



City of Bloomington
Common Council

Legislative Packet

Committee of the Whole Discussion

immediately followed by a

Special Session

09 March 2011

*Please consult the [Legislative Packet](#) issued in interest of the
02 March 2011 Regular Session for legislation and background material.*

Office of the Common Council
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Packet Related Material

Memo
Agenda
Calendar
Notices and Agendas:

- **Notice of Special Session** to Immediately Follow the Committee of the Whole on Wednesday, March 9th in the Council Chambers

Legislation and Background Material for Discussion at the Committee of the Whole on Wednesday, March 9th:

- **Ord 11-02** An Ordinance Amending Ordinance 10-18 Authorizing the City of Bloomington, Indiana to Issue Its Economic Development Revenue Bonds, Series 2011 (Bloomington Dyslexia Center, LLC Project) in the Principal Amount Not in Excess of One Million Five Hundred Thousand Dollars (\$1,500,000), and Approving and Authorizing Other Actions in Respect Thereto
Contact: Adam Wason at 349-3418 or wasona@bloomington.in.gov

Please see the following Council Legislative Packets for the relevant legislation, materials and summary for the following meetings:

- 2 March 2011 Regular Session (first reading of Ord 11-02)
- 17 November 2010 Regular Session and Committee of the Whole (first reading and discussion of previous legislation)
- **Res 11-06** Authorizing a Grant Under the Bloomington Investment Incentive Fund - Re: \$25,000 to Bloomington Playwrights Project for Capital Improvements at 107 West 9th Street
 - EDC Res 11-01; Memo to Council from Adam Wason (Assistant Director for Small Business and Sustainable Development) and Miah Michaelsen (Assistant Director for the Arts), Department of Economic and Sustainable Development; BIIF Application Check List and Overview;

Application: General Information; Certification; Proposal; Project Expenses; Estimated Earnings; Revenues and Expenses 2008, 2009, 2010, 2011 (June to June with Budget for 2011); BIIF Operating Policies and Guidelines

Contact: Adam Wason at 349-3418 or wasona@bloomington.in.gov

Miah Michaelsen at 349-3418 or michaelm@bloomington.in.gov

Legislation and Background Material for Action at Special Session Immediately Following the Special Session on Wednesday, March 9th:

- **Res 11-07** – **Opposing SB 590, Titled *Illegal Immigration Matters***

- Memo from sponsors; SB 590 link; Indiana Compact link

Contacts:

Isabel Piedmont-Smith: 333-8489 or 349-3409; piedmoni@bloomington.in.gov

Susan Sandberg: 332-2564 or 349-3409; sandbers@bloomington.in.gov

Mike Satterfield: 333-0898 or 349-3409; satterfm@bloomington.in.gov

Memo

Two Items Ready for Discussion at the Committee of the Whole and One Item Ready for Action at the Special Session Immediately Following the Committee on Wednesday, March 9th

There will be two meetings on Wednesday evening. The first will be a Committee of the Whole to discuss two items. The first item, Ord 11-02 (authorizing issuance of tax exempt bonds for Pinnacle School), can be found in last week's packet or at the link provided previously in this memo. The second item, Res 11-06 (authorizing a \$25,000 BIIF grant for Bloomington Playwrights Project), can be found in this packet and is summarized herein. The second meeting is a Special Session to consider Res 11-07 which opposes SB 590 entitled *Illegal Immigration Matters*, and which can be found in this packet and is summarized herein.

Resolution for Committee of the Whole

Item Two – Res 11-06 – Authorizing a \$25,000 Grant from the Bloomington Investment Incentive Fund (BIIF) to Bloomington Playwrights Project for Physical Improvements to Theater Space at 107 East 9th Street

Res 11-06 brings forward the first grant under the Bloomington Investment Incentive Fund after the Operating Policies and Procedures were amended last December (with

the adoption of Res 10-18). It authorizes a \$25,000 grant to Bloomington Playwrights Project (BPP) for renovations and enhancements to their theater space at 109 West 9th Street which is located within the Bloomington Entertainment and Arts District (BEAD).

BIIF Matching Grant Program – Eligibility, Preliminary Approvals, and Additional Terms (If the Grant is Approved by the Council)

Applicant: As you may recall, the BIIF offers four loan programs and one grant program. The grant program is available to non-profits which are:

- Engaged in a retail or commercial activity as a primary purpose (including performance venues, galleries and retail shops); and
- Operate a social enterprise which is of equal importance to the traditional commercial or other business goals.

Eligibility: The BPP is a non-profit (501(c)(3)) organization which has focused on the development and performance of original plays since 1979. It operates a theater, gallery and offers rental space, and uses the income to further its goals.

Usage of Funds: The grant may be used for qualified capital improvement costs including the acquisition of land or buildings; construction, expansion or renovation of buildings; purchase of eligible equipment or inventory; and, improvements to infrastructure.

Eligibility: The project includes improvements to the concrete stage floor, lighting, sound and projection equipment, HVAC system, seating and backstage areas.

Additional Terms and Limitations: Grants are also subject to the following additional terms and limitations:

- No more than \$50,000 in grants may be awarded in any one calendar year -
 - *Eligibility:* This is the first grant this calendar year.
- The grant may not amount to more than \$25,000 and no more than 50% of the cost of the project –
 - *Eligibility:* This grant is for \$25,000 and amounts to about 34% of the total project cost of \$74,000.
- An organization is eligible for one grant in every five years –
 - *Eligibility:* BBP has not received a BIIF grant in the past.
- Grant funds are in lieu of a loan –

- *Eligibility:* BPP has not received a loan from the City for this project.

Preliminary Approvals: In accordance with program procedures this grant was reviewed and recommended for funding by the BIIF Review Committee (which occurred on January 18th and included Councilmember Satterfield as Council appointee to the EDC) and the Economic Development Commission (which occurred on January 28th).

Subsequent Steps Should Council Approve the Grant. In the event the Council approves the grant and the City verifies the availability of funds, BPP would need to execute a funding agreement with the City and comply with all the terms and conditions set forth in the BIIF Operating Policies and Guidelines approved in Res 10-18.

Evaluation Criteria

The Operating Policies and Procedures set forth general evaluation criteria that apply to grants and loans but may be waived if the waiver furthers the purpose of the program or the criteria is not applicable to the proposal. Here, in brief, are those evaluation criteria:

- **Strength of business plan or proposal** including either the extent sustainability goals equal traditional business goals or the extend the proposal enhances the Bloomington as an arts and cultural destination.
- **Jobs created as a result of the project;**
- **Overall impact on the economic vitality of the community;**
- **Priority given to:**
 - **Retaining or attracting enterprises providing permanent jobs;**
 - **Supporting social enterprises and NFPs contributing to the economic vitality of the community;**
 - **Furthering the BEAD strategic plan and the sustainable development policies of the City.**
- **Nature and extent of equity participation of the principal owner(s);**
- **Leveraging of City funds to garner other funds or capital;**
- **Nature and extent of security/guarantees;**
- **Credit history;**
- **Increases or decreases in tax base as a result of the project (applicable to the loans, not grants);**
- **Nature and extent of other City or State incentives going to the project (e.g. tax abatements);**

- **Compliance and compatibility with the City Unified Development Ordinance and policies of the Historic Preservation Commission; and**
- **Public benefit of any relocation.**

Summary of Proposal¹

The BPP has been a local professional theater for over 30 years. It is distinguished from other local theater groups (i.e. IU Department of Theater and Drama and Cardinal Stage Company) by its focus on developing and producing new plays. The center pieces of its main stage season are two national-level competitions where over 1,300 plays are submitted for the opportunity to be performed under the Woodward/Newman Drama and the Reva Shriner Comedy awards. Over the years these competitions have attracted talent that were or have become nationally renowned. Last year, approximately 4,000 patrons attended these and many other live, dramatic performances and events.

BPP also offers a Youth Education Program that reached 4,400 students in the region last year. For additional revenue, the lobby serves as the Bellevue Gallery and the facility is available for rental to compatible organizations and activities.

It has a robust board and a small, professional staff including the Producing Artistic Director, Chad Rabinovitz, and Managing Director, Gabe Gloden, both of whom have training and experience in arts and business.

It has a 10-year lease on a 5,075 former auto body shop and night club located on West 9th Street at the northern edge of the BEAD. The space includes a large lobby (gallery), offices, a 90-seat stage space with risers, dressing rooms, restrooms and a kitchen.

The project's budget is \$74,000 and includes \$38,000 of contributions, \$11,000 of in-kind donations, and \$25,000 from this grant. The renovations would begin in February, be largely done by June and finished by September and include:

- Replacing the concrete floor with one made of wood;
- Enhancing the stage sound and lighting equipment (including the purchase of two Mac laptops);
- Replacing the video projector and installing a suitable screen at the back of the stage;

¹ This summary was based upon the material in the packet submitted by the applicant.

- Replacing the folding chairs with more comfortable, built-in ones and adding handrails for safety and improving house lighting;
- Renovating the dressing rooms;
- Overhauling the HVAC system; and
- Painting the walls.

As the Memo to the Council indicates, these changes are intended to take the facility and ... artistic product to the next level.” They also will make the facility more attractive, functional and flexible “to meet the demands of its productions as we as the needs of current and future rental clients.”

BPP had a budget of about \$250,000 in 2010. It’s business plan addresses increases in three streams of revenues. The first is from the theater competitions and performances. By targeting the under 50 (years-of-age) audience and augmenting annual subscription income (as opposed to individual tickets priced at \$18 for adults and \$15 for students and seniors), the BPP estimates that it can increase attendance by 25% in the next four years. The second is from rental of the facility. By making these improvements, BPP expects to be more competitive with alternate venues that include the Buskirk-Chumley Theater and the IVY Tech John Waldron Arts Center. The third is from the Bellevue Gallery. By making these improvements, BPP expects to attract more visitors during the monthly “Gallery Walk.” The plan also foresees that the activities related to the latter two revenue streams will interest more people in seeing the theater performances.

Rationale for Support

The Memo to the Council supports this grant for the following reasons. First, it estimates that the economic impact of BPP on the community (based upon BPP’s annual budget, size of our community, and number of performances) is \$500,000 per year. Second, the grant will help develop the arts sector of our economy and serve an “important anchor in the BEAD” which offers a “unique product ... and will positively impact both the artistic community and the local economy.”

Resolution for Special Session

Item One – Res 11-07 – Opposing SB 590, Titled *Illegal Immigration Matters*

Resolution 11-07 is sponsored by Councilmembers Piedmont-Smith, Sandberg and Satterfield and expresses the Bloomington Common Council’s opposition to Indiana Senate Bill 590 (SB 590) entitled, “Illegal Immigration Matters.” [SB 590](#) was passed by the Indiana Senate on February 22, 2011. Over thirty pages, the bill makes a number of changes concerning the enforcement of federal immigration laws, checking the citizenship or immigration status of individuals, imposing an “English only” requirement and related criminal and civil matters.

SB 590 proposes to re-shape much law enforcement, governmental and business practice. Res 11-07 focuses its criticism of the bill on four main points: its burden on law enforcement, its burden on the Spanish-speaking community, its potential burden for social services and its burden on business.

Law Enforcement

One of the most salient features of SB 590 is its call for local law enforcement to ask for verification of identity when an officer has “reasonable suspicion” to believe the person is an alien and not lawfully present in the U.S. Notably, “reasonable suspicion” can only be triggered in the course of a “lawful stop, detention or arrest of an individual” for violation of a State law or local ordinance. The resolution points out that the “reasonable suspicion” standard is a vague one, one that provides little guidance to law enforcement. In the absence of clear guidelines, the test almost certainly calls upon those enforcing the law to rely on observable characteristics, such as skin color, accent, inability to understand English, etc. This raises the obvious specter of racial profiling – a practice the resolution describes as discriminatory and abhorrent.

SB 590 has damaging implications for local law enforcement. The sponsors of this resolution have consulted with Chief Diekhoff on the implications for the Bloomington Police Department. Based on this consultation, the resolution asserts that SB 590 will:

- Lead to even greater reluctance of our local Latino community to report crime
- Erode the trust and respect of the Latino community – a trust BPD has worked hard to cultivate

- Divert critical law enforcement resources away from preventing and stopping criminal actions by calling upon local law enforcement to focus on immigration

English Only

SB 590 also and imposes an “English only” requirement in public meetings, public documents, websites and for employees of political subdivisions performing their duties. While this requirement is fraught with exceptions² and inconsistencies, the intent does appear to be to silence most non-English communication by government. As the resolution points out, the City of Bloomington has dedicated two staff members to provide outreach and direct services to the Latino community. Most of this work is conducted in Spanish. Outreach efforts include:

- *Boletin Comunitario*, a monthly newsletter that informs the Spanish-speaking community on local issues, events and relevant topics.
- *HOLA* Bloomington Radio show which is a weekly public affairs show all in Spanish on WFHB.
- The Latino Programs and Outreach division of the City’s Community and Family Resources Department provides webpages in both English and Spanish.

Direct Services include: Medicaid enrollment, conflict resolution translation of important documents, notary services, finding childcare, searching for employment, applying for unemployment, negotiation of debt, holiday assistance, tax clinic, housing disputes/finding affordable housing, and interpreting for clients at other offices like the township trustees, SCCAP, Monroe County United

² For example, SB 590 provides that:

- (a) A language other than English may be used when required:
 - (1) by the Constitution of the United States, federal law, or the Constitution of the State of Indiana;
 - (2) by law enforcement or public health and safety needs;
 - (3) to protect the rights of parties and witnesses in a civil or criminal action in a court or in an administrative proceeding;
 - (4) to promote and encourage tourism and international trade;
 - (5) to teach:
 - (A) another language to students proficient in English; or
 - (B) English to students of limited English proficiency;
 - (6) by libraries:
 - (A) to collect and promote foreign language materials; and
 - (B) to provide foreign language services and activities; or
 - (7) to arrange for or provide health care services or items.
- (b) A language other than English may be used as follows:
 - (1) To create or promote state or political subdivision mottos.
 - (2) For inscriptions on public monuments.
 - (3) When the language involves terms of art or terms or phrases from languages other than English that are commonly used in official communications.

Ministries, FSSA office, MCCSC, Mother Hubbard's Cupboard, Habitat for Humanity and many more.

