

AGENDA
REDEVELOPMENT COMMISSION
June 6, 2022 at 5:00 p.m.
Bloomington City Hall, 401 North Morton Street
McCloskey Conference Room

Join Zoom Meeting

<https://bloomington.zoom.us/j/88562793614?pwd=NEN6TkV0OXRZekM1cjZlWldFWXRzQT09>

Meeting ID: 885 6279 3614

Passcode: 351934

- I. ROLL CALL**
- II. READING OF THE MINUTES – May 23, 2022**
- III. EXAMINATION OF CLAIMS –May 13, 2022 for \$11,755.18 and May 27, 2022 for \$356,035.13**
- IV. EXAMINATION OF PAYROLL REGISTERS–May 20, 2022 for \$34,420.80**
- V. REPORT OF OFFICERS AND COMMITTEES**
 - A. Director’s Report**
 - B. Legal Report**
 - C. Treasurer’s Report**
 - D. Business Development Updates**
- VI. NEW BUSINESS**
 - A. Resolution 22-33: Declaratory Resolution Establishing Meridian Economic Development Area, Allocation Area, and Economic Development Plan**
- VII. BUSINESS/GENERAL DISCUSSION**
- VIII. ADJOURNMENT**

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THE REDEVELOPMENT COMMISSION OF THE CITY OF BLOOMINGTON, INDIANA MET on Monday, May 23, 2022, at 5:00 p.m. in the Allison Conference Room, Suite 225, 401 North Morton Street, and via zoom, with Deborah Myerson, Presiding
<https://catstv.net/m.php?q=11245>

I. ROLL CALL

Commissioners Present: Deb Hutton, Deborah Myerson, Randy Cassady, and Martha Street, MCCSC Representative

Commissioners Absent: Cindy Kinnarney

Staff Present: John Zody, Director, Housing & Neighborhood Development (HAND); Brent Pierce, Assistant Director; Christina Finley, Financial Specialist, HAND; Jeff Underwood, Treasurer, City Controller

Others Present: Larry Allen, Attorney, City Legal Department; Alex Crowley, Director, Economic and Sustainable Development (ESD); Dave Askins, B Square Bulletin; Sam Dove; Holden Abshier; Rick Dietz, Director, City ITS Department; Clark Greiner, BEDC; Jen Pearl, BEDC; Deb Kunce, JS Held; Neil Kopper, Senior Project Engineer, City Engineering Department

II. READING OF THE MINUTES – Deb Hutton said the May 2, 2022 minutes listed Deborah Myerson seconding the motion to approve the claim register. However, Myerson did not attend that meeting. Randy Cassady actually seconded the motion.

Randy Cassady moved to approve the May 2, 2022 minutes, with the correction. Deborah Hutton seconded the motion. The motion passed unanimously.

III. EXAMINATION OF CLAIM REGISTER – Deb Hutton moved to approve the claim register for April 29, 2022, for \$461,296.88. Randy Cassady seconded the motion. The motion passed unanimously.

IV. EXAMINATION OF PAYROLL REGISTERS – Randy Cassady moved to approve the payroll register for May 6, 2022, for \$34,420.84. Deb Hutton seconded the motion. The motion passed unanimously.

V. REPORT OF OFFICERS AND COMMITTEES

A. Director's Report. John Zody reported receiving the final annual allocation amount from HUD, for the Community Development Block Grant program. Zody said we received a decrease in funds this year, as did most communities. In order to fund the physical improvement projects at the previously approved amounts, HAND will move forward \$17,872 in previous unallocated funds.

Zody mentioned that the College Square Building has some HVAC issues, which staff is currently working on addressing.

Zody reported there will be a groundbreaking for the Retreat at Switchyard on Thursday, June 9, 2022.

B. Legal Report. Larry Allen reported closing on the property at 413 W. 2nd Street. He said the property will be part of the Hopewell Development.

C. Treasurer's Report. Jeff Underwood was available to answer questions.

- D. Business Development Updates: Alex Crowley stated The Hopewell Project has the potential to bring on board an owner's representative function. Staff is in the process of putting together a request for information (RFI).

A. NEW BUSINESS

- A. Discussion about a new economic development and allocation area for Meridian covering business personal property for a new community-wide fiber internet network. Rick Dietz gave a presentation of the Bloomington Meridian project. This project stems from the City's issuance of a request for information in 2016 seeking a partner to extend affordable broadband access throughout the City. As part of this agreement, Meridian has requested a TIF allocation area for its business personal property to make the project in Bloomington viable for the next 20 years. Dietz and other staff members answered the commissioner's questions regarding the project.
- B. Resolution 22-30: Approval of Amendment to the Purchase Agreement between the City of Bloomington and IU Health for Purchase of the IU Health Hospital Site at 2nd and Rogers Streets and Surrender & Demolition Agreement. Larry Allen stated as part of the purchase agreement to purchase the legacy hospital site, the RDC had the option of whether to authorize IU Health to demolish all structures on the main hospital site or to preserve the parking garage and the Kohr Administration Building. The RDC elected to keep the parking garage and authorized the preservation of the Kohr Building. As part of the preservation of the Kohr Building, City staff negotiated a Property Demolition and Surrender Agreement to provide for the selective demolition of the hospital to preserve the Kohr Building and parking garage, terms of maintenance for the structures, and access to the site prior to closing. The RDC will share costs with IU Health for the structural assessment and preservation of the Kohr Building in the amount of \$95,505.

