

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	05.16.2023	Meeting Date:	06.05.2023
Contact Information:			
Requested by:	Lynnette Gray		
On Behalf of Organization or Individual: City of Franklin			
Telephone:	317-738-3365		
Email address:	lynng@igmlawfirm.com		
Mailing Address:	63 E. Court St., P.O. Box 160, Franklin, IN 46131		
Describe Request:			
Resolution Approving the Transfer of Funds to Johnson County, Indiana for Johnson County Public Transportation Service and Addendum Between the City of Franklin, Indiana and Access Johnson County			
List Supporting Documentation Provided:			
Resolution 23-07			
Addendum			
Who will present the request?			
Name:	Lynnette Gray, City Attorney	Telephone:	317-738-3365

In order for an individual and/or agency to be considered for new business on the Board of Works agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 4:00 p.m. on the Wednesday before the meeting.

**RESOLUTION NO: 23-07
OF THE CITY OF FRANKLIN, INDIANA
BOARD OF PUBLIC WORKS AND SAFETY**

**RESOLUTION APPROVING THE TRANSFER OF FUNDS TO JOHNSON
COUNTY, INDIANA FOR JOHNSON COUNTY PUBLIC TRANSPORTATION
SERVICE**

WHEREAS, the City of Franklin, by and through its Board of Public Works and Safety ("City") is a government organization providing services to the citizens of Franklin, Indiana;

WHEREAS, Johnson County did enter into a Professional Services Agreement with Gateway Services, Inc. d/b/a Access Johnson County Public Transit wherein Access Johnson County Public Transit did agree to provide Johnson County public transportation services to Johnson County residents including those within the City of Franklin;

WHEREAS, the City of Franklin, Indiana, by and through its Board of Public Works and Safety (hereinafter referred to as "City"), has in previous years made a lump sum payment to Gateway Services, Inc. d/b/a Access Johnson County for the purpose of assisting with providing community wide transportation services to Franklin residents; and

WHEREAS, the City, by and through its Board of Public Works and Safety is a government organization providing services to the citizens of Franklin and is a disposing agent as that term is contemplated pursuant to I.C. 36-1-11-2; and

WHEREAS, Johnson County is a disposing agent as that term is contemplated pursuant to I.C. 36-1-11-2; and

WHEREAS, the City and Johnson County have authority by law to dispose of and transfer property including cash, under I.C. 36-1-11-8 to each other; and

WHEREAS, the City desires to transfer the sum of Eighteen Thousand Five Hundred Dollars (\$18,500.00) previously budgeted for payment to Access Johnson County to now be paid to Johnson County Board of Commissioners to be used in furnishing services pursuant to the Professional Services Agreement dated December 6th, 2021 by and between Johnson County, Indiana and Gateway Services, Inc. d/b/a Access Johnson County Public Transit; and

WHEREAS, Johnson County desires to receive the sum of Eighteen Thousand Five Hundred Dollars (\$18,500.00) from the City to assist in providing services to Franklin residents pursuant to the December 6th, 2021 Professional Services Agreement; and

WHEREAS, I.C. 36-1-11-8 authorizes the transfer of payment of cash between governmental entities upon terms and conditions agreed upon by the entities as

evidenced by the adoption of substantially identical resolutions by the governing body of each entity; and

WHEREAS, Johnson County and the City have agreed that the City shall make payment to Johnson County in the sum of Eighteen Thousand Five Hundred Dollars (\$18,500.00); and

WHEREAS, upon Johnson County's adoption of a substantially identical resolution hereto, the City shall transfer to Johnson County as Johnson County's sole and exclusive property the sum of Eighteen Thousand Five Hundred Dollars (\$18,500.00) to be used in providing Johnson County public transportation services pursuant to the Professional Services Agreement entered into with Gateway, Inc. d/b/a Access Johnson County Public Transit.

NOW THEREFORE BE IT RESOLVED, the City of Franklin, Indiana, by and through its Board of Public Works and Safety, that the City does hereby adopt the above recital as findings of fact; and

BE IT FURTHER RESOLVED that upon the adoption of a substantially identical resolution by Johnson County, the Clerk Treasurer of the City of Franklin is hereby authorized and directed to make the payment to Johnson County.

BE IT FURTHER RESOLVED that the payment of Eighteen Thousand Five Hundred Dollars (\$18,500.00) is approved for payment to Johnson County on the terms and conditions set forth herein.

INTRODUCED & APPROVED by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana the _____ day of _____, 2023.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Mayor Steve Barnett

Tina Gross, Member

Kenneth Austin, Member

Voting Opposed:

Mayor Steve Barnett

Tina Gross, Member

Kenneth Austin, Member

Attest:

Jayne Rhoades,
City Clerk-Treasurer

Prepared by:
Lynnette Gray, City Attorney

ADDENDUM BY AND BETWEEN THE CITY OF FRANKLIN, INDIANA AND ACCESS JOHNSON COUNTY

This AGREEMENT is an Addendum to the Contract entered into by and between the City of Franklin, Indiana ("City"), by and through its Board of Public Works and Safety, and Access Johnson County as follows:

1. On November 7th, 2022 the City of Franklin, Indiana, by and through its Board of Public Works and Safety entered into an agreement intended to be for a term of one (1) year where in it the City would pay to Access Johnson County the sum of Eighteen Thousand Five Hundred Dollars (\$18,500.00) in consideration of Access Johnson County agreeing to use the money to provide community wide transportation services to citizens of Franklin, Indiana.
2. Pursuant to said Contract, the City of Franklin was to make the lump sum payment of Eighteen Thousand Five Hundred Dollars (\$18,500.00) on the first day of July, 2023.
3. That after approval of this Agreement, Access Johnson County advised and informed the City that as a result of census data and the increase in population in Johnson County, county wide transportation services are now governed by the US Department of Transportation and pursuant to a request for proposals administered by Johnson County Board of Commissioners, Access Johnson County was selected to be the provider for Johnson County Public Transit.
4. That as part of the Professional Services Agreement between Gateway Services, Inc., d/b/a Access Johnson County Public Transit, Johnson County administers and provides funding, including federal funding, for Johnson County transit services.
5. As a result of the Professional Services Agreement entered into between Johnson County, Indiana and Gateway Services, Inc. d/b/a Access Johnson County Public Transit, the parties agree that the Eighteen Thousand Five Hundred Dollars (\$18,500.00) originally intended to be paid to Access Johnson County shall now be paid to Johnson County, Indiana by and through its Board of Commissioners to be utilized in funding of Access Johnson County for the transportation services of the City of Franklin residents.
6. The parties agree that the sum of Eighteen Thousand Five Hundred Dollars (\$18,500.00) as identified in the Contract of November 7th, 2022 is no longer due to Access Johnson County but will be paid by the City of Franklin to Johnson County, Indiana for purposes of applying said payments to the funding of the Johnson County public transportation service.

All of which is agreed to this _____ day of _____, 2023.

**City of Franklin, Indiana, By its
Board of Public Works and Safety:**

Mayor Steve Barnett

Tina Gross, Member

Kenneth Austin, Member

Attest:

Jayne Rhoades, Clerk Treasurer

All of which is agreed to this _____ day of _____, 2023.

Access Johnson County:

By: _____
Signed Name

By: _____
Signed Name

Printed Name and Title

By: _____
Signed Name

Printed Name and Title

Prepared by:
Lynnette Gray
Attorney, City of Franklin
JOHNSON GRAY & JOHNSON
63 E. Court St.
Franklin, IN 46131