

RESOLUTION NUMBER 2023-11

**APPROPRIATION RESOLUTION OF THE CITY OF FRANKLIN
REDEVELOPMENT COMMISSION**

**\$200,000.00 for expenses and costs related to the
Agreement between the City of Franklin and Indiana Department of Transportation
Pedestrian Project**

WHEREAS, the Franklin Redevelopment Commission (the “Commission”) serves as governing body of the Franklin Redevelopment District (the “District”), pursuant to Indiana Code 36-7-14 *et seq.*, as amended (the “Act”); has previously established the Franklin Downtown/ I-65 Amended Integrated Economic Development Area (the “Area”), as amended; has designated within the Area certain allocation areas for purposes of capturing tax increment; has created an allocation fund or funds for the allocation areas into which the tax increment is deposited; and has approved the Economic Development Plan - 2015 (the “Plan”), as amended, for the Area; and

WHEREAS, the Commission created and managed the tax increment finance allocation areas designated as Amended Franklin Park Allocation Area; Musicland Allocation Area; and Casting Technology Company Allocation Area (collectively referred to as “Allocation Areas”) per resolutions and designations approved by the same;

WHEREAS, the Commission created an allocation fund or funds for the Allocation Areas into which the tax increment is deposited (“Allocation Funds”);

WHEREAS, City of Franklin, acting by and through its Board of Public Works and Safety (“City”) is a party to a certain agreement with the Indiana Department of Transportation (“INDOT”) concerning the construction of bike/pedestrian facilities throughout the City of Franklin, (“Project”) dated the 21st day of May, 2021 and was subsequently amended on the 8th day of November, 2022 (collectively referred to as “INDOT Agreement”);

WHEREAS, the City and the Commission executed a Delegation of Payment agreement on the 14th day of February, 2023, (“Delegation Agreement”) which provided the City delegating to the Commission its payment obligations per the INDOT Agreement;

WHEREAS, the City of Franklin Engineer has provided that the estimate of costs associated for the INDOT Agreement will be Two Hundred Thousand Dollars (\$200,000.00)

WHEREAS, the Commission finds that there are insufficient funds available or provided for in the existing budget and tax levy to fund the expenses and costs related to the Project; and

WHEREAS, notice of a hearing on said appropriation has been duly given by publication and posting as required by law, and the hearing on said appropriation has been held, at which all taxpayers had an opportunity to appear and express their views as to such appropriation.

NOW, THEREFORE, BE IT RESOLVED by the City of Franklin Redevelopment Commission, that:

1. Additional Appropriation. Pursuant to IC 36-7-14-39(b)(3)(J), and subject to the City reviewing and approving any claim for payment under the INDOT Agreement and Delegation Agreement, the Commission hereby appropriates for the purpose of paying expenses related to the Project due to such local public improvement serving the Allocation Areas, a sum not to exceed Two Hundred Thousand Dollars (\$200,000.00), of tax increment revenues collected from the Allocation Areas within the Area, to be paid pro rata from the Allocation Fund for each of the individual Allocation Areas. Such appropriation shall be in addition to all appropriations provided for in the existing budget and shall continue in effect until the completion of the described purposes.

2. Miscellaneous. Subject to the INDOT Agreement; the Clerk-Treasurer is directed to pay for said expenses in amounts that do not exceed the total appropriation to the general contractor(s), sub-contractor(s) and others as identified to the Clerk-Treasurer by the President of the Commission as appropriate payees per the Agreement. The President of the Commission, the Secretary of the Commission, the Clerk-Treasurer of the City and any other appropriate officers of the Commission and the City are hereby authorized to take all such actions and execute all such instruments as are necessary or desirable to effectuate this Resolution, including the filing of a report of this appropriation with the Indiana Department of Local Government Finance per the terms of the INDOT Agreement and Delegation Agreement.

3. Effective Date. This resolution shall be in full force and effect from and after its adoption.

DULY ADOPTED on this 21st day of March, 2023, by the Redevelopment Commission of the City of Franklin, Johnson County, Indiana.

Josh Prine

Paul Buening

Brian J. Deppe

Anne McGuinness

Richard Wertz

Attest:

Jayne W. Rhoades,
Clerk-Treasurer of the City of Franklin, Indiana