



City of Bloomington Common Council

Legislative Packet – 2nd Addendum

Posted on Wednesday, 05 June 2024

Wednesday, 05 June 2024

Regular Session at 6:30 pm



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

June 05, 2024

Jim Whitlatch, Attorney at Law
Bunger and Robertson
211 S. College Avenue
Bloomington, Indiana 47404

Re: Input from City officials into Convention Center Expansion Project

Dear Monroe County Capital Improvement Board of Managers (CIB),

Thank you for your diligent work on the Convention Center Expansion Project (Project). The City Council appreciates and supports your efforts to ensure the Project is a success and something we can all be proud of. As you move the Project forward, you will undoubtedly have many pieces of information to consider. We submit this letter as one of the signatories of the interlocal agreement in February 2024 (the interlocal agreement contemplates additional data and input into the Project from City and County leadership) and as the elected body that will ultimately be asked to approve bonding of public funds for the Project. The Council hopes the CIB will incorporate this information and guidance into its decisions and processes as it continues to meet and advance the Project. We look forward to updates in regard to these issues from our CIB appointee, Doug Bruce, and/or from the CIB president, John Whitehart.

FINANCES & APPROVALS

Food & Beverage Tax Revenues

1. City expenditures on the proposed convention center expansion should be limited to food and beverage tax revenues only, the funding source previously identified for this project.
2. In line with limits communicated in a 2017 Letter of Intent from Mayor Hamilton, the Council plans to reserve approximately 7.5% of city food and beverage tax revenues for other valid uses. Possible uses the Council hopes to see and would support include the following Bloomington Transportation Plan projects related to downtown vibrancy, safety, and sustainable connectivity, all located near or adjacent to the convention center:

- a. Conceptual design and engineering design costs for the Kirkwood Ave. conversion to a shared street (Bloomington Transportation Plan, Project SS-1)
- b. Engineering design costs for the redesign of College Ave. and Walnut St. following completion in 2024 of the College/Walnut Corridor Study (Bloomington Transportation Plan, Project CS-1)
- c. Smith Ave. right of way connector (from Howe St. & Morton St. to Smith Ave. & College), part of a Priority Bicycle Facilities Network project (Bloomington Transportation Plan, Project NG-4; planned for construction by the end of 2025 and not currently funded).

City Property

3. If the expansion project seeks to utilize all or part of the property north of the existing convention center, currently owned by the Bloomington Redevelopment Commission, the CIB (or any other entity seeking to utilize the land) should expect to budget no less than \$6,895,000 to acquire the property (the price paid for the property utilizing TIF revenues) or a proportional amount if only a portion is needed for the Project. This could include potential use for a private hotel.
4. If other city- and RDC-owned property currently being used for the convention center (for surface parking) is proposed to remain a part of future use, the CIB should engage with the Mayor and Council directly about these plans since the use of this land involves opportunity costs.

Bonding Capacity

5. In considering total project costs and the total bonding capacity supported by approximately 92.5% of the city's food and beverage tax revenues (current balance and projected revenues), the CIB should include in the expansion project budget a minimum 10% contingency to buffer against unexpected construction costs and to decrease the likelihood that the project will draw on city resources besides the food & beverage tax.

CIB Expenditures and Budget

6. Going forward, the CIB should not contract for services or make other financial commitments prior to receiving all necessary approvals from the Bloomington Common Council, including budget approval. This is regardless of whether food and beverage tax revenues have been appropriated in the city's annual budget.

Operations and Maintenance

7. Before bonding for the project, the CIB should develop and present a financial plan for long-term operations and maintenance of the expanded convention center and any government-owned assets, including after the food and beverage tax sunsets. This should include optimistic, moderate, and cautious scenarios for conference attendance revenue given the inherent uncertainty about attendance projections and existing data demonstrating that post-expansion attendance often does not match pre-expansion projections.

Project Approvals

8. The Project should have all requisite development approvals, such as Plan Commission approval, prior to bonding.
9. The project should follow the city's Unified Development Ordinance as much as possible. If variances are requested, these should not undermine city policy goals as reflected in relevant city plans and city code.

