

RESOLUTION NO. 081324

A RESOLUTION OF THE TOWN OF MCCORDSVILLE, INDIANA APPROVING AMENDMENT TO BUILD-OPERATE-TRANSFER AGREEMENT

WHEREAS, the Town Council of the Town of McCordsville, Indiana (the “Council”) and “Town”, respectively) has previously approved and executed a Build-Operate-Transfer Agreement (McCordsville Public Safety Project), dated June 29, 2023 (the “BOT Agreement”), among the McCordsville Municipal Facilities Building Corporation, the Town and GM Development Companies, LLC, in connection with the acquisition, construction, improvement and equipping of a new police station in the Town, and all necessary and related improvements (collectively, the “Project”); and

WHEREAS, the BOT Agreement provided for a purchase price cap of \$11,737,332.00 and an amendment to the BOT Agreement (the “Amendment”) has been approved by the Town for the purpose of increasing the purchase price cap by an additional \$350,000.00 to a cap of \$12,087,332.00; and

WHEREAS, an amendment to the BOT Agreement (the “Amendment”) has been proposed to the Town for the purpose of increasing the purchase price cap by an additional \$499,995.00 to a cap of \$12,587,327.00; and

WHEREAS, the Council has been advised that the Amendment is necessary to cover the costs of the shooting range build-out and outfitting for the Project from that originally approved in the BOT Agreement and that such additional costs will be paid for by the Town as reflected in the Amendment through an increase in the Town contributed funds or use of remaining BAN funds, or accrued interest from the BAN; and

WHEREAS, the Council, having considered the matter and been so advised, finds that the Amendment should be approved;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of McCordsville, Indiana, as follows:

Section 1. The Amendment is hereby approved substantially in the form submitted at this meeting, a copy of which Amendment is attached hereto and incorporated herein and in the minute books of the Council.

Section 2. The form of the Amendment attached hereto and approved and adopted hereby is in substantially final form, and the Board hereby authorizes the Town Council President and the Clerk-Treasurer to approve such changes in form or substance to the Amendment as may be necessary or appropriate to accomplish the purposes of this resolution, with any such approval to be conclusively evidenced by such authorized execution of such Amendment.

Section 3. The Town Council President and Clerk-Treasurer, together and/or individually, are hereby authorized and directed to execute such documents and instruments as may be necessary to effectuate the intent of this resolution and the Amendment. In the event the Town Council President or Clerk-Treasurer is not available to sign any such documents, including the Amendment, the Vice-President may sign on their behalf.

Section 4. This Ordinance shall be in full force and effect from and after its passage and publication as prescribed by law.

ADOPTED BY THE COUNCIL OF THE TOWN OF MCCORDSVILLE,
INDIANA this ____ day of _____, 2024.

MCCORDSVILLE TOWN COUNCIL

FOR:

AGAINST:

_____	Greg Brewer	_____
_____	Scott Jones	_____
_____	Dr. Bryan Burney	_____
_____	Dr. John Price	_____
_____	Chad Gooding	_____

ATTEST:

Stephanie Crider, Clerk-Treasurer