call vote; viz:

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

*1 NAY: Evans-E*

*1 NOT VOTING: Boots*

*3 ABSENT: Brown, Hart, McCormick*

Proposal No. 373, 2022 was retitled GENERAL RESOLUTION NO. 31, 2022, and reads as follows:



November 7, 2022

CITY-COUNTY GENERAL RESOLUTION NO. 31, 2022

A GENERAL RESOLUTION approving a declaratory resolution and redevelopment plan for the Oddfellows Redevelopment Area in the City of Indianapolis, Indiana.

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana (the “Commission”), serves as the Redevelopment Commission of the City of Indianapolis, Indiana (the “City”) under Indiana Code 36-7-15.1, *et seq.* (the “Act”), and, in that capacity, the Commission serves as the governing body of the City of Indianapolis Redevelopment District; and

WHEREAS, the Commission, pursuant to the Act, adopted Resolution No. 2022-E-038 (the “Declaratory Resolution”) (a) designating certain parcels of real property to be known as the “Oddfellows Redevelopment Area”; (b) designating the Oddfellows Redevelopment Area to be an allocation area known as the “Oddfellows Allocation Area” as an allocation area for the purposes of capturing incremental assessed value as provided in the Act; and (c) adopting the Oddfellows Redevelopment Area Plan; now, therefore:

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

SECTION 1. Pursuant to Section 9 of the Act, the City-County Council of the City of Indianapolis and Marion County, Indiana (the “City-County Council”) hereby approves the Declaratory Resolution (a) designating certain parcels of real property to be known as the “Oddfellows Redevelopment Area”; (b) designating the Oddfellows Redevelopment Area to be an allocation area known as the “Oddfellows Allocation Area” as an allocation area for the purposes of capturing incremental assessed value as provided in the Act; and (c) adopting the Oddfellows Redevelopment Area Plan.

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

Proposal No. 374, 2022 was retitled SPECIAL ORDINANCE NO. 16, 2022, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 16, 2022

A SPECIAL ORDINANCE authorizing the City of Indianapolis, Indiana, to issue one or more series of its City of Indianapolis, Indiana, Economic Development Tax Increment Revenue Bonds, Series 2022 (Federally Taxable – Oddfellows Project) (with such further series or other designation as determined to be necessary, desirable or appropriate), in a maximum aggregate principal amount not to exceed Thirteen Million Four Hundred Forty Thousand Dollars (\$13,440,000), for the purpose of providing funds to pay the costs of the Project (as defined herein) and approving and authorizing other actions in respect thereto.

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

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

WHEREAS, Silverstone Development LLC, and/or one or more subsidiaries, affiliates, designees and/or joint ventures thereof (collectively, the “Developer”) desires to finance certain projects, additions or improvements within the City, including all or any portion of: the (a) acquisition, rehabilitation, renovation, construction, development, improvement and equipping of the Oddfellows Building including redevelopment into a lifestyle-brand boutique hotel, including, but not limited to the following: (i) up to approximately 164 new guest rooms with associated amenities, (ii) ground floor retail, (iii) rooftop bar/lounge, and (iv) approximately 4,500 square feet of ballroom and meeting space.; and (b) all construction, demolition, renovation, improvement, excavation, utility relocation and/or equipping costs related to the projects described in clause (a), located One North Pennsylvania Street in the City (collectively, the “Project”); and

WHEREAS, the Project will be located at approximately One North Pennsylvania Street, Indianapolis, Indiana, which is in City-County Council District 11, and is, or will be, located in, serving or physically connected to a new allocation area, known as the Oddfellows Allocation Area (the “Allocation Area”), established by the Metropolitan Development Commission of

Marion County, Indiana (the “Metropolitan Development Commission”), acting as the Redevelopment Commission of the City; and

