

ORDINANCE NO. 78-21

To Amend Chapters 2.90, 2.60, 2.77, 2.81, and Section 2.36.090
of the Bloomington Municipal Code,
Concerning Reorganization of the Human Resources Department

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

SECTION 1. Chapter 2.90 of the Bloomington Municipal Code is repealed and re-enacted as follows:

Chapter 2.90 Human Resources Department

Section 2.90.10 Established. There is hereby created and established a Chapter 2.90 of the Bloomington Municipal Code, entitled Human Resources Department, and there shall be created and established a Human Resources Department within the administration of the corporate City of Bloomington, Indiana.

Footnote 1. The authority for such creation and establishment is granted to the City by IC 18-1-1.5-27.

Section 2.90.020 Scope and Duties. The scope and duties of the Human Resources Department shall include, but not be limited to, the following:

- (a) Assessing the human resources functions available in the City of Bloomington and the County of Monroe, Indiana;
- (b) Assessing methods of improving coordination and delivery of human resources services in the community;
- (c) Developing a plan for coordinating human resources functions of the City of Bloomington;
- (d) Developing grant application expertise and grant review capacity to be available for local agencies in the area of human resources, including information and technical assistance for federal, state and local monies which might be available and relevant; receiving and reviewing grants for federal, state and local technical and financial assistance; and, recommending, where appropriate, that such grants be sought; such duties to be carried out in conjunction with the Controller's office, specifically the Deputy Controller/Grantsperson;
- (e) Creating a communication and information center for human resources programs in the community, including the implementation and operation of an information and referral system;
- (f) Coordinating citizens' recommendations for the use of governmental funds for human resources programs;
- (g) Planning and developing contractual arrangements with the advice of the City Attorney, for the use of governmental funds by non-city agencies to insure the efficient delivery of human resources services;
- (h) Provide direct supervision and staff assistance for the programs of the Commission on the Status of Women.
- (i) Provide staff assistance for the programs of the Human Rights Commission; the Director-Attorney of the Human Rights Commission and his/her staff shall be independent staff of the department and shall not be subject to supervision by the Director of Human Resources.

- (j) Continuation, supervision or spin-off of all programs previously administered by the Bloomington-Monroe County Drug Commission or Alternative Programs Commission; and the development, implementation, operation of any new programs.

Section 2.90.030 Human Resources Defined. The subject matter of human resources shall be construed to include any topic of social concern, including but not limited to, the following:

- (a) Social impact of planning, housing development and economic development.
- (b) Citizen participation in the decision making process.
- (c) Consumer affairs.
- (d) Child care.
- (e) Drug abuse and mental health issues.
- (f) Veterans affairs.
- (g) The status of women.
- (h) Community employment and manpower.
- (i) Handicapped and disabled citizen issues.
- (j) Criminal justice planning.
- (k) Youth issues.
- (l) Senior citizen issues.
- (m) Minority issues.
- (n) Advocacy.
- (o) Energy and utility issues.
- (p) Artistic and cultural affairs.
- (q) Information and referral.
- (r) Provision of any human resource services or programs for the citizens of Bloomington, Monroe County, Indiana, for which there exists a demonstrable need and for which there is no other local source of adequate provision.
- (s) Equal Employment Opportunity.

Section 2.90.040 Director. The head of the Human Resources Department shall be an appointee of the Mayor of the City of Bloomington, and shall be designated the Director of Human Resources.

Section 2.90.050 Human Resources Commission. There is hereby created a Human Resources Commission. This Commission may make advisory and planning input into all activities of the Department. Any and all requests for financial support to human services programs and activities as defined in Section 2.90.030 of this ordinance from the City of Bloomington shall come first to and be reviewed by this Commission. Upon completion of its review, the Commission will determine the source and type of funding most appropriate to the request, including, but not limited to, revenue sharing, community development block grant, matching, and grant monies. The Commission will prepare a statement of recommendation for use by the Mayor and the Common Council in which will be included a recommendation that the program or activity be or not be financially supported by the City of Bloomington, the amount of financial support, if any, the program or activity should receive; alternative and future sources of financial support for the program or activity; and the basis of its recommendation(s). Except under extraordinary circumstances, only those services programs or activities that are recommended to receive financial support from the City of Bloomington can be submitted to the Common Council for funding. The Commission will review and comment on public service program elements of local Community Development plans and applications for block grant funding, and will make recommendations to the Mayor and Common Council. It will communicate with the Redevelopment Commission when appropriate. The Commission may seek grant monies and other funds to support human services programs and activities. The Commission may also designate subcommittees consisting of its members and other interested citizens to serve as advisory bodies to department programs. This Commission shall consist of nine (9) members, five (5) members to be appointed by the Mayor and four (4) members to be appointed by the Common Council within 30 days of the approval of this ordinance. The Mayor and Common

