

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA
MONDAY, JUNE 7, 2021**

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 7:21 p.m. on Monday, June 7, 2021 with Councillor Osili presiding.

Councillor Osili said that it has been a difficult 15 months during the Covid-19 pandemic, and he is glad to see everyone back in the chamber this evening. He said that it has not been an easy time, but unlike other groups around the world, this body is not left with empty chairs to fill, and he is cognizant of the City's good fortune. He asked that his colleagues hold all those who have lost loved ones during this difficult time in their thoughts.

Councillor Boots introduced Pastor Tim Lindsey, Public Servants' Prayer, who led the opening prayer. Councillor Boots then invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

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

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

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

OFFICIAL COMMUNICATIONS

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

Journal of the City-County Council

Chambers, on Monday, June 7, 2021, 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

May 24, 2021

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, May 28, 2021 a copy of a Notice of Public Hearing on Proposal Nos. 147, 150, 152 and 153, 2021, said hearing to be held on Monday, June 7, 2021 at 7:00 p.m. in the Public Assembly Room of the City-County Building; a copy of a Notice of Public Hearing on Proposal Nos. 175-177, 2021, said hearing to be held on Monday, June 14, 2021 at 5:30 p.m. in Public Assembly Room of the City-County Building; and a copy of a Legal Notice of General Ordinance No. 16, 2021 (Proposal No. 135, 2021).

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

May 17, 2021

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 ordinances:

FISCAL ORDINANCE NO. 8, 2021 – approves an additional appropriation of \$46,147,133 in the 2021 City Non-Departmental Budget (Consolidated County General Fund, City Community Justice Campus SubFund) to support planned expenditures related to the completion of the Community Justice Campus

FISCAL ORDINANCE NO. 9, 2021 - approves an additional appropriation of \$100,000 in the 2021 Budget of the Office of Public Health and Safety (Consolidated County General Fund) for the purpose of piloting a legal protection fund to provide immediate legal information, screenings, consultation, and representation to residents seeking asylum, pursuing citizenship, or those at risk of deportation

GENERAL ORDINANCE NO. 15, 2021 – amends Chapter 135, Article VII, Division 4 of the Code regarding the capital asset development fund

GENERAL ORDINANCE NO. 16, 2021 – amends the Code to expand nonsmoking areas within the consolidated city to include public parks owned or leased by the city or county

SPECIAL ORDINANCE NO. 3, 2021 – ratifies public health orders related to the COVID-19 pandemic (**Already signed by Mayor on 5/10/21*)

SPECIAL RESOLUTION NO. 23, 2021 – honors the victims and survivors of the mass shooting at the Indianapolis FedEx Ground facility on April 15, 2021, and the first responders and medical personnel who acted quickly to save lives

SPECIAL RESOLUTION NO. 24, 2021 – recognizes local food pantries, community centers, churches, and temples that have worked tirelessly to get much-needed food and resources to Indianapolis families throughout the COVID-19 pandemic

s/Joseph H. Hogsett, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Councillor Adamson made the following motion:

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Mr. President:

I move to amend the agenda to advance Proposal Nos. 191 and 195, 2021 (currently in the Introduction of Proposals) to the first items of business under “Special Orders – Final Adoption” for action this evening. These are time-sensitive items that require passage before the next full Council meeting.

Councillor Jackson seconded the amendment, and the agenda was amended on the following roll call vote; viz:

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

0 NAYS:

1 ABSENT: Barth

Without further objection, the agenda was adopted as amended.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of May 10, 2021. There being no additions or corrections, the minutes were approved as distributed.

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

PROPOSAL NO. 192, 2021. The proposal, sponsored by Councillors E. Evans, Barth, Ray and Brown, expresses support for the Protecting the Right to Organize (PRO) Act. Councillors read the proposal and Councillor E. Evans moved, seconded by Councillor Brown, for adoption. Proposal No. 192, 2021 was adopted by a unanimous voice vote.

Proposal No. 192, 2021 was retitled SPECIAL RESOLUTION NO. 25, 2021, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 2021

A SPECIAL RESOLUTION expressing support for Protecting the Right to Organize (PRO) Act.

WHEREAS, Protecting the Right to Organize Act provides a generational opportunity for the labor movement and serves as the cornerstone of the AFL-CIO’s Workers First Agenda; and

WHEREAS, inequality has skyrocketed due to the failure of policymakers to pass pro-worker labor laws and properly administer the National Labor Relations Act of 1935, which has been dismantled for several decades to make it more difficult for workers to form unions; and

WHEREAS, the PRO Act is the most significant worker empowerment legislation since the Great Depression, as it stands to give workers a free and fair choice on whether to form a union, ensure workers can reach a first contract quickly after a union is recognized, end employers’ practice of punishing striking workers by hiring permanent replacements, and hold corporations accountable with real penalties for illegally retaliating against workers who organize; and

WHEREAS, the PRO Act will help make America’s economy work for working people, and help raise stagnant wages that have only increased a mere 9% from 1973 to 2013, while productivity has increased 74% over that same time period; and

WHEREAS, wage stagnation and runaway inequality of political, social, and economic power have undermined the public’s faith in our democracy; and

WHEREAS, through the expansion of collective bargaining under the PRO Act, there will be increases in pay and protections for women, people of color, immigrants, and the LGBTQ community in areas where our non-discrimination laws are still falling short; and

WHEREAS, America must build back better with unions by making the PRO Act the law of the land, increasing worker power and rebuilding our economy fairly for all of us; now, therefore:

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

SECTION 1. Indianapolis City-County proudly recognizes and supports Protecting the Right to Organize Act.

SECTION 2. This Council expresses support for the PRO Act which stands to greatly increase economic opportunity in America and empower workers through the promotion and expansion of collective bargaining.

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. 193, 2021. The proposal, sponsored by Councillors Brown, Adamson, Potts and E. Evans, recognizes the 52nd Anniversary of the Stonewall Riots and the June Celebration of Pride Month. Councillors read the proposal, and Councillor Brown moved, seconded by Councillor Adamson, for adoption. Proposal No. 193, 2021 was adopted by a unanimous voice vote.

Proposal No. 193, 2021 was retitled SPECIAL RESOLUTION NO. 26, 2021, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 2021

A SPECIAL RESOLUTION recognizing the 52nd Anniversary of the Stonewall Riots and the June Celebration of Pride Month.

WHEREAS, LGBTQ people in Indianapolis have made, and continue to make, vital contributions to the city and to the state in every aspect, including in the fields of education, law, health, business, science, research, economic development, architecture, fashion, sports, government, music, film, politics, technology, literature, and civil rights; and

WHEREAS, LGBTQ people in Indianapolis serve as law enforcement officers, firefighters, and first responders in all of Marion County's public safety divisions; and

WHEREAS, LGBTQ people in the United States serve, and have served, the United States Army, Coast Guard, Navy, Air Force, and Marines honorably and with distinction and bravery; and

WHEREAS, LGBTQ people in the United States serve, and have served, in positions in the Federal Government and State and local governments, including as members of Congress, Governors, mayors, and city-county council members; and

WHEREAS, the demonstrators who protested on June 28, 1969, 52 years ago this year, following a law enforcement raid of the Stonewall Inn, an LGBTQ club in New York City, are pioneers of the LGBTQ movement for equality; and

WHEREAS, throughout much of the history of the United States, same-sex relationships were criminalized in many States and many LGBTQ people in the United States were forced to hide their LGBTQ identities while living in secrecy and fear; and

WHEREAS, on June 26, 2015, the Supreme Court of the United States ruled in Obergefell v. Hodges, 135 S. Ct. 2584, that same-sex couples have a constitutional right to marry and acknowledged that "[n]o union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family"; and

