



Food & Beverage Tax Advisory Commission

John Hamilton
Lee Jones
Cheryl Munson
Steve Volan

Susan Bright
Lennie Busch
Tony Suttle



FOOD AND BEVERAGE TAX ADVISORY COMMISSION AGENDA

Tuesday, December 3, 2019

3:00 pm

Nat U Hill Meeting Room – Courthouse – Third Floor

1. **CALL MEETING TO ORDER**
2. **FOOD AND BEVERAGE TAX ADVISORY COMMISSION ORGANIZATION AND STATUTORY OBLIGATION**
 - A. Appointment of new Chairperson, due to Shelli Yoder's resignation from the County Council.
 - B. Appointment of a Vice-Chairperson
3. **MONTHLY FOOD AND BEVERAGE REPORT, Monroe County Auditor**
October 2019
4. **INITIAL ANNUAL REPORT INFORMATION REVIEW**
 - A. City
 - B. County
5. **CITY OF BLOOMINGTON REQUEST, Jeff Underwood & Philippa Guthrie**
Seeking a recommendation for the expenditure of funds to pay for consulting/design services for the expansion of the Convention and Civic Center and related parking garage.
6. **2020 FOOD AND BEVERAGE TAX ADVISORY COMMISSION MEETING SCHEDULE**
Approve PROPOSED 2020 Meeting Dates
7. **APPROVAL OF MINUTES**
October 29, 2019

Date: 11/20/2019

Food and Beverage Tax Distribution

2019	Amount Received	City	County
January	\$ 283,483.56	\$252,739.32	\$30,744.24
February	\$ 252,916.41	\$222,554.58	\$30,361.83
March	\$ 261,060.06	\$239,640.82	\$21,419.24
April	\$ 291,297.35	\$262,002.02	\$29,295.33
May	\$ 343,971.81	\$303,960.65	\$40,011.16
June	\$ 271,539.89	\$240,385.20	\$31,154.69
July	\$ 293,934.48	\$256,955.27	\$36,979.21
August	\$ 229,573.06	\$197,887.29	\$31,685.77
September	\$ 267,760.47	\$234,874.59	\$32,885.88
October	\$ 340,956.21	\$303,099.19	\$37,857.02
November			
December			
YTD 2019 Total	\$ 2,836,493.30	\$2,514,098.93	\$322,394.37

Date: 11/20/19

Food and Beverage Tax 2018-2019 Comparison

2018 Period	Payers	Total Received	2019 Period	Payers	Total Received
January	0	\$ -	January	344	\$ 283,483.56
Feb/March	78	\$ 89,785.72	February	308	\$ 252,916.41
			March	326	\$ 261,060.06
April	282	\$ 225,752.33	April	333	\$ 291,297.35
May	274	\$ 307,318.54	May	350	\$ 343,971.81
June	256	\$ 210,844.44	June	309	\$ 271,539.89
July	290	\$ 267,312.88	July	358	\$ 293,934.48
August	298	\$ 253,562.55	August	316	\$ 229,573.06
September	268	\$ 232,770.31	September	332	\$ 267,760.47
October	324	\$ 396,284.26	October	348	\$ 340,956.21
Novemeber	308	\$ 273,129.38	Novemeber		\$ -
December	336	\$ 302,102.01	December		\$ -
Year to Date 2018 Total			Year to Date 2019 Total		
		\$ 2,558,862.42			\$ 2,836,493.30

Grand Total	\$ 5,395,355.72
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The Advisory Commission received requests from the County Commissioners and City Council for use of food and beverage tax funds. Each request was approved by the respective Legislative Bodies on January 16th.

The Advisory Commission approved recommending the following fund use from the County Food and Beverage Tax funds:

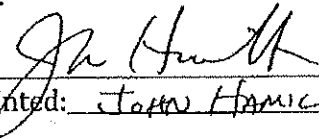
1. Use for Appraisals, Environmental Review, and Surveys in an amount not to exceed \$60,000. The funds may only be used in the geographic area whose boundaries are 3rd Street, Madison Ave, Second Street, and Walnut Street.

