

CITY-COUNTY GENERAL ORDINANCE NO. 40, 2021
Proposal No. 291, 2021

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to create a county emergency services agency, to revise the ordinance concerning the office of public health and safety, and for other purposes.

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

SECTION 1. Sections 202-711 through 202-713 of the "Revised Code of the Consolidated City and County," regarding the office of public health and safety, hereby are amended by the deletion of the language that is stricken and the addition of the language that is underscored, to read as follows:

Sec. 202-711. - Office of public health and safety created; duties and divisions.

There is hereby created the office of public health and safety for the city as authorized by IC 36-3-4-23. The office shall exercise those powers and duties granted by statute, this code, or as designated by the mayor, to ~~discharge its responsibilities to provide for public safety communications systems, emergency medical services, administration of the Reuben engagement center, oversight of offender re-entry services, and to operate any other division or function of this office as the mayor from time to time may designate by executive order in the areas of community violence reduction, homelessness, re-entry services, and community nutrition and food policy.~~ The office shall also be responsible for administration of the Assessment & Intervention Center, and it will discharge any other functions or responsibilities as the mayor from time to time may designate by executive order.

The office shall be comprised of the divisions of:

- ~~(1) Public safety communications;~~
- ~~(2) Indianapolis emergency medical services;~~
- ~~(3) Reuben engagement center;~~
- ~~(4) Re-entry services;~~
- ~~(5) Public health and safety administration; and~~
- ~~(6) Community nutrition and food policy.~~
- (1) Re-entry services;
- (2) Homelessness;
- (3) Community violence reduction; and
- (4) Community nutrition and food policy.

Sec. 202-712. - Appointment of the director; powers and duties.

The administration of the office shall be under the control of the director, who shall be appointed by the mayor ~~after consultation with the sheriff and be subject to city-county council confirmation.~~ The director shall serve at the pleasure of the mayor. The director shall have ~~prior service with a local, federal or state law enforcement agency, emergency management agency, emergency medical services agency, or fire department, prior experience in the fields of criminal justice, public safety, public health, or social services,~~ have had command or supervisory experience, have received a four-year degree from an accredited institution of higher education and have demonstrated an interest in safeguarding the citizens and property of the consolidated city. The director shall hold no other lucrative elective or appointive office in city, county or state government during the director's term of office. The director of the office shall advise the mayor on matters of health and public safety and shall exercise control of all matters, personnel, and property relating to and connected with the office and its divisions, including the authority to:

- (1) Oversee, supervise and coordinate the activities and operations of the office and its divisions ~~divisions within this office;~~
- ~~(2) Appoint a chief of the division of public safety communications, and administrators for the Reuben engagement center, community nutrition and food policy, and the division of re-entry services;~~
- ~~(3) With respect to Indianapolis emergency medical services, the director shall oversee the division, as provided in section 202-731 of this chapter or otherwise provided by law or agreement;~~

- ~~(4) With respect to public safety communications, the director shall be responsible for financing, purchasing, contracting for, acquiring, leasing, constructing, equipping, erecting, upgrading, and installing a public safety communications system and computer facilities for all participating public safety and public service agencies in the public safety communications and computer facilities district established under IC 36-8-15-7;~~
- (2) Appoint an administrator for the Assessment & Intervention Center and administrators for each of the office's divisions;
- ~~(35) Execute contracts subject to the authority of the mayor and any other limitations prescribed by law;~~
- ~~(46) Prepare and submit the office's budget to the controller; and~~
- ~~(57) Delegate to the personnel of the office the authority to act on behalf of the director.~~

Sec. 202-713. - Board of the office of public health and safety.

(a) *Established.* There is hereby established a board of the office of public health and safety pursuant to IC 36-3-4-23; ~~and concurrent and therewith is also established pursuant to IC 36-8-15-2 with respect to public safety communications and computer facilities as these terms are described in IC 36-8-15.~~

(b) *Members.* The board shall be composed of five (5) members: the director of the office of health and safety who serves as presiding member of the board; two (2) members appointed by the mayor and two (2) members appointed by the city-county council. Each appointed member shall serve a one-year term and until his or her successor is appointed and qualified, but serves at the pleasure of the appointing authority. In the event of a vacancy prior to the expiration of a term, the appointing authority shall appoint a member for the remainder of the unexpired term. ~~The members of the board of public safety as of April 11, 2016 as appointed by the mayor and city-county council respectively shall be the initial members of the board until December 31, 2016 or until successor or other members are appointed in accordance with this section.~~

(c) *Meetings.* The board shall hold regular meetings at least once a month, at times and places prescribed by its rules or established by resolution. No notice to members is required for holding or taking any action at a regular meeting. A special meeting of the board may be called by the presiding officer or by two-fifths ($\frac{2}{5}$) of the members, at any place in the county designated in the call. Each member shall be notified of the time and place of such a meeting by written notice that must be delivered, mailed or sent by telegram so that each member has at least seventy-two (72) hours' notice of the meeting. The notice requirements may be waived as to a member if he or she attends the meeting or executes a written waiver of notice. The waiver may be executed either before or after the meeting, but if executed after, it must state in general terms the purpose of the meeting.

(d) *Board action.* A majority of all the members of the board constitutes a quorum. A majority vote of all the board members is required to pass a resolution or to take any other official action.

(e) *Powers.* The board shall have the following powers in regard to the office of public health and safety and the city's police and fire departments.

- (1) To review all budgets prepared by the office of public health and safety and the city police and fire departments and to make recommendations, to those directors, ~~that as to any revisions the board feels desirable;~~
- (2) To approve the award and amendment of contracts let by the office of public health and safety and the city police and fire departments for the purchase or lease of capital equipment or other property where the contract is required to be bid under IC 5-22;
- (3) To approve the award and amendment of public construction contracts let by the office of public health and safety and the city police and fire departments that are required to be bid under IC 36-1-12;
- (4) To approve the acquisition of and leases for real estate by the office of public health and safety and the city police and fire departments;
- (5) To approve the employment of persons engaged by the office of public health and safety and the city police and fire departments by contract to render professional or consulting services;
- (6) To approve the disposal of property by the office of public health and safety and the city police and fire departments as specified in IC 36-1-11, excluding leases of real property, pursuant to