WHEREAS, LGBTQ people in Indiana face disparities in employment, healthcare, education, housing, and many other areas central to the pursuit of happiness in the United States; and

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WHEREAS, 30 States have no explicit ban on discrimination based on sexual orientation and gender identity in the workplace, housing, or public accommodations, and 35 States have no explicit ban on discrimination against LGBTQ individuals in education; and

WHEREAS, LGBTQ youth are at increased risk of suicide, homelessness, and becoming victims of bullying and violence; and

WHEREAS, the LGBTQ community has faced discrimination, inequality, and violence throughout the history of the United States; and

WHEREAS, LGBTQ people in Indianapolis and across Indiana have fought for equal treatment, dignity, and respect; and

WHEREAS, LGBTQ people in Indianapolis have achieved significant milestones, ensuring that future generations of LGBTQ people in the city will enjoy a more equal and just society; and

WHEREAS, despite being marginalized throughout the history of the United States, LGBTQ people in Indianapolis and across the country continue to celebrate their identities, love, and contributions to the United States in various expressions of Pride; and

WHEREAS, the inclusion of LGBTQ people in Indianapolis continues to expand every day and LGBTQ people in Indianapolis remain determined to pursue equality, respect, and inclusion for all individuals regardless of sexual orientation or gender identity; 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 supports the rights, freedoms, and equal treatment of lesbian, gay, bisexual, transgender, and queer (referred to in this resolving clause as “LGBTQ”) people in Indianapolis and around the world.

SECTION 2. The City-County Council supports efforts to ensure the equal treatment of all people in Indianapolis, regardless of sexual orientation and gender identity.

SECTION 3. The City-County Council encourages the celebration of June as “LGBTQ Pride Month” in order to provide a lasting opportunity for all people in Indianapolis:

- (A) to learn about the discrimination and inequality that the LGBTQ community endured, and continues to endure; and
- (B) to celebrate the contributions of the LGBTQ community throughout the history of the city.

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

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

PROPOSAL NO. 144, 2021. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 144, 2021 on May 24, 2021. The proposal, sponsored by Councillor Lewis, appoints Belinda Drake to the Board of Business and Neighborhood Services. By a 10-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 144, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 144, 2021 was retitled COUNCIL RESOLUTION NO. 72, 2021, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 72, 2021

A COUNCIL RESOLUTION appointing Belinda Drake to the Board of Business and Neighborhood Services.

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

SECTION 1. As a member of the Board of Business and Neighborhood Services, the Council appoints:

Belinda Drake

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2021. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

PROPOSAL NO. 171, 2021. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 171, 2021 on May 24, 2021. The proposal, sponsored by Councillor Lewis, appoints Brandon Fishburn to the Woodruff Place Economic Improvement Board. By a 10-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 171, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 171, 2021 was retitled COUNCIL RESOLUTION NO. 73, 2021, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 73, 2021

A COUNCIL RESOLUTION appointing Brandon Fishburn to the Woodruff Place Economic Improvement Board.

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

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

Brandon Fishburn

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2021. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

PROPOSAL NO. 172, 2021. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 172, 2021 on May 11, 2021. The proposal, sponsored by Councillor Mascari, reappoints Barbara Howard to the Alcoholic Beverage Board of Marion County. By a 10-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Mascari moved, seconded by Councillor Adamson, for adoption. Proposal No. 172, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 172, 2021 was retitled COUNCIL RESOLUTION NO. 74, 2021, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 74, 2021

A COUNCIL RESOLUTION reappointing Barbara Howard to the Alcoholic Beverage Board of Marion County.

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 Alcoholic Beverage Board of Marion County, the Council reappoints:

Barbara Howard

SECTION 2. The reappointment made by this resolution is for a term ending December 31, 2021. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

PROPOSAL NO. 151, 2021. Councillor Robinson reported that the Public Safety and Criminal Justice Committee heard Proposal No. 151, 2021 on May 12, 2021. The proposal, sponsored by Councillor Robinson, approves the Mayor's appointment of Lauren N. Rodriguez as the Director of the Office of Public Health and Safety. By an 8-4 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 151, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 151, 2021 was retitled COUNCIL RESOLUTION NO. 75, 2021, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 75, 2021

A COUNCIL RESOLUTION approving the Mayor's appointment of Lauren N. Rodriguez as the Director of the Office of Public Health and Safety for a term ending December 31, 2021.

WHEREAS, pursuant to Section 202-712 of the "Revised Code of the Consolidated City and County," a mayoral appointment naming the Director of the Office of Public Health and Safety 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 Lauren N. Rodriguez to serve as the Director of the Office of Public Health and Safety at his pleasure for a term ending December 31, 2021; now, therefore:

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

SECTION 1. Lauren N. Rodriguez is approved and confirmed by the City-County Council to serve as the Director of the Office of Public Health and Safety for a term ending December 31, 2021, 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.

PROPOSAL NO. 174, 2021. Councillor Robinson reported that the Public Safety and Criminal Justice Committee heard Proposal No. 174, 2021 on May 12, 2021. The proposal, sponsored by Councillor Mowery, appoints Gordon Smith to the Juvenile Detention Center Advisory Board. By a 12-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 174, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 174, 2021 was retitled COUNCIL RESOLUTION NO. 76, 2021, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 76, 2021

A COUNCIL RESOLUTION appointing Gordon Smith to the Juvenile Detention Center Advisory Board.

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

SECTION 1. As a member of the Juvenile Detention Center Advisory Board, the Council appoints:

Gordon Smith

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2022. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 175, 2021. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves an amendment to the declaratory resolution and redevelopment plan for the Consolidated/Harding Street Redevelopment Area with respect to the Elevator Hill Expansion Area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 176, 2021. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves an amendment to the declaratory resolution and redevelopment plan for the Consolidated/Harding Street Redevelopment Area with respect to the GM Expansion Area II Allocation Area"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 177, 2021. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the issuance of Economic Development Tax Increment Revenue Bonds in a maximum aggregate principal amount not to exceed \$135,145,000 for Elanco US, Inc. for the Elanco Project on the former GM Stamping Plant site (District 16)"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 178, 2021. Introduced by Councillors Osili and Lewis. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Chapters 740, 742 and 744 of the Consolidated Zoning and Subdivision Control Ordinance for Indianapolis-Marion County for technical amendments and the addition of a Secondary District"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 179, 2021. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totalling \$33,522,259 in the 2021 City Non-Departmental Budget (Coronavirus Relief Federal Grant Fund) to help address the demand for residential rental assistance from Marion County residents who have been impacted by the pandemic"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 180, 2021. Introduced by Councillor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Sibeko Jywanza to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 181, 2021. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Monica Lockard Payne to the Marion County Health and Hospital Corporation Board of Trustees"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 182, 2021. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totalling \$3,311,371 in the 2021 Budgets of the Information Services Agency, Indianapolis Metropolitan Police Department and Office of Public Health and Safety (ISA, IMPD General and Consolidated County General Funds) to support a collective community approach to public safety "; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 183, 2021. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totalling \$1,117,500 in the 2021 Budget of the Marion County Sheriff's Office (Federal Grants Fund) for the purposes of additional grant awards for combatting the spread of Coronavirus, law enforcement mental health resources, and to support the needs of inmates"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 184, 2021. Introduced by Councillor Robinson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totalling \$1,086,600 in the 2021 Budget of the Marion Superior Courts (Federal, State and Local Grants Funds) for the purposes of additional grant awards to cover additional expenses associated with the coronavirus pandemic, providing additional services to juvenile offenders, and funding positions associated with pre-trial Probation"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 185, 2021. Introduced by Councillors Adamson, Barth and McCormick. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amending the Code to add a new Chapter 710, Energy Benchmarking and Transparency, to Title III, Public Health and Welfare, as an energy and water benchmarking, reporting and transparency requirement to foster energy conservation, reduced operating costs, economic investment in efficient building stock, with