City staff also believe it is in the best interest of the project to execute an amendment to the purchase agreement, which clarifies certain items in the purchase agreement, including the location of an access drive to the parking garage and demolition of an overhead bridge that connected IU Health's former power plant to the legacy hospital. The Amendment and Surrender Agreement allows the RDC to take possession of the parcels surrounding the main hospital site on or before June 30, 2022, which include parcels that will be developed as part of Phase 1 East of the Hopewell master plan, and parcels that are south of First Street as depicted in the purchase agreement as Parcels C and D.

Deborah Myerson asked for public comment. There were no comments from the public.

Deb Hutton moved to approve Resolution 22-30. Randy Cassady seconded the motion. The motion was unanimously approved.

- C. Resolution 22-31: Approval of Construction for West Improvements along 17th Street between Monroe and Walnut Street. Neil Kopper stated the Indiana Department of Transportation (INDOT) solicited bids for the Construction Agreement and the lowest, most responsive bidder agreed to perform the construction services for a total amount not to exceed \$3,083,517. City staff estimate that the City's local portion of the Construction Agreement will be \$1,019,215, while federal funding will cover \$2,064,302 of the construction.

Deborah Myerson asked for public comment. There were no comments from the public.

Randy Cassady moved to approve Resolution 22-31. Deb Hutton seconded the motion. The motion was unanimously approved.

- D. Resolution 22-32: To Ratify Offer to Purchase Dodds Street Properties. John Zody said City staff made an offer on the parcels located at 813, 819, 825, and 831 W. Dodds. The offer amount was

\$136,000 for all four lots. The owner of the property accepted the offer. Zody pointed out that the resolution has the consolidated TIF as a funding source, however the plan is to use ARPA or HOME funds. The lots will be used for affordable housing.

Deborah Myerson asked for public comment. There were no comments from the public.

Deb Hutton moved to approve Resolution 22-32, with the amendment to replace the consolidated TIF with ARPA or HOME funds. Deb Hutton seconded the motion. The motion was unanimously approved.

VI. BUSINESS/GENERAL DISCUSSION

Larry Allen informed the commission there will be a special meeting on Tuesday, May 31, 2022. Allen said we will present the resolution that will go with the Spider TIF.

VII. ADJOURNMENT

Deb Hutton moved to adjourn. Randy Cassady seconded the motion. The motion was unanimously approved.

Cindy Kinnarney, President

Deborah Myerson, Secretary

Date

**RESOLUTION NO. 22-33
OF THE REDEVELOPMENT COMMISSION
OF THE CITY OF BLOOMINGTON, INDIANA**

**DECLARING AN AREA IN BLOOMINGTON AS
AN ECONOMIC DEVELOPMENT AREA, DESIGNATING SUCH AREA AS
AN ALLOCATION AREA AND APPROVING AN ECONOMIC DEVELOPMENT
PLAN FOR SAID AREA**

WHEREAS, the City of Bloomington, Indiana (the “City”), desires to undertake an economic development project that will assist the City in a project by Hoosier Networks, LLC, or its subsidiaries, affiliates, successors or assigns (collectively, the “Company”), to install fiber optic cable that will provide high speed internet in certain areas in the City; and

WHEREAS, the City desires to create an economic development area that will include all areas in the City where the Company’s depreciable personal property will be located (the “Project”); and

WHEREAS, the Bloomington Redevelopment Commission (the “Commission”), governing body of the Bloomington Department of Redevelopment (the “Department”), pursuant to Indiana Code 36-7-14, as amended (the “Act”), has thoroughly studied the area of the City described above, and consists of all depreciable personal property consisting of fiber optic cable installed for the Project in the City where the Company’s depreciable personal property will be located, with such area to be designated as the “Bloomington Meridian Allocation Area” (the “Allocation Area”), which area is also an economic development area known as the “Bloomington Meridian Economic Development Area” (the “Area”); and

WHEREAS, the Commission has caused to be prepared maps and plats showing the boundaries of the Area, the location of various parcels of property, streets, alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning, or redevelopment of the Area, and the parts of the Area acquired that are to be devoted to public ways and other public purposes under the Plan (as hereinafter defined), lists of the owners of the various parcels of property to be acquired, if any, and an estimate of the cost of the acquisition and redevelopment; and