- IC 36-1-11, for the siting of cellular, digital personal communications systems, or other wireless communications systems towers and related equipment;
- (7) To make recommendations and suggestions the regarding the fiscal policy and management of the office of public health and safety and the city police and fire departments; and
- (8) ~~With respect to the public safety communications system, and computer facilities:~~
- ~~a. To have, in accordance with IC 36-8-15, the authority to finance, purchase, contract for, acquire, lease, construct, equip, erect, upgrade, install and maintain public safety communications and computer facilities for the public safety agencies that are subject to budget review by the city-county council;~~
 - ~~b. To ensure that any public safety agency of a political subdivision located within Marion County shall be entitled to receive any such services and/or equipment provided to it upon the request of such public safety agency at a cost to the requesting public safety agency no greater than the cost charged to provide said equipment or services to a public safety agency who is subject to budget review by the city-county council;~~
 - ~~c. To approve interlocal cooperation agreements with other political subdivisions for the financing, purchase, acquisition, lease, construction, equipping, erection, upgrade and installation and public safety communications and computer facilities for public safety agencies that are not subject to budget review by the city-county council;~~
 - ~~d. To coordinate all activities necessary to ensure compatibility of all public safety communications and computer systems within the public safety communications and computer facilities district established under IC 36-8-15-7; and~~
 - ~~e. To exercise such other powers and perform such other duties as are granted to the city and the county under IC 36-8-15 with respect to the implementation, financing, operation and maintenance of the public safety communications system and computer facilities; provided, however, no power or duty herein prescribed shall in any way be permitted to derogate the powers, duties or responsibilities of any elected officials;~~
- ~~provided that no bond to finance the purchase or lease of public safety communications systems or computer facilities equipment or the making of payments to a service provider under a contract for enhanced public safety communications systems or computer facilities shall be valid unless the council has first approved such bond; and~~
- (8) Any other powers granted to the board by law or by the mayor or the city-county council.

SECTION 2. Sections 202-721 through 202-726 of the "Revised Code of the Consolidated City and County," regarding the division of public safety communications within the office of public health and safety, hereby are deleted in their entirety.

SECTION 3. Sections 202-731 through 202-735 of the "Revised Code of the Consolidated City and County," regarding Indianapolis Emergency Medical Services, are hereby deleted in their entirety.

SECTION 4. Existing Sections 202-741 through 202-747 of the "Revised Code of the Consolidated City and County," regarding the Reuben Engagement Center, are hereby deleted in their entirety and replaced by the following text:

DIVISION 4. – REUBEN ENGAGEMENT CENTER AT THE ASSESSMENT & INTERVENTION CENTER

Sec. 202-741. - Facility.

The Assessment & Intervention Center (AIC) will operate out of a dedicated facility as part of the City's Community Justice Campus (CJC).

Starting in 2020, the Albert G. and Sara I. Reuben Engagement Center will operate at the AIC facility, whose residential area will be named the Reuben Engagement Center at the Assessment & Intervention Center. Where used in the remainder of this chapter, the term "AIC" includes the Reuben Engagement Center at the Assessment & Intervention Center.

Sec. 202-742. - Purpose.

(a) The AIC will provide a safe location for individuals eighteen (18) years of age and older who are experiencing mental health, behavioral health, or substance abuse issues. The AIC is intended to serve as an alternative to hospitalization or arrest for such individuals. The AIC will additionally provide a place to recover from temporary intoxication and/or behavioral or mental health episodes, and will offer clients related services and referrals to other resources.

(b) Persons are not required to have involvement or interaction with law enforcement or other first responder personnel prior to using the services of the AIC.

(c) Eligible arrestees may use the services of the AIC if the Marion County Sheriff's Office and the Marion County Prosecutor's Office determine that the arrestee meets appropriate protocols.

(d) The AIC will work with the Indianapolis Metropolitan Police Department (IMPD), the mobile crisis assistance teams (MCAT), and other agencies to ensure that an efficient, low-barrier process exists to voluntarily refer individuals eligible for AIC services to the AIC.

(e) Providing services to individuals experiencing homelessness who otherwise meet AIC eligibility criteria will be a priority for the AIC, but the AIC will not restrict its services exclusively to individuals experiencing homelessness. The AIC shall keep accurate records of individuals receiving its services who are experiencing homelessness.

Sec. 202-743. - Organization.

(a) The director of the Office of Public Health and Safety (OPHS) shall appoint an administrator who will be responsible for the day-to-day operations of the AIC. The administrator may be retained via contract with his or her employer.

(b) The OPHS director may also appoint, employ, or contract with such other persons as the director deems necessary or desirable.

(c) Contracts for such services as may be necessary or desirable in the operation of the engagement center, including staffing and management services consistent with applicable professional standards for the facility, shall be entered into by the office of public health and safety.

Sec. 202-744. - Advisory board.

The AIC advisory board is hereby established to help identify the barriers and gaps in serving those struggling with mental health, homelessness, and chronic substance abuse. The board will use evidence-based research to suggest alternatives and recommend solutions to the identified gaps and barriers, and to educate AIC staff and policy makers regarding research findings and recommendations.

The board will serve as the successor to the Reuben Engagement Center advisory board.

Sec. 202-745. - Board membership.

(a) The board shall be composed of sixteen (16) voting members who are residents of Marion County, and are actively working with those experiencing mental health issues, substance abuse issues (including drug and alcohol addiction), and/or homelessness, and have an interest in and knowledge of the barriers and needs of those experiencing such issues, and who are chosen as follows:

- (1) A representative from the Marion County Sheriff's Office, to be appointed by the sheriff;
- (2) A representative from the Marion County Prosecutor's Office, to be appointed by the prosecutor;
- (3) A representative from the Marion Superior Court or Marion County Probation, to be appointed by the executive committee of the Marion Superior Court;
- (4) A representative from the Marion County Public Defender Agency, to be appointed by the public defender;
- (5) A representative from Marion County Community Corrections, appointed by the director of Marion County Community Corrections;

- (6) A representative from the Indianapolis Metropolitan Police Department, appointed by the chief of the Indianapolis Metropolitan Police Department;
- (7) A representative from the faith-based community, to be appointed by the mayor;
- (8) A veteran of the armed forces, to be appointed by the mayor;
- (9) A representative from the Estate of Albert and Sara Reuben Trust, to be appointed initially by the president of the city-county council, with subsequent appointments to be made by the city-county council;
- (10) The director of the Office of Public Health and Safety (OPHS) or his or her designee;
- (11) A professional provider of services for people experiencing homelessness, appointed by the president of the city-county council, with subsequent appointments to be made by the city-county council;
- (12) A mental health professional, representing the Sandra Eskenazi Mental Health Center, to be appointed by the mayor;
- (13) A substance abuse/addiction professional, to be initially appointed by the president of the city-county council, with subsequent appointments to be made by the city-county council;
- (14) A representative of Indianapolis Emergency Medical Services, to be appointed by the mayor;
- (15) A medical health professional, to be initially appointed by the president of the city-county council, with subsequent appointments to be made by the city-county council; and
- (16) A person who is experiencing or has recently experienced homelessness, to be appointed by a majority vote of the other fifteen (15) board members.

In addition to the sixteen (16) voting members, the administrator of the AIC shall be an ex-officio, non-voting member of the board; provided, however, that the administrator may vote if the administrator's vote is necessary to break a tie.

(b) Each board member shall serve at the pleasure of the appointing authority for a term ending December 31 following appointment and until a successor is appointed. A member may be reappointed for successive terms.