corresponding increased valuation of assets and affordability, and a cleaner and healthier environment"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 186, 2021. Introduced by Councillor Boots. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a speed limit reduction to 25 miles per hour in the Tanglewood Estates and Mayflower Meadows subdivisions (District 3)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 187, 2021. Introduced by Councillor Jones. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking restrictions on the south side of Prospect Street near Morris Street (District 16)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 188, 2021. Introduced by Councillor Dilk. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a speed limit reduction to 25 miles per hour in the Whitaker Valley subdivision (District 24)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 189, 2021. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes the installation of parking meters on the south side of 10th Street, between College Avenue and Bellefontaine Street and on the east side of Pennsylvania Street, from 11th to 10th Street (District 17)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 190, 2021. Introduced by Councillors Barth, Brown, Potts, Boots, Carlino, Adamson, McCormick and Larrison. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Chapter 151, Article III of the Code to add the environmental sustainability committee as a standing committee."
"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 191, 2021. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Resolution which exercises the City's authority to opt out of state-conducted settlement of pending opioid litigation"; and the President referred it to the Committee of the Whole.

PROPOSAL NO. 194, 2021. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the issuance of Indiana Multifamily Note bonds in an aggregate principal amount not to exceed \$15,100,000 to finance a portion of the costs of acquisition, construction and equipping of a multifamily housing facility consisting of 156 apartment units, together with functionally related and subordinate facilities for low and moderate income individuals and families (Central Greens Apartments), to be located at 3355 Kirkbride Way (District 15)"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 195, 2021. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which ratifies public health orders related to the COVID-19 pandemic."; and the President referred it to the Committee of the Whole.

PROPOSAL NO. 212, 2021. Introduced by Councillor Adamson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Dan Haake to the Board of Public Works"; and the President referred it to the Public Works Committee.

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PROPOSAL NO. 213, 2021. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Sibeko Jywanza to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 214, 2021. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Henry Fernandez to the Board of Public Works"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 215, 2021. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Abel Contreras to the Indianapolis-Marion County Building Authority Board of Trustees"; and the President referred it to the Public Works Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 196-201, 2021 and PROPOSAL NOS. 202-211, 2021. Introduced by Councillor Lewis. Proposal Nos. 196-201, 2021 and Proposal Nos. 202-211, 2021 are proposals for Rezoning Ordinances certified for approval by the Metropolitan Development Commission on May 18 and 25, 2021. 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. 46-61, 2021, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 46, 2021.
2020-ZON-040 (AMENDED)
4708, 4712 AND 4758 SOUTHEASTERN AVENUE AND 4601 TERRACE AVENUE (*APPROXIMATE ADDRESSES*)
CENTER TOWNSHIP, COUNCIL DISTRICT #18
JOE N. SHOFFNER, by Joseph D. Calderon
Rezoning of 3.44 acres from the C-3, D-3 and SU-1 districts to the C-3 district, with excluded uses.

REZONING ORDINANCE NO. 47, 2021.
2021-ZON-020
3710 AND 3714 EAST WASHINGTON STREET (*APPROXIMATE ADDRESSES*)
CENTER TOWNSHIP, COUNCIL DISTRICT #12
SARAH WALTERS
Rezoning of 0.28 acre from the C-1 district to the D-8 district.

REZONING ORDINANCE NO. 48, 2021.
2020-CZN-807 (AMENDED)
2965 NORTH SHERMAN DRIVE AND 3801 EAST 30TH STREET (*APPROXIMATE ADDRESSES*)
CENTER TOWNSHIP, COUNCIL DISTRICT #17
SHERMAN PROPERTY GROUP INC., by David Kingen and Justin Kingen
Rezoning of 0.76 acre from the D-5 and C-3 districts to the C-3 district.

REZONING ORDINANCE NO. 49, 2021.
2021-CZN-809
5340 AND 5406 SOUTH EMERSON AVENUE (*APPROXIMATE ADDRESSES*)
PERRY TOWNSHIP, COUNCIL DISTRICT #24
SCHYLER SULLIVAN AND DAVID KINGEN
Rezoning of 2.08 acre from the D-A and C-1 districts to the C-1 district.

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REZONING ORDINANCE NO. 50, 2021.
2021-CZN-812
6572 CORNELL AVENUE (*APPROXIMATE ADDRESS*)
WASHINGTON TOWNSHIP, COUNCIL DISTRICT #2
KMK CORNELL LLC, by Joseph D. Calderon
Rezoning of 0.42 acre from the D-4 (FF) district to the MU-2 (FF) district.

REZONING ORDINANCE NO. 51, 2021.
2021-CZN-813
721 AND 725 EAST 27TH STREET AND 2644, 2702, 2708 AND 2712 CARROLLTON AVENUE
(*APPROXIMATE ADDRESSES*)
CENTER TOWNSHIP, COUNCIL DISTRICT #17
ARSENAL CROSS LLC, by Paul J. Lambie
Rezoning of 0.62 acre from the SU-1 district to the D-8 district.

REZONING ORDINANCE NO. 52, 2021.
2021-ZON-021
717 & 721 EAST 22ND STREET AND 2139 & 2151 NORTH COLLEGE AVENUE (*APPROXIMATE ADDRESS*)
CENTER TOWNSHIP, COUNCIL DISTRICT #17
ONYX AND EAST, by Misha Rabinowitch
Rezoning of 1.1 acres from D-8 and C-3 districts to the D-P classification to provide for 36 townhome units at a density of 25 units per acre.

REZONING ORDINANCE NO. 53, 2021.
2021-ZON-025
22 EAST 22ND STREET (*APPROXIMATE ADDRESS*)
CENTER TOWNSHIP, COUNCIL DISTRICT #11
ZINKAN ENTERPRISES, by Clark, Quinn, Moses, Scott & Grahn LLP and Elizabeth Bentz Williams
Rezoning of 0.524 acre from the D-8 (RC) district to the MU-2 (RC) district.

REZONING ORDINANCE NO. 54, 2021.
2021-ZON-027
712 AND 714 HAUGH STREET (*APPROXIMATE ADDRESSES*)
WAYNE TOWNSHIP, COUNCIL DISTRICT #11
WESTSIDE COMMUNITY DEVELOPMENT ASSOCIATION, by David Kingen and Schyler Sullivan
Rezoning of 0.20 acre from the I-2 district to the D-5 district.

REZONING ORDINANCE NO. 55, 2021.
2021-ZON-028
2018, 2024 AND 2032 YANDES STREET (*APPROXIMATE ADDRESSES*)
CENTER TOWNSHIP, COUNCIL DISTRICT #17
BW GROUP LLC AND YANDES LLC, by Schyler Sullivan and David Kingen
Rezoning of 0.39 acre from the I-3 District to the D-8 district.

REZONING ORDINANCE NO. 56, 2021.
2021-ZON-036 702 AND 706 LEXINGTON AVENUE AND 439 SOUTH COLLEGE
Prop No. 206, 2021 AVENUE (*APPROXIMATE ADDRESSES*)
R.O. No. 56, 2021 CENTER TOWNSHIP, COUNCIL DISTRICT #16
JAKE AND JAKE LLC, by David Kingen and Schyler Sullivan
Rezoning of 0.17 acre from the D-8 district to the MU-2 district.