DESIGN & USE

Sustainability

10. All government-owned buildings should meet or exceed a LEED silver standard or equivalent and achieve certification (a current requirement of Bloomington Municipal Code for city-owned buildings).
11. New buildings that use public funding sources and/or land should not utilize combustion of fossil fuels for space heating and water heating. They should instead rely on electric heating methods such as air-source or ground-source heat pumps, solar hot water heaters, etc.
12. New buildings that use public funding sources and/or land should dedicate roof space primarily for on-site solar energy generation, energy storage, and/or green roof features.

13. Design, operational, and financial plans for the expansion should include the consideration of sustainable transportation options, including the following:
 - a. Airport shuttles coordinated by the convention center as needed for conferences
 - b. A downtown circulator shuttle to minimize the need for and use of single-occupancy vehicles for conference travel and a covered bus stop with ample space (NB, a downtown circulator shuttle would likely require additional dedicated funding and entail more discussion among the city and county governments).

High-Quality Architecture and Compact Urban Form

14. All new buildings or updates to existing buildings should support community character through high-quality architecture and compact urban form (Bloomington Comprehensive Plan Policy 4.1.1), including but not limited to:
 - a. All main entrances should front on public streets or the B-Line Trail.
 - b. The design should not include “skywalk” connections (elevated walkways connecting buildings), which would limit convention attendee opportunities to interact with and patronize downtown businesses. Skywalks would also undermine the quality of public space in the downtown, in contradiction to city plans and goals.
 - c. Wherever feasible, alleys (or other public rights of way) should be retained and included in the design, including the potential replatting of alleys that were formerly vacated.
15. Prior to finalizing site plans and architectural designs, the CIB should solicit feedback from the public and reach out in particular to elected city and county officials with a goal of obtaining extensive community buy-in for the Project plan.
16. All Project designs should accommodate street changes in line with the city’s Transportation Plan, especially the redesign of the College Ave. and Walnut St. corridor to improve multimodal travel options (Bloomington Transportation Plan project CS-1) and a planned bicycle and pedestrian network connection utilizing Smith Ave. right of way between College Ave. and the B-line Trail (Bloomington Transportation Plan, Project NG-4).
17. Any portion of the project funded with city revenues should follow the city’s Percentage for the Arts program (BMC 2.12.021).

Parking

18. To the extent possible, parking for an expanded convention center should be directed to the city-owned 4th Street garage, the current utilization of which is significantly below capacity. (A new private hotel may also wish to add structured parking, much like the Hyatt or Graduate hotels.)
19. In its evaluation of necessary parking facilities, the CIB should explore the use of other public parking facilities downtown (with possible shuttle service/downtown circulator connections), including both existing surface lots and existing structured parking. The Council prefers not to use public funds to subsidize any new parking for the Project. If a subsidy is determined to be needed, it should be offset as much as possible by user fees.
20. If city funds or real property are used for the construction of new structured parking, the CIB should include in its operations and maintenance planning the full life-cycle costs for the facility, including demolition and replacement at end of life, since parking revenues at current parking prices do not cover these costs.

Civic Uses

21. The design and operational plans for the expansion should include options for civic uses or programming, such as a space dedicated to monthly or biweekly youth and/or senior activities. Civic use in this sense does not refer to local civic organizations booking space at the convention center for events, although we encourage continued lower non-profit rates for booking such events in the future.

The Council offers these recommendations to assist the members of the CIB in its work to advance the Project. The Council looks forward to continued dialogue and collaboration on the project with the CIB, county officials, and all other interested parties.

