

BOARD OF CAPITAL ASSET MANAGEMENT
RESOLUTION NO. 96-46, 1996

A resolution: (1) ratifying DCAM's decision to reject a flood control project in the Town of Rocky Ripple; and (2) finding no maintenance duty on the City's part for the Rocky Ripple levee.

WHEREAS, the Board of Capital Asset Management, successor to the Board of Flood Control Commissioners, has jurisdiction to authorize projects of flood control and prevention in Marion County under Ind. Code § 36-9-29.1-4(a); and

WHEREAS, Department of Capital Asset Management ("DCAM") staff has been working with the U.S. Army Corps of Engineers, the Rocky Ripple Town Board, and the citizens of Rocky Ripple for several years on a proposed flood control project (as outlined in the Indianapolis North Flood Damage Reduction Feasibility Study) involving the building of a flood wall on and improving the structural integrity of the Rocky Ripple levee; and

WHEREAS, the City of Indianapolis ("City") holds easements along private property south of the Rocky Ripple Town Hall which give the City the right to enter and leave the specified area for construction, maintenance, and repair purposes; and

WHEREAS, numerous trees and illegal encroachments exist on the City's easement area which would make maintenance-type activities extremely difficult; and

WHEREAS, as a general rule, the City has never maintained the Rocky Ripple levee or any other levee not owned by the City; and

WHEREAS, Department staff has reviewed the proposed project and the maintenance situation with the Board and made recommendations to the Board at a public meeting on June 26, 1996.

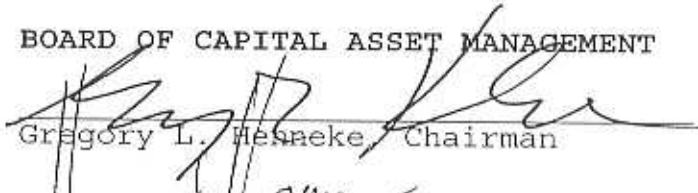
NOW, THEREFORE, BE IT RESOLVED that the Board of Capital Asset Management hereby ratifies DCAM's decision to reject the proposed flood control project for the Town of Rocky Ripple for the following reasons:

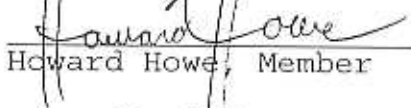
1. City prioritization of flood control projects;
2. City funding considerations;
3. Opposition of Rocky Ripple Town Board to the project;
4. Opposition of Rocky Ripple residents to the project; and
5. Opposition of a majority of voters in Rocky Ripple to the project as indicated in an unofficial poll taken by the Rocky Ripple Town Board.

FURTHER, BE IT RESOLVED that the Board of Capital Asset Management hereby finds that the City has no obligation or duty to conduct maintenance on the Rocky Ripple levee.

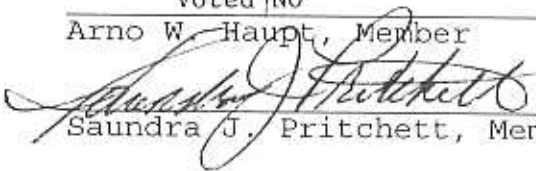
ADOPTED by the Board of Capital Asset Management on the 26TH day of June, 1996.

BOARD OF CAPITAL ASSET MANAGEMENT



Gregory L. Hesseke, Chairman


Howard Howe, Member

Voted NO
Arno W. Haupt, Member


Sandra J. Pritchett, Member

ATTEST:


Ruth Landreth, Board Secretary