WHEREAS, there has been presented to this meeting for consideration and approval of the Commission an economic development plan for the Area (the “Plan”), which is attached to this Resolution as Exhibit A and incorporated herein by referenced thereto; and

WHEREAS, the Commission has caused to be prepared estimates of the costs of the development projects as set forth in the Plan; and

WHEREAS, the Plan and supporting data were reviewed and considered at this meeting; and

WHEREAS, Sections 41 and 43 of the Act have been created to permit the creation of “economic development areas” and to provide that all of the rights, powers, privileges and immunities that may be exercised by this Commission in a redevelopment area or urban renewal

area may be exercised in an economic development area, subject to the conditions set forth in the Act; and

WHEREAS, Section 39 of the Act has been created and amended to permit the creation of “allocation areas” to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said section; and

WHEREAS, the Commission deems it advisable to apply the provisions of said Sections 15-17.5, 39, 39.3, 41 and 43 of the Act to the Plan and the financing of the Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT COMMISSION OF THE CITY OF BLOOMINGTON, INDIANA, AS FOLLOWS:

1. The Plan for the Area promotes significant opportunities for the gainful employment of its citizens, attracts a major new business enterprise to the City, and retains or expands a significant business enterprise existing in the boundaries of the City, and meets other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting public health, safety and welfare, increasing the economic well-being of the City and the State of Indiana (the “State”), and serving to protect and increase property values in the City and the State.

2. The Plan for the Area cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of local public improvements, existence of improvements or conditions that lower the value of the land below that of nearby land, multiple ownership of land, and other similar conditions.

3. The public health and welfare will be benefited by accomplishment of the Plan for the Area.

4. The accomplishment of the Plan for the Area will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base and other similar public benefits.

5. The Plan for the Area conforms to other development and redevelopment plans for the City.

6. In support of the findings and determinations set forth in Sections 1 through 5 above, the Commission hereby adopts the specific findings set forth in the Plan.

7. The Plan does not recommend any specific property acquisition, and the Department does not at this time propose to acquire any land or interests in land within the boundaries of the Area. If at any time in the future, the Department proposes to acquire specific parcels of land, the required procedures for amending the Plan under the Act will be followed, including notice by publication, notice to affected property owners and a public hearing.

8. The Commission finds that no residents of the Area will be displaced by any project resulting from the Plan, and therefore finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for the residents.

9. The Plan is hereby in all respects approved, and the secretary of the Commission is hereby directed to file a certified copy of the Plan with the minutes of this meeting. The Area is hereby designated, declared and determined to be an “economic development area” under Section 41 of the Act.

10. The entire Area is hereby designated as an “allocation area” pursuant to Section 39 of the Act, designated as the “Bloomington Meridiam Allocation Area” (the “Allocation Area”) for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Pursuant to the Act and this resolution, there is created an allocation fund related to the Allocation Area hereby designated as the “Bloomington Meridiam Allocation Area Allocation Fund” (the “Allocation Fund”). Any property taxes subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the redevelopment district and when collected paid into the Allocation Fund for the allocation area and may be used by the redevelopment district to do one or more of the things specified in Section 39(b)(3) of the Act, as the same may be amended from time to time. The Allocation Fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(4) of the Act.

11. The Commission hereby designates Hoosier Networks, LLC and any of its successors, affiliates or assigns (collectively, the “Designated Taxpayer”), as a “designated taxpayer” for purposes of Section 39.3 of the Act. The Commission hereby finds with respect to the Designated Taxpayer that:

(a) The taxes to be derived from the Designated Taxpayer’s depreciable personal property in the allocation area and all other depreciable property located and taxable on the Designated Taxpayer’s site of operations within the allocation area in excess of the taxes attributable to the base assessed value of that personal property, are needed to pay debt service or to provide security for bonds issued under Section 25.1 of the Act or to make payments or to provide security on leases payable under Section 25.2 of the Act, in order to

provide local public improvements in or directly serving or benefiting the such Allocation Area;

(b) the property of the Designated Taxpayer in the Allocation Area consists primarily of industrial, manufacturing, warehousing, research and development, processing, distribution or transportation related projects or regulated amusement devices and related improvements; and

(c) the property of the Designated Taxpayer in the Allocation Area will not consist primarily of retail, commercial or residential projects, other than an amusement park or tourism industry project.

Based upon the foregoing and in accordance with Section 39.3 of the Act, the Commission hereby modifies the term “property taxes,” referred to herein, to mean taxes imposed under Indiana Code 6-1.1 on real property and taxes imposed under Indiana Code 6-1.1 on the depreciable personal property located and taxable on the site of operations of the Designated Taxpayer in the Allocation Area.