Respectfully,

City of Bloomington Common Council

Isabel Piedmont-Smith, President
Bloomington Common Council



REDLINE VERSION

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

June 05, 2024

Jim Whitlatch, Attorney at Law
Bunger and Robertson
211 S. College Avenue
Bloomington, Indiana 47404

Re: Input from City officials into Convention Center Expansion Project

Dear Monroe County Capital Improvement Board of Managers (CIB),

Thank you for your diligent work on the Convention Center Expansion Project (Project). The City Council appreciates and supports your efforts to ensure the Project is a success and something we can all be proud of. As you move the Project forward, you will undoubtedly have many pieces of information to consider. We submit this letter as one of the signatories of the interlocal agreement in February 2024 (the interlocal agreement contemplates additional data and input into the Project from City and County leadership) and as the elected body that will ultimately be asked to approve bonding of public funds for the Project. The Council hopes the CIB will incorporate this information and guidance into its decisions and processes as it continues to meet and advance the Project. We look forward to updates in regard to these issues from our CIB appointee, Doug Bruce, and/or from the CIB president, John Whitehart.

FINANCES & APPROVALS

Food & Beverage Tax Revenues

1. City expenditures on the proposed convention center expansion should be limited to food and beverage tax revenues only, the funding source previously identified for this project.
2. In line with limits communicated in a 2017 Letter of Intent from Mayor Hamilton, the Council plans to reserve approximately 7.5% of city food and beverage tax revenues for other valid uses. Possible uses the Council hopes to see and would support include the following Bloomington Transportation Plan projects related to downtown vibrancy, safety, and sustainable connectivity, all located near or adjacent to the convention center:

- a. Conceptual design and engineering design costs for the Kirkwood Ave. conversion to a shared street (Bloomington Transportation Plan, Project SS-1)
- b. Engineering design costs for the redesign of College Ave. and Walnut St. following completion in 2024 of the College/Walnut Corridor Study (Bloomington Transportation Plan, Project CS-1)
- c. Smith Ave. right of way connector (from Howe St. & Morton St. to Smith Ave. & College), part of a Priority Bicycle Facilities Network project (Bloomington Transportation Plan, Project NG-4; planned for construction by the end of 2025 and not currently funded).

City Property

3. If the expansion project seeks to utilize all or part of the property north of the existing convention center, currently owned by the Bloomington Redevelopment Commission, the CIB (or any other entity seeking to utilize the land) should expect to budget no less than \$6,895,000 to acquire the property (the price paid for the property utilizing TIF revenues) or a proportional amount if only a portion is needed for the Project. This could include potential use for a private hotel.
4. If other city- and RDC-owned property currently being used for the convention center (for surface parking) is proposed to remain a part of future use, the CIB should engage with the Mayor and Council directly about these plans since the use of this land involves opportunity costs ~~(e.g., the ability to develop affordable housing)~~.

Bonding Capacity

5. In considering total project costs and the total bonding capacity supported by approximately 92.5% of the city's food and beverage tax revenues (current balance and projected revenues), the CIB should include in the expansion project budget a minimum 10% contingency to buffer against unexpected construction costs and to decrease the likelihood that the project will draw on city resources besides the food & beverage tax.

CIB Expenditures and Budget

6. Going forward, the CIB should not contract for services or make other financial commitments prior to receiving all necessary approvals from the Bloomington Common Council, including budget approval. This is regardless of whether food and beverage tax revenues have been appropriated in the city's annual budget.

Operations and Maintenance

7. Before bonding for the project, the CIB should develop and present a financial plan for long-term operations and maintenance of the expanded convention center and any government-owned assets, including after the food and beverage tax sunsets. This should include optimistic, moderate, and cautious scenarios for conference attendance revenue given the inherent uncertainty about attendance projections and existing data demonstrating that post-expansion attendance often does not match pre-expansion projections.

Project Approvals

8. The Project should have all requisite development approvals, such as Plan Commission approval, prior to bonding.
9. The project should follow the city's Unified Development Ordinance as much as possible. If variances are requested, these should not undermine city policy goals as reflected in relevant city plans and city code.

DESIGN & USE

Sustainability

10. All government-owned buildings should meet or exceed a LEED silver standard or equivalent and achieve certification (a current requirement of Bloomington Municipal Code for city-owned buildings).
11. New buildings that use public funding sources and/or land should not utilize combustion of fossil fuels for space heating and water heating. They should instead rely on electric heating methods such as air-source or ground-source heat pumps, solar hot water heaters, etc.
12. New buildings that use public funding sources and/or land should dedicate roof space primarily for on-site solar energy generation, energy storage, and/or green roof features.