City staff also provide a Spanish version of the Citizen's Academy, the Spanish/English conversation club, town hall meetings in Spanish and Hispanic Heritage month celebration events like the COPA soccer tournament and *Fiesta del Otoño*.

The local Latino population has increased 80% over the last ten years – from 2,235 Latinos in 2000 to 4,029 Latinos in 2010. As pointed out in the resolution, provision of Spanish-language outreach and direct services is critical to helping Latinos understand and engage in civic life

Benefits funded in whole or part through local dollars

SB 590 also provides that anyone providing benefits³ that are funded in whole, or part, by local money, shall verify via affidavit that the recipient is either a U.S. citizen or a qualified alien.⁴ Persons providing such benefits are required to keep the affidavits on file for five years. Res 11-07 points out that this will create an administrative burden for many social services agencies receiving City grants.

Business

The resolution also points out that many in the business community have expressed opposition to SB 590, including Eli Lilly and Company, and Cummins, Inc., the Indiana Economic Development Association, the Indianapolis Convention and Visitors Association and the Greater Indianapolis Chamber of Commerce. These businesses and organizations point out that SB 590 will make it more difficult to attract global talent and to be competitive in the global marketplace.

Other Notable Opponents

Both the Indiana Association of Chiefs of Police and the Indiana Association of Cities and Towns (IACT) oppose SB 590. IACT points out that the measure compromises home rule and increases costs and potential liabilities for cities and

³ SB 590 relies on the USC definition of “benefit”:

According to 8 USC 1621:

(c) “**State or local public benefit**” defined (1) Except as provided in paragraphs (2) and (3), for purposes of this subchapter the term “State or local public benefit” means—

(A) any grant, contract, loan, professional license, or commercial license provided by an agency of a State or local government or by appropriated funds of a State or local government; and

(B) any retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of a State or local government or by appropriated funds of a State or local government

⁴ Per 8 USC 1641

towns.

A Federal Issue

Importantly, Res 11-07 recognizes the need for immigration reform, but states that immigration reform is a matter of federal, not State, policy.⁵

The Indiana Compact

Res 11-07 supports the five principles of immigration policy articulated in the Indiana Compact and directs the Council President to sign the Compact on behalf of the entire Council. The principles of the Compact are outlined in the resolution. To view the Compact and its signatories, please visit: www.indianacompact.com.

Fiscal Impact of Enforcement

The Fiscal Impact Statement accompanying SB 590 states that it “does not include a secondary analysis of the potential effects stricter enforcement of unauthorized immigration law may have on local expenditures.”

Other Notable Provisions & Fiscal Impacts of SB 590

SB 590 contains a number of other provisions that impinge on local government, but that are not explicitly mentioned in Res 11-07.

- The bill allows court actions to be brought against government bodies and law enforcement agencies that enact safe haven ordinances, resolutions, rules, or policies. The bill is silent on who can bring action to remedy safe haven policies. The Fiscal Impact Statement provides:

This bill will increase court workload as well as the workload of law enforcement agencies and local government officials to defend their respective government units and law enforcement agencies against court action for enacting a safe harbor policy. Actual increases are indeterminable.

- As a condition of receiving a local grant or award in excess of \$1,000 or a property tax exemption, businesses would be required to participate in the E-Verify program.

⁵ SB 590 is substantially similar to another State’s law, whose core components have been blocked by a federal district court, holding that the State’s attempt to regulate immigration interferes with the federal government’s authority to regulate and enforce immigration and violates the Supremacy Clause of the U.S. Constitution. This ruling has been appealed to the United States Court of Appeals for the Ninth Circuit. A panel of the Court of Appeals heard oral argument in the case on November 1, 2010 and will eventually issue a ruling either affirming or reversing the district court’s decision on the preliminary injunction. The side that loses may then seek further review from the entire appeals court and/or the United States Supreme Court.

- The bill requires law enforcement officers to submit a complaint to the U.S. Immigration and Customs Enforcement regarding individuals who violate provisions regarding the employment of day laborers. According to the Fiscal Impact Statement, “This is expected to increase the workload of local law enforcement.”

- The bill requires that political subdivisions use the E-Verify program to verify the work eligibility of all employees hired after the effective date of the Bill.

- The bill requires all public contracts for services to provide that contractors verify the work eligibility of employees using the E-verify program. If a contractor fails to remedy this violation within 30 days, SB 590 requires the political subdivision to cancel the contract. According to the Fiscal Impact Statement, local government would be required to spend more to defend their interests in court where a contractor or subcontractor seeks civil redress for wrongful termination of contract.

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL
COMMITTEE OF THE WHOLE & SPECIAL SESSION
7:30 P.M., WEDNESDAY, MARCH 9, 2011
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

COMMITTEE OF THE WHOLE

Chair: Chris Sturbaum

1. Ordinance 11-02 An Ordinance Amending Ordinance 10-18 Authorizing the City of Bloomington, Indiana to Issue Its Economic Development Revenue Bonds, Series 2011 (Bloomington Dyslexia Center, LLC Project) in the Principal Amount Not in Excess of One Million Five Hundred Thousand Dollars (\$1,500,000), and Approving and Authorizing Other Actions in Respect Thereto

Asked to Attend: Adam Wason, Assistant Director of Economic Development for
Small Business and Sustainable Development
Bond Counsel, Karl R. Sturbaum
Representative of the Petitioner

2. Resolution 11-06 Authorizing a Grant Under the Bloomington Investment Incentive Fund -
Re: \$25,000 to Bloomington Playwrights Project for Capital Improvements at 107 West 9th Street

Asked to Attend: Adam Wason, Assistant Director of Economic Development for
Small Business and Sustainable Development
Miah Michaelsen, Assistant Director of
Economic Development for the Arts
Representative of the Petitioner

(Then adjourn and immediately reconvene for a)

SPECIAL SESSION

I. ROLL CALL

II. AGENDA SUMMATION

III. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Resolution 11-07 Opposing SB 590, Titled *Illegal Immigration Matters*

Committee Recommendation: N/A

IV. ADJOURNMENT



**City of Bloomington
Office of the Common Council**

To: Council Members
From: Council Office
Re: Calendar for the Week of 07-11 March 2011

Monday, 07 March 2011

5:00 pm Redevelopment Commission, McCloskey
5:30 pm Bicycle and Pedestrian Safety Commission Work Session, Hooker Room
5:30 pm Plan Commission, Council Chambers
7:00 pm Arts Alliance of Greater Bloomington, McCloskey

Tuesday, 08 March 2011

4:00 pm Board of Park Commissioners, Council Chamber
4:30 pm Commission on Aging, Hooker Room
5:00 pm Community and Family Resources Commission, Kelly
5:30 pm Animal Control Commission, Hooker Room
6:00 pm City of Bloomington Commission on Sustainability, McCloskey

Wednesday, 09 March 2011

2:00 pm Hearing Officer, Kelly
4:00 pm Board of Housing Quality Appeals, McCloskey
4:00 pm Commission on the Status of Black Males, Hooker Room
6:00 pm Park Avenue (1st St to Atwater) Improvement Meeting, McCloskey
7:30 pm Common Council Committee of the Whole
immediately followed by a Special Session, Council Chambers

Thursday, 10 March 2011

12:00 pm Housing Network, McCloskey
12:00 pm Platinum Biking Task Force, Hooker Room
4:00 pm Jack Hopkins Social Services Funding Technical Assistance Meeting, Council Chambers
4:00 pm Bloomington Historic Preservation Commission, McCloskey
4:00 pm Solid Waste Management District, Monroe County Courthouse, Judge Nat U. Hill, III Room

Friday, 11 March 2011

10:00 am Bloomington Public Transportation Corporation, Public Transportation Center, 130 W Grimes Lane
1:30 pm Metropolitan Planning Organization Policy Committee, McCloskey

Posted and Distributed: Friday, 04 March 2011



City of Bloomington
Office of the Common Council

NOTICE OF SPECIAL SESSION

THE COMMON COUNCIL HAS VOTED TO HOLD A
SPECIAL SESSION ON
WEDNESDAY, 09 MARCH 2011

THIS MEETING WILL HELD IMMEDIATELY FOLLOWING
THE COMMITTEE OF THE WHOLE

WHICH WILL BE HELD AT 7:30 PM,
IN COUNCIL CHAMBERS – ROOM 115
401 N. MORTON STREET

Dated and Posted: Friday, March 04, 2011

401 N. Morton Street • Bloomington, IN 47404

City Hall

Phone: (812) 349-3409 • Fax: (812) 349-3570

www.bloomington.in.gov/council
council@bloomington.in.gov

RESOLUTION 11-06

**AUTHORIZING A GRANT UNDER THE BLOOMINGTON INVESTMENT
INCENTIVE FUND -**

**Re: \$25,000 to Bloomington Playwrights Project for
Capital Improvements at 107 West 9th Street**

WHEREAS, on March 5, 1986, the City of Bloomington Common Council established the Bloomington Investment Incentive Fund (the “Fund”) by Ordinance 86-04 with an initial allocation of \$400,000 from the City’s Special Non-Reverting Improvement Fund; and,

WHEREAS, the ordinance provided for a revolving loan program from which the loans would be made under procedures and criteria established by Resolution 86-06, which established guidelines for the administration of the fund; and,

WHEREAS, subsequent amendments including Resolution 10-18 has approved updated guidelines and procedures for use of the Fund that allows for grants to be made from the Fund in amounts of no more than \$25,000 per grant with a maximum of \$50,000 in grants awarded in any given year; and,

WHEREAS, procedures for the Fund require that an application for grants from the Fund be made to the Economic Development Commission of the City of Bloomington (“Commission”), and following a positive recommendation by the Commission’s Fund Review Committee and the Economic Development Commission as a whole, the application shall be forwarded to the Bloomington Common Council for approval by resolution; and,

WHEREAS, the Bloomington Playwrights Project filed a grant application through the Fund which has been approved by the Commission’s Resolution 11-01; and,

WHEREAS, according to the application, the Bloomington Playwrights Project intends to use the matching grant funds for capital improvements to their location at 107 West 9th Street in downtown Bloomington so that they may better serve their customers and increase their capacity as an arts based organization;

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

SECTION 1. A Bloomington Investment Incentive Fund Grant is awarded in the amount of twenty-five thousand dollars (\$25,000.00) to the Bloomington Playwrights Project. The Controller of the City of Bloomington is hereby authorized to release funds in the amount specified and subject to the specific terms and conditions approved by the Economic Development Commission in its Resolution 11-01, together with all terms and conditions contained in Resolution 10-18, and all terms contained in a grant agreement hereby authorized to be executed between the City of Bloomington and the Bloomington Playwrights Project.

SECTION 2. This resolution shall be in full force and effect from the passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this _____ day of _____, 2011

SUSAN
Bloom

SANDBERG, President
ington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2011.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2007.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution approves and authorizes a grant from the Bloomington Investment Incentive Fund to the Bloomington Playwrights Project for capital improvements at their facility at 107 W. 9th Street in downtown Bloomington. The Bloomington Playwrights Project is a 501(c) (3) arts based organization looking to invest over seventy-four thousand dollars (\$74,000) in capital improvements to better serve their customers. The twenty-five thousand dollar (\$25,000) matching grant will assist with physical improvements to the lobby and theatre areas, including but not limited to HVAC, flooring and electrical systems. It is also subject to all specific terms and conditions contained in the City of Bloomington's Economic Development Commission Resolution 11-01, as well as, the guidelines and procedures of Common Council Resolution 10-18.

**RESOLUTION 11-01
OF THE ECONOMIC DEVELOPMENT COMMISSION
OF THE CITY OF BLOOMINGTON, INDIANA**

WHEREAS, the City of Bloomington Common Council has established and approved the guidelines and procedures for administering the Bloomington Investment Incentive Fund (the "Fund") and the use of fund within the Fund; and,

WHEREAS, the Fund guidelines allow for making grants not to exceed \$25,000 to non-profit organizations that have commercial or retail activities as a primary purpose; have funds available to match the grant amount; and have not received a grant in the five-year period immediately preceding the grant disbursement; and,

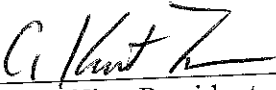
WHEREAS, the Bloomington Playwrights Project ("BPP") is an Indiana not-for-profit corporation, founded in 1979, whose primary goal is to encourage and produce new plays; to provide opportunities for development, education and production of theater; to provide opportunities for promising established writers and theater artists in a professional environment; and,

WHEREAS, the BPP has filed an application for a grant through the fund which has been submitted to the Economic Development Commission for its approval and received a positive recommendation from the Fund's Review Committee; and,

NOW THEREFORE, BE IT RESOLVED THAT:

1. The Economic Development Commission of the City of Bloomington does hereby approve the Bloomington Investment Incentive Fund Grant Application in the amount of \$25,000 to the Bloomington Playwrights Project; and
2. This approval is a commitment preceding the required approval of the City of Bloomington Common Council and the execution of a funding agreement and any other documents deemed necessary by the City of Bloomington regarding the grant; verification by the City of the availability of required matching funds; and compliance with all terms and conditions contained in Common Council Resolution 10-17 adopting amendments to the Fund;

APPROVED this 28th day of January, 2011.



Kurt Zorn, Vice-President
City of Bloomington Economic Development Commission



CITY OF BLOOMINGTON
economic & sustainable development

MEMORANDUM

To: Members of the City of Bloomington Common Council
CC: Margie Rice, Inge Van der Cruysse, Mike Trexler, Dan Sherman, Regina Moore
From: Adam Wason, Miah Michaelsen
Date: February 9, 2011
Re: Resolution 11-XX: to Approve Application and Authorize Grant from the Bloomington Investment Incentive Fund (Bloomington Playwrights, Petitioner)

Business Investment Incentive Fund (BIIF) Grant Application – Bloomington Playwrights Project

The Bloomington Playwrights Project submitted a grant application to the BIIF for the purposes of supporting planned renovations and other enhancements to its theater space at 107 W. 9th St. in the Bloomington Entertainment and Arts District (BEAD).

On January 18, 2011, the Economic and Sustainable Development (ESD) staff convened the BIIF Review Committee to review the application. The review committee voted to recommend approval by the EDC. The EDC on January 28, 2011 adopted its Resolution 11-01 supporting the grant application, and recommended Common Council approval.