(c) If any board member dies, resigns, vacates office or is removed from office, a new member shall be appointed to fill the vacancy in the same manner as the member in respect to whom the vacancy occurs was appointed.

(d) Any board member who fails to attend three (3) consecutive regular meetings of the board shall be treated as if he or she had resigned, unless sufficient written justification is submitted to and approved by the appointing authority. The administrator shall inform the appointing authority in writing of such board member's failure to attend three (3) consecutive regular meetings.

Sec. 202-746. - Officers, quorum, meetings.

(a) The voting members of the board shall select a chair and a vice-chair. A recording secretary who shall keep the official minutes of the meetings, reserve meeting room space, handle all of the communications, including but not limited to meeting notices, will be supplied by the Office of Public Health and Safety (OPHS). All official action of the board shall be in writing and be executed by the board upon being authorized by motion passed by the board by simple majority of its members present.

(b) A quorum of the board for official action in session shall be eight (8) of the sixteen (16) voting members. Official minutes of meetings shall be kept by the secretary.

(c) The board shall meet at least every month, or on special call of the chair, or upon written request of any eight (8) members.

Sec. 202-747. - Powers and duties of the board.

The board shall have the following powers and duties:

- (1) To create an AIC mission statement consistent with Section 742 of this Chapter;
- (2) To recommend policies and procedures to ensure that the goals identified in the mission statement are fulfilled;

- (3) To receive and review monthly reports from the administrator concerning the number of individuals served; the length of stay in the AIC; the services offered and received; the reasons why the persons came to the AIC; the status of programs designed to implement the AIC's mission statement, fiscal operation and budgetary needs; and such other information as the board may from time to time request;
- (4) To receive and review information regarding the status of voluntary referrals by IMPD or other law enforcement entities, development of post-arrest referral programs, and progress in developing the AIC as an alternative to hospitalization or criminal justice involvement;
- (5) To receive information and provide input regarding further construction and development of the AIC facility;
- (6) To receive and review information relating to the AIC's services to members of the community experiencing homelessness, and to ensure that the AIC continues to fulfill the mission statement of the Reuben Engagement Center;
- (7) To make recommendations to the director and the council concerning how the services and programs offered by the AIC should be modified; and
- (8) To submit to the council, the mayor and the OPHS director annual reports of its activities and operations.

SECTION 5. Sections 279-281 through 279-285 of the "Revised Code of the Consolidated City and County," regarding the homeland security division within the metropolitan police department, hereby are deleted in their entirety.

SECTION 6. A new Chapter 287 of the "Revised Code of the Consolidated City and County," concerning the Metropolitan Emergency Services Agency, emergency management board, and emergency management advisory commission, is added, to contain the text that appears as follows:

Chapter 287 – METROPOLITAN EMERGENCY SERVICES

DIVISION 1. - METROPOLITAN EMERGENCY SERVICES AGENCY

Sec. 287-101. - Metropolitan Emergency Services Agency

- (a) The Metropolitan Emergency Services Agency is created.
- (b) A chief shall be appointed by the mayor and confirmed by the emergency services agency board, and shall serve at the pleasure of the board.
- (c) The agency shall be comprised of three divisions:
 - (1) The emergency management division;
 - (2) The public safety communications division; and
 - (3) The emergency dispatch division, responsible for operating Marion County's public safety answering point (PSAP).

Sec. 287-102. - Emergency Services Agency Board established; appointments and members

- (a) There is hereby created the emergency services agency board (for purposes of this chapter, the "board"), pursuant to IC 36-3-4-23 and IC Chapter 36-8-15.
- (b) The board shall be composed of seven (7) members, consisting of:
 - (1) The chief of the Indianapolis Metropolitan Police Department, or his or her designee;
 - (2) The chief of the Indianapolis Fire Department, or his or her designee;
 - (3) Two (2) members who currently serve in command or supervisory positions in law enforcement, fire, or emergency response agencies in Marion County (other than the Indianapolis Metropolitan Police Department, Indianapolis Emergency Medical Services, the Indianapolis Fire Department, or the Marion County Sheriff's Office), appointed by the city-county council;
 - (4) The sheriff, or his or her designee;

- (5) The chief of Indianapolis Emergency Medical Services, or his or her designee; and
- (6) One (1) member appointed by the Mayor.

(c) Each appointed member shall serve a one-year term and until his or her successor is appointed and qualified, but serves at the pleasure of the appointing authority. In the event of a vacancy prior to the expiration of a term of an appointed member, the appointing authority shall appoint a member for the remainder of the unexpired term. Ex officio members serve on the board for as long as they hold the position that entitles them to board membership.

(d) Four (4) members of the board shall constitute a quorum, and a vote of the majority of members present shall be required to pass a resolution or take any official action, other than the confirmation or removal of the chief. When the board is voting to confirm the mayor's appointment of a chief or to remove the chief, the affirmative vote of at least four (4) members shall be required.

(e) The board is a public agency as that term is defined by IC 5-14-1.5-2, and its meetings shall be open, subject to the provisions of IC 5-14-1.5.

Sec. 287-103. - Powers and duties of the emergency services agency board

The board shall have the following powers and duties:

- (a) To review the Marion County emergency management plan created by the emergency management division and determine whether to endorse the plan to the mayor for final approval.
- (b) To establish and maintain procedures for emergency management planning.
- (c) To review and approve the following:
 - (1) The award and amendment of agency contracts for the purchase or lease of capital equipment or other property that are required to be bid under IC Article 5-22;
 - (2) The award and amendment of all agency ~~any~~ contracts for public construction or public works that are required to be bid under IC Chapter 36-1-12;
 - (3) The disposal of property by the agency as specified in IC 36-1-11, excluding leases of real property, pursuant to IC 36-1-11, for the siting of cellular, digital personal communications systems, or other wireless communications systems towers and related equipment; and
 - (4) All leases, acquisitions, or transfers of real property entered into by the agency.

This paragraph does not apply to contracts, leases, acquisitions, or transfers of real property pertaining to the public safety communications system. The board's powers and duties with respect to the public safety communications system are set forth in paragraph (f) below. The agency shall be entitled to forgo the requirement of board review of contracts that would otherwise be required under paragraph (c) during a disaster emergency declared pursuant to IC 10-14-3-12 or IC 10-14-3-29.