13. Design, operational, and financial plans for the expansion should include the consideration of sustainable transportation options, including the following:
 - a. Airport shuttles coordinated by the convention center as needed for conferences
 - b. A downtown circulator shuttle to minimize the need for and use of single-occupancy vehicles for conference travel and a covered bus stop with ample space (NB, a downtown circulator shuttle would likely require additional dedicated funding and entail more discussion among the city and county governments).

High-Quality Architecture and Compact Urban Form

14. All new buildings or updates to existing buildings should support community character through high-quality architecture and compact urban form (Bloomington Comprehensive Plan Policy 4.1.1), including but not limited to:
 - a. All main entrances should front on public streets or the B-Line Trail.
 - b. The design should not include “skywalk” connections (elevated walkways connecting buildings), which would limit convention attendee opportunities to interact with and patronize downtown businesses. Skywalks would also undermine the quality of public space in the downtown, in contradiction to city plans and goals.
 - c. Wherever feasible, ~~A~~alleys (or other public rights of way) should be retained and included in the design ~~wherever feasible~~, including the potential replatting of alleys that were formerly vacated.
15. Prior to finalizing site plans and architectural designs, the CIB should solicit feedback from the public and reach out in particular to elected city and county officials with a goal of obtaining extensive community buy-in for the Project plan.
16. All Project designs should ~~anticipate and~~ accommodate street changes in line with the city’s Transportation Plan, especially the redesign of the College Ave. and Walnut St. corridor to improve multimodal travel options (Bloomington Transportation Plan project CS-1) and a planned bicycle and pedestrian network connection utilizing Smith Ave. right of way between College Ave. and the B-line Trail (Bloomington Transportation Plan, Project NG-4).
17. Any portion of the project funded with city revenues should follow the city’s Percentage for the Arts program (BMC 2.12.021).

Parking

18. To the extent possible, parking for an expanded convention center should be directed to the city-owned 4th Street garage, the current utilization of which is significantly below capacity. (A new private hotel may also wish to add structured parking, much like the Hyatt or Graduate hotels.)
19. If the CIB determines new structured parking is warranted in addition to the 4th Street parking garage and a convention hotel garage, this parking should be priced in a similar manner to existing city-owned structured parking facilities. In its evaluation of necessary parking facilities, the CIB should explore the use of other public parking facilities downtown (with possible shuttle service/downtown circulator connections), including both existing surface lots and existing structured parking. The Council prefers not to use public funds to subsidize any new parking for the Project. If a subsidy is determined to be needed, it should be offset as much as possible by user fees.
20. If city funds or real property are used for the construction of new structured parking, the CIB should include in its operations and maintenance planning the full life-cycle costs for the facility, including demolition and replacement at end of life, since parking revenues at current parking prices do not cover these costs.

Civic Uses

21. The design and operational plans for the expansion should include options for civic uses or programming, such as a space dedicated to monthly or biweekly youth and/or senior activities. Civic use in this sense does not refer to local civic organizations booking space at the convention center for events, although we encourage continued lower non-profit rates for booking such events in the future.

The Council offers these recommendations to assist the members of the CIB in its work to advance the Project. The Council looks forward to continued dialogue and collaboration on the project with the CIB, county officials, and all other interested parties.