Project Information

Renovations are necessary to take the BPP's facility and by extension its artistic product to the next level. Improvements are needed on the aesthetic appeal of the facility as well its functionality and flexibility to better meet the demands of its productions as well as the needs of current and future rental clients.

The building itself (under 10-year lease by the BPP) is spacious and structurally sound. The performance space is functional, but lacks the necessary equipment to provide the professional experience demanded by audiences and by the rental market. Planned upgrades include improvements to the concrete stage floor; lighting, sound and projection equipment; HVAC improvements; additional house lights and handrails; and upgrades to the backstage areas.

As a result of the proposed theater renovations, BPP projects an increase in attendance of approximately 25% over the next four years, from a baseline anticipated attendance of 4,400 during the 2010/11 season to 5,500 in 2013/14, putting them at approximately 85% of their current seasonal seating capacity. BPP staff feels this is achievable based on the current rate of audience growth being experienced between the 2009/10 season and the

2010/11 season. Of this growth, they attribute 25% to strategic investments in production quality instituted during the 2009/10 season. (As a producer of new plays, BPP cannot count on audience recognition of a play's title to be a driver or discourager of show attendance as many other theaters can.)

The proposed theater improvements should support upward growth in attendance along with ongoing investments in production budgets and other spending that strengthens onstage product and the audience experience.

In the theater industry, subscribers are a key component of the ticket-sales mix providing a cash infusion during a theater's off-season, when cash flow is tight. In contrast, single ticket sales have the potential to provide more revenue; they are priced higher per ticket than subscription tickets. Subscribers are known to be an organization's most loyal audience members as well as its largest source of donors, so BPP is making a concerted effort to grow this segment. Of its total projected 2013/14 audience of 5,500, BPP anticipates approximately 1,200 of those seats to be sold as part of a subscription package (approximately 240), triple the number of 2009/10 subscribers. That projected rate of growth is actually quite modest, considering that subscription sales for the theater have nearly doubled from 2009/10 to 2010/11 where they now stand at 154. At its projected 2013/14 rate, BPP would still be less than 25% subscribed, well under the sector average.

Rationale for Support

Based on industry-supported formulas created by Americans for the Arts, the leading arts advocacy and information source for the artistic sector, the economic impact on the community using the BPP annual budget, size of community and number of performances is nearly \$500,000 annually.

The project supported by this grant application is aligned with the Administration's goals for development of the arts sector of our economy and as an important anchor in the Bloomington Entertainment and Arts District (BEAD). The goal of BEAD is to market Bloomington (particularly its arts and entertainment industry and products) as a destination for tourists and visitors. Completion of this project will enhance a unique product in BEAD and will positively impact both the artistic community and the local economy.

With the unanimous support of the review committee, the positive recommendation of the Economic Development Commission, we now request final approval of the Common Council.



**BLOOMINGTON INVESTMENT INCENTIVE FUND
NON-PROFIT MATCHING GRANT FUND
APPLICATION CHECKLIST**

1. Section 1.

Organizational Overview

- Contact information and 501(c)3 letter
- Staff information
- Governance Structure
- Product/service description
- Audience/market/constituency served
- Marketing strategy
- Organizational financial documentation
- Strategic Plan

Project Overview

- Project summary
- Identified need/opportunity
- Target audience/market/constituency
- Marketing for project
- Collaborators
- Energy/conservation efforts
- Project viability
- Budget narrative
- Impact

2. Section 2. Completed Application

- General Information
- Proposal Finances & Readiness
- Signed Certification

3. Attachment A. Project Readiness Documentation

- Matching funds secured
- Land or building purchase documentation
- Construction contract(s)
- Equipment/Inventory order information

4. Application Fee

- \$100.00 application fee payable to the City of Bloomington

5. Please submit above documents to:

City of Bloomington
Economic & Sustainable Development Department
P.O. Box 100
Bloomington, IN 47402

Contact: Miah Michaelson, Assistant Director for the Arts
Phone: 812-349-3418
Fax: 812-349-3520
Email: michaelm@bloomington.in.gov



**BLOOMINGTON INVESTMENT INCENTIVE FUND
NON-PROFIT MATCHING GRANT FUND
SECTION 1**

Organizational Overview

1. Description
 - a. Contact information – Legal name and full contact information for organization including FEIN. Attach copy of IRS 501(c) 3 determination letter.
 - b. Staff – Contact information and brief bios on relevant organizational staff; contact information and bios of all project management staff.
 - c. Governance Structure – 1-2 page narrative on organizational structure and function including list of all board members with affiliations. Include information on the frequency of meetings and summary of basic board functions (including financial functions).
 - d. Product, Service, or Outcome – 1-2 page description of product or service produced or outcomes sought.
 - e. Audience/Market/Constituency Served – 1-2 page narrative on audience for whom product/service/outcome is produced. Assess and differentiate organization from other similar providers in the marketplace. Include findings of previous or current market/audience/constituency analysis.
 - f. Marketing – Provide overview of organizational marketing strategy.
2. Financial – Current fiscal year budget and three (3) years previous of either audit or balance sheet and profit/loss statement.
3. Strategic Plan and mission statement – 1-2 page overview of organization’s current strategic plan, mission, and outline other organizational planning efforts that may be in progress.

Project Overview

1. Description and Rationale
 - a. Project Narrative – A description of project to include the following:
 - i. Project Summary – 1-2 page narrative including development history, key staff, project specifics, role of project in strategic plan and timeline for implementation.
 - ii. Identified Need/Opportunity – What is the identified need, how does the project meet that need and how does the project align with current organizational and/or community planning.
 - iii. Target Audience/Market/Constituency – Identify and quantify the project audience including any increases in quantity or efficiency.
 - iv. Marketing – Outline marketing efforts for project, including timeline.
 - v. Collaborators – Describe any key collaborators on project.
 - vi. Energy/Conservation Efforts – Describe any energy or conservation efforts that reflected in your project as well as your organization.
 - b. Viability of project – Describe plans to ensure project’s ongoing viability beyond the timeline of the current grant.
2. Financial
 - a. Budget narrative – Provide a narrative explanation for all items on project budget in Part 2 of the application. Indicate where costs are estimated and by what methodology. Indicate sources for all anticipated revenue
 - b. Impact – Describe the project’s impact on the organization’s financial health and growth.



**BLOOMINGTON INVESTMENT INCENTIVE FUND
NON-PROFIT MATCHING GRANT FUND
SECTION 2: Application – Part 1
GENERAL INFORMATION**

Rev. 2010

Please attach additional sheets if necessary.

Date of application:	12/22/10
Applicant name(s):	Bloomington Playwrights Project – Chad Rabinovitz
Applicant phone:	812-334-1188
Applicant address:	107 W. 9 th St., Bloomington, IN 47404
Applicant email:	artisticdirector@newplays.org

If the applicant and or not-for-profit enterprise are not one and the same, please provide not-for-profit contact information.

Not-for-profit name:	
Phone:	
Address:	
Email:	

Total amount requested: \$25,000

Total project cost: \$74,000

Grant Eligibility: Please check one.

<input checked="" type="checkbox"/>	Organization with a retail or commercial activity as a primary purpose.
<input type="checkbox"/>	Organization that operates a social enterprise, in which at least one social or environmental goal is considered to be of equal importance to traditional commercial or other business goals.

Start-up date:	1979		
Type of incorporation:	501c3		
Incorporation date:	1980	State:	IN
Federal Tax ID #:	314012549	NAICS code:	71111

List the hours of operation for the organization.

Monday 9am-11pm	Tuesday 9am-11pm	Wednesday 9am-11pm	Thursday 9am-11pm	Friday 9am-11pm	Saturday 10am-11pm	Sunday 10am-10pm
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List the days and hours each principal owner will be at the business.

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
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- Please list any insurance policies related to the organization currently in place (i.e. health plans, liability coverage, etc.)
 - Liability – West Bend Mutual
 - Healthcare - Anthem

<p>Project Readiness <i>Please answer questions below if applicable to your business and provide documentation as necessary in Attachment A.</i></p>
<p>For those sources of matching funds that are not already secured, please explain where your organization is at in the process. \$35,800 has been raised with an additional \$11,000 of in-kind donations</p>
<p>Has the land or building for this project been purchased or has an offer been made? Yes <input type="checkbox"/> No <input type="checkbox"/> If so, when: Provide further explanation if necessary.</p>
<p>Have construction contracts for this project been signed? Yes <input type="checkbox"/> No <input type="checkbox"/> If so, when: Provide further explanation if necessary.</p>
<p>Has equipment or inventory to be financed been ordered? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If so, when: Nov./Dec. Provide further explanation if necessary. Materials for the lobby have been purchased and installed but equipment for the mainstage space is unable to be purchased until the grant funding is acquired.</p>

<p>Professional Support Personnel <i>(i.e. attorney, accountant, bank representative, etc.)</i></p>
<p>Name: Kevin Keough Address: 222 W. Allen St. Phone: 812.334.7610 Occupation:</p>

C.P.A.			
Name: Frank Motley Address: 3108 N. Ramble Rd. E. Phone: 855-4765 Occupation: Lawyer			
Name:	Address:	Phone:	Occupation:
Name:	Address:	Phone:	Occupation:
Name:	Address:	Phone:	Occupation:



**BLOOMINGTON INVESTMENT INCENTIVE FUND
NON-PROFIT MATCHING GRANT FUND
CERTIFICATION**

The loan applicant herein certified that:

- To the best of the applicant's knowledge and belief, the data presented in this loan application is true and correct, and is provided for the purpose of obtaining or maintaining credit.
- The purpose described in this application has been duly and legally authorized by the applicant.
- Upon approval of the funds requested, the applicant is willing and is duly and legally authorized to enter into a legally binding loan commitment and will comply with all of the provisions and conditions of any loan agreement.
- The applicant hereby authorizes the Loan Review Committee, its authorized agent and representatives, to investigate the applicant's credit worthiness, credit capacity, or business affairs.
- The applicant hereby authorizes any person, business, and/or financial institution having information pertaining to the applicant's credit worthiness credit capacity, or business affairs to release the same to the Loan Review Committee, its authorized agents or representatives.
- The applicant agrees to hold harmless the City of Bloomington, its officers, agents, and the City of Bloomington Loan Review Committee members and their respective organizations from liability as a result of actions and outcomes taken during or after the loan review process.
- I further certify that the individual(s) applying for the Business Investment Incentive Loan Fund are not in arrears on any payments, fees, charges, fines or penalties owed to the City of Bloomington, Indiana, including, but not limited to, City of Bloomington Utilities, Bloomington Transit, and any other City of Bloomington departments, boards or commissions.

Applicant

Organization name:
Bloomington Playwrights Project

By (Applicant's signature)

Printed name: Chad Rabinovitz
Title: Producing Artistic Director

Co-applicant

Organization name:
Bloomington Playwrights Project

By (Co-applicant's signature)

Printed name: Sonja Johnson
Title: Board President

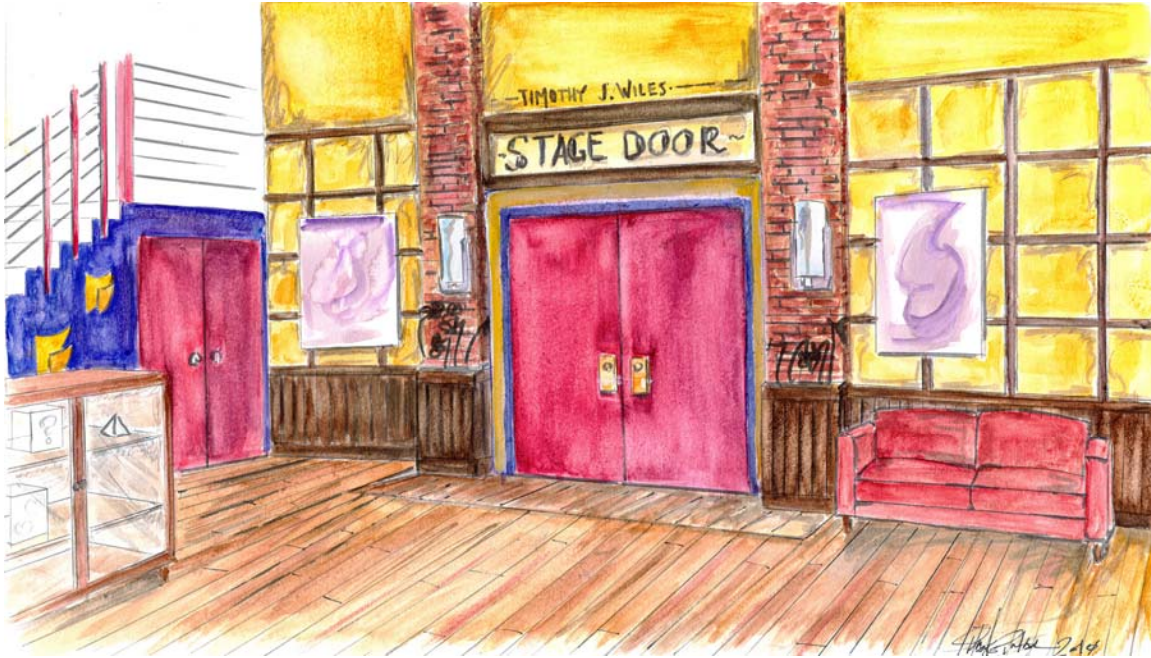
Date: 12/22/10

Date: 12/22/10

Please return this completed application along with \$100.00 processing fee and appropriate attachments to:

City of Bloomington
Department of Economic & Sustainable Development
PO Box 100
Bloomington, IN 47402

Bloomington Playwrights Project Business Plan and Theatre Renovation Project



About the Bloomington Playwrights Project

The Bloomington Playwrights Project (BPP) now in its 31st year of operation, is the only professional theater in the region focused on the development and production of new plays. As a recognized leader in new play development, the BPP works with some of the top playwrights in the field as well as established and emerging local talent. The BPP's history and influence spans three decades and has spurred the careers of such theatre luminaries as Jim Leonard, currently writing for the HBO Series *Dexter*, and Itamar Moses, a resident playwright at The Public Theater in New York. This past season alone BPP has brought to Bloomington such notables as Craig Wright (Emmy Nominee for *Six Feet Under, Lost*), and Israel Horovitz (author of *Line*, the longest running play in off-off Broadway history), and Jon Marans (Pulitzer Prize finalist for *Old Wicked Songs*). Growing from a tiny non-profit company to a quarter of a million dollar organization and a recognized force in new play development in the region is just the opening act for the next 30 years for the BPP.

