

ORDINANCE NO. 5-2018

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF
THE COUNTY OF VIGO, INDIANA, AMENDING THE
ORDINANCE ESTABLISHING THE VIGO COUNTY CAPITAL
IMPROVEMENT BOARD OF MANAGERS**

WHEREAS, on the 16th day of August, 2016, the Vigo County Board of Commissioners (the "Board of Commissioners") adopted Ordinance 3-2016 (the "2016 Ordinance") creating the Vigo County Capital Improvement Board of Managers (the "CIB") pursuant to IC 36-10-8 (as amended, the "Act"); and

WHEREAS, the 2016 Ordinance was adopted to further the terms of a Multi-Party Governance Agreement dated June 7, 2016 (the "2016 Multi-Party Agreement") by and between Vigo County, Indiana (the "County"), the City of Terre Haute, Indiana (the "City"), Indiana State University ("ISU") and the Terre Haute Convention and Visitors Bureau ("THCVB") which was established for the purpose of the construction of a convention and conference center facility to include the renovation and expansion of the Hulman Center on ISU's campus; and

WHEREAS, ISU has secured separate funding for the renovation and expansion of the Hulman Center and, on November 1, 2017, expressed in writing its desire to terminate its participation in the 2016 Multi-Party Agreement and the operations of the CIB or any efforts to develop a convention center or conference center in the City; and

WHEREAS, the County, the City and the THCVB desire to proceed separately from ISU in the development, construction and operation of a convention and conference center facility to be known as the Terre Haute Convention Center on property to be acquired by the CIB (collectively the "Project"); and

WHEREAS, the County, the City and the THCVB have entered into a new Multi-Party Governance Agreement dated October 2, 2018 providing for the reorganization and future governance of the CIB (the "2018 Multi-Party Agreement"); and

WHEREAS, the County, the City and the THCVB have committed to make available dedicated sources of funding for the development, construction and operation of the Project; and

WHEREAS, to accomplish these goals and to facilitate the administration of all of the required elements of the Project, the County, the City and the THCVB all desire to support the reorganization of the CIB consistent with the Act, the 2018 Multi-Party Agreement and other applicable law; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the County of Vigo, Indiana, as follows:

1. In order to facilitate the reorganization of the CIB in accordance with the 2018 Multi-Party Agreement, Section 2 of the 2016 Ordinance shall be amended to read as follows:

Section 2. The CIB shall consist of seven (7) members to be appointed as set forth herein. The Board of Commissioners shall appoint four (4) members to the CIB with one (1) of the four (4) members to be nominated by the THCVB for appointment to the CIB. The Mayor of the City shall appoint three (3) members to the CIB. No more than four (4) of the seven (7) members of the Board may be affiliated with the same political party.

2. The CIB, as reestablished hereby, shall retain all of the powers granted to the CIB under the Act and other applicable laws as the same may be amended from time to time.

3. All actions of the CIB taken prior to the adoption of this Ordinance are hereby confirmed and authorized as valid actions of the CIB.

4. This Ordinance shall be in full force and effect from and after its adoption.

ALL OF WHICH IS ORDAINED by the Board of Commissioners of the County of Vigo, Indiana, this 2nd day of October, 2018.

VIGO COUNTY, INDIANA



Jon Marvel



Judith A. Anderson



Brad Anderson