Council shall each make one appointment from residents of each of the four (4) quadrants of the city (Northeast, Northwest, Southwest, and Southeast) which shall be bounded by Walnut Street and Fifth Street and extend to the corporate limits in each direction. One appointment shall be made by the Mayor from the central core area. Initially, three (3) of the Mayor's appointments and two (2) of the Common Council's appointments shall be for two (2) year terms, with the remaining appointments being made for one year terms. Thereafter, Commission members shall be appointed to two (2) year terms. Commissioners may be removed for cause. "Cause" shall include, but not be limited to, failure to attend three (3) consecutive regularly scheduled meetings of the commission or four (4) regularly scheduled meetings of the commission in any twelve month period. Provided that any commissioner may submit in writing to the mayor if the mayor appointed him, or the common council if the council appointed him, any extenuating circumstances. Such written submission must be made before the formal decision to remove is reached. Acceptance of extenuating factors by the appointing official or body puts the commissioners on notice that further excessive absenteeism will result in removal.

It is recommended that the members include representatives of the following groups: low-income community and social service providers. The commission shall be charged with putting into effect its program and proposals. A quorum of five commissioners will constitute an official meeting; a majority vote is necessary for passage of motions. The commission may adopt rules and regulations, both procedural and substantive, to effectuate the purposes of this chapter and to make more specific the procedures deemed necessary for orderly and equitable compliance with this chapter. New rules, regulations, and guidelines may be adopted by the commission after a public hearing by a majority vote of the commission. The rules, regulations, and guidelines of the commission shall be available to the public at the office of the commission. Prior to the first day of June each year, the commission shall submit to the Mayor of the City of Bloomington a proposed budget setting out in detail the funds requested and the proposed use of such funds. Upon the appropriation of funds to the use of the commission by the Common Council, claims against the City resulting from the expenditures and obligations incurred by the commission in the fulfillment of the proposals and programs of the commission shall be filed with the Controller of the City and examined and allowed or denied as are other claims of the City.

Section 290.060 Other City Human Resources Activities. It shall be the responsibility of the Director of Human Resources to provide services to other City agencies formed to address the social concerns listed in the definition of Human Resources contained in this Chapter. Those City agencies shall include: Bloomington Human Rights Commission, Commission on the Status of Women, and the Office of Equal Employment Opportunity. The Director of Human Resources shall exercise direct supervision over all staff working for the program of the Commission on the Status of Women and the Office of Equal Employment Opportunity. Investigation by the Equal Employment Opportunity Officer of any complaint filed against the Human Resources Department, its programs, or employees pursuant to any grievance procedure now or hereafter in effect shall be conducted in an impartial and independent manner. In such cases the Equal Employment Opportunity Officer shall be supervised by the Director-Attorney of the Bloomington Human Rights Commission or such other person as the Mayor shall direct. The staff of the Human Rights Commission shall not be subject to supervision by the Director of Human Resources but shall be subject to all personnel, budgetary and administrative policies of the City. Compliance with all such policies shall be through the Human Resources Department. For the purpose of coordination of budget making, program planning and general administration, the City agencies listed above shall rely upon the Director of Human Resources to provide technical assistance, communication and evaluation when appropriate.

Section 2.90.070 Human Resources Forum. There is hereby created a Human Resources forum to be a public meeting of the citizenry of the City of Bloomington, Indiana and other interested groups and individuals. The forum shall consist of an agenda of discussion consisting of items concerning the community's need for human resources services and the ability of community agencies, both public and private, to meet those needs and items concerning the means through which Human Resources services may most effectively meet the needs of the community. The general citizenry of the community will be invited to discuss with public officials the needs for human resources and the various public service agencies of the community shall be invited to participate in the discussion as to the services presently being provided, future programming, and the most effective means of financing and developing future programming, both public and private, to meet community needs through the utilization of both funded and voluntary efforts.

The Director of the Human Resources Department shall arrange to have the minutes of the Human Resources Forum prepared and to provide the copies of said minutes to the Common Council, Mayor, and any other private funding agencies or to any community service agency as shall request same and to provide copies of said minutes for public inspection during regular office hours of the Department.

