



Date: September 08, 2021  
Current Meeting: September 16, 2021  
Board Meeting: September 23, 2021

**BOARD MEMORANDUM**

**TO:** Indianapolis Public Transportation Corporation (IPTC) Board of Directors  
**THROUGH:** President/CEO Inez P. Evans  
**FROM:** General Counsel Jill D. Russell  
**SUBJECT:** Consideration and Approval of Transfer of Red Line Real Estate

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**ACTION ITEM A – 4**

**RECOMMENDATION:**

In a manner and consistent with IPTC standards and pursuant to State and Local requirements, it is requested that the Board direct the President/CEO, on behalf of IPTC, to execute all such documents, instruments, certificate and papers necessary and appropriate to carry out the transactions contemplated by the attached Resolution in such form and substance as may be deemed proper and necessary, and execute such documents, including, without limitation, the purchase agreement providing for transfer of real estate acquired for the construction of Phase I of the Red Line to the City of Indianapolis.

**BACKGROUND:**

On or about July 10, 2018, the City, by and through DPW, and the IPTC entered into an Interlocal Cooperation Agreement (“ICA”) for Implementation of the Marion County Transit Plan, which governs the parties’ relationship with regard to the IPTC’s construction and operation of bus rapid transit lines (“BRTs”) in the public rights-of-way of Indianapolis (the “City”). Pursuant to the ICA, IPTC is obligated to acquire any additional public rights-of-way necessary to construct and operate any portion of the BRTs. Following completion of construction of any of the BRTs, IPTC is obligated to transfer any acquired right-of-way to DPW at no cost to the City. Indiana Code § 36-1-11-8 authorizes governmental entities to transfer or exchange real property among themselves upon terms and conditions agreed upon by the entities as evidenced by adoption of substantially identical resolutions by each entity. The Board of Public Works (DPW/City) was scheduled to adopt a resolution substantially similar to this Resolution at its September 22, 2021 scheduled meeting.

**DISCUSSION:**

Approval of the transfer would be in accordance with the ICA and would be in the best interests of the Corporation and the public to approve and authorize IPTC to transfer the real estate interests acquired for construction of Phase I of the Red Line Bus Rapid Transit Line, to the City, as more particularly described on Exhibit A attached to this Resolution and incorporated herein by this reference, for no monetary consideration.

**ALTERNATIVES:**

The Board can choose to not transfer the property but would be in violation of the ICA.

**FISCAL IMPACT:**

Not applicable.

**DBE/XBE DECLARATION:**

Not applicable.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

This action will be reviewed by the Service Committee on September 16, 2021.