The Advisory Commission approved recommending the following fund use from the City Food and Beverage Tax funds:

1. Use for Appraisals, Environmental Review, and Surveys in an amount not to exceed \$60,000. The Funds may only be used in the geographic area whose boundaries are 3rd Street, Madison Ave, Second Street, and Walnut Street.
2. Convention Center Expansion Architect's fees. The amount of the fee shall not exceed 10% of the Construction Costs. The estimated Construction Costs are between \$30 million and \$40 million. So the amount will not exceed \$4 Million.

So Approved this 22 Day of January, 2019.

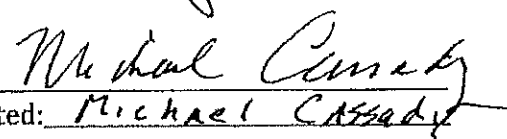
By:


Printed: John Hamilton

By:


Printed: Lee Jones

By:

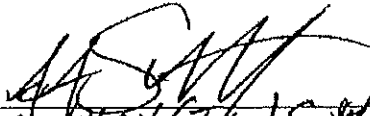

Printed: Michael Cassidy



PKH

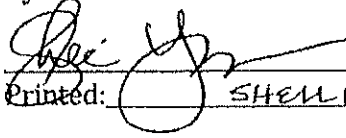
Printed: Lennie Busch

By:



Printed: Anthony (Tony) Suplee

By:



Printed: Shelli Yoder

By:

Printed: _____



APPROPRIATION ORDINANCE 19-03

TO SPECIALLY APPROPRIATE FROM THE FOOD AND BEVERAGE TAX FUND EXPENDITURES RELATED TO THE CONVENTION CENTER EXPANSION, AND MAKING A STANDING REQUEST FOR RECOMMENDATIONS FROM THE FOOD AND BEVERAGE TAX ADVISORY COMMISSION AS FUTURE NEEDS FOR THOSE EXPENDITURES ARISE

- 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, the Center was upgraded and remodeled, but not enlarged, in 2012, and its current size has limited its ability to accommodate many groups desiring to hold events in Bloomington; and
- WHEREAS, the County and 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, bond counsel and financial adviser have now been chosen and have begun the first phase of the Project (“Phase I”), which involves conceptual and design work, a survey, appraisals and environmental work, legal and financial advice related to a bond issue, 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 these costs not included in the adopted budget; and
- 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 based on estimates from the City’s bond counsel and its financial adviser; and
- WHEREAS, according to Indiana Code § 6-9-41-16(b), the Bloomington Common Council, as legislative body of the City, “must request the advisory commission's recommendations concerning the expenditure of any food and beverage tax funds collected under this chapter... [and]... may not adopt any ordinance or resolution requiring the expenditure of food and beverage tax collected under this chapter without the approval, in writing, of a majority of the members of the advisory commission”; and
- WHEREAS, on January 16, 2019, the Common Council adopted a motion making such a request from the Commission in regard to the expenditures for the Architect, and on April 3, 2019, the Council adopted a similar motion regarding expenditures for the bond counsel and financial adviser; and
- WHEREAS, in Section 2 of this ordinance, the Common Council makes a standing request of the Commission to make recommendations on future expenditures as needs arise; and
- WHEREAS, on January 22, 2019, the Food and Beverage Tax Advisory Commission (Commission) established under Indiana Code § 6-9-41-16, met in public session and recommended the use of monies in the Fund for the Phase I Costs related to the Architect, and met in public session on April 23, 2019 and recommended the use of the Fund for the Phase I Costs related to the bond counsel and financial adviser; and

WHEREAS, pursuant to Indiana Code § 6-9-41-16(b), the majority of the members of the Commission have issued their written approvals (Appendix A & B) 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
Food and Beverage Tax Fund	
Classification 3 – Services and Charges:	
Architect and related fees and expenses	\$ <u>350,000.00</u>
Bond Counsel and Financial Adviser	\$ <u>200,000.00</u>
Grand Total	\$ <u><u>550,000.00</u></u>


SECTION 2. By this ordinance, the Common Council as legislative body of the City, requests the advisory commission's ongoing recommendations concerning the expenditure of any food and beverage tax funds collected under this chapter as the need for those expenditures arises in the future and in a manner consistent with Indiana Code § 6-9-41-16(b).

