

### **RESOLUTION 2023-3**

RESOLUTION OF THE BOARD OF THE KENTUCKY PUBLIC TRANSPORTATION AND INFRASTRUCTURE AUTHORITY EXPRESSING SUPPORT FOR THE PROPOSED I-69 CROSSING OVER THE OHIO RIVER BETWEEN EVANSVILLE, INDIANA, AND HENDERSON, KENTUCKY, AND DIRECTING GENERAL COUNSEL AS IT RELATES THERETO

WITNESSETH:

WHEREAS, the Kentucky Public Transportation Infrastructure Authority (“KPTIA”) is an independent de jure municipal corporation and political subdivision of the Commonwealth of Kentucky, created and established under Chapter 175B of the Kentucky Revised Statutes, having all powers, duties, and responsibilities to review, approve, and monitor all significant eligible transportation projects within the Commonwealth and between the Commonwealth and any state adjoining the Commonwealth, or as otherwise provided by law; and

WHEREAS, on September 16, 2021, the Federal Highway Administration approved a Final Environmental Impact Statement and Record of Decision for the I-69 Ohio River Crossing between Evansville, Indiana, and Henderson, Kentucky (the “Project”); and


WHEREAS, the Kentucky Transportation Cabinet (“KYTC”) and the Indiana Department of Transportation (“INDOT”) intend to enter into a Memorandum of Agreement to jointly conduct studies and preliminary work necessary to provide the states with sufficient information to negotiate the terms and conditions for a Bi-State Development Agreement related to the Project; and

WHEREAS, KPTIA entered into a contract with the law firm of Wyatt, Tarrant & Combs, LLP to serve as KPTIA’s General Counsel from July 1, 2022 through June 30, 2024, to advise KPTIA on matters related to the Louisville Southern-Indiana Ohio River Bridges Project (LSIORB) and on other projects KPTIA may become involved in; and

NOW, THEREFORE, be it resolved by the Board of KPTIA, that KPTIA expresses its support for the progress of the Project, and acknowledges that KPTIA may become involved in the Project at a future date. As a result, to the extent KPTIA's authorized representatives deem it appropriate and necessary, they may use KPTIA's General Counsel, the law firm of Wyatt, Tarrant & Combs, LLP, to provide legal services to KPTIA as might be necessary for the Project, including legal services related to a potential Bi-State Development Agreement.

Passed and adopted March \_\_\_\_, 2023.

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Chair

Attest:

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Secretary

CERTIFICATE OF SECRETARY

I, Bill Bartleman, hereby certify that I am the duly authorized and acting Secretary of the Kentucky Public Transportation Infrastructure Authority. I further certify that the foregoing Series 2023-3 Resolution was adopted, ratified, and affirmed by the Board of Directors of the Authority at a meeting held on March \_\_\_\_, 2022.

Dated this March \_\_\_\_, 2022.

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Secretary  
Kentucky Public Transportation  
Infrastructure Authority