

RESOLUTION 19-06

APPROVING THE ISSUANCE OF TAX INCREMENT REVENUE BONDS OF THE CITY OF BLOOMINGTON REDEVELOPMENT DISTRICT TO FINANCE THE COSTS OF ACQUISITION AND CONSTRUCTION OF THE 4TH STREET PARKING GARAGE IN THE BLOOMINGTON CONSOLIDATED ECONOMIC DEVELOPMENT AREA AND COSTS INCURRED IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS

- WHEREAS, on October 15, 2018, the City of Bloomington Redevelopment Commission (the “Commission”), as governing body of the City of Bloomington Redevelopment District (the “District”), adopted a resolution (the “Bond Resolution”), authorizing the issuance of tax increment revenue bonds of the District, acting in the name of the City of Bloomington, Indiana (the “City”), designated as “City of Bloomington, Indiana Redevelopment District Tax Increment Revenue Bonds, Series 2018,” in an aggregate principal amount not to exceed Twenty-Nine Million Five Hundred Thousand Dollars (\$29,500,000) (the “Bonds”), for the purpose of financing the costs of acquisition and construction for two parking garages to be located in the District’s Bloomington Consolidated Economic Development Area, together with the costs incurred in connection with and on account of issuance of the Bonds (collectively, the “Project”); and
- WHEREAS, Ind. Code 36-7-14-25.1 and Ind. Code 6-1.1-17-20.5 require the approval of the issuance of the Bonds of the District by the legislative and fiscal body of the City; and
- WHEREAS, under Ind. Code 36-7-14-25.1 in particular, the Common Council of the City (the “Council”) must adopt a resolution specifying the public purpose of the bond, the use of the bond proceeds, the maximum principal amount of the bond, the term of the bond, the maximum interest rate of the bond and any provision for redemption before maturity and payment of capitalized interest; and
- WHEREAS, the Commission’s Bond Resolution permitted the two garages in the Project to be considered independently, and the Council wished to consider the Project in two parts described and with the maximum aggregate principal amount as set forth below:
- Project Part A: the acquisition, demolition, and construction of the 4th Street Parking Garage, located at the south west corner of 4th and Walnut Streets in Bloomington, Indiana, in the aggregate principal amount not to exceed Eighteen Million Five Hundred and Forty Thousand Dollars (\$18,540,000);
 - Project Part B: the acquisition and construction of the Trades District Parking Garage to serve the City’s certified technology park, known as the Trades District, in the aggregate principal amount not to exceed Ten Million Nine Hundred and Sixty Thousand Dollars (\$10,960,000);
- WHEREAS, on December 12, 2018, the Council approved Resolution 18-25, which authorized the issuance of bonds to fund Project Part B for the Trades District Garage; and
- WHEREAS, on December 19, 2018, the Council decided not to move forward with replacement of the 4th Street Garage (Resolution 18-24) and expressed a preference for investment of \$1.1 million in repairs to provide five years additional use of that facility (Resolution 18-28); and

WHEREAS, upon further inspection done to carry out the repairs, the updated structural engineer's report completed in February of 2019 revealed that the cost of repairs to the 4th Street Garage would be, at a minimum, \$1.4 million for five years of continued use, with a true cost of nearly \$1.6 million after accounting for soft costs and inspection services; and

WHEREAS, after having organized to conduct business for another year and after learning of changes in circumstances which include, but are not limited to, the additional costs, the Council, as the legislative and fiscal body of the City, now desires to revisit the matter and approve the issuance of the Bonds for Project Part A, the 4th Street Parking Garage;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, AS FOLLOWS:

SECTION 1. The Council hereby approves the sale and issuance of the Bonds in order to provide funds to finance the costs of Project Part A, regarding the 4th Street Garage, subject to the following conditions: (a) the maximum aggregate original principal amount of the Bonds for Project Part A shall not exceed Eighteen Million Five Hundred and Forty Thousand Dollars (\$18,540,000); (b) the Bonds shall have a term not longer than twenty-two (22) years, commencing on the date of issuance of the Bonds; (c) the maximum interest rate on the Bonds shall not exceed six percent (6.0%) per annum; (d) there shall be no capitalized interest on the Bonds; and (e) the Bonds may be subject to redemption prior to maturity on any date not earlier than five (5) years following the date of issuance thereof, with such specific dates and redemption terms determined by the City Controller, upon the advice of the financial advisor to the Commission, at the time of the sale of the Bonds.

SECTION 2. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby repealed or rescinded, whichever best serves to nullify their effect. The foregoing is not intended, nor shall it be construed, to adversely affect any ordinance or resolution (or parts thereof), applicable to the 2009 Bonds, the 2015 Bonds or the 2017 Bonds (as such terms are defined in the Bond Resolution) while such bonds are outstanding.

SECTION 3. If any sections, sentence or provision of this Resolution, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

SECTION 4. This Resolution shall be in full force and effect from and after its passage by the Council and its approval by the Mayor of the City.

PASSED by the Common Council of the City of Bloomington, Indiana, this 3rd day of April, 2019.



DAVE ROLLO, President
Bloomington Common Council

ATTEST:



NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana upon this 4th day of April, 2019.



NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 4th day of April, 2019.



JOHN HAMILTON, Mayor
City of Bloomington

Synopsis

This resolution authorizes the issuance of Tax Increment Revenue Bonds by the City of Bloomington Redevelopment Commission for the acquisition, construction, and bond issuance costs associated with the 4th Street Parking Garage in the Bloomington Consolidated Economic Development Target Area in an amount not to exceed \$18.54 million.