

RESOLUTION 2024-15

**REQUESTING THE FOOD AND BEVERAGE TAX ADVISORY COMMISSION TO
MAKE A RECOMMENDATION FOR EXPENDITURE OF FOOD AND BEVERAGE
TAX REVENUES**

- WHEREAS, the City of Bloomington (“City”) and Monroe County (“County”) are collaborating on a project to expand the Monroe County Convention Center (the “Project”); and
- WHEREAS, a Capital Improvement Board (“CIB”) was established in July 2023 by the County through adoption of County Commissioner Ordinance 2023-24 for the purpose of managing and directing the affairs of the Project; and
- WHEREAS, the City and the County have since executed an Interlocal Cooperation Agreement (“Agreement”) for the operation of the CIB and the Convention and Visitors Commission; and
- WHEREAS, in the Agreement, the City and County agreed that, during the Project design and construction period, the CIB has authority to determine its budget solely with the Common Council, using City food and beverage tax revenues or any other city-designated funds; and
- WHEREAS, Indiana Code § 6-9-41-15 requires that the City develop a written plan before December 1 of each year that includes, among other things, the proposed use of food and beverage tax funds for the upcoming calendar year; and
- WHEREAS, in November 2023, the City’s Controller and Corporation Counsel submitted a written plan to the Indiana State Board of Accounts, which stated that the City anticipated using food and beverage tax funds in 2024 to:
1. To pay the expenses associated with creating a nonprofit building corporation to issue debt in support of design and construction of the Convention Center expansion.
 2. Under an appropriate agreement with the CIB, to pay the CIB’s personnel and administrative expenses during the design and construction phase of the expansion project, including the hiring of counsel and a controller.
 3. Under an appropriate agreement with the CIB, to draw on already-appropriated funds to pay for architecture and engineering services as the project moves ahead; and
- WHEREAS, according to Indiana Code § 6-9-41-15, “money deposited in the city food and beverage tax receipts fund may be used only to finance, construct, operate, or maintain a convention center, a conference center, or related tourism or economic development projects;” and
- WHEREAS, according to Indiana Code § 6-9-41-16(b), the Common Council, as legislative body of the City, “must request the advisory commission's recommendations concerning the expenditure of any food and beverage tax funds”; and
- WHEREAS, on April 10, 2024, after receiving a positive recommendation from the Food and Beverage Tax Advisory Commission, the Common Council adopted Resolution 2024-10 to approve of a 2024 CIB budget of \$250,000; and
- WHEREAS the CIB has submitted a proposed revised 2024 budget, attached hereto as Exhibit A, for the Common Council’s review and approval;

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

SECTION 1. The Common Council, under Indiana Code § 6-9-41-16(b), hereby requests the Food and Beverage Tax Advisory Commission to consider and adopt written recommendations regarding the CIB's proposed revised 2024 budget to be funded from the City's portion of food and beverage tax revenues.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 18 day of June, 2024.



ISABEL PIEDMONT-SMITH, 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 20 day of June, 2024.



NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 24 day of June, 2024.



KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution is a request from the Common Council for the Food and Beverage Tax Advisory Commission to recommend expenditures of food and beverage tax revenues toward a revised 2024 budget for the Capital Improvement Board.

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

Monroe County Capital Improvement Board
 Revised 2024 Budget

	Approved Budget	Revised Budget	Additional Request
Category 1 - Personnel Services	0	0	0
Category 2 - Supplies	1,000	500	(500)
Category 3 - Services			
Professional Fees-Internal			
Legal	90,000	122,858	32,858
Controller	40,000	46,844	6,844
Professional Fees - External			
Owner's Rep	50,000	305,000	255,000
Architectural & Design Fees	50,000	50,000	0
Insurance	15,000	0	(15,000)
Other			
Website	4,000	500	(3,500)
CMC preconstruction services	0	75,000	75,000
Category 4 - Capital	0	0	0
Total	<u>250,000</u>	<u>600,702</u>	<u>350,702</u>

Monroe County Capital Improvement Board
Revised 2024 BUDGET MEMORANDUM

To: Members of the City of Bloomington Common Council
From: Eric Spoonmore, Treasurer
Jeffrey Underwood, Controller/Assistant Treasurer

Re: Revised 2024 Budget

As noted during the approval of the initial budget, we are submitting a proposed revised 2024 budget for the Council's review and approval.

This proposal builds on the current budget. The requested additional funds provide funding for the remainder of 2024.

The revised budget request is \$600,702, which is an increase of \$350,702. The increase is broken down as follows.

Category 2 - Supplies: Decrease of \$500

Category 3 – Services: Increase of \$351,202

- **Professional Services-Internal** includes services provided by the Board's Attorney and Controller. This is an increase of \$32,858 and \$6,844 respectively.
- **Professional Services-External** includes services provided by the Owner's Representative and represents an increase of \$255,000. The request also adds funding in the amount of \$75,000 for preconstruction services to be provided by the Construction Manager.
- All agreements for professional services to the CIB stipulate that compensation for such services is contingent upon City Council budget approval.

Please note, the original CIB budget request included funding for insurance, however Monroe County Government has informed the CIB that they will extend their insurance coverage for the CIB at no additional cost. Therefore, we have removed insurance coverage from this request.

"Other" includes services such as, but not limited to, design and maintenance of CIB website and related services. We have now established a website for the CIB and have decreased this request by \$3,500.

Thank you for your consideration and support for our request.