- (d) To confirm the mayor's appointment of the chief and to remove the chief.
- (e) With respect to the emergency dispatch system, the board shall have authority:
 - (1) To oversee emergency communications and the county public safety answering point (PSAP) pursuant to IC 36-3-1-5.1(d)(2).
 - (2) To lease, purchase, acquire, upgrade, install or maintain all supplies, equipment, facilities, or real property needed for the operations of the emergency dispatch system;
 - (3) To authorize the issuance of bonds or other obligations to purchase, or to pay any lease rentals for the lease of, all property or facilities needed for the operations of the emergency dispatch system;
 - (4) To pledge money in the emergency dispatch fund established pursuant to IC Chapter 36-8-16.7 for the purposes permitted by IC Chapter 36-8-16.7;

- (5) To exercise the authority formerly exercised by the chief of the Indianapolis Fire Department to enter into contracts with town or township firefighting companies or associations related to central dispatching programs in accordance with applicable law;
 - (6) To approve interlocal cooperation agreements with other political subdivisions for the financing, purchase, acquisition, lease, equipping, upgrade and installation of the emergency dispatch system and public safety answering point for public safety agencies of political subdivisions that are not subject to budget review by the city-county council;
 - (7) To exercise such other powers and perform such other duties as are consistent with IC Article 36-8 with respect to the implementation, financing, operation and maintenance of an emergency dispatch system and public safety answering point, except as such powers and duties may be delegated by statute to other officers or agencies; and
 - (8) To ensure that the PSAP meets national accreditation standards
- (f) With respect to the public safety communications system, and computer facilities, the board shall serve as the governing body of the Indianapolis-Marion County public safety communications system and computer facilities-district pursuant to IC 36-8-15-9, including the following powers and duties:
- (1) To finance, purchase, acquire, lease, erect, install, construct, equip, upgrade, operate, and maintain public safety communications and computer facilities for the public safety agencies that are subject to budget review by the city-county council, in accordance with the procedures set forth in IC Chapter 36-8-15.
 - (2) To sue, be sued, plead, and be impleaded.
 - (3) To condemn, appropriate, lease, rent, purchase, and hold any real or personal property needed or considered useful in connection with facilities for the district's purposes, in accordance with the procedures set forth in IC Chapter 36-8-15.
 - (4) To acquire real or personal property by gift, devise, or bequest, and hold, use, or dispose of that property for purposes authorized by IC Chapter 36-8-15.
 - (5) To design, order, contract for, construct, and equip any facilities for the district's purposes, in accordance with the procedures set forth in IC Chapter 36-8-15.
 - (6) To employ architects, engineers, attorneys, auditors, clerks, construction managers, and other employees necessary for the financing, erection, and equipping of facilities for the district's purposes.
 - (7) In accordance with IC 36-8-15-15 and subject to the limitations imposed by IC 36-8-15-16 and all other limitations and conditions under state law, to issue bonds in the name of the consolidated city. However, no bond to finance the purchase or lease of public safety communications system or computer facilities equipment shall be valid unless the city-county council has first approved such bond.
 - (8) To make and enter into all contracts and agreements necessary or incidental to accomplishing the purposes of the district, in accordance with the procedures set forth in IC Chapter 36-8-15.
 - (9) To review and approve requests by a public safety or public service agency of a political subdivision located within Marion County for access to the public safety communications system, including provision of equipment, services, or supplies. Any such requesting agency shall be entitled to receive such equipment, services, or supplies at a cost to the requesting agency no greater than the cost charged to provide said equipment, services, or supplies to a public safety agency that is subject to budget review by the city-county council. However, the board shall be entitled to determine, based on the input of the requesting agency and the recommendation of the public safety communications division, the appropriate quantity of such equipment, services, or supplies to be provided on this cost-parity basis, based on the reasonable needs of the requesting agency. Provision of equipment, services, or supplies to any such requesting agency in any quantity above that determined by the board will be subject to the rate set by the commission.
 - (10) To approve interlocal cooperation agreements with other political subdivisions for the financing, purchase, acquisition, lease, construction, equipping, erection, upgrade and installation of public safety communications and computer facilities for public safety and public service agencies of political subdivisions that are not subject to budget review by the city-county council.

(11) To coordinate all activities necessary to ensure compatibility of all public safety communications and computer systems within the public safety communications and computer facilities district established under IC 36-8-15-7.

(12) To exercise such other powers and perform such other duties as are granted to the city and the county under IC Chapter 36-8-15 with respect to the implementation, financing, operation and maintenance of the public safety communications system and computer facilities; provided, however, no power or duty herein prescribed shall in any way be permitted to derogate the powers, duties or responsibilities of any elected officials.

Sec. 287-104. - Marion County Emergency Management Advisory Commission established; appointments and members

(a) The Marion County emergency management advisory commission (for purposes of this Chapter, the "commission") hereby is established pursuant to IC 10-14-3-17 and shall serve as the county emergency management advisory council for Marion County pursuant to the statute. The commission shall also perform the functions formerly performed by the emergency communications advisory commission.

(b) The commission shall consist of the following members:

- (1) The mayor or the mayor's designee;
- (2) The president of the city-county council or his or her designee;
- (3) The chief of the Indianapolis Metropolitan Police Department or his or her designee;
- (4) The chief of the Indianapolis Fire Department or his or her designee;
- (5) The mayors of Lawrence, Beech Grove, and Southport or their designees, and the president of the town council of Speedway or his or her designee;
- (6) A member of a township fire department, who shall be elected by majority vote at a meeting of elected township trustees; and
- (7) A member of an excluded city law enforcement agency and a member of an excluded city fire department agency, who shall be appointed by majority vote at a meeting of the mayors of Lawrence, Beech Grove and Southport and the president of the town council of the Town of Speedway;
- (8) A member of a school corporation or institution of higher education public safety's law enforcement or emergency management system appointed by the city-county council president;
- (9) A member designated by the commander of Indiana Group V of the Indiana Wing Civil Air Patrol;
- (10) A member of a legislative body of an excluded city or included town, designated by the president of the city-county council in consultation with the legislative bodies of the excluded cities and included towns;
- (11) The sheriff or his or her designee;
- (12) The chief of Indianapolis Emergency Medical Services (IEMS), or his or her designee;
- (13) The director of the Marion County Public Health Department, or his or her designee; and
- (14) The chief of the emergency services agency, or his or her designee.

(c) All commission members shall serve one-year terms and may be appointed for successive terms. A member shall serve until his or her successor is appointed and qualified.

(d) The chief of the emergency services agency or the chief's designee shall serve as the chairperson of the commission.

(e) The commission shall meet at least six (6) times each calendar year or at such times as necessary and upon the call of the chairperson. The commission is a public agency as that term is defined by IC 5-14-1.5-2, and its meetings shall be open, subject to the provisions of IC 5-14-1.5. Six (6) members of the commission constitutes a quorum for a meeting. The affirmative vote of a majority of members present shall be required for the commission to pass any resolution or take any other official action.

Sec. 287-105. - Duties and powers of the commission.

(a) The commission shall exercise general supervision and control over the emergency management division of the emergency services agency, and shall provide input to the director of the public safety

communications division regarding the public safety communications system and to the director of the emergency dispatch division regarding the 911 emergency dispatch system:

(b) The commission shall confirm the chief's appointment of the director of the emergency management division.

(c) The commission shall hear all rate cases for services provided by the division of public safety communications to be established for customers and forward recommendations to the city-county council for final approval.

(d) The fee per unit of equipment for those authorized by the commission and approved by the chief of the emergency services agency shall be approved in accordance with this chapter.