12. The allocation provisions in Sections 10 and 11 hereof shall apply to all of the Allocation Area. These allocation provisions allow for the capture of additional tax increment revenues that will be available to the Commission to finance infrastructure and other improvements located in or serving or benefitting the Area as contemplated by the Plan, thereby facilitating additional investment in the Allocation Area. The Commission hereby finds that the adoption of these allocation provision will result in new property taxes in the Allocation Area that would not have been generated but for the adoption of the allocation provision. The base assessment date for the Allocation Area is January 1, 2022.

13. The foregoing allocation provisions in Sections 10 and 11 hereof shall expire with respect to the Allocation Area on the date that is twenty (20) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived from such Allocation Area.

14. The officers of the Commission are hereby directed to make any and all required filings with the Indiana Department of Local Government Finance and the Monroe County Auditor in connection with the creation of the Allocation Area.

15. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

16. This Resolution, together with any supporting data and together with the Plan, shall be submitted to the Bloomington Plan Commission (the “Plan Commission”), and upon the approval of the Plan Commission and the Common Council of the City, shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

Adopted this 31st day of May, 2022.

BLOOMINGTON REDEVELOPMENT
COMMISSION

Cindy Kinnarney, President

Deborah Myerson, Secretary

Randy Cassady, Member

Deb Hutton, Member

**BLOOMINGTON, INDIANA
REDEVELOPMENT COMMISSION**

Economic Development Plan
Meridiam Economic Development Area

May 31, 2022

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SUMMARY

REQUIRED FINDING OF FACTS TO SUPPORT THE STATUTORY REQUIREMENTS

FACTS

1. This Economic Development Plan (the “Plan”) promotes significant opportunities for gainful employment of its citizens, attracts a new major business enterprise to the City, retains and expands significant business enterprises existing in the boundaries of the City, and meets other statutory purposes, as set forth in Indiana Code Sections 36-7-14-2.5 and 36-7-14-43.
2. The Plan for the Meridian Economic Development Area (the “EDA”) cannot happen by regulatory process or by the ordinary operation of private enterprise because of the lack of public infrastructure or other similar conditions.
3. The public health and welfare will benefit by the accomplishment of the Plan for the EDA.
4. The achievement of the Plan for the EDA will constitute a public utility and will benefit as measured by the attraction or retention of permanent jobs, an increase in the property values, thus equating to increased assessed value (which herein is defined as “assessed value”), improved diversity of the economic base through the enhanced mix of property and other public benefits and the expansion of technology and high speed internet services to a significant portion of Bloomington, Indiana (the “City”), which is in direct alignment with the goals of the Federal Government.
5. The Plan for the EDA conforms to other development and redevelopment plans for the City.

PURPOSE AND BACKGROUND

Purpose

The Bloomington Redevelopment Commission (the “Redevelopment Commission”) has been established in accordance with Indiana Code 36-7-14, as amended (the “Act”), for the purpose of fostering economic development and redevelopment within certain eligible areas of Bloomington, Indiana (the “City”). The Redevelopment Commission has identified certain areas of the City, including any cities or towns without a redevelopment commission, where Meridian SAS, Hoosier Networks, LLC, or any of their affiliates, successors or assigns (collectively, the “Company”) will build, construct and/or install fiber optic cable and related equipment to provide high-speed internet services will be located (the “Project”).

The purposes of this Plan are to benefit the public health, safety, morals and welfare of the citizens of the City, to increase the economic well-being of the City and the State of Indiana and to serve to protect and increase property values in the City and the State of Indiana. The Plan is designed to promote significant opportunities for the gainful employment of citizens of the City, retain and expand existing significant business enterprises in the City, provide for local public improvements in the Area, retain permanent jobs, and increase the property tax base. This document is intended to be approved by the Bloomington Redevelopment Commission in conformance with the procedures set forth in the Act and described herein.

The Plan has been undertaken within the context of recent economic development initiatives in the City in order to set forth the objectives for current and future development, including the construction of public roads, utilities, and other infrastructure, including fiber optic cables and related equipment to provide high-speed internet services throughout the City. This Plan recognizes the need for potential economic development incentives to attract significant employers and to accelerate commercial development to the Area, and that such future development in the Area may also require significant improvements to the roads, the sanitary sewer system, the water system and/or other infrastructure improvements which benefit and serve the Area in order to facilitate such development.

DESIGNATION OF TAX INCREMENT ALLOCATION AREAS

The Redevelopment Commission recognizes that tax increment financing (“TIF”) is one method by which local governments may finance incentives and infrastructure by allowing the capture and use of incremental property tax revenues attributable to new commercial development in the Area to pay the costs of capital improvements in the Area or to pay debt service on bonds issued by the City or by the Bloomington Redevelopment District (the “District”) to finance the costs of such improvements. To implement TIF, the Redevelopment Commission may designate all or a portion of the Area as an “allocation area” pursuant to Section 39 of the Act for purposes of the allocation and distribution of property taxes on *real property* for the purposes and in the manner provided by Section 39 of the Act. Additionally, pursuant to Section 39.3 of the Act, the Redevelopment Commission may designate an entity as a “designated taxpayer” for the allocation and

distribution of property taxes on certain depreciable *personal property*. As new projects and needs arise in the future, the Redevelopment Commission may designate additional portions of the Area as tax increment allocation areas.