Respectfully,

City of Bloomington Common Council

Isabel Piedmont-Smith, President
Bloomington Common Council

DRAFT

Opioid Settlement Funds

City Controller Jessica McClellan

Political Subdivison Name	Total Unrestricted Share	Total Abatement Share	Total Attorneys' Fee Payment if Applicable	
Bloomington Total	\$ 975,433.62	\$ 2,601,099.42	\$ 185,517.73	
Received 2022	\$ 76,571.65	\$ 315,333.07		
Received 2023	\$ 940.28	\$ 79,128.83		
Received 2024	\$ 101,647.58	\$ 330,418.70		
Total	\$ 179,159.51	\$ 724,880.60		
				Total Per Year
2025	\$ 46,689.49	\$ 67,875.10	\$ 21,360.67	\$ 135,925.26
2026	\$ 46,689.49	\$ 168,668.34	\$ 26,360.46	\$ 241,718.29
2027	\$ 46,506.76	\$ 168,242.01	\$ 26,360.47	\$ 241,109.24
2028	\$ 77,455.99	\$ 180,730.66		\$ 258,186.65
2029	\$ 77,705.08	\$ 181,311.88		\$ 259,016.96
2030	\$ 72,219.76	\$ 168,512.78		\$ 240,732.54
2031	\$ 66,754.37	\$ 155,760.22		\$ 222,514.59
2032	\$ 61,069.23	\$ 142,494.88		\$ 203,564.11
2033	\$ 47,529.98	\$ 110,903.30		\$ 158,433.28
2034	\$ 47,529.98	\$ 110,903.30		\$ 158,433.28
2035	\$ 47,529.98	\$ 110,903.30		\$ 158,433.28
2036	\$ 39,845.71	\$ 92,973.34		\$ 132,819.05
2037	\$ 39,845.71	\$ 92,973.34		\$ 132,819.05
2038	\$ 28,759.10	\$ 67,104.58		\$ 95,863.68

Budgeted Projects



Expense Budget Worksheet Report

Budget Year 2024

Account	Account Description	2024 Adopted		
Fund 163 - Opioid Settlement Restricted				
Department 09 - CFRD				
Program 090000 - Main				
Other Services and Charges				
53960	Grants	150,000.00		
Budget Transactions				
Level	Transaction	Number of Units	Cost Per Unit	Total Amount
Departmental Draft	FSSA Matching Grant - Monroe Co gov't	1.0000	100,000.00	100,000.00
Departmental Draft	Stride Mobile Crisis Unit (Year 1 of 3)	1.0000	50,000.00	50,000.00
Departmental Draft Totals				\$150,000.00

Indiana Recovery Alliance

Indiana Recovery Alliance

Indiana Attorney General's Office: Approved Uses

Opioid Restricted: Controlled by the settlement agreement and must be spent on approved remediation uses.

Opioid Unrestricted: May be spent in the same manner as any money in the general fund.

For the full list of opioid remediation uses, please refer to the Attorney General's website:

<https://www.in.gov/attorneygeneral/about-theoffice/complex-litigation/opioid-settlement/>

Report on Ordinance 21-23 Memo

To: Bloomington Common Council

From: Planning and Transportation Department
Jackie Scanlan, AICP Development Services Manager

Date: June 5, 2024

Re: Report on Progression of Ordinance 21-23

Council approved a change to the UDO related to duplexes and triplexes in May of 2021, which was signed into law by Mayor Hamilton on July 12, 2021. The Ordinance contained the language: “The Planning and Transportation Department will track requests and approvals for the uses amended in this Ordinance, and report those findings to the Plan Commission, Administration, and Common Council every six months from the effective date.” The Ordinance made duplexes Conditional in R1-R3 and triplexes Conditional in R4. It also required that the conditional use approvals related to R1-R3 need to include a neighborhood meeting and be seen by the Board of Zoning Appeals. The Council also placed a 150-foot buffer around newly approved duplex dwellings, around which new approvals cannot be sought for 2 years. The Council also placed a cap of 15 per year on the use in those districts.

Month of Report	Number of Inquiries	Number of Dwelling, Duplex Conditional Use Approvals	Number of Dwelling, Triplex Conditional Use Approvals
February 2022	13	0	0
September 2022	14	1	0
May 2023	11	2	0
October 2023	14	1	0
June 2024	11	2	0

Since the October 2023 report, the Department has had 11 additional inquiries about possible duplex uses in the R1-R3. These range from basic questions about whether or not one is allowed to process questions to proceeding with filing. Two dwelling, duplex uses were approved via the Conditional Use process by the Board of Zoning Appeals in November 2023, one for an addition to an existing structure, and one for a new dwelling, duplex. The Department currently has one Conditional Use request filed and pending.