Section 2.90.080 Office of Equal Employment Opportunity. There is hereby created an Office of Equal Employment Opportunity within the Human Resources Department. The Mayor shall designate an employee to be responsible for the functioning of the Office which employee may carry out such responsibilities on either a full time basis or in conjunction with other unrelated duties, depending on the needs of the Office. Said employee shall be designated as the Equal Employment Opportunity Officer and shall be directly responsible to the Director of Human Resources except in activities involving the Officer's duties under any equal opportunity grievance procedure. The Officer shall be charged with any and all responsibilities given to such Officer by the City's Affirmative Action Plan, and, further shall be the enforcer of program requirements for affirmative action and equal employment opportunities as required by the City of Bloomington, Indiana, as the grantee of various federal and state assistance programs, in conformance with the Code of Federal Regulations, construing the following: Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352); Title VII of the Civil Rights Act of 1968 (Pub. L. 90-284); section 109 of the Housing and Community Development Act of 1974 (Pub. L. 43-383); Section 3 of the Housing and Urban Development Act of 1968; Executive Order 11246; Executive Order 11063; and HUD regulations issued to implement these authorities.

SECTION II. Section 2.36.090, entitled, "Older Americans Center", of the Bloomington Municipal Code, is hereby repealed.

SECTION III. Sub-section (d) of Section 2.60.030 of the Bloomington Municipal Code, concerning the Human Rights Commission is repealed.

SECTION IV. Sub-section (i) of 2.81.030 of the Bloomington Municipal Code concerning the Commission on the Status of Women is amended to read as follows:

Section 2.81.030(i) To enter into contracts and accept grants for the administration of experimental, demonstration pilot, and research projects, as may contribute to the strengthening and refinement of a coordinated program, upon approval of such contracts by the Mayor and, when appropriate, the Common Council.

SECTION V. Sub-section (b) of 2.81.040 of the Bloomington Municipal Code concerning the Commission on the Status of Women is amended to read as follows:

Section 2.81.040(b) To employ an Executive Director and other such administrative, professional, expert, technical, and other personnel as may be necessary for the implementation of the provisions of this chapter and after approved by the Mayor and, when appropriate, the Common Council. All such employees shall be employees of the Human Resources Department and shall be subject to supervision and direction by the Director of Human Resources.

SECTION VI. Sub-section (d) of Section 2.77.010 of the Bloomington Municipal Code, concerning the Telecommunications Council, is repealed.

SECTION VII. Sub-section (f) of Section 2.81.020 of the
Bloomington Municipal Code, concerning the Women's Commission,
is repealed.

SECTION VIII. Severability. If any section, sentence or provision
of this Ordinance, or the application thereof to any person or
circumstance shall be declared invalid, such invalidity shall not
affect any of the other sections, sentences, provisions, or applications
of this Ordinance which can be given effect without the invalid pro-
vision or application, and to this end the provisions of this chapter
are declared to be severable.

SECTION IX. This Ordinance 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,
Indiana, upon this 20 day of April, 1978.

John F. Richardson
John F. Richardson, President
Bloomington Common Council

ATTEST:

Frank D. Dickey

Presented by me to the Mayor of the City of Bloomington, Monroe
County, Indiana, upon this 21 day of April, 1978.

Nora M. Connors
Nora M. Connors, Deputy City
Clerk

SIGNED and APPROVED by me upon this 21 day of April,
1978.

Francis X. McCloskey
Francis X. McCloskey, Mayor
City of Bloomington

ORDINANCE 78-21

To Amend Chapters 2.36, 2.60, 2.81,
2.81 and 2.90 of the Bloomington Municipal Code
Concerning Reorganization of the Human Resources Department

Indiana law allows cities to establish departments by ordinance so long as the powers and duties conferred by such ordinance do not conflict with any state provisions. The present ordinance simplifies the 1975 enactment of the Human Resources Department and the relationship of that Department to other city human resources activities. Agencies affected are: Human Rights Commission, Chapter 2.60; Telecommunications Council, Chapter 2.77; Commission on the Status of Women, Chapter 2.81; Human Resources Department, Chapter 2.90, and Older Americans Center, Chapter 2.36.090 of the Bloomington Municipal Code.

I HEREBY MOVE THAT ORDINANCE # 78-21

BE INTRODUCED AND READ FOR FIRST READING BY TITLE

ONLY AT THE COUNCIL MEETING HELD ON 4/6/78

Roy W. DeCott

(Signature)