

[Statement read aloud by Monroe County commissioners on Dec. 4, 2019]

In response to Mayor John Hamilton's December 3, 2019 letter we would like to share the following statement with you. We wholly support the Project, as we have made clear in all our written communications and public statements. We truly appreciate the city's and county's attendance at all of our joint meetings regarding the project. However, we have come to a point when we must quit talking and actually agree upon and execute a written agreement. We owe it to the public to resolve this so the project can move forward with mutual support.

With that in mind, we respectfully ask and state the following:

1. We ask for the city's agreement to the creation of a Capital Improvement Board ("CIB") with 3-3-1 representation. A CIB is the only authority proposed so far which is cloaked with the immunity provided to governmental entities. We do not think a 501(c)(3), which will ever have the same protection from liability. As pointed out last night, a 501(c)(3), would cost \$75,000/year for tort-claim insurance. When millions of taxpayer dollars are at stake, we do not believe that any governing structure other than a CIB will suit the needs of this community.
2. We ask for a written agreement that will give the CIB real authority and control, not just "oversight." The written agreement needs to specifically empower the CIB to decide the site for all structures, including the new Center, the hotel, and the garage – subject to necessary approvals by regulatory authorities. The CIB must also be given authority to enter into a contract for design of the Project, including all accessory structures.
3. We ask that no contracts, agreements, or purchases related to the Project be entered into or agreed to unilaterally, by either Monroe County or the City of Bloomington or a related entity, other than a CIB.
4. We ask the County Council to provide, at their meeting on December 6, 2019, at 3:00 p.m., a firm deadline for the City and County to reach agreement. The public deserves absolute honesty and transparency. We do not believe that agreements worked out by our staffs meet that standard.
5. We will make ourselves and our staff available to negotiate terms of an agreement consistent with the above. We want to sign an agreement to the above-stated terms on or before Friday, December 6th at noon. We will post notice of a meeting on December 6th at 3:00 p.m., so that we may join the County Council

at their meeting, which was recessed yesterday and continued to that date and time, in the Nat. U Hill Meeting Room.

6. We will work with you, in good faith and expeditiously, to draft and agree upon an interlocal agreement and any and all necessary legal requirements required to put the pieces of this puzzle in place.

7. The County Council passed the Food and Beverage Tax in order for the city and county to work collaboratively on the expansion project. We want to see that happen.