REZONING ORDINANCE NO. 57, 2021.
2021-CZN-802
1117 AND 1127 EAST MARKET STREET (*APPROXIMATE ADDRESSES*)
CENTER TOWNSHIP, COUNCIL DISTRICT #17
EIGHTEEN TWENTY CONTRACTS LLC, by Timothy Ochs
Rezoning of 0.71 acre from the D-8 and MU-2 district to the MU-2 district.

REZONING ORDINANCE NO. 58, 2021.
2021-CZN-816
2035, 2039, 2045, AND 2047 COLUMBIA AVENUE (*APPROXIMATE ADDRESSES*)

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CENTER TOWNSHIP, COUNCIL DISTRICT #17
M/E RENOVATIONS LLC, by David Gilman
Rezoning of 0.468 acre from the I-3 district to the D-8 district to provide for four single-family dwellings.

REZONING ORDINANCE NO. 59, 2021.
2021-CZN-820A
10621 EAST EDGEWOOD AVENUE (APPROXIMATE ADDRESS)
FRANKLIN TOWNSHIP, COUNCIL DISTRICT #25
JERRY R. AND JOYCE L. INGLE, by David A. Retherford
Rezoning of 9.48 acres from the D-A district to the SU-2 district.

REZONING ORDINANCE NO. 60, 2021.
2021-CZN-820B
10621 EAST EDGEWOOD AVENUE (APPROXIMATE ADDRESS)
FRANKLIN TOWNSHIP, COUNCIL DISTRICT #25
JERRY R. AND JOYCE L. INGLE, by David A. Retherford
Rezoning of 1.5 acres from the D-A district to the D-S district.

REZONING ORDINANCE NO. 61, 2021.
2021-CZN-821
1723 MONTCALM STREET (APPROXIMATE ADDRESS)
CENTER TOWNSHIP, COUNCIL DISTRICT #11
STONECROFT LLC, by Sarah Walters
Rezoning of 0.11 acre from the C-1 district to the D-5 district.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 147, 2021. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 147, 2021 on May 11, 2021. The proposal, sponsored by Councillor Osili, approves an additional appropriation of \$3,621,300 in the 2021 City Non-Departmental Budget (American Rescue Plan Fund) to fund response efforts addressing the COVID-19 pandemic, including programs to combat the secondary economic effects of the pandemic faced by residents, businesses and non-profits. By a 10-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Osili called for public testimony at 8:03 p.m. There being no one present to testify, Councillor Mascari moved, seconded by Councillor Adamson, for adoption. Proposal No. 147, 2021 was adopted on the following roll call vote; viz:

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

0 NAYS:

1 ABSENT: Barth

Proposal No. 147, 2021 was retitled FISCAL ORDINANCE NO. 10, 2021, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 10, 2021

A FISCAL ORDINANCE amending the City-County Annual Budget for 2021 (City-County Fiscal Ordinance No. 20, 2020) by additional appropriations of three million six hundred twenty-one thousand three hundred dollars (\$3,621,300) for purposes of the City Non-Departmental.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2021 is hereby amended by the character increase hereinafter stated for purposes of the City Non-Departmental.

SECTION 2. The City Non-Departmental, requests an additional appropriation in character three totaling three million six hundred twenty-one thousand three hundred dollars (\$3,621,300) in the American Rescue Plan Fund.

FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
American Rescue Plan Fund			3,621,300			3,621,300

SECTION 3. Upon approval of this and other pending proposals, the following unappropriated fund balances are projected to remain at the end of 2021:

Fund	2020 Year-End Balance	Projected 2021 Year-End Balance
American Rescue Plan Fund	\$0	-\$3,621,300

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

PROPOSAL NO. 150, 2021. Councillor Mascari reported that the Administration and Finance Committee heard Proposal No. 147, 2021 on May 11, 2021. The proposal, sponsored by Councillor Carlino, approves an additional appropriation of \$2,128,000 in the 2021 Budget of the Department of Parks and Recreation (Parks General Fund) to finance the final maturity payment of the existing 2014 Note related to capital improvements of the Eagle Creek Golf Course. By a 10-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Osili called for public testimony at 8:04 p.m.

Larry Vaughn, citizen, said that the Council needs to address the issue of people calling the police on children playing in the parks, as that is where they should be hanging out.

There being no further testimony, Councillor Mascari moved, seconded by Councillor Adamson, for adoption. Proposal No. 150, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 150, 2021 was retitled FISCAL ORDINANCE NO. 11, 2021, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 11, 2021

PROPOSAL FOR A FISCAL ORDINANCE amending the City-County Annual Budget for 2021 (City-County Fiscal Ordinance No.20, 2020) by additional appropriations totaling two million one hundred twenty-eight thousand dollars (\$2,128,000) for purposes of the Department of Parks and Recreation.

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

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2021 is hereby amended by the character increases hereinafter stated for purposes of the Department of Parks and Recreation.

SECTION 2. The Department of Parks and Recreation requests additional appropriations totaling two million one hundred twenty-eight thousand dollars (\$2,128,000) in the Parks General Fund in Character Three to finance the final maturity payment of the existing 2014 Note related to capital improvements of the Eagle Creek Golf Course:

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FUND	CHAR 1	CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Parks General Fund			2,128,000			2,128,000

SECTION 3. Upon approval of this and other pending approvals, the following unappropriated fund balances are projected to remain at the end of 2021:

Fund	Projected 2020 Year-End Balance	Projected 2021 Year-End Balance
Parks General Fund	4,247,983	2,274,697

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

PROPOSAL NO. 152, 2021. Councillor Robinson reported that the Public Safety and Criminal Justice Committee heard Proposal No. 152, 2021 on May 12, 2021. The proposal, sponsored by Councillor Robinson, approves an additional appropriation of \$50,000 in the 2021 Budget of the Marion County Coroner (Federal Grants Fund) for the purposes of additional grant awards for violent death reporting and sudden unexpected infant death investigations. By a 12-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mowery asked if there is anyone in the audience this evening from the Coroner’s Office who can answer some questions. Seeing none, he stated that he is very disappointed that questions he raised have not been answered.

Councillor Hart stated that the current state of homicides and deaths, it seems the Coroner’s Office would be short on everything, and any amount would be helpful for them.

The President called for public testimony at 8:09 p.m.

Mr. Vaughn said that this city has an influx of homeless people due to the amenities the homeless receive when they get here. He said that when a person is murdered in this city, their body is given to the Coroner’s Office, and then body parts are being sold out of the exam room.

There being no further testimony, Councillor Robinson moved, seconded by Councillor Adamson, for adoption. Proposal No. 152, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 152, 2021 was retitled FISCAL ORDINANCE NO. 12, 2021, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 12, 2021

A FISCAL ORDINANCE amending the City-County Annual Budget for 2021 (City-County Fiscal Ordinance No. 20, 2020) by appropriating a total of Fifty Thousand dollars (\$50,000) for the purposes of the Marion County Coroner’s Office.

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

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2021 is hereby amended by the character increase hereinafter stated for purposes of the Marion County Coroner’s Office.