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 15 day of May, 2019.

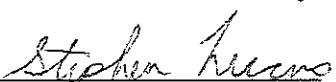


DAVE ROLLO, President
Bloomington Common Council

ATTEST:


~~NICOLE BOLDEN, Clerk~~ *Stephen Lucas, Chief Deputy Clerk*
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 16th day of May, 2019.


~~NICOLE BOLDEN, Clerk~~ *Stephen Lucas, Chief Deputy Clerk*
City of Bloomington

SIGNED and APPROVED by me upon this 16th day of May, 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, legal & financial advice on various issues related to the project, including a bond issue, and such other related services as may be identified.



November 27, 2019

Dear Food and Beverage Tax Advisory Commission Members,

The City of Bloomington and Monroe County Government are excited about moving to the final design phase of an expansion to the existing Monroe Convention Center. The next step is to contract with the architectural firm, Convergence, which was recommended by the Convention Center Steering Committee, and a firm for the design of the related Parking Garage. In anticipation of these steps, we submit this request.

Per Indiana Code 6-9-41, the Food and Beverage Tax Advisory Commission's primary role is to authorize the use of the Food and Beverage tax receipts. IC § 6-9-41-16 (b) states: "The County and city legislative bodies must request the advisory commission's recommendations concerning the expenditure of any food and beverage tax funds collected under this chapter. The county or city legislative body may not adopt any ordinance or resolution requiring the expenditure of food and beverage tax collected under this chapter without the approval, in writing, of a majority of the members of the advisory commission."

At the request of the Bloomington City Council, we have attached a funding request for your consideration. The request is for funding for the architectural firms. The precise amount of the contract is unknown at this time, as architectural fees are typically a percentage of the total estimated construction cost of a project. Estimates are that the total cost of the project could be approximately \$44 million, plus \$15 million for the associated Parking Garage, for a total of \$59 million.

The City Council will be considering an ordinance to appropriate the funding for the architectural fees for this project, upon receiving written approval of the use from the Advisory Commission. It is anticipated that this request will go before the City Council in early December.

We are happy to answer any questions that you may have.

Sincerely,

Jeffrey Underwood
Controller, City of Bloomington

Philippa Guthrie,
Corporation Counsel, City of Bloomington

The **PROPOSED** dates mirror the 2019 F&B Meeting Schedule.
 The 4th Tuesday of each month at 4:00 pm in the Nat U. Hill Meeting Room.

2020 Calendar

January

Su	Mo	Tu	We	Th	Fr	Sa
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1

February

Su	Mo	Tu	We	Th	Fr	Sa
26	27	28	29	30	31	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

March

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

April

Su	Mo	Tu	We	Th	Fr	Sa
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	1	2

May

Su	Mo	Tu	We	Th	Fr	Sa
26	27	28	29	30	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1	2	3	4	5	6

June

Su	Mo	Tu	We	Th	Fr	Sa
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	1	2	3	4

July

Su	Mo	Tu	We	Th	Fr	Sa
28	29	30	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1

August

Su	Mo	Tu	We	Th	Fr	Sa
26	27	28	29	30	31	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	1	2	3	4	5

September

Su	Mo	Tu	We	Th	Fr	Sa
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	1	2	3

October

Su	Mo	Tu	We	Th	Fr	Sa
27	28	29	30	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	1	2	3	4	5

December

Su	Mo	Tu	We	Th	Fr	Sa
29	30	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31	1	2



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2020 MEETING SCHEDULE

Meetings will convene at the Monroe County Courthouse:
Nat U. Hill Meeting Room at 4:00 pm.

January 28, 2020
February 25, 2020
March 24, 2020
April 28, 2020
May 26, 2020
June 23, 2020

July 28, 2020
August 25, 2020
September 22, 2020
October 27, 2020
November 24, 2020
December 22, 2020

Presented and approved this 3rd day of December, 2019.