DESCRIPTION OF THE AREA

The Redevelopment Commission has determined that implementation of the Plan would be facilitated by the designating the area of the City, upon which the Company will build, construct and/or install fiber optic cable and related equipment to provide high-speed internet services will be located, as the Meridiam Economic Development Area (the “Area”), and designating all of the Area as a tax increment allocation area for purposes of the Act, to be known as the “Meridiam Allocation Area” (the “Allocation Area”). The Area and the Allocation Area are located within the corporate boundaries of the City, and consists of all depreciable personal property tax proceeds attributable to the incremental assessed valuation due to where the Project is situated, which area will include all depreciable personal property consisting of any and all structures, equipment and fiber optic cable due to the Project located within the City. In addition, the Redevelopment Commission believes it necessary to designate the Company as a designated taxpayer from which incremental personal property tax revenues may be captured. As described further below, the Redevelopment Commission has determined that the tax increment revenues generated from such personal property of the Company will be needed to secure the repayment of bonds issued to finance infrastructure improvements and/or the purchase of equipment which benefit and serve the Area. Consequently, the taxes to be derived from the depreciable personal property of the Company in the Allocation Area and all other depreciable property located and taxable on the Company’s site of operations within the Allocation Area in excess of the taxes attributable to the base assessed value of that personal property, will be needed to pay debt service on bonds issued under Section 25.1 of the Act, or to make payments or to provide security on leases payable under Section 25.2 of the Act, in order to provide local public improvements for the Allocation Area.

DESCRIPTION OF PROPOSED PROJECTS

The Project to be undertaken by the Company is anticipated to be comprised of certain and the design, construction, and/or installation of (1) fiber optic cable in public rights-of-way and (2) any necessary, related electronic equipment.

The City is also pledging up to \$1,000,000 for a Digital Equity Fund (“City’s Initial Contribution”) that will be used to pay the installation of costs of fiber to income-qualifying residents up to \$350 per unit. The Company will pay an annual digital equity dividend of \$85,000 in the Digital Equity Fund and half (50%) of the costs of bringing fiber to the income-qualifying residents as long as funds remain from the City’s Initial Contribution. After the City’s Initial Contribution of \$1,000,000 is expended from the fund, the Company will cover all (100%) of the installation costs of bringing fiber to income-qualifying residents.

In order to accomplish such Project and otherwise implement this Plan, the Redevelopment Commission recognizes and determines that tax increment revenues

derived from the Allocation Area, as well as other funds of the Redevelopment Commission legally available for such purposes, may be used for the following purposes, all of which shall be deemed to be a part of the Project or Projects contemplated by this Plan:

- To pay or finance the cost of the design, engineering and/or construction of various infrastructure improvements in or serving the Area (as well as demolition, in, serving, or benefiting the Area), including without limitation, (1) transportation enhancement projects including, without limitation, curbs, gutters, shoulders, street paving and construction, bridge improvements, rail crossings and spur track improvements, sidewalk and multiuse pathway improvements, street lighting, traffic signals, signage, parking lot improvements, and site improvements including landscape buffers; (2) utility infrastructure projects including, without limitation, utility relocation, water, sanitary sewer and/or storm water lines, water wells, water towers, pumping stations, lift stations, waste water lines, storm water lines, retention ponds, ditches, storm water basin improvements, and high-speed telecommunications and fiber-optic cable and related equipment, together with other similar utility costs or improvements; (3) public park improvements and recreational equipment; (4) job training and assistance as permitted under I.C. § 36-7-14-39(b)(3)(K) and I.C. § 36-7-25-7; (5) eligible efficiency projects as permitted under § 36-7-14-39(b)(3)(L); and (6) all projects related to any of the forgoing projects and all other purposes permitted by law. Although the precise nature of infrastructure that may be necessary from time to time to attract and retain prospective redevelopment and economic development opportunities in the Area cannot be predicted with certainty, the availability of adequate infrastructure is of fundamental importance in attracting and retaining such opportunities in the Area.
- To offset payments by developers on promissory notes in connection with economic development revenue bond financings undertaken by the City, or to pay principal or interest on economic development revenue bonds issued by the City to provide incentives to developers, in furtherance of the economic development or redevelopment purposes of the Area. The provision of incentives by the application of tax increment revenues to offset developer promissory notes that secure economic development revenue bonds, or to pay principal or interest on economic development revenue bonds issued by the City to provide incentives to developers, in furtherance of the economic development or redevelopment purposes of the Allocation Area, has become an established financial tool and an increasingly common form of incentive for attracting economic development and redevelopment.
- To pay or finance the costs of the acquisition or design, engineering and/or construction of projects to enhance the cultural attractiveness of the entire City, including the portion thereof which comprises the Area.