SECTION 2. The Marion County Coroner's Office, requests an additional appropriation in the amount of Twenty Thousand dollars (\$20,000) in character one and Thirty Thousand dollars (\$30,000) in character three in the Federal Grants Fund for the purposes of additional grant awards for violent death reporting and sudden unexpected infant death investigations:

FUND	CHAR 1		CHAR 2	CHAR 3	CHAR 4	CHAR 5	TOTAL
Federal Grants Fund	20,000			30,000			50,000

SECTION 3. Upon approval of this and other pending proposals, the following unappropriated fund balances are projected to remain at the end of 2021:

Fund	Projected 2020 Year-End Balance	Projected 2021 Year-End Balance
Federal Grants Fund	\$0	\$0

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

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

PROPOSAL NO. 153, 2021. Councillor Adamson reported that the Public Works Committee heard Proposal No. 153, 2021 on May 11, 2021. The proposal, sponsored by Councillors Adamson and Evans, approves transfers and additional appropriations totalling \$48,898,000 in the 2021 Budget of the Department of Public Works (Transportation General, Stormwater General, City Cumulative, Parking Meter, and Solid Waste Collection General Funds) to finance design, construction and inspection of capital infrastructure projects, along with any unanticipated contractual costs. By a 12-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

The President called for public testimony at 8:12 p.m.

Mr. Vaughn stated that he does not see how this does any good, as they will shut down I-465 and then all that traffic will come through the city, where these heavy-duty trucks will take a toll on our infrastructure.

There being no further testimony, Councillor Adamson moved, seconded by Councillor Jones, for adoption. Proposal No. 153, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 153, 2021 was retitled FISCAL ORDINANCE NO. 13, 2021, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 13, 2021

PROPOSAL FOR A FISCAL ORDINANCE amending the City-County Annual Budget for 2021 (City-County Fiscal Ordinance No.20, 2020) by additional appropriations and the transfer of appropriations totaling forty-eight million eight hundred ninety-eight thousand dollars (\$48,898,000) for purposes of the Department of Public Works.

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

SECTION 1. To provide for expenditures, the necessity for which has arisen since the adoption, the City-County Annual Budget for 2021 is hereby amended by the character increases and character transfers hereinafter stated for purposes of the Department of Public Works.

SECTION 2. The Department of Public Works requests additional appropriations totaling thirty-nine million seven hundred twenty-eight thousand dollars (\$39,728,000) in the Transportation General Fund in Characters Two, Three, and Four to finance the design, construction, and inspection of capital infrastructure projects for the Engineering Division and to finance needed supply costs, contractual costs, and capital investments for the Operations Division:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Transportation General Fund		1,950,000	4,475,000	33,303,000		39,728,000

SECTION 3. The Department of Public Works requests additional appropriations totaling one million five hundred thousand dollars (\$1,500,000) in the Parking Meter Fund in Character Four to finance the design, construction, and inspection of capital infrastructure projects for the Engineering Division:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Parking Meter Fund				1,500,000		1,500,000

SECTION 4. The Department of Public Works requests additional appropriations totaling three million four hundred twenty thousand dollars (\$3,420,000) in the Stormwater General Fund in Characters Three and Four to finance unanticipated contractual costs and the design, construction, and inspection of capital infrastructure projects for the Engineering Division:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Stormwater General Fund			1,500,000	1,920,000		3,420,000

SECTION 5. The Department of Public Works requests additional appropriations totaling four million dollars (\$4,000,000) in the Solid Waste Collection Fund in Character Three to finance additional contractual costs for the Solid Waste Division:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
Solid Waste Collection General Fund			4,000,000			4,000,000

SECTION 6. The Department of Public Works requests the transfer of appropriations totaling two hundred fifty thousand dollars (\$250,000) in the City Cumulative Fund from Character Four to Character Three to finance additional contractual costs for Parks Engineering:

<u>FUND</u>	<u>CHAR 1</u>	<u>CHAR 2</u>	<u>CHAR 3</u>	<u>CHAR 4</u>	<u>CHAR 5</u>	<u>TOTAL</u>
City Cumulative Fund			250,000	(250,000)		-

SECTION 7. In support of the additional appropriation provided in Section 2, funds totaling thirty-three million dollars (\$33,000,000) are to be transferred from the City Rainy Day Subfund of the Consolidated County General Fund to the Transportation General Fund.

SECTION 8. In support of the additional appropriation provided in Section 2, revenues totaling two million seventy-eight thousand dollars (\$2,078,000) are to be collected from IndyGo as part of an interlocal agreement and deposited in the Transportation General Fund.

SECTION 9. Upon approval of this and other pending approvals, the following unappropriated fund balances are projected to remain at the end of 2021:

Fund	Projected 2020 Year-End Balance	Projected 2021 Year-End Balance
Transportation General Fund	17,668,338	15,221,996
Parking Meter Fund	9,269,200	6,261,790
Stormwater General Fund	30,571,296	27,182,725
Solid Waste Collection Fund	8,675,774	5,025,661
City Cumulative Fund	2,457,750	1,817,542

SECTION 10. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 191, 2021. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a General Resolution which exercises the City's authority to opt out of state-conducted settlement of pending opioid litigation"; and the President referred it to the Committee of the Whole.

Anne O'Connor, Corporation Counsel, said that this legislation would allow the city to opt out of the current settlement arrangement in order to work with the state, giving them additional time to learn about the settlement options involved in this litigation that has been pending since November 2017.

Councillor Mowery asked if they opt out now, if they can opt back in in the future without facing any penalties for originally opting out. Ms. O'Connor said that they could opt back in within 60 days without penalty, which would give them time to work with the state and weigh the best options.

Councillor Adamson moved, seconded by Councillor Lewis, for adoption. Proposal No. 191, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 191, 2021 was retitled GENERAL RESOLUTION NO. 4, 2021, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 4, 2021

A PROPOSAL FOR A GENERAL RESOLUTION to exercise the City's authority to opt out of state-conducted settlement of pending opioid litigation.

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

SECTION 1. The City-County Council, as the legislative body of the Consolidated City of Indianapolis and Marion County, hereby exercises its right under Indiana Code § 4-6-15-2(b) to opt out of any and all settlements finalized with court approval after March 1, 2021 by the State of Indiana in any opioid litigation as to which the State and the City are both parties and as to which the City had filed suit against the settling defendant or defendants on or before January 1, 2021.

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SECTION 2. The City-County Council expressly reserves the City's right, as provided by Indiana Code § 4-6-15-2(d), to opt back in to any settlement described in Section 1 within the time frame permitted by the statute.

SECTION 3. The City-County Council authorizes the Corporation Counsel, as the City's duly authorized agent, to submit a certified copy of this resolution to the Attorney General of Indiana by June 30, 2021, as required by Indiana Code § 4-6-15-2(c). The Council further designates the Corporation Counsel to serve as the City's representative for all communications with the Attorney General concerning the interpretation or implementation of this resolution.

SECTION 4. Where this resolution uses a term defined by Indiana Code § 4-6-15-1, that term has the meaning prescribed by the statute.

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

PROPOSAL NO. 195, 2021. Introduced by Councillor Osili. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which ratifies public health orders related to the COVID-19 pandemic."; and the President referred it to the Committee of the Whole.

Dr. Virginia Caine, Marion County Health Department (MCHD) executive director, said that the number of residents getting vaccinated has been highly effective, and they are hopeful with the positivity rate and number of cases trending down. Therefore, MCHD is recommending lifting the mask mandate for fully vaccinated individuals, except for in hospitals and on public transportation, per CDC guidelines. She said that this is a milestone for the community, and they will also be loosening capacity restrictions. However, this is not the end of the pandemic, but they can see the finish line and will recommend full re-opening when they reach 50% full vaccinated residency, which they are hoping will be in time for the July 4th weekend. She said that there will continue to be vaccine pop-up clinics, with a \$1 million investment in community organizations serving minority residents. She said that they will continue to provide education and address concerns about the vaccine, and the hotline will continue to be available: 317-221-2100. She added that citizens should continue to social distance and wear masks where necessary.