(e) The commission will hear all requests for access to the public safety communications systems, with the exception of those pertaining to public safety and public service agencies of political subdivisions within Marion County as defined in section 287-103(f)(9), and will make a recommendation for approval to the division director of public safety communications.

(f) The commission may recommend a lower use fee structure for equipment on the system for consideration in the sharing of another user's infrastructure, capital equipment and/or services to be rendered through an interlocal agreement to be executed by the chief of the emergency services agency.

Sec. 287-106. - Chief; Qualifications; Duties and powers.

(a) The chief shall have the following duties and powers:

(a) (1) To oversee the daily operation of the agency.

(b) (2) To oversee, supervise and coordinate the activities and operations of the divisions within the agency.

(c) (3) To appoint directors of the agency's divisions. The chief's appointment of the director of the emergency management division shall be subject to confirmation by the commission. The chief shall supervise the directors, who serve at the pleasure of the chief.

(d) (4) To negotiate and execute contracts on behalf of the agency, subject to the approval authority of the board where applicable.

(e) (5) To initiate, prepare, submit and administer the agency's budget in accordance with applicable law.

(f) (6) To appoint, receive, suspend, discipline and transfer members of the agency pursuant to applicable rules, regulations and statutes.

(g) (7) To exercise any powers that may be granted by law, by the mayor, or by the city-county council.

(b) To be eligible for appointment by the mayor and confirmation by the board as chief, a person must have at least one of the following minimum qualifications:

(1) At least fifteen (15) years of service, including command or supervisory experience, with a federal, state, or municipal (with a population at least 100,000) law enforcement agency, emergency medical services agency, or fire department; or

(2) A four-year degree from an accredited institution of higher learning in public administration, emergency management, homeland security, or a related academic field.

DIVISION 2. - EMERGENCY MANAGEMENT DIVISION

Sec. 287-201. - Emergency Management; Purpose.

Because of the substantial natural, technological, human-caused and national security hazards faced by the city and because of the need to establish a continuing program for preventing, preparing for, responding to and recovering from emergencies in an orderly way, this article sets forth a mechanism for emergency management planning. It is intended to supplement the Emergency Management and Disaster Law (IC 10-14-3-1 et seq.).

Sec. 287-202. - Definitions.

As used in this article, the following terms shall have the meanings ascribed to them in this section.

Coordination means the establishment of effective communications linkages and other actions, both of a routine and emergency nature, necessary for the orderly development of the county emergency management plan and for the response to and the recovery from emergencies.

Emergency means occurrence or imminent threat of loss of life, illness or injury, damage to public property, private property or the environment resulting from any technological, human-caused, natural or national security hazard including, but not limited to, floods, earthquakes, severe wind, fires, storms, tornadoes, mass transportation accidents, releases of hazardous materials and substances, oil spills, explosions, droughts, riots, structural failure, public extortion, hostage taking, strikes by essential workers, attack, military action, infestations, epidemic, fuel or resource shortages.

Emergency management means all measures associated with the prevention and mitigation of the effects of major emergencies, development of plans and preparedness for emergencies, response to the acute effects of emergencies, preparation for and management of major events, and recovery from emergencies of all kinds.

Local disaster emergency means a major emergency that has resulted in a formal declaration of local state of emergency by the mayor.

Major emergency means an emergency or threat of emergency that causes loss of life, injury, illness or damage to public or private property or the environment to a degree greater than that which occurs on a regular basis in the county.

Human-caused hazards means threats attributable to intentional disruptive actions by humans, including such episodes as riots, public extortion or strikes by essential workers.

Mitigation means the prevention or the lessening of effects of emergencies when and where possible including the adoption of appropriate ordinances and regulations.

National security hazards means and includes threats attributable to acts or threat of acts by another government, including such episodes as accidental launch of a nuclear or conventional bomb, limited nuclear or conventional warfare, general nuclear or conventional warfare, or any peacetime emergency that poses a serious threat to the national security.

Natural hazards mean threats attributable to forces of nature, including such episodes as floods, earthquakes, tornadoes or epidemics.

Preparedness means all of the measures taken preparatory to emergency response and recovery actions including, but not limited to, the preparation and distribution of emergency management plans, training programs for citizens and emergency forces workers, and emergency information, warning and communications systems.

Recovery means all actions necessary to restore life, limb, property and environment to a condition as nearly like that which prevailed prior to an emergency as possible.

Response means all of the actions necessary to effectively respond to acute need for protection of life, limb, public property, private property and the environment during an emergency.

Technological hazards mean serious threats attributable to inventions or products of humankind, including such episodes as structural failures, mass transportation accidents, releases of hazardous materials, fires in multiple occupancy buildings.

Sec. 287-203. - Created; duties and powers.

The emergency management division shall:

- (a) Coordinate and direct the development of a county emergency management plan, for approval by the chief and presentation to the emergency services agency board, that shall involve all sectors of government and the private sector, shall address all threats or emergencies from all hazards, including natural, technological, man-caused and national security hazards, and shall include mitigation, preparedness, response and recovery activities;
- (b) Prepare, disseminate and maintain in current status a county emergency management plan that addresses in detail the response to and recovery from major emergencies occurring in Marion County, and that, upon approval by the emergency services agency board and the mayor, shall be the sole emergency management plan for the county and shall be filed in the office of the Marion County Clerk; no police or private organizations shall develop emergency operating or disaster plans or procedures that are in conflict with the county emergency management plan except where specifically authorized by ordinance, statute or federal law or regulation;
- (c) Designate and manage an emergency operations center to which senior government officials and chief coordinators designated in the county emergency management plan may respond to formulate and disseminate decisions regarding the management of a major emergency; homeland security may also designate such auxiliary emergency operations centers as may be necessary;
- (d) Coordinate the development and execution of tests, drills and exercises of the county emergency management plan or any of its parts;
- (e) Be responsible for monitoring hazardous conditions of any kind in the county, making recommendations to the mayor and director of public health and safety concerning emergency measures and activating the county emergency management plan after the declaration of a local disaster emergency by the mayor and for coordinating response and recovery operations associated with a major emergency;
- (f) Serve as the county emergency management organization for Marion County for the purposes of IC Chapter 10-14-3 and fulfill all duties and responsibilities placed on the county emergency management organization by statute; and
- (g) Be authorized to seek and apply for grants, contracts and other sources of funding necessary or in support of its duties from the federal government, state government and nongovernmental public and private sources.
- (h) Ensure compliance with the restrictions on political activities and affiliations set forth in IC 10-14-3-26 and IC 10-14-3-27, to the extent applicable to the division and its personnel.

Nothing in this Chapter shall be construed to affect the emergency powers granted to the Mayor under Section 201-5 of the Code and under applicable state law.

Sec. 287-204. - Director; Qualifications; Duties and powers.

