

## **APPROPRIATION ORDINANCE 19-01**

### **TO SPECIALLY APPROPRIATE FROM THE FOOD AND BEVERAGE TAX FUND EXPENDITURES RELATED TO THE CONVENTION CENTER EXPANSION (Appropriating Funds from the Food and Beverage Tax Fund)**

- WHEREAS, the Monroe County Convention Center (“Center”) building was built in 1923 for the Graham Motor Sales company and converted to a convention center in 1991; and
- WHEREAS, in 2012, the Center was upgraded and remodeled -- but not enlarged -- and its current size has limited its ability to accommodate many groups desiring to hold events in Bloomington; and
- WHEREAS, Monroe County (the “County”) and the City of Bloomington (the “City”) are collaborating on a project to expand the Center (the “Project”), and have agreed that the Project will be primarily funded through the use of certain county excise tax revenues provided for under Indiana Code § 6-9-41-0.3, et seq. (“Food and Beverage Tax”); and
- WHEREAS, the Food & Beverage Tax was passed by the County in 2017 and has been continually collected since February 1, 2018, with the proceeds for the City transferred by the County Auditor being deposited into the Food and Beverage Tax City Fund, Number 152 (the “Fund”), in accordance with Indiana Code § 6-9-41-12; and
- WHEREAS, the County and City entered into a Memorandum of Agreement dated October 12, 2018 regarding selection of an architect to oversee the Project, and the MOU allocated explicit responsibility to the City for “Contracting and the payment for appropriate expenses for the Architect;” and
- WHEREAS, the architect has now been chosen and is ready to begin the first phase of the Project (“Phase I”), which involves conceptual and design work, a survey, appraisals and environmental work, and such other related services as may be identified during Phase I (“Phase I Costs”); and
- WHEREAS, the City therefore desires to have funds appropriated from the Fund in a not-to-exceed amount to pay for the Phase I Costs not included in the 2019 Civil City adopted budget;
- WHEREAS, the City has estimated a not-to-exceed amount for this appropriation, based on the architect’s cost estimate attached to this ordinance; and
- WHEREAS, the Food and Beverage Tax Advisory Commission is established under Indiana Code § 6-9-41-16 and is charged with evaluating and recommending to the Common Council the appropriateness of expenditures from the Fund; and
- WHEREAS, pursuant to Indiana Code § 6-9-41-16(b), on January 16, 2019, the Bloomington Common Council requested from the Food and Beverage Tax Advisory Commission the Commission’s recommendations concerning the expenditure of food and beverage tax funds; and
- WHEREAS, on January 22, 2019, the Food and Beverage Tax Advisory met in public session and approved the use of monies in the Fund for the Phase I Costs; and
- WHEREAS, pursuant to Indiana Code § 6-9-41-16(b), the majority of the members of the Food and Beverage Tax Advisory Commission have issued their written approval (Exhibit A) of the expenditures authorized herein;

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

SECTION I. For the expenses of said municipal corporation the following additional sums of money are hereby appropriated and ordered set apart from the fund herein named and for the purposes herein specified, subject to the laws governing the same:

AMOUNT REQUESTED	
<b>Food and Beverage Tax Fund</b>	
Classification 3 – Services and Charges	\$ <u>350,000.00</u>
Total Food and Beverage Tax Fund	\$ <u>350,000.00</u>
<b>Grand Total</b>	<b>\$ <u><u>350,000.00</u></u></b>

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
DAVE ROLLO, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

SYNOPSIS

This ordinance appropriates funds from the Food and Beverage Tax Fund for expenditures related to the Convention Center expansion project, including expenditures for Phase I of the project, which involves conceptual and design work, a survey, appraisals and environmental work, and such other related services as may be identified during Phase I.