Councillor Adamson moved, seconded by Councillor Carlino, for adoption.

Councillor Mowery asked when a person tests positive, how long antibodies stay in their bloodstream. Dr. Caine said that antibodies can exist for 90 days to eight or nine months. Councillor Mowery asked if individuals who have had the virus are being considered in this rate as immune. Dr. Caine said that they are not included in the 50% goal, but the total goal is 80% for protected individuals, which includes 30% who are estimated to have had the virus and are immune. She said that these statistics are tracked by IU Fairbanks School of Health. Councillor Mowery said that this would mean over 60% are considered immune, which is more than 50%. Dr. Caine said that they are looking at 50% in vaccinations plus the 30% in those with antibodies for an 80% total target. There are currently 41% of residents that have had at least one vaccination shot.

Councillor Annee asked where the 50% metrics came from. Dr. Caine said that scientists say that 80% is the goal for herd immunity for Marion County, and they receive the vaccination and recent cases data from the Indiana Department of Health. Councillor Annee asked if 36% of Marion County residents are fully vaccinated, are those who might reside in Florida during the winter months or college students who get vaccinated out of state included in these numbers. He said that he believes there might be thousands of these individuals who are not included in those projections if they are only getting data from the Indiana Department of Health. Dr. Caine said that most local colleges are requiring that student vaccinations be recorded and reported, but there may be a few that are receiving immunizations elsewhere that do not make it into this data, but she doubts it is in the thousands. Councillor Annee said that with this requirement being on the honor system, there is no way to insure that this information gets passed along to the Indiana Department of Health.

Councillor Hart said that it does not make sense that outdoor sporting events would still be at 50% capacity, while enclosed churches are allowed at 100%. Dr. Caine said that for example, the Indy 500 has over 150,000 spectators, with a very dense attendee population, while an analysis of faith-based institutions indicate much smaller sizes with larger sized facilities. Councillor Hart said that it is time Marion County sent a strong message that they are open for business. He said that item #12 only requires unvaccinated individuals to wear masks, but they have no way to enforce who is vaccinated and who is not. Dr. Caine said that obviously, children under the age of 12 cannot be vaccinated, and it is important to protect our children and continue to prevent the super-spread of this infection. While they are close to being completely open for business, they are still seeing people being hospitalized every day with COVID. She said that this is still a deadly life-threatening infections, and this is an attempt to keep employees robust and healthy. Indianapolis has a much denser population than other Indiana counties. Councillor Hart asked why they are keeping a mandate they cannot enforce, not knowing who is vaccinated and who is not. Dr. Caine said that she believes Marion County is filled with honorable and responsible citizens who will have enough concern for others to take this seriously enough to follow the recommendations.

Councillor Boots commended Dr. Caine for guiding us through these times based on science and medicine and not on politics. He said that they might even find more are becoming naturally immune in order to allow the vaccination rate to be lower than 50%. Dr. Caine said that is highly possible and they will look closely at the data.

Councillor Mowery asked what the number one cause of death is in Indianapolis. Dr. Caine said that she believes it may be heart disease. Councillor Mowery asked if there are any restrictions in place to prevent that disease. Dr. Caine said that heart disease does not transmit to others like COVID-19. Councillor Mowery said that New York and Chicago are both cities that are far denser than Indianapolis, and they are fully open. He asked what makes Indianapolis different. Dr. Caine said that they compare more with Washington, D.C., who has reached the 50% vaccination rate and are seeing less than 35 cases per day. She said that she is not sure Chicago has re-opened completely, and she suspects their vaccination rates are higher than 50%.

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

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

The motion to adopted Proposal No. 195, 2021 carried on the following roll call vote; viz:

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

Councillors Annee, J. Evans, Bain, and Mowery asked for consent to explain their votes. Consent was given. Councillor Annee said that this is a step in the right direction, but until restrictions are lifted 100%, he cannot support it. Councillor J. Evans said that he hopes they continue to move forward, as some citizens are already disregarding health orders, and he hopes they will take

advantage of the wide availability of the vaccine. Councillor Bain asked if it is appropriate to receive a proposal three hours ahead of the meeting, without being allowed to offer an amendment or having debate cut off. General Counsel Toae Kim said that Sec. 151-84 of the Code stipulates that amendments must be in writing and sent to the President and Clerk of the Council; and that there are some deadlines, but provisions for those deadlines to be waived. Councillor Mowery said that he would like to suspend the rules to allow for an amendment. Ms. Kim said that the time for suspending the rules has passed. Councillor Mowery said that he wanted to offer an amendment to lift all restrictions. Councillor Lewis called for a point of order and said that this is only time for explaining a vote, and talking about an amendment on something that has already passed is out of order.

Proposal No. 195, 2021 was retitled SPECIAL ORDINANCE NO. 4, 2021, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 4, 2021

A PROPOSAL FOR A SPECIAL ORDINANCE to ratify public health orders related to the COVID-19 pandemic.

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

SECTION 1. The City-County Council approves the following public health orders relating to the COVID-19 pandemic, issued by Dr. Virginia Caine pursuant to her statutory authority as the Director of the Marion County Public Health Department:

- Public Health Order 12-2021 (general social distancing requirements; mask mandate; business capacity restrictions)
- Public Health Order 13-2021 (court system)
- Public Health Order 14-2021 (schools)

This approval is in effect until either: (1) an above-listed Public Health Order is rescinded by the Director of the Marion County Public Health Department, or (2) the City-County Council rescinds its approval as to one or more Public Health Orders.

SECTION 2. The City-County Council's approval of the above-listed Public Health Orders, which were issued pursuant to the independent statutory authority of the Director of the Marion County Public Health Department, shall continue to be valid after the current state of disaster emergency for COVID-19 declared by the Governor expires.

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

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

PROPOSAL NO. 146, 2021. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 146, 2021 on May 24, 2021. The proposal, sponsored by Councillor Ray, authorizes the City of Indianapolis to issue up to \$3,670,000 City of Indianapolis, Indiana Economic Development Revenue Refunding Bonds, Series 2021 (Braeburn Village Apartments) in one or more series (the "Bonds") and approves and authorizes other actions in respect thereto to provide funds for refunding of the City's previously issued Multifamily Housing Revenue Bonds, Series 2001B (Braeburn Village Apartments), proceeds of which were used to finance the prior renovation of Braeburn Village Apartments located at 8200 East 21st Street in Council District 19. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 146, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 146, 2021 was retitled SPECIAL ORDINANCE NO. 5, 2021, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 5, 2021

A SPECIAL ORDINANCE authorizing the City of Indianapolis, Indiana, to issue one or more series of its City of Indianapolis, Indiana Multifamily Housing Revenue Refunding Bonds, Series 2021 (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 and the project) in the maximum aggregate principal amount not to exceed Three Million Six Hundred Seventy Thousand (\$3,670,000), and approving and authorizing other actions in respect thereto.

