

INTRODUCED: 11/09/2009

REFERRED TO: Public Safety and Criminal Justice Committee

SPONSOR: Councillor Vaughn

DIGEST: approves and accepts the transfer of property from the Indianapolis Public Schools to Marion County on behalf of the Marion Superior Court, Juvenile Division

SOURCE:

Initiated by: Marion Superior Court

Drafted by: Bingham McHale LLP

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL: _____ Date: November 5, 2009

CITY-COUNTY GENERAL RESOLUTION NO. _____, 2009

PROPOSAL FOR A GENERAL RESOLUTION approving and accepting the transfer of School 37 from Indianapolis Public Schools to Marion County on behalf of the Marion Superior Court Juvenile Division.

WHEREAS, School 37 has long been an integral element of the Martindale-Brightwood neighborhood; and,

WHEREAS, School 37 is located adjacent to the Marion County Juvenile Detention Center; and,

WHEREAS, Indianapolis Public Schools ("IPS") is the current owner of and no longer has a need to use School 37 as a school facility; and,

WHEREAS, the Marion Superior Court, Juvenile Division, has the need for additional space for ancillary court services; and,

WHEREAS, IPS is desirous of transferring ownership of School 37 to Marion County, Indiana on behalf of the Marion Superior Court, Juvenile Division; and,

WHEREAS, Marion County, on behalf of the Marion Superior Court, Juvenile Division is desirous of accepting School 37 from IPS; and,

WHEREAS, the Martindale-Brightwood neighborhood is desirous of establishing a community center; and,

WHEREAS, the School 37 facility is large enough to accommodate the needs of both the Marion Superior Court, Juvenile Division for ancillary services and the Martindale-Brightwood neighborhood for a community center; and,

WHEREAS, the Central Indiana Community Foundation is desirous of working with both the Marion Superior Court, Juvenile Division and the Martindale Brightwood neighborhood to rehabilitate, renovate and manage the School 37 facility, establish a community center for the neighborhood and accommodate the needs of the Court; and,

WHEREAS, Indiana Code § 36-1-11-8 provides that a governmental entity may transfer real property to another political subdivision by the adoption of substantially similar resolutions by each entity; and,

WHEREAS, the Indianapolis Public Schools Board of School Trustees will adopt a resolution substantially similar to this resolution transferring School 37 to Marion County, on behalf of the Marion Superior Court, Juvenile Division; and,

WHEREAS, the Marion Superior Court, Juvenile Division has requested that the City-County Council of the City of Indianapolis and Marion County ("City-County Council") adopt this resolution accepting the transfer of School 37 from IPS to Marion County, on behalf of the Marion Superior Court, Juvenile Division; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves and accepts the transfer by IPS of School 37 and the real estate of its campus to Marion County, on behalf of Marion Superior Court, Juvenile Division.

SECTION 2. This resolution shall be in effect from and after its passage by the City-County Council and compliance with Indiana Code § 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2009, at _____ p.m.

ATTEST:

Bob Cockrum
President, City-County Council

Melissa Thompson
Clerk, City-County Council

Presented by me to the Mayor this _____ day of _____, 2009, at 10:00 a.m.

Melissa Thompson
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2009.

Gregory A. Ballard, Mayor