- To pay or finance the costs of the acquisition or design, engineering and/or construction of projects to enhance the public safety of the entire City, including the portion thereof which comprises the Area.
- To pay or finance the costs of the design, engineering and/or construction and installation of public amenities such as street trees, street furniture, and wayfinding signage.
- To fund job training grants and assistance as permitted under I.C. § 36-7-14-39(b)(2)(K) and I.C. § 36-7-25.
- To provide financial incentives to new and existing businesses locating in the Area as permitted by law including targeted incentives to encourage the reuse and redevelopment of commercial structures in the Area.

Based on the development profile of the Area, the Redevelopment Commission has determined that the development of the Area will not proceed as planned without the contribution of tax increment revenues derived from the Allocation Areas to the Projects described above.

ACQUISITION OF PROPERTY

In connection with the accomplishment of the Plan, the Redevelopment Commission has no present plans to acquire any interests in real property. In the event the Redevelopment Commission determines to acquire any interests in real property in the future, it shall follow procedures set forth in Section 19 of the Act. The Redevelopment Commission may not exercise the power of eminent domain.

THE PROCESS OF DESIGNATING AN ECONOMIC DEVELOPMENT AREA

The following represents a general narrative summary of the sequence of actions necessary to designate territory as an economic development area in the City. The designation of any tax increment allocation areas would be included in the process for the designation of an economic development area. Any future amendments to this Plan or to the declaratory resolution establishing the Area will be required to follow an identical process as described below.

Declaratory Resolution

To establish an economic development area, the Redevelopment Commission must first pass a declaratory resolution (the “Declaratory Resolution”) and adopt an economic development plan for the area. The Declaratory Resolution declares the intent of the Redevelopment Commission to create an economic development area.

Plan Commission Review

After passing the Declaratory Resolution, the Redevelopment Commission must then submit the Declaratory Resolution and the adopted economic development plan to the Bloomington Plan Commission (the “Plan Commission”) for review to assure that the

Declaratory Resolution and the economic development plan conform to the plan of development for the City. The Plan Commission is not charged with the responsibility of evaluating and approving the merits of the Declaratory Resolution or the economic development plan. Rather, the Plan Commission's task is to determine whether the Declaratory Resolution and economic development plan conform to the plan of development for the City, as contained in the previously established comprehensive plan for the City. While an economic development plan may contemplate an alteration of land use in the City in response to a specific economic development project, any required rezoning must be approved by the Plan Commission at the appropriate time.

Common Council Approval

Upon receiving the approvals of the Redevelopment Commission and the Plan Commission, the Declaratory Resolution and economic development plan must be submitted to the Common Council of the City (the "Common Council") for its approval before the economic development plan can be implemented. The Common Council may approve or reject the Plan.

Confirmatory Resolution

Upon receipt of approval by the Common Council, the Redevelopment Commission must then give notice and hold a public hearing wherein the Redevelopment Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings. Following the public hearing, the Redevelopment Commission must pass a resolution which confirms, or modifies and confirms, the Redevelopment Commission's Declaratory Resolution designating territory as an "economic development area" and adoption of the proposed economic development plan (the "Confirmatory Resolution"). The Redevelopment Commission is not required to take this action, but may consider whether such designation is still appropriate. If the Redevelopment Commission passes the Confirmatory Resolution, an economic development area is then finally declared and designated.

EXAMPLES OF HOW THE CITY INTENDS TO MEET THE STATUTORY FINDINGS

The Project

The fiber optic system planned by the Company will enhance economic development and improve the overall financial health of the City by enhancing efforts to expand and diversify the economy by attracting 21st century businesses which rely upon technology and require band width in order to locate in the City. It will also anticipated that the Project will lead to the direct creation of jobs and an increase in annual payroll.

It is crucial to the long term fiscal health of the City that it be positioned to attract technology driven businesses especially those in logistics, advanced manufacturing, energy and agriculture. The local workforce is trained in these vocations and additional training

will improve skill levels to a degree commensurate with those required in the aforementioned industries.

Acquisition of Property

In order to accomplish the Project, the Redevelopment Commission may acquire, without the use of eminent domain, properties and right-of-way in the Project areas. The Redevelopment Commission shall follow procedures in IC 36-7-14-19, in any current or future acquisition of property. The Redevelopment Commission may not exercise the power of eminent domain in an economic development area. The acquisition process may be needed in order to facilitate the plan. At this time, no acquisition of property is contemplated.