- (a) A director shall oversee and manage the operations and functions of the division of emergency management. The chief of the emergency services agency shall appoint the director, for confirmation by the commission. Prior to submitting a director appointment to the commission for confirmation, the chief shall obtain the approval of the mayor. Once appointed and confirmed, the director shall serve at the pleasure of the chief.
- (b) To be eligible for appointment by the chief and confirmation by the commission as director, a person must possess at least one of the following minimum qualifications:

- (1) At least ten (10) years of service, including command or supervisory experience, with a federal, state, or municipal (with a population at least 100,000) law enforcement agency, emergency medical services agency, or fire department; or
- (2) A four-year degree from an accredited institution of higher learning in public administration, emergency management, homeland security, or a related academic field.

(c) The division director shall manage the division, its personnel, activities and operations to fulfill its duties required by law, and shall ensure that the division fulfills the duties and powers granted to it under Section 287-203 above.

(d) The division director shall fulfill all other duties and responsibilities placed on the Marion County emergency management and disaster director by IC 10-14-3-17.

Sec. 287-205. - Emergency communications and warning.

- (a) The emergency management division shall coordinate the development of an emergency communications and warning system that will allow for the dissemination of warning to potential responders and the general public, to effectuate the notification of appropriate response agencies and individuals and to distribute and receive information to and from potential emergency responders and the general public regarding an emergency condition.
- (b) The emergency management division shall develop and maintain an integrated system for warning the public, which may include the deployment of public warning sirens, the development of voice radio systems, coordination of the mobilization of cable television systems, coordination of the county's participation in the emergency broadcast system, and any other appropriate systems that may become available.
- (c) The emergency management division's exercise of responsibilities with respect to emergency communications is conditioned on the execution of an interlocal agreement with the Sheriff to the extent that it implicates "emergency communications" functions reserved to the Sheriff under IC 36-3-1-5.1.

DIVISION 3. - PUBLIC SAFETY COMMUNICATIONS DIVISION

Sec. 287-301. - Purpose and authority.

(a) With respect to public safety communications, pursuant to IC 36-8-15-7, a public safety communications systems and computer facilities district is created in the county as a special taxing district of the consolidated city. The territory of the district includes the entire county. The purpose of the district is as stated in IC 36-8-15-8.

(b) As used in this chapter, public safety communications system has the same definition as in IC 36-8-15-3, and computer facilities means computer hardware and computer software, and all related equipment, apparatus, devices and instrumentalities necessary for the proper operation of the public safety communications system within the public safety communications and computer facilities district established under IC 36-8-15-7.

(c) The division of public safety communications shall be responsible for operating public safety communications system and computer facilities, as defined by IC 36-8-15, for all participating public safety and public service agencies of political subdivisions in the district.

Sec. 287-302. - Director of public safety communications division; duties.

(a) The chief of the emergency services agency shall appoint a division director, who shall possess qualifications necessary to perform the duties required. The director shall serve at the pleasure of the chief.

(b) The division director shall manage the division, its personnel, activities and operations to fulfill its duties required by law; receive and review with comment and recommendation all reports, requests and documents on public safety communications operations in the county; and coordinate with participating

governments and agencies all activities necessary to ensure compatibility of the public safety communications systems and computer facilities.

(c) With respect to public safety communications, the division director shall be responsible for financing, purchasing, contracting for, acquiring, leasing, constructing, equipping, erecting, upgrading, and installing a public safety communications system and computer facilities for the district established under IC 36-8-15-7, including all participating public safety and public service agencies of political subdivisions within Marion County, subject to the powers of the emergency services agency board as outlined in this chapter.

DIVISION 4. - EMERGENCY DISPATCH DIVISION

Sec. 287-401. - Purpose and Authority.

(a) The emergency dispatch division shall administer and operate the county's "911" emergency dispatch system, fulfilling the functions of a public safety answering point (PSAP) as defined by Indiana Code Chapter 36-8-16.7 and 36-3-1-5.1.

(b) The division shall assume the responsibilities formerly discharged by the Sheriff and the Indianapolis Fire Department with respect to emergency dispatch. The emergency services agency shall enter into agreements with the Sheriff and the Indianapolis Fire Department to effectuate the transition of employment to the division for personnel currently employed in the emergency dispatch system.

(c) The emergency dispatch division's exercise of these duties and responsibilities formerly exercised by the Sheriff is conditioned on the execution of an interlocal agreement with the Sheriff to the extent that it implicates the "emergency communications" functions reserved to the Sheriff under IC 36-3-1-5.1.

Sec. 287-402. - Director of emergency dispatch division; duties.

(a) The chief of the emergency services agency shall appoint a division director, who shall possess qualifications necessary to perform the duties required. The director shall serve at the pleasure of the chief.

(b) The division director shall manage the division, its personnel, activities and operations to fulfill its duties required by law; receive and review with comment and recommendation all reports, requests and documents on 911 emergency dispatch operations in the county; and coordinate with participating governments and agencies all activities necessary ensure the efficient functioning of the emergency dispatch system.

(c) With respect to 911 emergency dispatch, the division director shall be responsible, subject to the approval authority of the emergency services agency board as provided in this chapter, for all purchasing, financing, contracting for, acquiring, leasing, constructing, equipping, upgrading, and maintenance activities necessary for the operation of the system. Funds from the statewide 911 fund shall, as directed by the emergency services agency board, be employed for this purpose.

(d) The director shall have the authority to negotiate and enter into contracts with a service supplier for the provision of services related to 911 emergency dispatch.

(e) The director shall oversee the administration and direction of all agreements and operation of the applications and equipment associated with the Criminal Justice Information Services (CJIS) of the Federal Bureau of Investigation and the Indiana Data and Communications System (IDACS) of the Indiana State Police.

SECTION 7. A new Article IV, concerning Indianapolis Emergency Medical Services, is added to Chapter 252 of the "Revised Code of the Consolidated City and County," to contain the text that appears as follows:

ARTICLE IV. – INDIANAPOLIS EMERGENCY MEDICAL SERVICES**Sec. 252-401. - Definition; purpose.**

(a) As used in this article, IEMS means the Indianapolis Emergency Medical Services Division.

(b) Subject to an interlocal agreement, IEMS shall be responsible for providing transport emergency medical services pursuant to IC 36-3-1-6.2 throughout the fire special service district as defined in section 111-3 of this Code, and in those areas in which the Indianapolis fire department has contracted to provide transport emergency medical services.

Sec. 252-402. - Chief; qualifications and appointment.

(a) IEMS shall be administered by a chief who is approved by both the Health and Hospital Corporation of Marion County and the mayor.

(b) The IEMS chief will be appointed for a term of four (4) years, renewable without limitation. The IEMS chief may be removed, with or without cause, upon the agreement of the Health and Hospital Corporation of Marion County and the mayor.

Sec. 252-403. - Chief; responsibilities generally.

