

THE CITY OF CHARLESTOWN, INDIANA
REDEVELOPMENT COMMISSION

RESOLUTION NO. 2021-R- 4 —

**A RESOLUTION RECOMMENDING TO THE COMMON COUNCIL
OF THE CITY OF CHARLESTOWN, INDIANA THAT THE
“BUILD OPERATE TRANSFER” STATUTE BE ADOPTED**

WHEREAS, the City of Charlestown Redevelopment Commission (the “Commission”) exists and operates pursuant to Indiana Code § 36-7-14, as the governing body of the Redevelopment Department of the City of Charlestown, Indiana;

WHEREAS, the terms of Indiana Code § 36-7-14-11 assign the Commission the duty to investigate, study, and survey areas within the City in need of redevelopment and promote the use of land that best serves the interests of the City and its inhabitants;

WHEREAS, Indiana Code § 5-23 permits a political subdivision to enter into public-private agreements pursuant to which a private developer may be contracted with to construct a public facility, operate that facility for a fixed period of time, and transfer that public facility to the political subdivision at the conclusion of that fixed period of time. This statute is commonly referred to as the Build Operate Transfer or “BOT” statute;

WHEREAS, in order for this Commission or any other governmental body in the City to enter into a BOT agreement, Indiana Code § 5-23-1-1 requires that the legislative body for the City, i.e. the Council, adopt by ordinance or resolution the terms of the BOT statute;

WHEREAS the Commission would be better able to fulfill its duty to promote the use of land that best serves the interests of the City and its inhabitants if the Commission were able to enter into BOT agreements as prescribed by statute.

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

1. The Commission hereby recommends that the Common Council for the City of Charlestown, Indiana adopt, by resolution or ordinance, the terms of Indiana Code § 5-23 authorizing the governing bodies of the City to enter into Build-Operate-Transfer agreements upon the terms provided therein.

ADOPTED AND APPROVED this 6th day of April 2021.

CITY OF CHARLESTOWN, INDIANA,
REDEVELOPMENT COMMISSION

Donna Ennis

Donna Ennis, President

Attest:

Derek Coombs

Derek Coombs, Secretary