FOOD AND BEVERAGE TAX ADVISORY COMMISSION

"AYE"

"NAY"

John Hamilton, Mayor

John Hamilton, Mayor

Lee Jones, County Commissioner

Lee Jones, County Commissioner

Cheryl Munson, County Council

Cheryl Munson, County Council

Steve Volan, City Council

Steve Volan, City Council

Susan Bright, Restaurant Owner

Susan Bright, Restaurant Owner

Lennie Busch, Restaurant Owner

Lennie Busch, Restaurant Owner

Tony Suttle, Restaurant Owner

Tony Suttle, Restaurant Owner

ATTEST:

Catherine Smith, Monroe County Auditor

Date



Food & Beverage Tax Advisory Commission

John Hamilton
Lee Jones
Cheryl Munson
Steve Volan

Susan Bright
Lennie Busch
Tony Suttle



FOOD AND BEVERAGE TAX ADVISORY COMMISSION MINUTES

Tuesday, October 29, 2019

4:00 pm

Nat U Hill Meeting Room – Third Floor - Courthouse

Members

Present – Shelli Yoder, Chair
Not Present - Steve Volan
Present – John Hamilton
Present – Lee Jones
Present – Susan Bright
Present – Lennie Busch
Not Present – Tony Suttle

Staff

Present – Cathy Smith, Auditor
Present – Chris Muench, Chief Deputy Auditor
Present – Margie Rice, Council Attorney
Present – Kim Shell, Council Budget Director

Shelli Yoder called the meeting to order at 4:00 p.m.

1. UPDATE ON ANNUAL REPORT TO THE COUNTY COUNCIL

Margie Rice gave update on preparation of the Annual Report to the County Council.
Steve Volan volunteered to pull together the information for the Report.

Discussion ensued.

Rice presented the following motion on behalf of Yoder:

The Food & Beverage Tax Advisory Commission will do one comprehensive report to the County Council. The draft of that report to be prepared by Steve Volan, with the help of the Auditor and the County Council Attorney, will be ready for the Food & Beverage Tax Commission to review and approve at the December 3, 2019, 4 p.m. meeting. This will be the only meeting of the FABTAC until the end of the year; the other two meetings that were previously scheduled in November and December will be cancelled.

*Yoder called for a Voice Vote.
Motion Passed; Unanimous; No Objections*

2. REVIEW OF COUNTY COMMISSIONERS REQUEST

Jeff Cockerill presented on the Commissioners' request for use of the County's Food and Beverage Tax proceeds, as well as a letter of support for the Grant application for the

Limestone Related Tourist Destination.

Discussion ensued among Commission Members and Staff

Yoder called for public comment.

-Randy Cassidy

-Tambi Michael-Cassidy

Hamilton moved approval of the Commissioners' Request.

Yoder added the Commission is willing to issue a letter acknowledging approval is appropriate for the use of this Fund and not necessarily in support of a particular project.

Yoder called for a Voice Vote

Motion Passed; Unanimous; No Objections.

3. APPROVAL OF MINUTES

-August 27, 2019

-September 24, 2019

Jones moved approval of Minutes for August 27th and September 24th, 2019.

Yoder called for a Voice Vote.

Motion Passed; Unanimous; No Objections.

COMMENTS:

Hamilton asked about the Financial Report not being on the agenda.

Yoder stated that at one of the original meetings, the committee verbalized the Commission wanted to see and hear a report of the financials.

Smith stated the Financial Report would be added to all future Agendas of the Food & Beverage Tax Advisory Commission.

Meeting adjourned at 4:52 p.m.

The Minutes from the October 29, 2019 Food and Beverage Tax Advisory Commission Meeting were presented and approved on December 3, 2019.

FOOD AND BEVERAGE TAX ADVISORY COMMISSION

“AYE”

“NAY”

John Hamilton, Mayor

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Lee Jones, County Commissioner

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Cheryl Munson, County Council

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Susan Bright, Restaurant Owner

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Lennie Busch, Restaurant Owner

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Tony Suttile, Restaurant Owner

Tony Suttile, Restaurant Owner

ATTEST:

Catherine Smith
Monroe County, Auditor

Date