The Health and Hospital Corporation of Marion County acting through the IEMS Chief shall have full administrative responsibility for IEMS including operations, patient care, quality and performance improvement, continuing education, personnel and budget recommendations to the IEMS steering committee.

Sec. 252-404. Steering committee.

(a) The IEMS steering committee is established and shall be comprised of four (4) members as follows:

- (1) Two (2) members shall be selected by the mayor, in consultation with the chief of the Indianapolis Fire Department; and
- (2) Two (2) members shall be selected by the chief executive of the Health and Hospital Corporation of Marion County.

(b) Steering committee members shall serve at the pleasure of the appointing authority, and without compensation. The steering committee annually shall select one of its members to act as chairperson, and shall meet upon the call of the chairperson as frequently as needed.

(c) The steering committee will provide oversight and direction to IEMS. The steering committee's powers and responsibilities shall be delineated in an interlocal agreement between the City and the Health and Hospital Corporation.

Sec. 252-405. Automated external defibrillators.

(a) *Definitions.* For purposes of this section, the following terms shall have the following meanings:

Automated external defibrillator (or "AED") means a medical device, approved by the United States food and drug administration, that:

- (1) Is capable of recognizing the presence or absence in a patient of ventricular fibrillation and rapid ventricular tachycardia;
- (2) Is capable of determining, without intervention by an individual, whether defibrillation should be performed on a patient;
- (3) Upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to a patient's heart; and
- (4) Upon action by an individual, delivers an appropriate electrical impulse to a patient's heart to perform defibrillation.

Owner or operator means the owner, manager, operator, or other person or persons having control of a public place.

Public place means the publicly accessible areas of the following places to which the public is invited or permitted:

- (1) Public buildings maintained by any office, department or agency of the Consolidated City of Indianapolis and Marion County;
- (2) All parks under the jurisdiction of the department of parks and recreation that have facilities where an AED can be secured with access by staff; and
- (3) All sports and recreational facilities under the jurisdiction of the department of parks and recreation that have facilities where an AED can be secured with access by staff.

(b) An owner or operator of a public place shall do the following in order to meet this code's AED requirements for public places:

- (1) Ensure that an AED is located on the premises and is easily accessible to staff and emergency response teams;
- (2) Employ at least one individual who has satisfactorily completed a course consistent with the most current national guidelines for, and is currently certified in, cardiopulmonary resuscitation and AED use;
- (3) Post a sign at each public entrance that indicates the location of the AED;
- (4) Ensure compliance with the requirements of IC 16-31-6.5; and
- (5) Notify IEMS of the location of the AED.

(c) A person is immune from civil liability for acts or omissions involving the use or failure to use an AED located on the premises of a public place as provided under IC 34-30-12-1.

SECTION 8. Section 135-521 of the "Revised Code of the Consolidated City and County," regarding the Public Safety Communications General Fund, hereby is amended by the deletion of the language that is stricken and the addition of the language that is underscored, to read as follows:

Sec. 135-521. - Public Safety Communications ~~General~~ Fund.

(a) There is hereby created a special nonreverting fund to be designated as the "Public Safety Communications ~~General~~ Fund". With the exception of the revenues derived from the levy of taxes imposed under the authority of IC 36-8-15-19, the auditor shall deposit into such fund all moneys received by or credited to the ~~office of public health and safety~~ Metropolitan Emergency Services Agency, public safety communications division, ~~in the performance of its functions and duties with respect to public safety communications~~, and other moneys duly appropriated during each year, as approved by the city-county council, and as provided by law.

(b) This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of the year, and such balances shall not lapse into the county general fund or be diverted directly or indirectly in any manner other than set forth in subsection (c).

(c) Moneys in the Public Safety Communications ~~General~~ Fund may be used for expenses incurred in carrying out the functions and duties of the Metropolitan Emergency Services Agency, public safety communications division ~~office of public health and safety~~ in the performance of its functions and duties with respect to public safety communications.

(d) Amounts shall be paid from this fund only pursuant to appropriations authorized by the city-county council in the normal budgeting processes.

SECTION 9. Section 135-531 of the "Revised Code of the Consolidated City and County," regarding the Emergency Telephone System Fund, hereby is amended by the deletion of the language that is stricken and the addition of the language that is underscored, to read as follows:

Sec. 135-531. - 911 Emergency Telephone System Dispatch Funds.

(a) There is hereby created a special, nonreverting fund to be designated as the "911 Emergency Telephone System Dispatch Fund". The treasurer shall deposit into such fund all distributions received by or credited to the Metropolitan Sheriff's Department Emergency Services Agency, public safety communications division and/or emergency dispatch division from the statewide 911 fund pursuant to IC ~~36-8-16.5-18~~ Chapter 36-8-16.7.

(b) This fund shall be a continuing, nonreverting fund, with all balances remaining therein at the end of the year, and such balances shall not lapse into the county general fund or be diverted directly or indirectly in any manner other than that set forth in subsection (c).

(c) The county treasurer may invest money in this fund in the same manner that other money of the county may be invested, but all income earned from the investment must be deposited into this fund.

(d) Moneys in the 911 Emergency Dispatch Fund shall be used only for purposes ~~allowed by~~ consistent with IC ~~36-8-16.5-41~~ Article 36-8.

(e) Amounts shall be paid from this fund only pursuant to appropriations authorized by the city-county council.

SECTION 10. Section 281-614 of the "Revised Code of the Consolidated City and County," regarding the Sheriff's responsibilities with respect to the enhanced emergency telephone system and public safety answering point, is hereby deleted in its entirety.

SECTION 11. Sections 202-761 through 202-767 of the "Revised Code of the Consolidated City and County," regarding the office of public health and safety's division of community nutrition and food policy, hereby are amended by the deletion of the language that is stricken and the addition of the language that is underscored, to read as follows:

DIVISION 6. DIVISION OF COMMUNITY NUTRITION AND FOOD POLICY**Sec. 202-761. Purpose.**

The division of community nutrition and food policy shall be responsible for addressing racial inequity in the food system, creating an inclusive mechanism to launch and coordinate food policies and programs, reducing food insecurity in Indianapolis, and improving equitable access to healthy food in Indianapolis, with a focus on supporting the local food economy and food infrastructure of food-desert and low access areas.

Sec. 202-762. Administrator; duties.

- (a) The director of the office of public health and safety shall appoint an administrator for the division of community nutrition and food policy.
- (b) The administrator shall manage the division, shall serve as the principal advisor to the mayor's office on matters related to food insecurity, food access, food procurement and food equity, and shall coordinate city-county government and government facility policies, programs and initiatives on matters related to food insecurity, food access, food procurement and food equity.

Sec. 202-763. Indianapolis Community Food Access Coalition.

