

(passed 9-0)

RESOLUTION 08-17

TO AUTHORIZE EXPENDITURES FROM THE INDUSTRIAL DEVELOPMENT FUND FOR PHYSICAL INFRASTRUCTURE TO SUPPORT AN ECONOMIC DEVELOPMENT PROJECT AT THE INDIANA ENTERPRISE CENTER

WHEREAS, in 1997, the Common Council created, pursuant to Indiana Code 36-7-13-4, an Industrial Development Fund (IDF), which is a special fund used for the purposes of industrial development and expansion in or serving the City of Bloomington; and,

WHEREAS, in 1997, the Common Council also established the Bloomington Industrial Development Advisory Commission (BIDAC), which has the responsibility to make recommendations to the Common Council for expenditures from the IDF; and,

WHEREAS, in 1999, pursuant to Indiana Code 36-7-13, the Thomson Community Revitalization Enhancement District ("CRED") was established in which the portion of County Option Income Tax ("COIT") and Indiana retail, use and income taxes generated within the CRED that exceeds a base amount is deposited by the State of Indiana ("State") into the City's IDF for use by the City; and,

WHEREAS, the IDF has a balance of \$3,553,219.37 (Thomson CRED balance of \$692,782.42) as of December 1, 2008; and,

WHEREAS, IEC, LLC ("Developer") will invest a total of \$6,563,000 to construct a 30,000 square foot Life Sciences Business Graduation Facility in the Indiana Enterprise Center to facilitate the growth of life sciences sector companies in the city, and which will house Predictive Physiology & Medicine, Inc., ("PPM") as its first tenant (the "Project"); and,

WHEREAS, PPM intends to expand its bioinformatics company, investing \$10,000,000 in equipment and systems and adding 75 new full-time positions with a payroll increase of \$3,527,000 over the next three years; and

WHEREAS, the Project includes the following public and other infrastructure improvements to be completed by the Developer at the following estimated costs ("Project Costs"):

- A new North-South drive, including sidewalk and street trees \$ 287,000
- S. Rogers Street enhancements, including sidepath, curbs, guttering \$ 116,000
- Stormwater system improvements \$ 100,000
- Riparian Buffer, restoration and revegetation \$ 175,000

WHEREAS, on November 12, 2008, the City of Bloomington Industrial Development Advisory Commission adopted Resolution 08-03 recommending the use \$350,000 from the IDF to reimburse the Developer upon completion of the construction of said infrastructure improvements; and,

WHEREAS, the City wishes to encourage the occupancy of the remaining space in the Life Sciences Business Graduation Facility by life sciences and technology companies ("Qualified Tenant"); and

WHEREAS, the Developer and the City will enter into a financing agreement containing the terms and conditions of the reimbursement payment, including a provision that IEC, LLC shall reimburse the City an amount of the total IDF reimbursement incentive (up to \$350,000) proportionate to the percentage of leasable space which was not leased to a Qualified Tenant, beginning at the time of the execution of the agreement and through to the termination of the agreement or expiration of the CRED, whichever is first ("Clawback Provision");


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

SECTION 1. The Common Council hereby authorizes the lump sum payment of Three Hundred and Fifty Thousand Dollars (\$350,000) from the IDF to Developer upon completion of infrastructure improvements related to the Project, including

- a. North-South Drive, including sidewalk and street trees
- b. S. Rogers Street, sidepath, curbs, guttering
- c. Stormwater system improvements
- d. Riparian Buffer, restoration and revegetation

SECTION 2. The Common also authorizes the City of Bloomington to enter into an economic development financing agreement with the Developer to include the terms and conditions of the payment and clawback provisions.

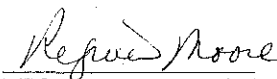
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 17th day of DECEMBER, 2008.


SUSAN SANDBERG, President
Bloomington Common Council

SIGNED and APPROVED by me upon this 18th day of DECEMBER, 2008.


MARK KRUTJAN, Mayor
City of Bloomington

ATTEST:


REGINA MOORE, Clerk
City of Bloomington

SYNOPSIS

In accordance with state law, this resolution authorizes that Three Hundred and Fifty Thousand Dollars (\$350,000) be expended from the Industrial Development Fund ("IDF") to reimburse the IEC, LLC (Developer) for certain site improvements it makes within the Thomson Community Revitalization Enhancement District (CRED). The Developer is making these improvements to facilitate the growth of life sciences sector companies in the City and has arranged for Predictive Physiology & Medicine, Inc. to be the first tenant in its future Life Sciences Business Graduation Facility. The resolution also authorizes the City to enter into an economic development financing agreement with the Developer to include the terms and conditions of the payment and clawback provisions. The IDF supports industrial development and expansion within CRED Districts that serve the City of Bloomington.

Signed copies to:
Legal (10)
controller
Econ Dev & Int Dir
Developer

CA/CA(3)
clerk
deputy