FILED

JUN 17 2020

Belinda Munson
MUNCIE CITY CLERK

RESOLUTION NO. 12-20

COMMON COUNCIL OF MUNCIE, INDIANA

ADOPTING INDIANA CODE § 5-23 AND TAKING CERTAIN OTHER ACTIONS RELATED THERETO

WHEREAS, the Common Council of Muncie, Indiana (the "Council") has considered the provisions of Indiana Code § 5-23; and

WHEREAS, the Council now desires to adopt the provisions of Indiana Code § 5-23 by this resolution pursuant to Indiana Code § 5-23-1-1; and

WHEREAS, it is the intent of the Council for the Mayor's office to issue future requests for proposals and qualifications (the "RFPQ") under Indiana Code § 5-23 to explore the development, construction, financing, operation, and/or transfer of projects that meet an economic development, public safety, or other public purposes (the "Projects") in order for the Mayor to make future recommendations for the Council's consideration.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF MUNCIE, INDIANA AS FOLLOWS:

SECTION 1. Adoption of Indiana Code § 5-23. The Council hereby adopts the provisions of Indiana Code § 5-23.

SECTION 2. Authorization. The Council hereby authorizes and directs the Mayor to issue RFPQs under Indiana Code § 5-23 to study the development, construction, financing, operation, and/or transfer of Projects at any date hereafter and to make recommendations for Council consideration at future public meetings under the terms of Indiana Code § 5-23.

SECTION 3. Other Actions. The Mayor and any officer of the Council are hereby authorized to take any and all actions and execute any documents or certificates that such officers deem necessary or desirable to effect the foregoing resolutions. Any such actions taken or documents or certificates executed and delivered are hereby ratified, confirmed and approved.

SECTION 4. No Conflict. All ordinances, resolutions, and orders or parts thereof in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed. After the issuance and execution of Agreement and so long as the Agreement remains in place, except as expressly provided herein, this Resolution shall not be repealed or amended, nor shall the City adopt any law, ordinance or resolution which in any way adversely affects this Resolution.

SECTION 5. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 6. Effectiveness. This Resolution shall be in full force and effect from and after its passage.

Passed by the Common Council of the City of Muncie, Indiana, this 14th day of July, 2020.

	Yeas	Nays	Abstained	Absent
Ralph Smith	✓			
Jeff Robinson	✓			
Ray Dudley	✓			
Bradley Polk	✓			
Jerry D. Dishman	✓			
Anitra Davis	✓			
Aaron Clark	✓			
Troy A. Ingram	✓			
Richard M. Ivy	✓			

Bradley Polk

President

City Council, City of Muncie

Presented by me to the Mayor for his approval, this 14th day of July, 2020.

Belinda Munson

Belinda Munson, City Clerk

The above Resolution is approved/vetoed by me this 6th day of July, 2020.

Dan Ridenour, Mayor

ATTEST:

Belinda Munson, City Clerk

This resolution is proposed by Council Member Bradley A Pollk.

This resolution is approved in form by Controller Tut Cummings.

This ordinance is approved in form by Legal Counsel William V. Hughes.