WHEREAS, the Developer has advised the Indianapolis Economic Development Commission (the “Economic Development Commission”) and the City concerning the Project, and has requested that the City issue one or more series of its taxable Economic Development Tax Increment Revenue Bonds, Series 2022 (Federally Taxable – Oddfellows Project) (with such further or different series designation as may be necessary, desirable or appropriate, including such series designation to indicate the year in which the bonds are issued) (the “Bonds”), in an aggregate principal amount not to exceed Thirteen Million Four Hundred Forty Thousand Dollars (\$13,440,000), for the purpose of providing funds for (i) paying all or a portion of the costs of the Project by loaning a portion of the proceeds of the Bonds to the Developer and (ii) paying all incidental expenses incurred on account of the issuance of the Bonds; and

WHEREAS, the Economic Development Commission has rendered a report concerning the proposed financing of the Project as an economic development facility for the Developer and the Metropolitan Development Commission, as Plan Commission, and the Superintendent of the Indianapolis Public Schools have been given the opportunity to comment thereon; and

WHEREAS, pursuant to Section 24 of the Act, following a public hearing held on October 19, 2022, the Economic Development Commission found that the financing of the Project complies with the purposes and provisions of the Act and that such financing will be of benefit to the health and welfare of the City; and

WHEREAS, the Economic Development Commission has determined that the financing will not have an adverse competitive effect or impact on any similar facility or facility of the same kind already constructed or operating in the same market area or in or about Marion County, Indiana; 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 Project by issuing the Bonds; and

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

WHEREAS, the City intends to issue the Bonds consistent with the terms of this Ordinance and pursuant to a Trust Indenture, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the “Indenture”), by and between the City and a corporate trustee to be selected by the City (the “Trustee”), in order to obtain funds necessary to provide for the financing of all or a portion of the Project, in accordance with the terms of a Financing Agreement, to be dated the first day of the month in which the Bonds are sold or delivered (or such other date as the officers of the City may hereafter approve) (the “Financing Agreement”), by and between the City and the Developer with respect to the Bonds and the Project, and a Project Agreement (as defined herein) between the City and the Developer, with respect to the Bonds and Project, and other such documents as deemed necessary; and

WHEREAS, pursuant to the Financing Agreement, the Developer will make certain representations, warranties and commitments with respect to the Project and the use of the proceeds of the Bonds to be provided to the Developer in accordance with the terms thereof; and

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

WHEREAS, the Economic Development Commission has heretofore approved the forms of the Bonds, the Indenture and the Financing Agreement (collectively, the “Financing Documents”), and approved and recommended the City-County Council’s adoption of a form of this proposed Ordinance, which were incorporated by reference in the Economic Development Commission’s Resolution adopted on October 19, 2022, which Resolution has been transmitted hereto; and

WHEREAS, prior to the issuance of the Bonds, the Metropolitan Development Commission will pledge a maximum amount of eighty percent (80%) of the tax increment revenues from the Project (the “TIF Revenues”) to the payment of the Bonds and other matters in furtherance of the Project, and that the pledge of TIF Revenues will not exceed the debt service on the Bonds; and

WHEREAS, based upon the resolution adopted by the Economic Development Commission pertaining to the Project, the City-County Council hereby finds and determines that the funding approved by the Economic Development Commission for all or a portion of the Project will be of benefit to the health and general welfare of the citizens of the City, complies with the provisions of the Act and the amount necessary to finance all or a portion of the costs of the Project, together with incidental expenses incurred in connection therewith, will require the issuance, sale and delivery of one or more series of economic development tax increment revenue bonds in an aggregate combined principal amount not to exceed Thirteen Million Four Hundred Forty Thousand Dollars (\$13,440,000).