The Bloomington Playwrights Project strives to be a leading artistic force in the production and encouragement of new plays. BPP provides opportunities for development, education, and production for promising and established writers and theatre artists in a professional environment. The mainstage season, staged in the 90 seat-capacity Wiles Theatre, consists of five productions: the winners of two nationwide contests (the Woodward/Newman Drama Award and the Reva Shiner Comedy Award), a second production of an off-Broadway show, a new musical developed in collaboration

with Indiana University, and an evening of specially-commissioned short plays on a socially-conscious theme (AwareFest). The BPP also works to foster the work of local playwrights through numerous “second stage” events: The PlayOffs, Vintage Scenes, and The Blizzard along with several workshops in a local play reading series. Approximately 4,000 patrons attended BPP productions in its 2009/10 season.

The Bloomington Playwrights Project receives over 1,000 new play submissions from across the globe every year. This past season saw scripts from Greece, New Zealand, China, South Africa, and the Czech Republic. The BPP’s playwriting competitions are known the world over largely driven by the Woodward/Newman Drama Award, named after Paul Newman & Joanne Woodward, supported by their family and sponsored by Newman’s Own Foundation. In addition, the Reva Shiner Comedy Award, a competition for comedic scripts receives an average of 300 submissions per year. All of these competition winners receive a full production (as opposed to a staged reading), an investment in the advancement of new plays that no other theatre organization makes at this level.

The BPP’s Youth Education Program has been operating for 28 years and is a leading force in arts education within the community. The program offers opportunities for youth ages 5-17 through after-school drama programming in collaboration with MCCSC, yearly playwriting contests, an eight-week spring semester camp (MiniPlay), in-school activities and collaborative art projects, and four summer camps (Youth Musical Theatre Ensemble, Girls Rock, Broadway Kids, DramatiCATS). Each year BPP’s educational programming reaches 4,400 students from throughout the region.

The Bloomington Playwrights Project’s performance space and offices are located at 107 W. 9th St., between College & Walnut. The space is a former auto body shop converted into a night club and then transformed into a live theater. The building is 5,075 square feet, divided into offices, a large lobby, a stage space with risers, dressing rooms, restrooms, and a kitchen area. It is located at the northernmost boundaries of the Bloomington Entertainment and Arts District.

BPP is governed by a Board of Directors and led by a management team comprised of Producing Artistic Director Chad Rabinovitz, and Managing Director Gabe Gloden both of whom received the Bloomington/Monroe County Convention and Visitors Bureau’s Manager of the Year award, for generating more income through both sales and fundraising in the past season than any time in the BPP’s 30 year history. Chad has a degree in both theatre and business, ran his own production company in Pittsburgh and was Artistic Director of Crested Butte Mountain Theatre in Colorado. Gabe has a graduate degree from IU in Arts Administration. Resumes for both staff members are included as an appendix to this business plan. The remaining staff is made up of a Technical Director, Administrative & Development Associates, and numerous volunteers. Key staff is as follows:

Producing Artistic Director - Chad Rabinovitz

Managing Director - Gabe Gloden

Administrative Associate - Dede Wroblewski
Box Office Manager - Tasha Hauff
Literary Manager - Josie Gingrich
Literary Associate - Loren Gurman
Marketing Associate - Holly Holbrook
Development & Marketing Associate - Seth Macari
Resident Stage Manager - Travis Staley
Technical Director - Jeff Stone
Assistant Technical Director - Bill Goveia

BPP Board of Directors

Robert Arnove – Past President – Professor Emeritus, IU
Pat Brantlinger – Professor Emeritus, IU
Gladys DeVane – Retired Faculty, IU
Greg Ellis– Treasurer – Retired Physician
Sonja Johnson– President – Retired Admin, IU
Hal Kibbey– Retired Staff, IU
Julian Livingston– Retired, Research Labs AT&T
John McCluskey– Professor Emeritus, IU
Mary McGann– Faculty, IU
Frank Motley – Admissions Dean, Law School
Colleen Pauwels– Librarian, Law School
Nancy Wroblewski – YMCA Staff

BPP Advisory Board

Hank Berman – Financial Consultant
Gail Bray– Arts Educator
Ron Dye– Faculty, DePauw
Rob Hanrahan– Foundation Director
Adam Noble– Faculty, IU
Reva Shiner– Retired
Steve Timm– Faculty, DePauw
Shane Vogel– Faculty, IU
Ken Weitzman– Faculty, IU, Playwright
Mark Wroblewski - Consultant

Theater Renovation Project

BPP's theatre space has provided it an ability to grow its operations since its relocation there in 2005, but renovation is necessary to take the facility and the BPP's artistic product to the next level. Improvements are needed on the aesthetic appeal of the facility as well its functionality and flexibility to better meet the demands of its productions as well as the needs of current and future rental clients.

The building itself is spacious and structurally sound. The performance space is functional, but lacks the necessary equipment to provide the professional experience demanded by audiences and by the rental market. Current challenges with the space include:

- The concrete floor is a hazard for dancers and difficult for set building.
- The lighting and sound equipment are both inadequate to meet the theatre's increasing technical demands. The equipment is old and continually breaks, oftentimes in the middle of a performance.
- The theater seating is challenging for older patrons and is in need of a handrail to remedy the situation. More seating is also needed to accommodate a growing audience.
- The heating and air conditioning is insufficient for the space. Audience members are constantly complaining about being too cold or too hot, depending on where they are in the house. A complete overhaul is necessary to circulate the air consistently throughout the theater and to provide adequate heating in the lobby.
- The dressing rooms have concrete floors, no finished ceiling, and inadequate lighting for actors.
- The video projector is unable to display sharp colors and sometimes overheats in the middle of a performance. The facility lacks a projection screen.
- The theater walls have exposed insulation and are in need of a cosmetic overhaul.
- Similarly, the house lights above the audience members are insufficient and unappealing.

The BPP will renovate the interior space of the theatre and lobby area at a cost of \$74,000. Of that, \$35,800 has already been raised through individual gifts and sponsorships and \$11,000 of in-kind donations (labor and furniture) has been made, totaling \$46,800. The ability to raise these funds for capital improvements during a "down" economy while still also successfully meeting production and annual fund solicitation goals speaks to the confidence donors have in the organization and their recognition of the project's value.

The renovations supported by the BIIF program would begin in February, with completion by the beginning of the BPP's 2011/12 season in September of 2011. The sound system as well as the heating/AC improvements will begin immediately, followed by the lighting system and projection renovations, dressing room redesign, and the remaining improvements. The BPP is looking to implement the changes as quickly as possible to better accommodate upcoming rentals along with its own performances. It is likely that the majority of the improvements could be completed by June depending on the availability of the technical equipment and the time to install the technology.

The use of city funds through the BIIF program is paramount to the completion of the renovation project. While the BPP has recently experienced notable and significant success in expanding its donor base and receiving increased sponsorships, the amount raised for these capital improvements is still significantly short of the \$74,000 goal. While it may be possible for more funds to be raised, it is strongly believed that this

income would take away from contributions allocated to operating income that the BPP requires to maintain consistent, high-level management. BPP must focus on cultivating the newly acquired donors and turn the one-time sponsorships into renewable income that supports day-to-day costs. City funds are a sound choice in the support of this capital improvement as the renovation will benefit a large part of the Bloomington community. The facility enhancements will assist the BPP along with numerous rental organizations to maximize patronage. In addition, this investment can support future BIIF loans to other businesses as the BPP continues to generate business for local restaurants and retail with each evening of entertainment it provides.

Attached as Appendix A is a detailed list of planned improvements and a budget.

Business Plan

The BPP signed a ten year lease on the 107 W. 9th St. building in August of 2010 after many months of negotiation. By securing a favorable long-term lease for its space, BPP has achieved a key step in the implementation of its business plan which is focused on artistic growth and long-term financial stability. That financial stability will be achieved in part through improvements to the physical space. Physical space improvements will assist the organization in the following ways:

Increasing Revenue Through Strengthening the Overall Artistic Product

The creation of a comfortable and visually pleasing lobby, stage and audience area is part of BPP's plan to make strategic investments in production values, artistic staff and audience experience which will turn grow revenues such as that from subscriber, single ticket and donors. Strengthening the onstage product in the past year through the doubling of production budgets has already shown a substantial effect: an **85% increase** in total subscribership revenue over the previous year. Improvements in the physical space that have a positive impact on the onstage product as well as the audience experience, will, it is believed, only serve to continue this upward growth in subscriber and single ticket sales. In addition, this large influx of subscribers should equate to a larger amount of donations through both individual giving and corporate sponsorships as evidenced in two most successful fundraisers in BPP's 30-year history, both in the last two years, which have netted a 400% increase in revenue in the past two years. In addition, the increase in ticket sales provides a larger market and raises the value of BPP sponsorship for corporate donors.

Increasing Revenue Through Facility Rental

Market research on demand for performance space in Bloomington combined with actual space inquiries the organization has already received, indicates that increasing revenue through facility rental is a real possibility – provided the organization can make improvements in the space allowing it to serve a wider range of uses. The BPP has already experienced a significant increase in rentals over the last year but is still forced to

turn away renters who are looking for a facility with a well-equipped lighting, sound and projection inventory – production elements that would be addressed as a part of this project.

It is also necessary to recognize that the facility is a large part of the Bloomington Playwrights Project's identity. For this reason it is important to focus on renting to organizations and individuals that fall into the organization's mission of supporting arts and the community. In addition to performance events, the space can be ideally used for conferences (IU Writers Conference is already a client), business presentations, group meetings, award ceremonies, poetry readings, and book clubs. By focusing more on these community groups and arts groups, the BPP gains more positive visibility within the community while also bringing audiences in that have the strong potential of becoming future customers. It is a built-in exposure to the organization designed to increase sales. The BPP's core volunteer base (called the Ensemble of Artists) makes this emphasis on increased rentals possible without the need to hire additional staff, as it is part of their volunteer agreement to serve as building staff or assist the organization in other capacities as needed.

Increasing Revenue Through Facilitating growth of the Bellevue Art Gallery

The BPP rents its lobby wall space to Bellevue Gallery for exhibits and receives additional revenue when a piece of art is sold. Providing a more hospitable space for exhibiting and potentially selling artwork through wall resurfacing, better lighting and climate control should help strengthen this coop community gallery and lead to increased visitors and sales. Increased patronage of BPP productions also has a beneficial effect on the gallery as more foot traffic leads to more exposure, and potentially more sales.

Overall, this business plan which will guide the Bloomington Playwrights Project's operations moving forward provides for an increase in revenue far beyond the cost of renovations and considerably beyond the value of the grant. This project will help meet the key business goals of strengthening the onstage product and the audience experience while enhancing a diversified revenue stream through rental income and a high-quality art gallery.

Market Analysis

Artistic Product

Based on past season's attendance, BPP's 2010/11 season is projected to experience the following demographic breakdown:

Income	Gender	Age
Under \$20,000: 11.4%	Female: 63% Male: 37%	18 – 35: 12%
\$20 - 40,000: 20.5%		36 – 50: 18%
\$40 - 60,000: 23.0%		51 – 65: 47%
\$60 - 80,000: 13.6%		66+: 23%
Over \$80,000: 31.5%		

The BPP’s physical proximity to Indiana University and a growing number of downtown student residents would indicate that the greatest avenue to expand the market is in the 18-35 age range, however most of those will only be single ticket purchasers, which necessitates a continued effort to expand the 36 and up age range which offers a larger potential for subscriptions. Artistically, the BPP’s most direct competition (and its strongest potential market) is Indiana University’s Department of Theatre & Drama and Cardinal Stage Company, both of which produce primarily previously-performed works and new plays only rarely. The competition extends next to movie theaters, followed by events at the IU Auditorium, community theaters, comedy clubs, live musical performances and most anything else that sells a ticket to those of adult age. The market advantage held by the BPP is its unique mission and product. No other theatre in the region produces solely new plays and offers a regional arts experience. .

Facility Rental

The Bloomington performing arts community is growing rapidly. New theatre companies and performing groups are entering the market on a regular basis. Each one is in need of space yet there continues to be only three major facilities available: the Ivy Tech John Waldron Arts Center, the Buskirk-Chumley Theater, and the BPP. At the moment, demand clearly outweighs supply, and the Bloomington Playwrights Project must capitalize on the relatively good market demand now while also preparing for future competition. Arts organizations are the dominant market for facility rental. These organizations include theatre companies, art galleries (Bellevue), poetry groups, musicians, dance troupes, writing groups, and film companies. There has also been significant interest from conferences, business meetings, and community groups. All of the above groups have rented the lobby space before and have directly expressed interest in continuing to do so more often after the renovated lobby and theatre project is complete. The market is unquestionably there and the BPP has a strong grasp on it already with the potential to significantly increase its share of the rental market through major facility alterations.

In terms of facility rental, the primary competition is the Ivy Tech John Waldron Arts Center and The Buskirk-Chumley Theater. Through this renovation, BPP’s lobby space will be more inviting, more comfortable, and more visually attractive than the competition. The other spaces in town lack the contemporary look and feel that BPP offers. In addition, the Buskirk-Chumley is currently planning an \$80,000 renovation of their own box office and lobby area and the Waldron has already begun a massive six-figure renovation of their entire building, so the need to keep the BPP space updated and

competitive is real and relevant. A state of the art facility with a unique identity is what the BPP needs to be considered a competitor in the Bloomington arts market.

Bellevue Gallery

This market is easily identified through examination of the other downtown art galleries in town, all a part of GalleryWalk. The prime targets are the art enthusiasts who attend GalleryWalk each month but don't make the walk down to the BPP facility. These people have the potential to not only be art purchasers but theatre patrons as well.

Marketing Strategy

Artistic Product

Audience surveys and direct patron communications have indicated that one of the main reasons for BPP's overall smaller audience size than the competition is a perception of "professionalism" in the theatergoing experience, which is significantly addressed by the renovated lobby. The BPP needs to give the audience a "professional" experience and the facility is a part of that experience. The renovation affords the ability to exceed the experience provided by competitors' spaces aesthetically and functionally.

