

**RESOLUTION NO. 2023-C-009**

**RESOLUTION AUTHORIZING THE USE OF TAX INCREMENT FINANCE FUNDS  
AND APPROVING INTERLOCAL COOPERATION AGREEMENT  
WITH THE HEALTH AND HOSPITAL CORPORATION OF MARION COUNTY**

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana (the “MDC”) serves as the Redevelopment Commission of the City of Indianapolis, Indiana (the “City”) under Indiana Code Section 36-7-15.1; and

WHEREAS, in that capacity, the MDC serves as the governing body of the City of Indianapolis Redevelopment District (the “District”); and

WHEREAS, under Indiana Code Section 36-7-15.1-6, the MDC is tasked with the duty to promote the use of land in the manner that best serves the interest of the consolidated city and its inhabitants, both from the standpoint of human needs and economic values; and

WHEREAS, the Health and Hospital Corporation of Marion County (HHC) exists and operates pursuant to Indiana Code section 16-22-8 *et seq.*, and is empowered, among other things, to adopt and enforce ordinances to protect, enter into contracts, promote, and improve public health, and to establish public health programs; and

WHEREAS, the Redevelopment Act permits the Commission to designate allocation areas in the District for the purpose of capturing and allocating property taxes commonly known as tax increment finance revenues (“TIF Revenues”); and

WHEREAS, the Commission has previously established the Near Eastside Redevelopment Project Area (the “NERA”) to implement the housing program created pursuant to IC 36-7-15.1-32, has designated the NERA as an allocation area (the “NERA Allocation Area”) for the purpose of capturing TIF Revenues, has created an allocation fund (the “NERA Allocation Fund”) for the NERA HOTIF into which the TIF Revenues are deposited, and has approved the NERA Redevelopment Plan and Housing Program (the “NERA Redevelopment Plan”); and

WHEREAS, the Project is located in the “NERA Allocation Area; and

WHEREAS, Indiana Code Section 36-7-15.1-26(b)(3)(J) authorizes the Redevelopment Commission to utilize property tax proceeds in excess and on deposit in the Allocation Fund to pay the costs of carrying out “eligible efficiency projects” within Marion County; and

WHEREAS, under Indiana Code Section 36-9-41-1.5, an “eligible efficiency project” includes a project necessary or useful to carrying out an interlocal cooperation agreement entered into by two or more political subdivisions or governmental entities; and

WHEREAS, under Indiana Code Section 36-1-7, the MDC and HHC are authorized to enter into an interlocal cooperation agreement to undertake projects and activities necessary or useful in the furtherance of their respective purposes; and

WHEREAS, the Commission and HHC desire to enter into an Interlocal Cooperation Agreement to fund the expansion of the John Boner Center to create a centralized hub for the delivery of services to low-income residents, including rental assistance, energy assistance and tax preparation assistance (the “Agreement”); and

WHEREAS, the Commission desires the Agreement to be an agreement satisfying the requirements of Indiana Code sections 36-1-7, 36-7-15.1-26(b)(3)(J), and 36-9-41-1.5 and finds that carrying out this Agreement more efficiently benefits the NERA Allocation Area and furthers the respective purposes of the Commission and HHC than would be achieved by attempting to do so separately;

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Development Commission of Marion County, Indiana. Acting as the Redevelopment Commission of the City of Indianapolis, Indiana, as follows:

1. The MDC hereby authorizes an expenditure not to exceed \$1,300,000 of the available funds in the NERA Allocation Fund for expansion of the John Boner Center, as detailed in the Agreement between the parties. The MDC hereby finds and determines that the activities financed under the Agreement will occur within the NERA Allocation Area in accordance with the NERA Redevelopment Plan for the area and will be of public utility and benefit.
2. The Director of the Department of Metropolitan Development (“DMD”) is hereby authorized to enter into an Interlocal Cooperation Agreement on behalf of the Commission with HHC, with such terms and conditions as he deems necessary or advisable, to coordinate and provide funding for the Project, in an amount not to exceed \$1,300,000.
3. The City Controller is hereby authorized to disburse the moneys from the NERA Allocation Fund for purposes set forth in the Agreement. The Director of the DMD is hereby authorized and directed to take such further actions and execute such documents as they deem necessary to effectuate the authorizations set forth in this Resolution.
4. This Resolution shall take effect immediately upon adoption by the MDC.

METROPOLITAN DEVELOPMENT  
COMMISSION

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John J. Dillon III, President

As approved to the availability of funding by

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Sarah Riordan, Controller

As approved to adequacy of legal form by

/s/Toae Kim

Toae Kim, Deputy Chief Counsel