Disposal of Property

The Redevelopment Commission may dispose of real property, if any is acquired, by sale or lease to the public, after causing to be prepared two (2) separate appraisals of the sale value or rental value to be made by independent appraisers. The Redevelopment Commission will prepare an offering sheet and will maintain maps and plats showing the size and location of all parcels to be offered. Notice will be published of any offering in accordance with IC 36-7-14-22. The Redevelopment Commission will follow the procedures of IC 36-7-14-22 in making a sale or lease of real property acquired. At this time, the disposal of property is neither anticipated nor expected, but may occur in the future.

Financing the Projects

It is the intention of the Redevelopment Commission to create a TIF District and to capture all incremental depreciable personal property within the EDA in order to finance the necessary projects. It may be necessary to issue bonds sometime in the future, based on the incremental ad valorem property taxes allocated under IC 36-7-14-39, in order to raise money for property acquisition and completion of the Projects in the Area, or the Redevelopment Commission may choose to “pay-as-you-go”.

Either form of financing may be used for part, or all, of the following:

- (1) The cost of land, right of way and other property to be acquired and developed;
- (2) All reasonable and necessary architectural, engineering, and construction, equipment, legal, financing, accounting, advertising, bond discount, and supervisory expenses related to the acquisition and development of the Project or the issuance of bonds;
- (3) Interest on, and principal of, the bonds issued by the Commission for the project; and

- (4) Expenses that the Commission is required or permitted to pay under IC 8-23-17.

In conjunction with some form of financing, the Redevelopment Commission may enter into a lease of any property that could be financed with the proceeds of bonds under IC 36-7-14. The lease is subject to the provision of IC 36-7-14-25.2 and IC 36-7-14-25.3.

Amendment of the Plan

By following the procedures specified in IC, 36-7-14-15 the Redevelopment Commission may amend the Plan for the Area.