Another contributor is the perception of the artistic experience, such as the quality of the scenic elements; audience amenities such as seating, house lighting, heating/cooling as well as the technical aspects (lighting, sound, etc). These aspects will be remedied by the renovation planned for the mainstage. With new state-of-the-art lighting and sound equipment, along with projection technology and a more comfortable environment part of the audience experience, the perception of the BPP will change significantly and facilitate income growth in a competitive arts market.

As more producing arts groups enter the market, the demand and pressure for an increase in quality grows exponentially. The BPP has a competitive advantage in having its own theater space and the potential for a stronger and more recognizable performance experience brand. The BPP will promote these investments in audience experience through public open houses as well as messaging in its individual production marketing, season marketing and donor and sponsor solicitations.

Facility Rental

There is no question that considerable demand exists for arts facilities; the BPP simply needs to create a space that fulfills the majority of the demands of the varying arts organizations in order to turn that demand into a source of new income. The BPP's overall marketing strategy to increase rentals after the renovation includes four key

elements: a rental brochure; stronger online emphasis on rentals; direct solicitation; and referrals.

A brochure dedicated to the new space’s rental amenities will make a clear statement to the public that the BPP space is available, affordable, and a major part of its business model. BPP’s site, www.newplays.org, will have a page dedicated to rentals, availability and prices. Once the renovation is completed, high resolution images and virtual tours will be utilized to give potential renters a good feel for the space. BPP staff will utilize the new rental materials to solicit previous and potential renters and will host several public events including facility tours to acquaint the public with the facility and its amenities. The organization will also utilize discounts for referring groups to encourage referrals.

Ticket prices for BPP productions will remain at \$18 for adults and \$15 for students/seniors; however rental charges will increase to reflect the increase in value of the renovated space. Even with an increase, BPP rental rates will continue to be competitive with the Buskirk-Chumley Theater and the Ivy Tech John Waldron Arts Center. Arts organizations are charged a discounted rate to encourage long term rentals rather than one day events. One day event rentals are charged by the hour instead of by the day. Current pricing is as follows:

**Space Rental Rates for Performance Arts Groups
2010/2011**

BPP Timothy Wiles Mainstage Theatre		
Seating Capacity: 90		
Sunday - Thursday	Set-Up or Rehearsal	Performance
Daytime 9am - 5pm	\$75	\$150
Evening 5pm - 11pm	\$100	\$175
All Day 9am - 11pm	\$175	\$325
Friday & Saturday	Set-Up or Rehearsal	Performance
Daytime 9am - 5pm	\$75	\$175
Evening 5pm - 11pm	\$100	\$200
All Day 9am - 11pm	\$175	\$375

Single Day Rate - \$100/hr, \$400 for 8 hrs.

Bellevue Gallery

The strategy for strengthening the Bellevue Gallery is to create significant interest around the renovated space and its ability to showcase art well and cultivate the image that the Bellevue is a “secret gem” of the GalleryWalk. At three blocks off of the courthouse square, the key is to give gallery walkers a reason to make the short trek down Walnut. This will happen through special events held on GalleryWalk nights that bring notable attention to the Bellevue Gallery such as unique performances art events, artist talks and

featured music. By showcasing exhibits and events that communicate that Bellevue Gallery and the BPP is “the place to be to experience visual art” on GalleryWalk evenings and at any other time, gallery walkers are more likely to visit the space.

Management Plan

As the BPP expands its operations, it will need to take the appropriate steps to keep pace in terms of staffing. In the next two years the organization plans to convert the part-time Technical Director position into a full-time position to handle facility needs and increasing production demands. As the ticket sales and sponsorships continue to increase a part-time development director will be added to better service that growing segment of the organization’s income.

Financial Data

Financial history (3 years) – Please see the attached Appendix B which includes a Profit & Loss Statement for 2008-2010, a Budget Summary for 2008 & 2009, as well as a full budget for 2010.

BPP Renovation Projected Income

Individual Giving Campaign (\$35,800 already raised)	\$38,000
In-Kind Donations (already acquired/guaranteed)	\$11,000
BIIF Grant	\$25,000
Total Income	\$74,000

BPP Renovation Projected Expenses

Paint	\$1,600
Repaint lobby walls, including bathrooms and ceilings for a better, more professional look suitable for a top-notch art gallery.	
Labor	\$11,450
A large amount of labor will be donated through in-kind sponsorships, but this will cover the costs for the design and the construction work.	
Wood Flooring/Lumber/Wood Paneling	\$12,600
This includes a new floor (the concrete floor is unusable and unappealing), a lobby stage (to increase capacity), and a box office (to increase functionality), as well as other aesthetic improvements.	
Furniture	\$5,500
Through a marketing trade with Long's Landing, this cost will allow us to fully furnish the entire lobby space.	
Lighting/Electric Repair	\$12,200
More functional & sufficient lighting, safer wiring, ceiling fans to circulate air, light & sound system for the lobby stage.	
Bathroom	\$3,100
Tiled flooring, new sinks, handicap accessibility - all needed to better accommodate our customers.	
Fabrics	\$2,050
Curtains for the lobby stage that provide a professional look as well as the ability to cover up storage.	
Maintenance Supplies/Lobby Upkeep	\$500
Floor cleaner, mops, vacuum cleaner, drop-cloths and other materials needed to maintain the new facility.	
Main Cyclorama Screen/Track	\$2,400
A solid white curtain/screen across the back wall that can create a solid wall of color that will instantly transform the space for various events. It can also act as a large movies screen.	
Paint for Dressing Rooms & Shop	\$200
A more appealing place for artists will help us to get the best artists in town.	
House Lights	\$1,000
Lighting for the audience that will make it safer to navigate the seats and more aesthetically pleasing.	

Seating Repair & Handrails \$1,500

Getting rid of the seat squeaking as well as replacing the folding chairs with built-in, more comfortable seating, will make our space more appealing to our customers. Adding handrails will provide increased safety walking up and down the staircase.

New Sound System \$3,400

Our CD players currently skip, the speakers crack, they're too bulky and take up too much space. An overhaul of the system will allow us to have better quality along with increased functionality, like wireless microphones and surround sound which will make the space more usable for our productions as well as our rental customers.

Lighting Renovations \$5,000

Includes improvements to the grid to increase the amount of lights that can be hung (currently limited significantly in placement) along with the purchase of new lighting fixtures (many of ours are old and breaking) and dimmers (the power supply for them), and other instruments (gels, gobos, chords, etc...) that will allow the BPP to compete with the theaters in town.

New Projector \$1,500

Our current projector doesn't have the ability to display the color red and it will occasionally shut down. A new projector will allow for a better picture, reliable play, and the ability to use projections more affectively in a show or for a film series.

Mac Dedicated for Projector \$2,000

Every time the projector is used we must search for a new laptop that we can borrow. This dedicated laptop will allow us to have a device optimized for projector use and the video editing necessary for our contemporary productions.

Mac Dedicated for Sound System \$2,000

Our current system has us switching between disks which is difficult for our more technologically driven productions because of the multitude of sound cues. A computer dedicated for the sound system would allow us to partially run the sound digitally and provide the ability for many more rapid-fire effects as well as the ability to host musical performers.

A/C & Heating Renovation \$4,000

A major problem with our building is the poor design of the heating and A/C. A minor overhaul of the system would allow the air to be better circulated so that the heat doesn't become sweltering at the top of the audience seating but freezing cold down at the bottom. It would also allow the lobby space to get amply heated since it currently has virtually no ventilation.

Interior Wall Repainting \$500

The interior walls are dirty and dingy so a new coat of paint would make it more appealing to customers and renters.

Floor Repair \$1,500

The current stage floor is concrete with many craters and holes in it. The concrete is unsafe to dance on and difficult to build sets on as well. A new flooring would provide a more usable and safer environment for all of our renters.

Total Expenses \$74,000

Projected Earned Income from Theatre Renovation Project

	2009/10	2010/11	2011/12	2012/13	2013/14	Net Increase 3 Years After BIIF Grant	Projected Net 10 Year Increased Revenue
Rental Income	\$1,500	\$4,775	\$8,000	\$10,000	\$10,000	\$5,225	\$50,250
Season Ticket Sales	\$3,300	\$5,226	\$6,600	\$8,000	\$10,000	\$4,774	\$42,340
Single Ticket Sales	\$21,842	\$29,461	\$32,500	\$35,000	\$35,000	\$5,549	\$52,990
Gallery Income	\$2,279	\$2,400	\$4,200	\$4,200	\$4,200	\$1,800	\$18,000
						Total	\$163,580

Bloomington Playwrights Project, Inc.
Statement of Revenues and Expenses and Changes in Net Assets
Income Tax Basis
For the Year Ended June 30, 2008

	Unrestricted	Temporarily Restricted	Permanently Restricted	Total
Support and revenue:				
Support				
Donations	30,569	126,428	0	156,997
Grants	13,219	0	0	13,219
Membership subscriptions	7,814	0	0	7,814
Net assets released from restrictions	102,528	(102,528)	0	0
Total support	<u>154,130</u>	<u>23,900</u>	<u>0</u>	<u>178,030</u>
Revenues				
Educational programs	42,306	0	0	42,306
Production income	36,970	0	0	36,970
Fundraisers	20,641	0	0	20,641
Rental income	3,976	0	0	3,976
Interest and dividend income	669	0	0	669
Miscellaneous income	59	0	0	59
Total revenues	<u>104,621</u>	<u>0</u>	<u>0</u>	<u>104,621</u>
Total support and revenues	<u>258,751</u>	<u>23,900</u>	<u>0</u>	<u>282,651</u>
Expenses				
Program services expenses				
Production expense	9-18,279	0	0	18,279
Education and outreach	9 2,505	0	0	2,505
Other program services	69,020	0	0	69,020
Reva Shiner play award	0	0	0	0
	<u>89,803</u>	<u>0</u>	<u>0</u>	<u>89,803</u>
General administrative expense:				
Compensation	87,974	0	0	87,974
Other employee benefits	6,136	0	0	6,136
Payroll taxes	7,432	0	0	7,432
General administrative	10,328	0	0	10,328
Rent	7,492	0	0	7,492
Interest expense	0	0	0	0
Depreciation expense	6,996	0	0	6,996
Fundraising expense	5,289	0	0	5,289
	<u>131,647</u>	<u>0</u>	<u>0</u>	<u>131,647</u>
Total expenses	<u>221,450</u>	<u>0</u>	<u>0</u>	<u>221,450</u>
Other revenues:				
In-kind donated services and supplies	29,055	0	0	29,055
Unrealized gain on investment	0	0	0	0
Total other revenues	<u>29,055</u>	<u>0</u>	<u>0</u>	<u>29,055</u>
Other expenses:				
Donated services	20,000	0	0	20,000
Donated general expenses	0	0	0	0
Total other expenses	<u>20,000</u>	<u>0</u>	<u>0</u>	<u>20,000</u>
Excess of revenues over expenses	<u>46,357</u>	<u>23,900</u>	<u>0</u>	<u>70,257</u>
Net assets at the beginning of year	<u>(17,999)</u>	<u>16,406</u>	<u>0</u>	<u>(1,593)</u>
Net assets at end of year	<u>28,358</u>	<u>40,306</u>	<u>0</u>	<u>68,664</u>

See accompanying accountant's compilation report

Bloomington Playwrights Project, Inc.
Statement of Revenues and Expenses and Changes in Net Assets
Income Tax Basis
For the Year Ended June 30, 2009

	Unrestricted	Temporarily Restricted	Permanently Restricted	Total
Support and revenue:				
Support - contributions, gifts and grants				
Donations	25,779	21,721	0	47,500
Grants	15,162	0	0	15,162
Net assets released from restrictions	55,771	(55,771)	0	0
Total support	<u>96,713</u>	<u>(34,051)</u>	<u>0</u>	<u>62,662</u>
Program service revenues				
Educational programs	35,520	0	0	35,520
Production income	38,541	0	0	38,541
Rental income	6,877	0	0	6,877
Miscellaneous income	30	0	0	30
Total program services revenues	<u>80,969</u>	<u>0</u>	<u>0</u>	<u>80,969</u>
Memberships	2,843	0	0	2,843
Investment income	426	0	0	426
Fundraisers				
Special events and activities gross revenues	14,115			14,115
less: direct cost	(113)			(113)
Total support and revenues	<u>194,953</u>	<u>(34,051)</u>	<u>0</u>	<u>160,902</u>
Expenses:				
Salaries and other compensation paid to employees	96,413	0	0	96,413
Professional fees and other payments to contractors	✓14,956	0	0	14,956
Occupancy, rent, utilities and maintenance	✓45,892	0	0	45,892
Printing, publications, postage and shipping	✓4,419	0	0	4,419
Other expenses:				
Production expense	✓25,890	0	0	25,890
Education and outreach	2,437	0	0	2,437
Supplies	1,000	0	0	1,000
Telephone	1,937	0	0	1,937
Trash removal, maintenance, fire and security	5,851	0	0	5,851
Insurance	3,667	0	0	3,667
Bank fees	903	0	0	903
Credit card finance fees	1,721			1,721
Dues and subscriptions	893	0	0	893
Travel	450	0	0	450
Miscellaneous expense	1,176	0	0	1,176
Depreciation expense	5,138	0	0	5,138
Total other expenses	<u>51,063</u>	<u>0</u>	<u>0</u>	<u>51,063</u>
Total expenses	<u>212,743</u>	<u>0</u>	<u>0</u>	<u>212,743</u>
Other revenues:				
In-kind donated services and supplies	29,320	0	0	29,320
Unrealized gain on investment	0	0	0	0
Total other revenues	<u>29,320</u>	<u>0</u>	<u>0</u>	<u>29,320</u>
Other expenses:				
Donated services	27,000	0	0	27,000
Donated general expenses	2,320	0	0	2,320
Total other expenses	<u>29,320</u>	<u>0</u>	<u>0</u>	<u>29,320</u>
Excess of revenues over expenses	<u>(17,788)</u>	<u>(34,051)</u>	<u>0</u>	<u>(51,839)</u>
Net assets at the beginning of year	<u>28,357</u>	<u>40,306</u>	<u>0</u>	<u>68,662</u>
Net assets at end of year	<u>10,569</u>	<u>6,255</u>	<u>0</u>	<u>16,824</u>

