

Passed 7-0 (Rosenbarger,
Zulich absent)

RESOLUTION NO. 2025-13

TO ESTABLISH THE AFFORDABLE HOUSING PILOT FUND OF
THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA

- WHEREAS, Indiana Code § 36-1-1-3 *et. seq.* confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government; and
- WHEREAS, Indiana Code § 36-4-6-18 authorizes the Common Council of the City of Bloomington, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and
- WHEREAS, the Common Council of the City of Bloomington, Indiana has heretofore adopted Ordinances No. 2025-21 and 2025-22, authorizing payment in lieu of taxes (PILOT) agreements with Cambridge Square of Bloomington, LP and Henderson Court Housing, LP, which payments are to be deposited into a non-reverting fund to be known as the Affordable Housing Fund #2537; and
- WHEREAS, on November 3, 2022, the Common Council adopted Ordinance No. 22-29, authorizing a PILOT agreement with Country View Housing LP for Country View Apartments, which payments shall be deposited into the non-reverting fund to be known as the Affordable Housing Fund #2537; and
- WHEREAS, on June 30, 2016, the Common Council adopted Ordinance No. 16-18, authorizing a payment in lieu of taxes agreement with EV Bloomington Limited Partnership for the development at Evergreen Village, which payments shall also be deposited into the non-reverting fund to be known as the Affordable Housing Fund #2537; and
- WHEREAS, pursuant to the provisions of Indiana Code § 5-20-5-15.5 *et. seq.*, and Indiana Code § 36-1-8-14.3(h), the City of Bloomington is required to establish an Affordable Housing Funding in which payments in lieu of taxes ("PILOT") and other sources of funds identified under Indiana Code § 5-20-5-15.5 shall be deposited; and
- WHEREAS, consistent with state law, expenditures from the Affordable Housing Fund #2537 may be made for the development, construction, and operation of affordable housing, and to provide financial assistance to lower income families in need of affordable housing; and

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Establishment of Fund. There is hereby established a fund to be known as the Affordable Housing Fund #2537 in the Office of the Controller.

SECTION 2. Source of Revenues. The Fund shall consist of monies received from various affordable housing PILOT agreements throughout the City of Bloomington, as well as the following sources of funds as allowed by Indiana Code § 5-20-5-15.5(b):

- (1) payments in lieu of taxes deposited in the fund under IC 36-1-8-14.3;
- (2) gifts and grants to the fund;
- (3) investment income earned on the fund's assets;
- (4) money deposited in the fund under IC 36-2-7-10; and
- (5) other funds from sources approved by the Indiana Housing and Community Development Authority.

SECTION 3. Purpose of Fund. The City shall appropriate and use the Fund only for the following limited purposes as permitted by Indiana Code § 5-20-5-15.5(c):

- (1) providing financial assistance to those individuals and families whose income is at or below eighty percent (80%) of the county's median income for individuals and families, respectively, to enable those individuals and families to purchase or lease residential units within the county;


- (2) paying expenses of administering the fund;
- (3) making grants, loans, and loan guarantees for the development rehabilitation, or financing of affordable housing for individuals and families whose income is at or below eighty percent (80%) of the county's median income for individuals and families; and
- (4) providing technical assistance to nonprofit developers of affordable housing.

SECTION 4. Notification of the Authority. The Controller shall, on behalf of the Common Council, notify Indiana Housing and Community Development Authority of creation of the fund, as required by state law.

SECTION 5. Severability. If any section, 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 6. This resolution shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon the 3rd day of September, 2025.


HOPI STOSBERG, 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 4 day of Sept, 2025.

SIGNED and APPROVED by me upon this 4 day of Sept, 2025.


KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution creates the required Affordable Housing Fund to receive payments in lieu of taxes from approved PILOT projects and other allowable proceeds for the purpose of supporting the affordable housing-related activities listed in Indiana Code § 5-20-5-15.5.

Distributed to: Clerk, Council Attorney, Controller, HAND, ESD, Legal, and Mayor.