WHEREAS, Indiana Code 36-7-11.9 and 12, and Indiana Code 5-1-5 (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, improvement, installation and equipping of economic development facilities in order to foster diversification of economic development and creation or retention of opportunities for gainful employment and provision of affordable housing in or near the City; and

WHEREAS, a representative of MAH Braeburn Village, LLC, an Indiana limited liability company (the “Borrower”), has advised the Indianapolis Economic Development Commission (the “Commission”) and the City that it proposes that the City issue, pursuant to the Act, one or more series of its taxable or tax-exempt Multifamily Housing Revenue Refunding Bonds, Series 2021 (Braeburn Village Apartments) (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 Three Million Six Hundred Seventy Thousand (\$3,670,000), and lend proceeds of the Bonds to the Borrower to provide funds for refunding of the City’s previously issued Multifamily Housing Revenue Bonds, Series 2001 B (Braeburn Village Apartments) which are outstanding in the principal amount of Three Million Six Hundred Seventy Thousand (\$3,670,000) (the “Prior Bonds”) which were issued to provide funds to pay a portion of the costs of the acquisition, design, construction, renovation, improvement and/or equipping of the existing multifamily housing facilities located in the City in Council District 19 of the City-County Council of the City and of Marion County, Indiana (the “City-County Council”), consisting of 402 rental units in 45 buildings known as Braeburn Village Apartments, together with functionally related and subordinate facilities, including parking and recreational facilities located on approximately 33 acres of land at 8200 East 21st Street (the “Development”) owned by Borrower; and

WHEREAS, the Commission has studied the Development and the proposed refinancing of the Development and its effects on the health and general welfare of the City and its citizens; and

WHEREAS, the creation or retention of opportunities for gainful employment and the provision of quality, affordable, multifamily housing to be achieved by the refunding of the Prior Bonds will be of public benefit to the health, safety and general welfare of the City and its citizens; and

WHEREAS, pursuant to and in accordance with the Act, the City desires to refinance the Prior Bonds by issuing not to exceed Three Million Six Hundred Seventy Thousand (\$3,670,000) aggregate principal amount of its Bonds; and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and Treas. Reg. 1.147(f)-1, the Commission published notice of a public hearing (the “Public Hearing”) on the proposed issuance of the Bonds to finance all or a portion of the Development, and on April 14, 2021, the Commission held the Public Hearing for the purpose of receiving evidence and testimony on the Development and matters related to the proposed financing thereof and heard all persons interested in the proceedings and considered written remonstrances and objections, if any; and

WHEREAS, following such Public Hearing, the Commission adopted a resolution (the “EDC Resolution”) making findings that the refinancing of the Development 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, will provide affordable housing, and that the refinancing

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of the Development will not have an adverse competitive effect or impact on any similar facility already constructed or operating in the same market area or in or about the City; and

WHEREAS, pursuant to and in accordance with the Act, the City desires to provide funds necessary to refinance the Development by issuing the Bonds; and

WHEREAS, the Act provides that such revenue bonds may be secured by and issued pursuant to the terms of a trust indenture between the City 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 The Bank of New York Mellon Trust Company, N.A. (the "Trustee"), in order to effect the refunding of the Prior Bonds in accordance with the terms of the Loan Agreement, to be dated as of 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 "Loan Agreement"), by and between the City and the Borrower with respect to the Bonds and the Development; and

WHEREAS, pursuant to the Loan Agreement, the Borrower will make representations, warranties and commitments with respect to the Development and the use of the proceeds of the Bonds to be provided to the Borrower in accordance with the terms thereof; and

WHEREAS, no member of this City-County Council has any pecuniary interest in the Loan Agreement or any employment 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 previously been submitted to the Commission for its approval the forms of the Bonds, the Indenture, the Loan Agreement, the Regulatory Agreement and Declaration of Restrictive Covenants among the City, the Trustee and the Borrower, and the Bond Purchase Agreement among the Borrower, the City and Braeburn Village Bonds, LLC, an Indiana limited liability company, as the purchaser of the Bonds (the "Bond Purchase Agreement") (collectively, the "Financing Documents"), and a form of this proposed Ordinance (the "Ordinance") authorizing the Bonds and forms of Financing Documents, which are by this reference incorporated herein; and

WHEREAS, based upon the EDC Resolution, this City-County Council hereby finds and determines that the refunding approved by the Commission 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 refinance a portion of the costs of the Development, will require the issuance, sale and delivery of one or more series of revenue bonds in an aggregate principal amount not to exceed Three Million Six Hundred Seventy Thousand Dollars (\$3,670,000): now therefore:

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

SECTION 1. After considering the evidence presented in the EDC Report and EDC Resolution, 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 Development, the issuance and sale of the Bonds, and the use of the net proceeds thereof by the Borrower to finance all or a portion of the Development, will: (i) promote a substantial likelihood of 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 the provision of quality, affordable, multifamily rental housing 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 and providing affordable multifamily housing 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, with any and all such changes as may be deemed necessary, desirable or appropriate by the Mayor and the Clerk of the City-County Council (the "Clerk") and all such documents shall be kept on file by the Clerk of the City 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 or tax-exempt for federal income tax purposes, in the maximum aggregate principal amount not to exceed Three Million Six Hundred Seventy Thousand (\$3,670,000), with a maximum term not to exceed forty (40) years from the date of the issuance of any series of the Bonds and with a maximum interest rate not to exceed ten percent (10%) per annum, for the purpose of refunding the Prior Bonds as set forth in the Financing Documents. The Bonds shall be payable as to principal and interest upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance. The Bonds may be subject to mandatory tender or optional redemption at one or more times prior to maturity. The Bonds shall never constitute a general obligation of, moral obligation of, an indebtedness of, or charge against the general credit of the City or a pledge of the full faith or credit of the City within the purview of any constitutional or statutory limitation or provision.

SECTION 4. The Mayor and the Controller are authorized and directed to sell the Bonds to the purchaser or purchasers thereof at a price not less than ninety-eight percent (98%) of the aggregate principal amount thereof plus accrued interest, if any, at a rate of interest not to exceed ten percent (10%) per annum, and with a final maturity date no later than forty (40) years from the date of the issuance of any series of the Bonds. The Bond Purchase Agreement, in the form and substance acceptable to the Mayor and the Clerk, is hereby authorized and approved, and the Mayor and the Clerk are hereby authorized and directed to execute and deliver the Bond Purchase Agreement in form and substance acceptable to them and consistent with the terms and conditions set forth in this Ordinance, with such to be conclusively evidenced by their execution thereof.

SECTION 5. 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 which may be necessary or desirable to consummate the transaction, and their execution is hereby confirmed on behalf of the City. The signatures of the Mayor 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 Commission if such changes do not affect terms set forth in Indiana Code 36-7-12-27(a)(1) through (a)(10).

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 obligations of the Borrower set forth in the respective Financing Documents and/or the certificates or agreements of such Borrower to be executed upon the issuance of the Bonds, if any of the Bonds are issued on a tax-exempt basis for purposes of federal income taxation, the City will use its best efforts to restrict the use of the proceeds of the Bonds in such a manner and to expectations at the time the Bonds are delivered to the purchasers thereof, so that they will not constitute "arbitrage bonds" under Section 148 of the Code and the regulations promulgated thereunder, or to preserve any other desired tax status under the Code. 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 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 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 Documents, 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

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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, 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.

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

PROPOSAL NO. 148, 2021. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 148, 2021 on May 24, 2021. The proposal, sponsored by Councillor Osili, authorizes the director of the Department of Metropolitan Development and the Controller to enter into payment in lieu of taxes (PILOT) agreements with property owners who have received tax exemptions under IC 6-1.1-10-16. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Lewis moved, seconded by Councillor Adamson, for adoption. Proposal No. 148, 2021 was adopted on the following roll call vote; viz:

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

Proposal No. 148, 2021 was retitled GENERAL ORDINANCE NO. 17, 2021, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 17, 2021

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code, Chapter 231, adding a new Article, "Article VII: Payments in Lieu of Taxes."