See accompanying accountant's compilation report

Bloomington Playwrights Project

Profit & Loss

July 2009 through June 2010

	<u>Jul '09 - Jun 10</u>
Ordinary Income/Expense	
Income	
Credit Card Settlement	25.00
Fundraisers	
Silent Auction	254.00
BellevueArtSale	714.00
Concessions	471.24
Live Auction	2,032.00
Voting	373.00
Fundraisers - Other	3,783.81
Total Fundraisers	<u>7,628.05</u>
Donations	
Rainy Day Fund	5,783.38
Donations to Pchs Goods or Svcs	1,529.63
In-Kind	26,480.00
Targeted Gift	2,218.66
Sponsorship	31,220.99
Unrestricted	52,078.05
Total Donations	<u>119,310.71</u>
Education Program Income	
Silent Auction	396.75
Program Ads	545.00
Ticket Sales	4,584.96
Registration	
Deposit	2,975.00
Registration - Other	15,438.00
Total Registration	<u>18,413.00</u>
Education Program Income - Other	67.70
Total Education Program Income	<u>24,007.41</u>
Grants	
Newman'sOwn	25,000.00
Best Buy	3,000.00
BMCCVB	1,260.00
MCCSC	
21st CCLC	6,917.32
MCCSC - Other	6,657.07
Total MCCSC	<u>13,574.39</u>
Arts Week	1,500.00
BCAC	128.00
IAC/BAAC Annual Grant	2,928.92
Total Grants	<u>47,391.31</u>
Miscellaneous Income	1,091.08
Interest Income	0.70
Production Income	
Alcohol Sales	200.00
PerformancePayment	1,000.00
Readers Fees	1,480.00
Reimbursement	-64.00
Concessions	254.75
Ticket Sales	31,150.22
Production Income - Other	458.00
Total Production Income	<u>34,478.97</u>
Rental Income	
Deposit	1,800.00
Rental Income - Other	6,975.00
Total Rental Income	<u>8,775.00</u>
Subscriptions	
Student/Senior	2,100.00
General	1,008.00

Bloomington Playwrights Project

Profit & Loss

July 2009 through June 2010

	<u>Jul '09 - Jun 10</u>
Mainstage	2,646.00
Subscriptions - Other	1,644.00
Total Subscriptions	<u>7,398.00</u>
Total Income	250,106.23
Expense	
Reconciliation Discrepancies	3.00
Rental Expenses	
Reimbursement	1,000.00
Supervision	140.00
Total Rental Expenses	<u>1,140.00</u>
Personnel Expenses	
Marketing Associate	5,000.00
Resident Technical Director	1,200.00
Travel Reimbursement	1,106.86
SPEAFellow	1,902.00
BoxOfficeManager	10,000.00
Literary Manager	10,000.00
Payroll Expenses	453.39
Payroll Taxes	18,690.02
Payroll	
Administrative Assistant	1,200.00
Managing Director	23,548.04
Education Director	10,867.00
Artistic Director	23,902.00
Total Payroll	<u>59,517.04</u>
Total Personnel Expenses	107,869.31
Educational Program Expense	
Miscellaneous	450.00
Training	60.00
Lighting	100.00
Music Materials	1,070.00
Refund	720.00
Set	160.00
Costumes	664.36
Props	255.16
Awards	490.14
Personnel	12,144.99
Total Educational Program Expense	<u>16,114.65</u>
Promotions	
Festival Booth Fees	120.00
Total Promotions	120.00
Rent	30,270.15
Fundraising	
Space Rental	
Security Deposit	250.00
Total Space Rental	<u>250.00</u>
Postage	105.32
BellevueCommission	235.00
Fundraising - Other	1,219.69
Total Fundraising	<u>1,810.01</u>
General Administrative Expenses	
Entity Reporting	7.14
Sales Tax	3.34
Repairs	282.00
Concessions	377.04
Utilities-	
Gas and Electric	2,647.67

Bloomington Playwrights Project

Profit & Loss

July 2009 through June 2010

	<u>Jul '09 - Jun 10</u>
Total Utilities-	2,647.67
Web Hosting	35.00
Technical Expenses	589.34
Property Insurance	1,733.00
Telecommunications	1,728.33
Credit Card Payment	8,455.66
Property Tax	1,723.92
Fire&Security	645.21
Trash Removal	482.20
Health Insurance	4,741.63
Printing and Reproduction	569.00
Insurance	3,205.20
Bank Service Charges	
Returned Check	187.50
Intl Convert	9.00
Deposit Adjustment	10.00
NSF Paid	140.00
Credit Card Fee	1,077.22
Bank Service Charges - Other	163.60
Total Bank Service Charges	1,587.32
Facility Maintenance	
Paint	34.51
Lighting & Electrical	1,795.56
Energy Audit	300.00
Plumbing	50.00
Facility Maintenance - Other	568.09
Total Facility Maintenance	2,748.16
Utilities	
Water	237.30
Gas	1,588.73
Electric	1,760.65
Total Utilities	3,586.68
Telephone	578.01
Postage	578.39
Membership,Dues,Subscriptions	
Sams Club	369.85
Total Membership,Dues,Subscriptions	369.85
Accounting & tax reporting fees	1,845.00
Acquisitions	
Equipment	10.70
Total Acquisitions	10.70
Miscellaneous	492.12
Copier Costs	3,704.05
Supplies	
WaterCooler	248.20
Cleaning Supplies	209.09
Marketing Supplies	167.50
Office Supplies	828.81
Total Supplies	1,453.60
Travel & Ent	413.80
General Administrative Expenses - Other	0.00
Total General Administrative Expenses	44,593.36
Production Expenses	
Promotional Materials	77.26
Payment	500.00
Materials	
Photos	12.00
Sound	67.83
Lighting and Electrical	328.72

Bloomington Playwrights Project
Profit & Loss
 July 2009 through June 2010

	Jul '09 - Jun 10
Set	5,405.64
Props	831.97
Costumes	839.75
Total Materials	7,485.91
Personnel	
Travel and Lodging Expenses	765.36
Artist	1,200.00
Videographer	350.00
Light Designer	400.00
Photographer	24.00
Actor	1,206.00
Stage Manager	975.00
Director	1,975.00
Sound Designer	150.00
Costume Designer	300.00
Prop Master	225.00
Set Designer	600.00
Total Personnel	8,170.36
MassMailing	269.17
Misc.ProgramExpenses	35.00
Art	74.37
Misc.	224.30
Playwright Commission	2,010.00
Advertisements	3,986.95
Playwright Royalty	572.00
Posters	206.98
Refund	802.36
Refreshments	375.69
Production Expenses - Other	21.66
Total Production Expenses	24,812.01
Total Expense	226,732.49
Net Ordinary Income	23,373.74
Net Income	23,373.74

0910 Budget (ongoing)

BUDGET FOR BLOOMINGTON PLAYWRIGHTS PROJECT

July 2010 - June 2011

			Nights	Rate	Avg. #	Actual/ Projected Total
Projected Income						
Productions						
	AWAREFEST	Ticket Sales		\$4,500	1	\$2,500
	REVA SHINER COMEDY	Ticket Sales		\$3,500	1	\$3,500
	IU+BPP NEW MUSICAL	Ticket Sales		\$5,000	1	\$5,000
	WOODWARD/NEWMAN	Ticket Sales		\$4,500	1	\$4,500
	OFF BROADWAY ON NINTH	Ticket Sales		\$2,500		\$2,500
	REVA SHINER ENTRY FEES	Reader's Fees				\$600
	WOODWARD/NEWMAN	Reader's Fees				\$2,000
	INDYFRINGE - BLIZZARD	Ticket Sales				\$2,071
	AIMING FOR SAINTHOOD	Ticket Sales				\$200
	SEX/DEATH	Ticket Sales				\$2,500
	PLAYOFFS	Ticket Sales	2	\$20	70	\$1,980
	VINTAGE SCENES	Ticket Sales		\$25	70	\$1,750
	BLIZZARD	Tkt Sals & Extra Votes	6	\$15	40	\$3,600
SUBSCRIPTIONS						
	GENERAL			\$4,300	1	\$4,428
Education Programs						
	AFTERSCHOOL	Afterschool - Middle School		\$0	0	\$0
	AFTERSCHOOL	Afterschool - Elementary		\$0	0	\$3,000
	YMTE	Registrations		\$475	28	\$14,413
	YMTE	Tix Sales	4	\$15	70	\$4,200
	YMTE	Program Ads				\$410
	DRAMATICATS	Registrations		\$250	21	\$5,250
	DRAMATICATS	Tix Sales	2	\$8	70	\$498
	MINI PLAY	Camp	1	\$120	20	\$2,400
	MINI PLAY	Ticket sales	2	\$8	60	\$960
	YMTE CABARET	Tix Sales	1	\$5	70	\$350
	EDUCATION CAMPS	Silent Auction Sales	0	\$0	0	\$800
	BROADWAY KIDS CLASS	Registrations		\$275	15	\$4,125
	GIRLS CAMP OF ROCK	Registrations		\$275	18	\$4,950
Fundraisers						
	ANNUAL GALA	Ticket Sales				\$10,500
	ANNUAL GALA	Targeted Gifts - Tickets				\$1,450
	ANNUAL GALA	Live & Silent Auction				\$7,487
	CONCESSIONS					\$900
Grants						
	GRANTS	RIG				\$3,364
	GRANTS	CVB - Marketing				\$0
	GRANTS	BCAC		\$671		\$671
	GRANTS	Community Foundation				\$0
	GRANTS	Newman's Own Foundation - Education Programs				\$5,000
	GRANTS	Best Buy		\$0	0	\$0
	GRANTS	ArtsWeek				\$750
Gifts & Underwriting						
	OTHER					\$29,500
	ANNUAL APPEAL					\$11,905
	TRANSFER FROM RAINY DAY FUND					\$3,556
	REVA STAMP COLLECTION					\$100
	GIFTS OF GOODS/SERVICES	Copy Paper		\$30	12	\$360
	COOK MEDICAL	for Acting Services				\$1,500
	SPONSORSHIPS	Gala Space Rental				\$500
	SPONSORSHIPS	Newman's Own (year 1)				\$12,500
	SPONSORSHIPS	Off-Broadway/McGann (year 1)				\$5,000
	SPONSORSHIPS	Lifecycle/Awarefest				\$5,000

0910 Budget (ongoing)

	SPONSORSHIPS	AwareFest				\$0
	SPONSORSHIPS	NGS/Awarefest				\$0
	SPONSORSHIPS	Reva Shiner gift				\$1,500
	SPONSORSHIPS	Playoffs				\$13,255
	SPONSORSHIPS	Blizzard		\$3,500		\$3,500
	SPONSORSHIPS	Blizzard/ITA		\$334		\$334
	SPONSORSHIPS	Off-Broadway/McGann (year 2)				\$5,000
	SPONSORSHIPS	Newman's Own (year 2)				\$12,500
	SPONSORSHIPS	BEAD AwareFest Aux. Events				\$2,000
	MAINSTAGE SILENT AUCTIONS			\$250	4	\$600
	Program Ads					
	PROGRAM ADS			\$0	1	\$0
	Space Rental Income					
	SPACE RENTAL	Bellevue		\$150	11	\$1,700
	SPACE RENTAL	BPP Lobby Renovation Rental		\$100	1	\$100
	SPACE RENTAL	Other rental income				\$7,500
	TOTAL					\$226,516
	EXPENSES					
	Productions					
	AWAREFEST	Production				\$10,374
	AWAREFEST	Marketing/Advertising				
	AWAREFEST	Aux. Events				\$2,000
	REVA SHINER COMEDY	Production				\$4,996
	REVA SHINER COMEDY	Marketing/Advertising				
	REVA SHINER COMEDY	Playwright Award				\$500
	IU+BPP NEW MUSICAL	Production				\$5,900
	IU+BPP NEW MUSICAL	Marketing/Advertising				
	WOODWARD/NEWMAN	Production				\$4,400
	WOODWARD/NEWMAN	Playwright Award				\$3,000
	WOODWARD/NEWMAN	Marketing/Advertising				
	OFF BROADWAY ON NINTH	Production				\$3,000
	OFF BROADWAY ON NINTH	Marketing/Advertising				
	MAINSTAGE WINDOW DISPLAYS			\$125	5	\$625
	BOX OFFICE SERVICES					\$1,000
	SEX/DEATH	Personnel, set, props, costumes		\$0	0	\$500
	INDYFRINGE - BLIZZARD REWIND	Registration		\$500	1	\$500
	INDYFRINGE - BLIZZARD REWIND	Production				\$34
	INDYFRINGE - BLIZZARD REWIND	Mileage Reimbursement				\$67
	BLIZZARD			\$400	1	\$400
	PLAYOFFS	Production				\$53
	PLAYOFFS	Online Giving Fees				\$536
	VINTAGE SCENES			\$100	1	\$100
	SQUARE ONE SERIES	Workshop		\$350	1	\$350
	GRANTS 4 PLAYS (Heather Violanti)	Workshop		\$200	1	\$200
	Education Programs					
	AFTERSCHOOL	Afterschool - Middle School		\$0	0	\$0
	AFTERSCHOOL	Afterschool - Elementary		\$0	0	\$0
	AFTERSCHOOL	Teacher Salaries				\$1,500
	YMTE	Personnel		\$2,600	1	\$2,600
	YMTE	Music costs		\$1,100	1	\$1,100
	YMTE	Production costs		\$800	1	\$88
	YMTE	Refunds				\$475
	DRAMATICATS	Staff		\$800	1	\$800
	DRAMATICATS	Refunds		\$250	2	\$500
	DRAMATICATS	Production costs		\$50	1	\$50
	MINI PLAY	Camp staff				\$600
	MINI PLAY	MP Director				\$0
	MINI PLAY	Playwright Awards		\$50	3	\$150