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

SECTION 1. It is hereby found, determined, ratified and confirmed that the financing of the economic development facilities referred to in the Financing Documents consisting of the Project, the issuance and sale of the Bonds, and the loan of the net proceeds thereof to the Developer to finance all or a portion of the Project, will: (i) result in the diversification of industry, the creation or retention of business opportunities and the creation or retention of opportunities for gainful employment within the jurisdiction of the City; (ii) serve a public purpose, and will be of benefit to the health and general welfare of the City; (iii) comply with the purposes and provisions of the Act and it is in the public interest that the City take such lawful action as determined to be necessary or desirable to encourage the diversification of industry, the creation or retention of business opportunities, and the creation or retention of opportunities for gainful employment within the jurisdiction of the City; and (iv) not have a material adverse competitive effect on any similar facilities already constructed or operating in or near the City.

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

SECTION 3. The City is authorized to issue the Bonds in one or more series, any series of which may be taxable for federal income tax purposes, in the maximum aggregate principal amount not to exceed Thirteen Million Four Hundred Forty Thousand Dollars (\$13,440,000), with a maximum term not to exceed twenty-five (25) years and with a maximum interest rate not to exceed six percent (6.0%) per annum, for the purpose of procuring funds to (i) pay all or a portion of the costs of the Project by loaning a portion of the proceeds of the Bonds to the Developer and (ii) pay all incidental expenses incurred on account of the issuance of the Bonds. The Bonds shall be payable as to principal and interest solely from a pledge of a maximum of eighty percent (80%) of the TIF Revenues, upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City.

SECTION 4. The Mayor and the Clerk are authorized and directed to execute the Financing Documents, and the Mayor, the Controller, the Clerk and any other officer of the City are authorized and directed to execute such other documents approved or authorized herein and any other document which may be necessary, appropriate or desirable to consummate the transaction contemplated by the Financing Documents and this Ordinance, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the Bonds, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor and the Clerk on the 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 the Bonds to the purchaser, payment for which will be made in the manner set forth in the Financing Documents. The Mayor and the Clerk may, by their execution of the Financing Documents requiring their signatures and imprinting of their facsimile signatures thereon, approve any and all such changes therein and also in those Financing Documents which do not require the signature of the Mayor or the Clerk without further approval of this City-County Council or the Economic Development Commission if such changes do not affect terms set forth in Sections 27(a)(1) through and including (a)(10) of the Act.

SECTION 5. The provisions of this Ordinance and the Financing Documents shall constitute a contract binding between the City and the holder or holders of the Bonds and after the issuance of said Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the right of such holder or holders so long as said Bonds or the interest thereon remains unpaid.

SECTION 6. The Mayor, the Controller and the Clerk, or any other officer having responsibility with respect to the issuance of the Bonds, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the City, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the Bond proceeds as of the date of issuance thereof.

SECTION 7. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Ordinance, the Financing Documents or under any judgment obtained against the City, including without limitation its Economic Development Commission, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Financing Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the City, including without limitation its Economic Development Commission, either directly or through the City, or otherwise, for the payment for or to the City or any receiver thereof or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may remain due and unpaid by the City upon any of the Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part or otherwise for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any at them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Financing Agreement and the issuance, sale and delivery of the Bonds.

SECTION 8. 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 9. 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 10. 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 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 11. The Mayor, the Controller, the Clerk and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute, attest and deliver such further instruments and documents, and to take such further actions, in the name of the City as in their judgment shall be necessary or advisable in order fully to consummate the transactions described herein and carry out the purposes of this Ordinance, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved. The Mayor or his designee is hereby authorized to enter into one or more project agreements with the Developer, on terms and conditions acceptable to the Mayor, together with any changes as may be necessary, desirable or appropriate, which shall be evidenced by his execution thereof.

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

## **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Mowery stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillors Jackson and Mowery in memory of Stephanie Wilson; and
- (2) Councillor Osili in memory of Winifred Jefferson and Kayode Osuntokun.

Councillor Mowery moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Stephanie Wilson, Winifred Jefferson and Kayode Osuntokun. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:44 p.m.

November 7, 2022

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 7<sup>th</sup> day of November, 2022.

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)