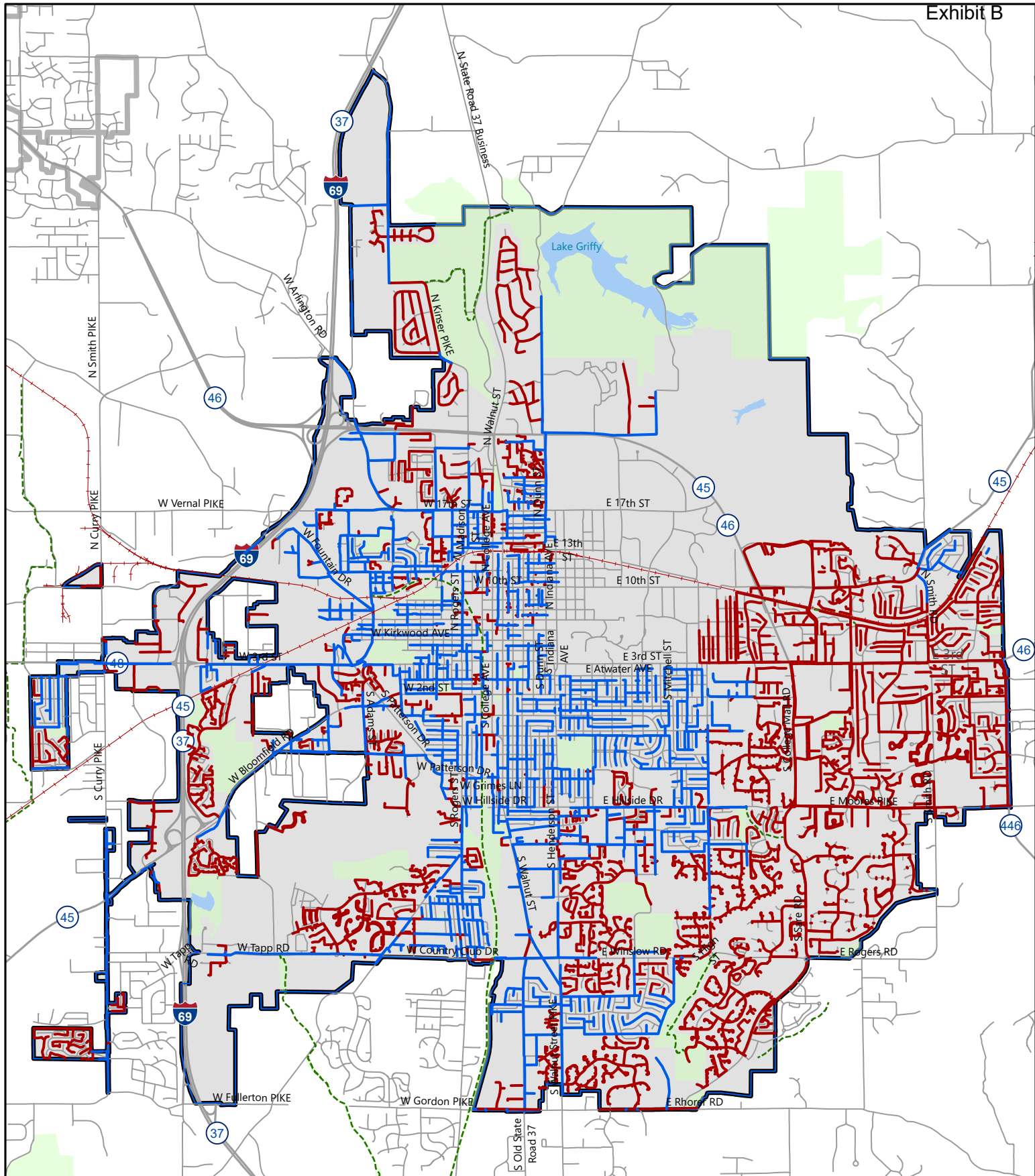
**FACTUAL REPORT IN SUPPORT
OF FINDINGS CONTAINED IN DECLARATORY RESOLUTION**

1. The Plan for the Meridian Economic Development Area (the “Area”) will promote significant opportunities for growth and the gainful employment of citizens of Bloomington, Indiana (the “City”) by providing the means to extend state of the art fiber optic lines and high speed internet services to the Area. This 21st century infrastructure is necessary to attract employers engaged in advanced manufacturing, logistics, distribution, food processing, energy, health care and value-added agriculture. This infrastructure will improve the City’s ability to attract employers as follows:
 - A. To locate in the Area, entities require sites that are shovel ready with all required infrastructure, including fiber optic broad band services. This Plan will provide a mechanism for allowing public funding for a portion of the costs of the fiber optic lines and electronic equipment required to bring high speed internet services to the Area.
 - B. The Plan provides for these services to be brought to publicly owned sites that are developed or will be developed as shovel ready sites suitable for development by entities that are engaged in logistics, distribution, food processing, energy, health care and value added agriculture.
2. The Plan:
 - A. Will promote significant opportunities for the gainful employment of the citizens of the City;
 - B. Is likely to attract major new business enterprises as a result of the existence of fiber optic and broadband services;
 - C. Enables the use of public funding to guide infrastructure design and construction and thus development in the Area to promote basic

employment and mixed uses of the land, to an extent individual property owners would not otherwise attain.

- D. Benefits the public health, safety, morals and welfare of the citizens of the City and State as follows: The Plan, when fully implemented, will add high-speed broadband services that are required in the transmission of medical records. Development of this 21st century infrastructure will permit the community to approach land use development, public services, resources and public investments in a positive manner; and
 - E. Increases the economic well-being of the City and the State of Indiana in direct alignment with the Governor's public statements of promoting economic development opportunity in Indiana through the extension of 21st century broadband services throughout the state, especially in rural areas.
3. The planning and development of the Area will benefit the public health, safety morals and welfare; it will increase the economic well-being of the City and the State and serve to protect and increase property values in the City and the State of Indiana.
- A. The Plan will create new employment opportunities; and
 - B. The Plan will diversify the local economy and add employment opportunities that do not now exist and cannot exist without the addition of 21st century broadband fiber optics.
4. The Plan for the Area cannot be achieved by the regulatory processes or by ordinary operation of private enterprise without resorting to IC 36-7-14 (the Redevelopment statutes) because of the lack of public improvements, the existence of geological impediments to industrial development and multiple ownership of land.
5. The accomplishment of the Plan for the Area will be of public utility benefit, for the following reasons. First, based on discussions with the Company, it is the Redevelopment Commission's understanding that the full development of the Area, pursuant to the Plan will allow for the attraction of permanent high tech jobs in the City. Secondly, current employers in the City have indicated a need for updated fiber optic broadband services to transmit engineering, medical records, books and technical manuals. The expectation is that hundreds of local jobs will be preserved and retained as a result of implementation of the plan. This information has been developed through interviews with a number of existing employers. It is also estimated that, when fully developed in accordance with the Plan, the assessed value for real property and depreciable personal property will be significantly increased. Lastly, the Plan will promote and support industrial, general business, medical, office, logistic, distribution, food processing development and generate CAGIT, LOIT and CEDIT taxes which are of increasing importance with the adoption of property tax caps.

6. The Commission believes that the TIF District will generate, over time, along with federal, state and local funds, sufficient monies to fully implement the Plan.

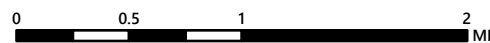


ITS
Department
**City of
Bloomington**



Hoosier Networks (Meridian)
Proposed Infrastructure

Municipal Boundary
 — Aerial
 — Underground



For use as map information only, information is NOT warranted.

Produced: 6/3/2022



Layout: MeridianProposedInfrastructureMap
Project: MeridianFiberPlanning