0910 Budget (ongoing)

	BROADWAY KIDS	Camp staff				\$1,000
	GIRLS CAMP OF ROCK	Instructors				\$1,000
	GIRLS CAMP OF ROCK	Food & Supplies				\$1,300
Fundraisers						
	ANNUAL GALA					\$7,064
	VINTAGE SCENES	cutlery, etc.	\$100	1		\$100
	CONCESSIONS		\$500	1		\$500
Gifts & Underwriting						
	GIFTS AND UNDERWRITING MAILING	Ann Cpn & other	\$300	2		\$600
Subscriptions						
	SUBSCRIPTION MAILING		\$300	1		\$300
Rent						
	RENT					\$28,200
	PROPERTY TAXES		\$1,500	2		\$3,000
	PROPERTY INSURANCE		\$1,442	1		\$1,442
Personnel						
	PERSONNEL (includes taxes)	Artistic Director	\$1	1		\$35,000
	PERSONNEL (includes taxes)	Managing Director	\$1	1		\$30,000
	PERSONNEL	Social Security (Bpp share)	\$4,550	1		\$4,550
	PERSONNEL	ArtsCorp Intern	\$1,250	1		\$1,250
	PERSONNEL	Technical Director				\$6,000
	PERSONNEL	Administrative Assistant				\$2,250
	PERSONNEL	Graphic Designer				\$400
	PAYROLL SERVICES		\$19	24		\$456
	HEALTH INSURANCE		\$350	12		\$4,200
General Administrative Expense						
	LIABILITY INSURANCE		\$316	12		\$3,792
	FIRE SUPPRESSION MNTNCE		\$700	1		\$700
	COPY MACHINE LEASE		\$202	12		\$2,424
	COPY MACHINE/MAINTENANCE & COPIES		\$113	12		\$1,356
	TELEPHONE/INTERNET		\$175	12		\$2,100
	ELECTRIC		\$300	12		\$3,600
	WATER		\$40	12		\$480
	TRASH REMOVAL		\$29	12		\$348
	GAS		\$275	12		\$3,300
	WEATHERIZATION					\$500
	ELECTRICAL MAPPING					\$990
	ACCOUNTING CHARGES		\$750	1		\$750
	NEWSLETTER		\$200	3		\$600
	RYDER	Advertising, Past Due invoice				\$800
	TCG	Membership	\$525	1		\$525
	GENERAL ADVERTISING	Visitor's Guide	\$90	1		\$90
	GENERAL FACILITIES					\$250
	MEMBERSHIP DUES	Sam's Club, Local First Indiana	\$35	2		\$70
	MISC STAGE EXPENSES	Black Paint, Bulbs, tape...				\$750
	SPACE IMPROVEMENTS - LOBBY	Walls & Floor				\$1,000
	OFFICE SUPPLIES	Posters & Misc.				\$500
	FACILITY SUPPLIES	cleaning supplies				\$200
	SCRIPT PURCHASES					\$150
	COMPUTER REPAIR					\$200
	POSTAGE/STAMPS					\$700
	OFFICE SUPPLIES	Postage, etc	\$50	12		\$600
	DEFICIT - 09/10 Season					\$17,154
	TOTAL					\$218,939

PROFIT

\$7,577

City of Bloomington Investment Incentive Fund Operating Policies and Guidelines

I. BLOOMINGTON INVESTMENT INCENTIVE FUND (BIIF) DESCRIPTION

- A. Statement of Purpose:** The City of Bloomington seeks to expand economic opportunities while protecting the health of our environment and providing for the social equity of our citizenry. Working within this guiding framework of sustainable development, it is the intent of the City of Bloomington to assist in stimulating the economy and improving the quality of life in the community. One means of accomplishing this is by providing gap financing from the Fund to both new and expanding businesses and not-for-profit enterprises. This fund makes loans to eligible private businesses or not-for-profit organizations and makes grants to eligible not-for-profit organizations with the intention that such loans or grants will be instrumental in the creation and/or retention of jobs within new and existing enterprises, and that the projects funded will enhance the quality of life in the community. The loan or grant is not the primary source of financing for a project, however, the combination of public and private financing lessens the risk for the primary lender or investor and yields an overall lower cost of money for the borrower.
- B. Goals and Objectives:** The City of Bloomington seeks to work with healthy companies that have excellent potential for growth, will provide increased employment in the city and will help diversify the economic base. Further the **BIIF** seeks to:
1. Retain and attract enterprises that provide permanent jobs.
 2. Provide financial assistance to eligible enterprises.
 3. Support social enterprises and not-for-profits in contributing to the economic vitality of the community.
 4. Further the Bloomington Entertainment and Arts District Strategic Plan and the sustainable development policies of the City.
- C. Programs:** The Bloomington Investment Incentive Fund is the funding source for the following programs:
1. General Revolving Loan Fund Program for:
 - a. **Business retention, expansion, attraction:** Business demonstrating a commitment to job growth, quality wages and benefits, and the overall economic vitality of the community.
 - b. **Public-purpose induced business relocation:** Business that is required to relocate due to acquisition of the property by the City of Bloomington for a project serving a public purpose. “Relocate” as used in this subsection means that the business is required to move its primary business operations from the property.

c. Initiative with sustainability or arts related focus: An initiative undertaken by a business or non-profit organization whose purpose may or may not be sustainability- or arts-related that will support the City’s sustainability or arts policies or goals.

2. Business Disruption Bridge Loan Program
3. Grant Fund for non-profit organizations

D. Geographical Limitation: Only applicants within or contiguous to the City of Bloomington’s corporate boundaries or within an “Area Intended for Annexation” (AIFA) are eligible to seek assistance from the Bloomington Investment Incentive Fund. The area must be properly zoned and have or plan to have access to adequate infrastructure, including water, sewer, roads, and telecommunications. If the business is located within the AIFA or contiguous to the City’s corporate boundary and is eligible for annexation, then the applicant (and property owner, if different) must agree to voluntary annexation. If the applicant is ineligible for annexation at the time the loan or grant is approved, then the property owner must sign and record a waiver of remonstrance against future annexation.

E. Ineligible Activities: With exceptions as noted in the Business Disruption Bridge Loan, payroll and operational expenses (not including inventory), debt-service, liens, judgments are ineligible for funding by the BIIF.

F. Evaluation criteria: Certain factors shall be considered when evaluating an eligible loan or grant application. The Common Council and/or Economic Development Commission may choose to waive one or more of the requirements if it finds that public policy so dictates, or if requirement(s) do not apply. These criteria do not apply to the Business Disruption Bridge Loan. Evaluation criteria shall include, but are not limited to the following:

1. Strength of business plan or proposal, including:
 - a. Extent to which sustainability goals are equal to traditional business goals and/or
 - b. Extent to which proposal enhances Bloomington as an arts and cultural destination
2. Projected new jobs to be created as a result of the project.
3. Overall projected impact on the economic vitality of the community.
4. Priority will be given to applicants:
 - a. Retain and attract enterprises that provide permanent jobs.
 - b. Support social enterprises and not-for-profits in contributing to the economic vitality of the community.
 - c. Further the Bloomington Entertainment and Arts District Strategic Plan and the sustainable development policies of the City.
5. Nature and extent of equity participation by principal owner(s).
6. Use of funds to leverage other sources of capital including venture, conventional, and grant funds.
7. Nature and extent of security/guarantees.
8. Credit history.
9. Expected tax base increases or decreases as a result of the project. (Loan Fund Only)
10. Any proposed tax abatements or other city/state-sponsored incentives expected to be received for the proposed project.

11. Compliance and compatibility with the City of Bloomington Unified Development Ordinance and the policies of the Historic Preservation Commission.
12. Projected public benefit of relocation.

II. PROGRAM ELIGIBILITY, USE OF FUNDS AND LOAN TERMS

A. General Revolving Loan Fund

1. **Eligible Businesses & Activities:** Any qualified business or not-for-profit enterprise is eligible to submit a loan application for permissible projects as identified by the guidelines. The following eligible activities have been targeted as the primary beneficiaries of loan proceeds to promote a diverse economic base.
 - a. **Business retention, expansion, attraction**
 - b. **Public-purpose induced business relocation**
 - c. **Initiative with sustainability or arts related focus**
2. **Permissible Uses of Funds:** Loan proceeds shall be applied to qualified capital improvement costs associated with a qualified project including land acquisition; building acquisition; construction, expansion, or renovation of buildings; purchase of eligible equipment or inventory; infrastructure improvements; or workforce development in combination with capital expenditures with no more than 20% of the loan amount being used for Workforce Development purposes.
3. **Loan amount:** Loan maximum amount is 50% of total project cost for projects with total cost at or under \$100,000, and 20% of any remaining project costs over \$100,000. Total loan amount is not to exceed \$100,000 and no loan shall be granted that equals more than 20% of the total fund balance.
4. **Interest Rate:** The interest rate will be the highest rate currently generated by other City fund investments at the time of application. The interest rate assigned is valid for a period of 90 days from the receipt of both completed application and application fee.

B. Business Disruption Bridge Loan Fund:

1. **Eligible Businesses & Activities:** A qualified business that suffers significant loss of sales and revenues in an area determined to be economically distressed due to disruptions caused by a City of Bloomington project is eligible to submit a loan application for short-term operating capital costs. For the purposes of this program, a City of Bloomington project is defined as any project lasting more than ninety (90) days that is initiated by the Parks and Recreation, Public Works or Utilities departments. Businesses applying for loans under this section must have been in operation at their affected site for at least 12 months prior to the start of construction of the project.
2. **Permissible Use of Funds:** Loan proceeds shall be applied to rent or mortgage, utilities, payroll, or other unavoidable expenses necessary to maintain the business at a minimum operational level.
3. **Loan amount:**

- a. Subject to the availability of funds, a maximum of \$150,000 in loans per project may be given out under this section unless the Common Council appropriates additional funds for this specific program.
 - b. Maximum loan per qualified applicant is \$35,000.
 - c. The Committee may request a special warrant from the City Controller's office for expedited release of moneys from the fund if it determines that the business receiving the loan has demonstrated reasonable need for loan proceeds prior to schedule.
- 4. Interest Rate:** No interest shall be charged or accrued on loans before the date the City of Bloomington project is complete. This date shall be determined by the BIIF Review Committee, in conjunction with the city department performing the project. Thereafter, interest on each loan shall accrue at the end of each month with an annual rate equal to one percent of the unpaid balance of the loan.
- 5. Evaluation Criteria:** The loan BIIF Review Committee shall establish criteria for the acceptance, review and approval of Bridge Disruption loans, which shall at a minimum include, but not be limited to, the following:
- a. Each business must demonstrate financial need for the loan in order to meet minimum operation expenses, including but not limited to rent or mortgage, utilities, payroll, or other unavoidable expenses necessary to maintaining the business at a minimum operational level.
 - b. Each business shall provide sales figures for the current time period in which the business has experienced economic distress due to the project, along with sales figures for the same time period in the prior calendar year.
 - c. Each business shall provide proof of similar expense levels required to generate the same level of sales in the current time period, compared to the sales levels for the same time period in the preceding calendar year.
 - d. Each business shall provide a plan that describes how the business will use loan proceeds; forecasted expenses and revenues for the period beginning with the first day of the month in which the loan is granted through the last day of the month preceding the month in which the loan is granted of the following year; and a proposed repayment schedule of the total loan amount shall be provided no later than one (1) year from the date on which the loan closing occurs.

C. Non-profit Matching Grant Fund:

- 1. Eligible Organizations & Activities:** The non-profit grant fund is intended to encourage capital improvements to facilities owned and/or operated by eligible non-profit organizations. Under this section eligible non-profits are defined as follows:
- a. Organizations that have a retail or commercial activity as a primary purpose including, but not limited to: performance venues, galleries, or retail shops.
 - b. Operate a social enterprise, in which at least one social or environmental goal is considered to be of equal importance to traditional commercial or other business goals.
- 2. Permissible uses of funds:** Grant proceeds may be applied to qualified capital improvement costs including building and/or land acquisition; construction, expansion, or renovation of buildings; purchase of eligible equipment or inventory; or infrastructure improvements.

3. Grant amount and Terms:

- a. Subject to the availability of funds, a maximum of \$50,000 in grants may be given out under this section in any calendar year.
- b. Maximum grant per qualified applicant is 50% of total project not to exceed \$25,000.
- c. Grant disbursements are limited to one every 5 years per organization.
- d. Grant funds are in lieu of loan funds.

III. ADDITIONAL TERMS AND CONDITIONS

- A. Term:** The term will range between five and fifteen years. It will be defined based on the project at hand and is subject to approval.
- B. Confidentiality of financial and proprietary documents:** Financial and proprietary information provided to the City of Bloomington for the purpose of the Bloomington Investment Incentive Fund application process will be held confidential to the extent allowed by law. Economic and Sustainable Development Department staff will advise applicants on a case by case basis regarding the submittal of financial and proprietary information including, but not limited to, products, services, systems and concepts to protect the proprietary nature of said information.
- B. Payments on Loan Funds:** Principal and interest payments are to be made monthly. All payments are due on the first day of each month. Payments received after the tenth of the month will be assessed a 5% late fee.

Loan payments are to be mailed to:
City of Bloomington
Controller's Office
P.O. Box 100
Bloomington, IN 47402

- C. Security for Loans:** Acceptable collateral includes a mortgage against real estate with at least 20% equity remaining after total project financing is secured, a lien against the cash value of life insurance, a lien against a Certificate of Deposit Account, a lien against qualified equipment, and/or any other acceptable and approved form of security.

Loans will be secured to the extent that such security is feasible and does not impair the ability of the borrower to conduct its activities. Loans may be subordinated to other financing, to and including a subordinated position on personal guarantees, as long as the city's loan is adequately secured.

D. Default and Noncompliance

- 1. If a **grant** agreement is violated, it may be declared in noncompliance and become due and payable within 30 days of written notice to the non-profit organization.
- 2. **Loans** under the BIIF program may be declared in default and become due and payable within 30 days of written notice to the borrower for any of the following reasons:
 - a. Failure of borrower to disclose any and all facts pertinent to the loan approval or any misrepresentation of information.

- b. Failure of borrower to make timely payments.
- c. Failure of borrower to use loan funds as described in the BIIF application.
- d. Failure of borrower to maintain mortgaged property, keep it insured and/or pay property taxes on it.
- e. Relocation of funded business activity or a significant part of the business activity without receiving specific approval from the Common Council.
- f. Failure to comply with any material terms of the loan documents, including but not limited to, the loan agreement, mortgage, financing statement, and personal guaranty.
- g. Failure to comply with voluntary annexation agreement or waiver of remonstrance agreement.

IV. APPLICATION FEE AND APPROVAL PROCESSES

All applications are first reviewed by the BIIF Review Committee. **BIIF Review Committee Membership:** The committee will be composed of the following members: the Director of the Economic and Sustainable Development Department or his/her departmental designee, a representative from the local financial lending community, the City Attorney or his/her departmental designee, the President of the Economic Development Commission or his/her designee from the Economic Development Commission and the Common Council member serving on the Economic Development Commission. The BIIF Review Committee shall be chaired by the Director of Economic & Sustainable Development. The Committee shall meet as often as needed.

