

RESOLUTION NO. 2017-6

**RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF YORKTOWN, INDIANA, RECOMMENDING THE ACCEPTANCE
OF A PROPOSAL FOR A PUBLIC PRIVATE AGREEMENT WITH RESPECT TO A
TOWN HALL AND PUBLIC SAFETY BUILDING**

WHEREAS, Indiana Code § 5-23 (the “Public Private Partnership Act”) authorizes political subdivisions to adopt certain powers with respect to the consideration and entry into Operating Agreements and BOT Agreements (each as defined in the Act); and

WHEREAS on October 16, 2017, the Town Council (the “Council”) of the Town of Yorktown, Indiana (the “Town”) adopted a resolution adopting the provisions of the Act and authorized the issuance of a Request for Proposals/Qualifications (the “RFPQ”) for the development, construction, financing, operation and transfer of a Town Hall and Public Safety Building (the “Project”); and

WHEREAS, pursuant to the Resolution, the Council formed a temporary RFPQ Committee to issue the RFPQ, review responses from offerors and provide a recommendation to the Council; and

WHEREAS, on November 10, 2017, the Town published the RFPQ relating to the Project; and

WHEREAS, as of the date hereof, the Committee has reviewed the responses of offerors and has recommended the Town accept the proposal of GM Development and/or its affiliate, Yorktown Government Center, LLC (the “Developer”),

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF TOWN OF YORKTOWN, INDIANA AS FOLLOWS:

SECTION 1. Recommendation. The Council hereby accepts the recommendation of the Committee and further recommends the Town enter into a BOT Agreement with the Developer to provide for the development, construction, financing, operation and transfer, of the Project, all pursuant to the proposal submitted by the Developer.

SECTION 2. Public Hearing. The Council hereby authorizes a public hearing to be held on the recommendation pursuant to the Act and authorizes the Clerk-Treasurer of the Town to prepare and publish notice of such public hearing in accordance with the Act. Following the public hearing, the Council will consider the award of the Project to the Developer, the authorization of all necessary documentation and the pledge of sufficient revenues to provide for the payment of costs of the Project.

SECTION 3. Effectiveness. This Resolution shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the Town Council of the Town of Yorktown, Indiana this 18th day of December, 2017, by a vote of ___ ayes and ___ nays.

Rich Lee, President of Town Council

ATTEST:

Beth Neff, Clerk-Treasurer