- (a) The Indianapolis Community Food Access Coalition ("coalition") is hereby recognized as an independent, community-driven body comprised of diverse residents, constituents, business owners, farmers, educators, community organizations and other stakeholders who share a common goal of improving the Indianapolis food system, whose purpose is to promote policies relating to food equity and healthy food access across all levels of city and county government; to provide independent, community-based advice to policy-makers, local organizations, and funders regarding major food initiatives and community investments; to conduct regular assessments and analyses of the Indianapolis food system and communicate findings; and to serve as a forum to empower stakeholders and community members.

- (b) The administrator of the division of community nutrition and food policy shall serve as the chief liaison between the coalition and the city-county government. The administrator may act as a member of the coalition or of its executive committee but shall receive no compensation for such roles.
- (c) The coalition shall be independent of the City of Indianapolis, with its own by-laws, charter, and other organizing documents, and shall raise, receive, and spend funds independently of, and without direct control by, the city and the office of public health and safety.
- (d) The coalition shall recommend to the mayor four (4) individuals for appointment ~~appoint three members of its executive committee to sit on the Indianapolis Community Food Access Advisory Commission, as provided in section 202-7655(a)(6) below.~~
- (e) The city-county council shall allocate funding annually, to be appropriated to the office of public health and safety, division of community nutrition and food policy, for the support of the food equity mission and activities of the coalition. The division of community nutrition and food policy shall coordinate with the coalition as appropriate in initiatives related to healthy food access and food equity.

Sec. 202-764. Indianapolis Community Food Access Advisory Commission.

The Indianapolis Community Food Access Advisory Commission ("commission") is hereby established. The commission shall to evaluate and advance citywide food policy and food access initiatives and provide advice to the city-county council on matters related to food equity and healthy food access.

The commission shall use an inclusive and transparent process to promote policies relating to food equity and healthy food access across all levels of city and county government; shall provide independent, community-based advice to policy-makers, local organizations, and funders regarding major food initiatives and community investments; shall conduct regular assessments and analyses of the Indianapolis food system and communicate findings; and shall serve as a forum to empower stakeholders and community members.

Sec. 202-765. Commission membership.

- (a) The commission shall be composed of thirteen (13) voting members who are chosen as follows:
 - (1) The administrator of the division of community nutrition and food policy as a permanent member, who will serve as a co-chair;
 - (2) ~~A member of the coalition executive committee, appointed by the mayor based on the recommendation of the coalition, who will serve as a co-chair;~~
 - (23) A business owner or employee of an organization that promotes economic development in the city, to be appointed by the mayor;
 - (34) A member with professional experience in transit, housing or public safety, to be appointed by the mayor;
 - (45) Three (3) members with professional experience serving Marion County community organizations involved in food equity, food access, or food insecurity issues, consisting of one (1) public health administrator to be appointed by the Marion County Public Health Department and two (2) members to be appointed by the city-county council;
 - (56) Three (3) Marion County residents who are farmers or food entrepreneurs, consisting of one member designated by Purdue Extension – Marion County and two (2) members to be appointed by the city-county council, of whom at least one member will be age 25 or younger including at least one individual under the age of 25, to be appointed by the city-county council; and
 - (67) Four (4) Three (3) members of the community to be appointed by the mayor based on the recommendation of the coalition, one of whom will be selected by the commission to serve as the other co-chair.
- (b) All non-permanent members shall serve at the pleasure of the appointing authority and serve three-year terms. Members may be appointed for up to two (2) successive terms, with the possibility for

reappointment after at least one intervening term of non-service. A member and shall serve until his or her successor is appointed or qualified.

- (c) In the event of a vacancy prior to the expiration of a term, the appointing authority shall appoint a member for the remainder of the unexpired term.

Sec. 202-766. Commission officers, quorum, meetings.

- (a) The administrator of community nutrition and food policy and the community appointee-coalition executive-committee appointee selected by the commission for the role shall serve as the co-chairs of the commission. A recording secretary who shall keep the official minutes of the meetings, reserve meeting room space, handle all communications, including but not limited to meeting notices, will be supplied by the office of public health and safety.
- (b) Seven (7) ~~Six (6)~~ members of the commission shall constitute a quorum.
- (c) The commission shall meet at least quarterly, and as often as necessary to carry out its duties.

Sec. 202-767. Duties of the commission.

The commission shall have the following duties:

- (a) Identify community needs and goals related to healthy food access, food equity, and the food economy with priority given to low income and food desert areas.
- (b) Establish opportunities to connect retail and for-profit food operations with funding resources to include community development grants, healthy food financing and other economic development opportunities.
- (c) Receive information from city-county agencies on the food equity impact of each agency's work, and make recommendations to the city-county council concerning more effective coordination of city-county food-related functions by the division of community nutrition and food policy.
- (d) Regularly collect data to assess existing food policies and recommend new policies that address food access and food inequity issues in the city.
- (e) No later than July 1 of each year, offer recommendations to the office of public health and safety and the city-county council concerning the budget priorities of the division of community nutrition and food policy for the coming year.
- (f) Provide oversight and guidance to the Indianapolis Community Food Access Coalition.
- (g) Set rules for its governance and establish its procedures for conducting public meetings as permitted or required by law.
- (h) Submit an annual report of its activities and recommendations to the city-county council.

The commission shall carry out its duties in this subsection in accordance with the purposes set forth in section 202-7561.

SECTION 12. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4- 14.

The foregoing was passed by the City-County Council this 13th day of September, 2021, at 9:06 p.m.

ATTEST:



SaRita Hughes
Clerk, City-County Council


 Vop Osili
 President, City-County Council

SaRita Hughes
Clerk, City-County Council

Approved and signed by me this 21st day of September, 2021.

Joseph H. Hogsett, Mayor

STATE OF INDIANA, MARION COUNTY)) SS:
CITY OF INDIANAPOLIS)

I, SaRita Hughes, Clerk of the City-County Council, Indianapolis, Marion County, Indiana, do hereby certify the above and foregoing is a full, true, and complete copy of Proposal No. 291, 2021, a Proposal for a GENERAL ORDINANCE passed by the City-County Council on the 13th day of September, 2021, by a vote of 24 YEAS and 0 NAYS and was retitled General Ordinance No. 40, 2021, which was signed by the Mayor on the 21st day of September, 2021, and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Indianapolis, Indiana, this 21st day of September, 2021.

SaRita Hughes
Clerk, City-County Council

GENERAL ORDINANCE RECORD 2021

2020-2023

2020-2023

9/13/2021 9:06 PM

Proposal: PROP21- 291

Ordinance: G.O. 40 (PASSED)

Sponsor: Robinson

Action: Adopt

Committee: Public Safety and Crim. Just.

Yea: 24

Nay: 0

Abstain: 0

Not Voting: 0

Excused: 1

Yea - 24

Adamson
Bain
Barth
Boots
Brown
Carlino

Dilk
Evans-E
Evans-J
Graves
Gray
Hart

Jackson
Jones
Larrison
Lewis
Mascari
McCormick

Mowery
Oliver
Osili
Potts
Ray
Robinson

Nay - 0

Abstain - 0

Excused - 1

Annee

Excused - 0