A. The following procedures apply to the General Revolving Loan Fund and the Non-profit Grant Fund:

1. Upon receipt of a completed application and a \$100.00 processing fee, the Director of Economic & Sustainable Development shall schedule a meeting of the BIIF Review Committee ("BRC").
2. Loans less than \$75,000 recommended for approval by the BRC will be forwarded to the Economic Development Commission for final approval.
3. Loans of \$75,000 or more and all grants that are recommended for approval by the BRC will require both Economic Development Commission and Common Council approval.
4. Upon final approval, the Department of Economic & Sustainable Development shall coordinate with the City's Legal and Controller's Department to prepare all necessary grant agreements or loan documents and a loan closing date. The borrower or grant recipient shall sign all necessary documents and agreements.

B. The following procedures apply to the Business Disruption Bridge Loan Fund.

1. Upon receipt of a completed application, the Director of the Department of Economic & Sustainable Development shall schedule a BRC meeting. The processing fee for the Business Disruption Bridge Loan fund shall be waived.
2. The BIIF Review Committee shall make final determination for all Business Disruption Bridge Loans.

3. Upon final approval, the Department of Economic & Sustainable Development shall coordinate with the City's Legal and Controller's Department to prepare all necessary loan documents and a loan closing date. The award recipient shall sign all necessary documents and agreements.

C. Applications and other materials.

1. The Department of Economic & Sustainable Development shall devise all application procedures and documents as necessary to fulfill these guidelines.

V. RELEASE OF FUNDS

- A. All supplemental matching funds, securities, lien documents, insurance documentation, title insurance policies, and other conditional documentation or action applicable must be secured within 90 days. Failure to comply with any terms, conditions, or other requirements within this time period may result in nullification of the approved loan or grant.
- B. All documentation must be on file with the Department of Economic & Sustainable Development and approved by the City of Bloomington's Legal Department prior to any release of funds.
- C. Loan funds may be disbursed in full at time of closing or in two disbursements within the first year following approval.
- D. Claims for the payment of Business Disruption Bridge Loan proceeds do not need approval of the Board of Public Works prior to disbursement. The Department of Economic & Sustainable Development will submit claims according to the City Controller's standard claim schedule.

RESOLUTION 11-07

OPPOSING SB 590, TITLED *ILLEGAL IMMIGRATION MATTERS*

- WHEREAS (1), on February 22, 2011, the Indiana Senate voted to approve SB 590, titled *Illegal Immigration Matters*; and
- WHEREAS (2), SB 590 contains many provisions specific to local government that are antithetical to Bloomington's commitment to a safe, civil, inclusive and welcoming community; and
- WHEREAS (3), SB 590 calls for local law enforcement to verify the citizenship or immigration status of individuals when making a stop, detention or arrest in the enforcement of a State law or local ordinance if the officer has "reasonable suspicion" that the person stopped is an alien and not lawfully present in the U.S.; and
- WHEREAS (4), the "reasonable suspicion" standard is a vague and unworkable standard that fails to provide meaningful guidance to law enforcement. The "reasonable suspicion" standard will almost certainly require those implementing this provision to rely on observable factors such as skin color, accent, gestures, dress, word selection and ability to understand English; and
- WHEREAS (5), the bill therefore seems to condone racial profiling, an abhorrent and discriminatory practice; and
- WHEREAS (6), the "reasonable suspicion" standard in SB 590 could trigger issues under the Equal Protection Clause of the Fourteenth Amendment to the Constitution, which states "no state shall ... deny to any person within its jurisdiction the equal protection of the laws;" and
- WHEREAS (7), SB 590 allows a law enforcement officer to arrest a person if the officer has probable cause to believe the person is an alien; and
- WHEREAS (8), local law enforcement has worked hard to cultivate trust and respect among the Latino community and SB 590 severely erodes this trust; and
- WHEREAS (9), SB 590 would lead to even greater reluctance of our local Latino community to report crime due to the perception that the local police would ask for immigration papers and communicate with the U.S. Immigration and Customs Enforcement agency; and
- WHEREAS (10), SB 590 diverts critical law enforcement resources away from preventing and stopping criminal actions by requiring officers to enforce civil violations of federal immigration code; and
- WHEREAS (11), SB 590 would require US citizens and non-citizens alike to carry papers on their person to avoid detention under the bill; and
- WHEREAS (12), the Council recognizes the need for immigration reform but also recognizes that immigration reform is a matter of federal, not State, policy; and
- WHEREAS (13), SB 590 is substantially similar to another State's law whose core components have been blocked by a federal district court, holding that the State's attempt to regulate immigration interferes with the federal government's authority to regulate and enforce immigration and violates the Supremacy Clause of the U.S. Constitution; and

- WHEREAS (14), SB 590 contains an “English only” provision which would require that only English be used in public meetings, public documents, information provided on government websites and by local government employees. While the bill is broadly worded and contains exceptions, in both its symbolic and practical applications, this requirement impairs the fundamental right of all citizens to access their government and to meaningfully participate in the democratic process; and
- WHEREAS (15), Bloomington is a multi-cultural and multi-lingual community and home to a rapidly-growing Latino population which has grown by 80% in the last 10 years; and
- WHEREAS (16), the City of Bloomington has dedicated two staff members to support Spanish speakers in the community through Spanish-language outreach; These outreach efforts are critical to helping Latinos understand and engage in civic and community life; and
- WHEREAS (17), these staff members also provide critical direct services to Latinos in Spanish, including, but not limited to: Medicaid enrollment, conflict resolution, translation of important documents, notary services, finding childcare, searching for employment, finding affordable housing and interpreting for clients at numerous social services agencies; and
- WHEREAS (18), the provision of these services is critical to serving the needs of our Latino population and is in the best interest of our entire community; and
- WHEREAS (19), SB 590 requires that any person or agency who provides benefits that are funded in whole or part with local money shall verify *via* affidavit that the recipient of the benefit is a U.S. citizen or a qualified alien, thus creating an unnecessary administrative burden for many local social services agencies who work very hard to alleviate human suffering; and
- WHEREAS (20), the City’s Commission on Hispanic and Latino Affairs is charged with working toward economic, educational and social equity for Hispanics and Latinos residing in Bloomington and has expressed its strong opposition to SB 590; and
- WHEREAS (21), two of Indiana’s largest employers, Eli Lilly and Company and Cummins, Inc. (combined market cap of \$62-billion) have issued a joint statement in opposition to SB 590. These businesses state that SB 590 impedes the ability of Indiana businesses to be competitive in global markets, and will make it more difficult for Lilly and Cummins to attract new talent and grow in Indiana. The companies said their “ability to thrive in Indiana is dependent on an environment that is welcoming and that is now threatened;” and
- WHEREAS (22), the Indiana Economic Development Association opposes SB 590, stating that the bill harms the ability of Indiana companies to attract talent from around the globe and their subsequent global competitiveness; and
- WHEREAS (23), the Indiana Association of Cities and Towns opposes SB 590, as it denigrates home rule and increases costs and potential liabilities for cities and towns; and
- WHEREAS (24), the Indiana Association of Chiefs of Police, the Indianapolis Convention & Visitors Association and the Greater Indianapolis Chamber of Commerce have expressed opposition to SB 590; and
- WHEREAS (25), the Council wishes to join Mayor Mark Krizan, Senator Vi Simpson, the Indiana Association of Cities and Towns, Indiana Attorney General Greg Zoeller and over 2,868 other Indiana residents in supporting the principles of the Indiana Compact;

WHEREAS (26), the Indiana Compact outlines five key immigration policy principles:

- **FEDERAL SOLUTIONS:**
Immigration is a federal policy issue between the U.S. government and other countries—not Indiana and other countries. We urge Indiana’s Congressional delegation, and others, to lead efforts to strengthen and reform federal laws. We recognize that border security is a critical element of national security, and further urge our Congressional representatives to work to protect the borders as part of a comprehensive immigration policy.
- **LAW ENFORCEMENT:**
We respect the rule of law and support law enforcement’s professional judgment and discretion. Local law enforcement resources should focus on criminal activities, not civil violations of federal code.
- **FAMILIES:**
Strong families are the foundation of successful communities. We oppose policies that unnecessarily separate families. We champion policies that support families and improve the health, education and well-being of all Indiana children.
- **ECONOMY:**
Indiana is best served by an economy that maximizes individual freedom and opportunity. We acknowledge the economic role immigrants play as workers and taxpayers. Indiana’s immigration policies must reaffirm our global reputation as a welcoming and business-friendly state.
- **A FREE SOCIETY:**
Immigrants are integrated into communities across Indiana. We must adopt a humane approach to this reality, reflecting our unique culture, history and spirit of inclusion. The way we treat immigrants will say more about us as a free society and less about our immigrant neighbors. Indiana should always be a place that welcomes people of goodwill.

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

SECTION I. The Common Council urges the Indiana House of Representative and the Governor to reject SB 590.

SECTION II. The Common Council calls upon all elected officials in the State of Indiana to oppose SB 590 and any similar legislation.

SECTION III. The Common Council fully supports the five principles outlined in the Indiana Compact and directs the Council President to sign the Compact on behalf of the entire Council.

SECTION IV. The Common Council requests that the City Clerk send copies of this resolution to all elected State Senators and State Representatives representing the City of Bloomington.

SECTION V. 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 this _____ day of _____, 2011.

SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2011.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2011.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution is sponsored by Councilmembers Piedmont-Smith, Sandberg and Satterfield and expresses the Bloomington Common Council's opposition to Indiana Senate Bill 590 (SB 590) entitled, "Illegal Immigration Matters." SB 590 makes a number of changes to the Indiana Code regarding local enforcement of federal immigration law and imposes an "English only" requirement (with exceptions) in public meetings, public documents and for government employees performing their duties. The resolution opposes the bill on several grounds. First, the bill's provision calling for law enforcement to verify immigration status upon "reasonable suspicion" encourages reliance on race and national origin and diverts critical law enforcement resources away from preventing and stopping criminal actions. Secondly, its "English only" provision impairs the fundamental right of all citizens to access their government. Third, it stands to harm the economic welfare of the State. Lastly, the resolution maintains that immigration reform is a matter of federal, not State policy. The resolution supports the principles of immigration reform outlined in the Indiana Compact and authorizes the Council President to sign the Compact on behalf of the entire Council. It also calls upon the Indiana House of Representatives and the Governor to reject SB 590 and all elected officials in the State of Indiana to oppose SB 590 and any similar legislation. The resolution requests that the City Clerk send copies of the resolution to all elected State Senators and State Representatives representing the City of Bloomington.



**City of Bloomington
Office of the Common Council**

To: Common Council
From: Council Members Isabel Piedmont-Smith, Susan Sandberg, and Mike Satterfield
Re: Res 11-07 Opposing SB 590, titled *Illegal Immigration Matters*
Date: March 4, 2011

On February 22, 2011, the Indiana State Senate passed SB 590, a bill authored by State Senator Mike Delph regarding illegal immigration. As elected representatives of the City of Bloomington, we oppose SB 590 and request your support for Resolution 11-07 in opposition to the pending state legislation. Our major reasons for opposing SB 590 are:

1. The bill threatens the civil liberties of residents of Bloomington due to its invocation of the “reasonable suspicion” standard to determine when a local or state law enforcement officer should inquire about a person’s immigration status. “Reasonable suspicion” is a vague term that can currently only be interpreted to mean that the law enforcement officer perceives the individual may, due to physical characteristics or way of speaking, be in the US illegally. Although SB 590 indicates that law enforcement “may” ask for proof of legal residence in the US, it also says that police can be held liable if not fully enforcing the law, implying an obligation (“shall” rather than “may”). Application of the law could, under the circumstances, be carried out through racial profiling, which is abhorrent to the US Constitution (the 14th Amendment’s “equal protection under the law” clause) and to the principles upheld by the City of Bloomington. We do not expect officers of the Bloomington Police Department would use racial profiling, but the law would seem to allow or even call for it.
2. The bill is an unfunded mandate for the Bloomington Police Department which would divert time and resources away from the enforcement of state and local laws by requiring police officers to enforce federal immigration law. BPD officers are also not currently trained in enforcing immigration law, and there is no guarantee that such training would be arranged and funded by the state or by federal immigration authorities if the bill becomes law.
3. The bill would lead to even greater reticence among our local Latino community to report crime due to the perception that the local police would ask for immigration papers and communicate with the US Immigration and Customs

Enforcement agency, which would lead to their deportation. BPD has been working diligently for several years to build trust with the Latino community, and this work would be undermined by the passage of this state legislation.

4. The bill requires that English be the only language used by employees of state and local government in conducting their business, which would put Bloomington's outreach efforts to the Latino community and services for Spanish-speakers in jeopardy.
5. The bill requires that any agency that receives government funds require recipients of aid to complete an affidavit of citizenship or legal residency, which would be a large burden on our social service agencies, which are already struggling to help more people with fewer resources.
6. The bill would make recruitment of Latino and foreign workers (who have valid immigration or citizenship paperwork) more difficult for Indiana businesses and for Indiana University, and would discourage the location and expansion of foreign businesses in the state, as recognized by the Indiana Economic Development Association.
7. The bill takes a matter of federal jurisdiction and makes it the concern of local and state government and law enforcement. Immigration reform, though needed, is a federal matter.

In Bloomington we pride ourselves on the diversity of our community and the spirit of inclusion of residents from a wide variety of backgrounds. We are the home of Indiana University, which has over 6,500 international students and 1,500 international faculty and staff. We have a growing Latino population and an active Commission on Latino and Hispanic Affairs. Many of our large employers such as Baxter Pharmaceuticals, GE, Indiana University, and IU Health seek qualified professionals from around the globe, and our atmosphere of diversity and tolerance helps attract employees here. A broad cross-section of our residents have spoken out against discrimination through Bloomington United, and a commitment to equal rights and mutual respect is strong throughout our faith communities.

SB 590 is antithetical to what our community stands for. This legislation is not in the best interests of the individuals, businesses, social service agencies, and government of Bloomington. Let's send a strong message to the Indiana House and to Governor Mitch Daniels that we oppose SB 590. Please join us in voting for Resolution 11-07.