WHEREAS, pursuant to Indiana Code section 36-3-2-11, the City had previously entered into PILOT agreements with property owners eligible for a tax exemption with respect to real property under Indiana Code section 6-1.1-10-16.7; and

WHEREAS, Indiana Code section 36-3-2-11 has since expired; and

WHEREAS, the expiration of Indiana Code 36-3-2-11 has resulted in the elimination of the property tax exemption for low income housing tax credit projects under Indiana Code 6-1.1-10-16.7; and

WHEREAS, since the expiration of Indiana Code section 36-3-2-11, DMD has continued to have discussions with multi-family property owners regarding their desires to enter into payment in lieu of tax agreements relative to existing and proposed affordable housing developments; and

WHEREAS, Indiana Code section 6-1.1-10-16 provides that all or part of a building is exempt from property taxation if it is owned, occupied, and used by a person for educational, literary, scientific, religious, or charitable purposes; and

WHEREAS, the City, in partnership with the Marion County Assessor, has determined that affordable housing developments may be eligible to receive a property tax exemption under Indiana Code 6-1.1-10-16; and

WHEREAS, in order to facilitate a property tax exemption under Indiana Code 6-1.1-10-16, DMD has agreed to support property tax exemption applications for multifamily housing developments that enter into payment in lieu of tax agreements and community benefits agreements with DMD; and

WHEREAS, in consultation with the Office of Corporation Counsel, DMD has determined that a City Ordinance must be adopted by the City-County Council in order to allow for the execution of payment in lieu of taxes agreements and community benefits agreements for properties exempt from tax under Indiana Code section 6-1.1-10-16 after January 1, 2020; now, therefore:

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

SECTION 1. Chapter 231 of the “Revised Code of the Consolidated City and County” is hereby amended by adding the language below as “Article VII: Payments in Lieu of Taxes.”

Article VII: Payments in Lieu of Taxes.

Sec. 231-701 – Definitions.

As used in this Article, the following terms shall have the meanings ascribed to them in this subsection.

City-County Council means the City-County Council of the Consolidated City of Indianapolis, Marion County, Indiana.

Community Benefits Agreement means an agreement entered into by and among the Director, Property Owner and any supportive service providers that requires Property Owner or a supportive service provider to provide to the residents of the property certain social, health and supportive services.

Controller means the Controller of the City of Indianapolis, Indiana.

Director means the Director of the Department of Metropolitan Development.

Housing Trust Fund means the housing trust fund identified in Indiana Code section 36-7-15.1-35.5(e).

PILOT Agreement means an agreement entered into voluntarily by and among the Director, Controller, and a Property Owner for the PILOT pursuant to this Article.

PILOT means payments in lieu of taxes as determined in the manner prescribed by this Article.

Property Owner means the owner of real property described in Indiana Code section 6-1.1-10-16 that is located within Marion County, Indiana.

Property Tax Exemption means a property tax exemption as described in Indiana Code section 6-1.1-10-16.

Qualified Property has the meaning ascribed to it in Indiana Code section 36-1-8-18.

Section 231-702 – Calculation of PILOT.

The Director and Controller may calculate a PILOT to be paid by a Property Owner. The PILOT must be calculated so that it is in an amount that is:

- (a) agreed upon by the Property Owner and the Director;

- (b) a percentage of the property taxes that would have been levied by the City-County Council upon the real property if the property were not subject to an exemption from property taxation or a fixed amount as determined by the Director; and
- (c) not more than the amount of property taxes that would have been levied by the City-County Council upon the real property if the property were not subject to a Property Tax Exemption.

Sec. 231-703 – PILOT Agreements.

The Director may enter into a PILOT Agreement with a Property Owner.

- (a) The PILOT Agreement must provide for the following:
 - (1) The annual amount of the PILOT.
 - (2) The commencement date of the PILOT.
 - (3) The term of the PILOT Agreement, which term shall be for such period of time as determined by the Director or thirty (30) years, whichever is less.
 - (4) That the PILOT shall be treated in the same manner as property taxes for purposes of all procedural and substantive provisions of law and that, if unpaid, the PILOT shall accrue all penalties, interest, etc., applicable to unpaid property taxes.
 - (5) That the PILOT is payable to the Treasurer in two equal installments due and payable on or before May 10 and November 10 of each successive calendar year.
 - (6) The Property Owner must file and receive a Property Tax Exemption on the property.
 - (7) That, if applicable, the Property Owner shall comply with Chapter 582 “Protection of Tenant’s Rights” and Chapter 851 “Indianapolis Landlord Registration Program” of the Code.
 - (8) That the Property Owner must enter into a Community Benefits Agreement.
- (b) The PILOT Agreement may contain a provision directing the Marion County Treasurer to deposit all or a portion of the PILOT: (1) in the Housing Trust Fund; or (2) if the property is located in a tax increment financing district, in a fund established for that district.
- (c) The PILOT Agreement may contain such additional terms and conditions as the Director deems necessary or advisable.

Sec. 231-704 – Approval of Property Tax Exemption.

A PILOT Agreement entered into under this Article does not confer any *Property Tax Exemption on the Property Owner’s property located in Marion County, Indiana*. If the Property Owner fails to receive a Property Tax Exemption, the PILOT Agreement and Community Benefit Agreement shall automatically become null and void.

Sec. 231-705 – Qualified Properties.

A PILOT may not be imposed on Qualified Property.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

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

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

PROPOSAL NO. 149, 2021. Councillor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 149, 2021 on May 24, 2021. The proposal, sponsored by Councillor Osili, amends Chapter 341 of the Code, adding a new Article III regarding waterway activities in and on the Downtown Canal. By a 6-4 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Jackson moved, seconded by Councillor Annee, to return Proposal No. 149, 2021 to the Metropolitan and Economic Development Committee for further review. Proposal No. 149, 2021 was returned to committee on the following roll call vote; viz:

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

Councillor Adamson reported that the Public Works Committee heard Proposal Nos. 154 and 155, 2021 on May 11, 2021. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 154, 2021. The proposal, sponsored by Councillor Osili, authorizes intersection controls at 11th Street and Medford and Sharon Avenue (District 11). PROPOSAL NO. 155, 2021. The proposal, sponsored by Councillors Barth and Potts, authorizes intersection controls at 54th Street and Kenwood Avenue (Districts 2, 7). By 11-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Adamson moved, seconded by Councillor Carlino, for adoption. Proposal Nos. 154 and 155, 2021 were adopted on the following roll call vote; viz:

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

Proposal No. 154, 2021 was retitled GENERAL ORDINANCE NO. 18, 2021, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 18, 2021

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 441, Traffic.

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

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-416, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
24	11 th Street Medford Ave	Medford Ave	Stop
24	11th Street	Sharon Ave	Stop

Sharon Ave

SECTION 2. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-416, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
24	11 th Street Medford Ave	None	All-Way
24	11th Street Sharon Ave	None	All-Way

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

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

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

Proposal No. 155, 2021 was retitled GENERAL ORDINANCE NO. 19, 2021, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 19, 2021

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make various changes to Chapter 441, Traffic.

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

SECTION 1. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-416, Schedule of intersection controls, be, and the same is hereby amended by the deletion of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
11	54 th Street Kenwood Ave	54 th Street	Stop

SECTION 2. That the Revised Code of the Consolidated City and County, Indianapolis/Marion County, Indiana, specifically Sec. 441-416, Schedule of intersection controls, be, and the same is hereby amended by the addition of the following, to wit:

<u>Base Map</u>	<u>Intersection</u>	<u>Preferential</u>	<u>Type of Control</u>
11	54th Street Kenwood Ave	None	All-Way

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

SECTION 4. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected,

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

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

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) Councillor Osili in memory of Jimmie Luton; and
- (2) Councillor Jones in memory of Leon Zuercher.

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 Jimmie Luton and Leon Zuercher. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:01 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 7th day of June, 2021.

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


President

ATTEST:



(SEAL)