

**RESOLUTION 23-07**

**TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA REGARDING A JOINT BLOOMINGTON/MONROE COUNTY HUMAN RIGHTS COMMISSION**

WHEREAS, the City of Bloomington (“City”) created the Bloomington Human Rights Commission in 1970 through adoption of Ordinance 70-37; and

WHEREAS, Monroe County created the Monroe County Human Rights Commission in 2010 through adoption of Ordinance 2010-44; and

WHEREAS, the City and County are empowered pursuant to Indiana Code § 36-1-7 to contract together on the basis of mutual advantage to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local government; and

WHEREAS, the City and County believe that a single point of contact for both public education and dispute resolution provides a more effective and efficient service to the community; and

WHEREAS, the City and County wish to enter into an Interlocal Agreement setting out their mutual obligations to support and fund the Commission’s functions, through the authority of I.C. § 36-1-7-2; and

WHEREAS, following approval of this Interlocal Agreement, the City and County intend to amend their respective codes to create and empower the Commission; and

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

SECTION 1. The Common Council hereby approves the Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana, regarding the joint Bloomington/Monroe County Human Rights Commission, a copy of which is attached hereto and made a part hereof. The Mayor is authorized to execute the Agreement as attested to by the City of Bloomington Clerk and Monroe County Auditor.

SECTION 2. If any sections, sentences of provisions of this resolution, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 03 day of May, 2023.



SUE SGAMBELLURI, President  
Bloomington Common Council

ATTEST:



\_\_\_\_\_  
NICOLE BOLDEN, Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 04 day of May, 2023.



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

SIGNED and APPROVED by me up on this 8<sup>th</sup> day of May, 2023.



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

#### SYNOPSIS

This resolution approves an Interlocal Agreement between the City of Bloomington and Monroe County pursuant to state law to establish and fund a joint Bloomington/Monroe County Human Rights Commission. The agreement provides that the City of Bloomington shall be responsible for staffing the Commission, which together with staff shall engage in human rights education and awareness activities and enforce both City and County human rights ordinances; in exchange, the County shall make semi-annual payments to the City Controller to share the costs of these activities. Once approved, together with corresponding changes to the city and county human rights ordinances, a seven-member joint Bloomington/Monroe County Human Rights Commission will be made up of three Mayoral appointments, two Common Council appointments, and two appointments by the Monroe County Commissioners.

Distributed to: Clerk, Council Attorney, Legal, Mayor, and Monroe County Commissioners.

**HUMAN RIGHTS COMMISSION INTERLOCAL AGREEMENT  
BY AND BETWEEN THE CITY OF BLOOMINGTON AND MONROE COUNTY**

**WHEREAS**, the City of Bloomington (“City”) and Monroe County (“County”) (collectively “Entities” and singly, “Entity”) have Human Rights Ordinances that establish Human Rights Commissions; and,

**WHEREAS**, the provisions found in each Entity’s Human Rights Ordinance, except jurisdiction, are virtually identical; and,

**WHEREAS**, the duties of each Entity’s Human Rights Commission include public education and dispute resolution of Human Rights complaints for specified geographic locations, which do not overlap; and,

**WHEREAS**, staff of both the Entities routinely field calls for public education and potential complaints that have to be redirected to the other Entity; and,

**WHEREAS**, the Entities believe that a single point of contact for both public education and dispute resolution provides a more effective and efficient service to the community;

**WHEREAS**, the Entities are empowered pursuant to Indiana Code § 36-1-7 to contract together on the basis of mutual advantage to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local government; and

**WHEREAS**, the Entities agree that creating a combined City-County Human Rights Commission (“Commission”) to conduct public education and resolve complaints will be an efficient and effective way to provide excellent service on human rights matters to citizens of both Entities; and

**WHEREAS**, the Entities have amended their respective codes to create and empower the Commission;

**NOW, THEREFORE**, in consideration of the mutual terms, covenants, and conditions herein agreed, the parties agree as follows:

1. The initial term of this Interlocal Cooperation Agreement shall be for three (3) years, commencing January 1, 2023, and ending on December 31, 2025. The Agreement may be renewed for additional terms of up to five (5) years, with any necessary modifications to terms, by mutual agreement by the Entities and approval from the relevant City and County authorities.
2. Either party may terminate the Agreement with twelve (12) months’ notice to the other party.
3. The City agrees to do the following in support of the Commission:

- a. Enforce the Monroe County Human Rights Commission Ordinance in the Unincorporated areas of Monroe County, including:
  - i. Conduct investigations of discrimination complaints arising in those areas; and
  - ii. Provide support to Human Rights Commission members regarding findings required and appropriate dispensation of discrimination complaints.
- b. Provide staffing for the Commission meetings;
- c. Promote awareness and understanding of problems with illegal discrimination and conduct programs to educate the community on Human Rights issues; and,
- d. Provide an annual report to the County Commissioners in February of each year, beginning in 2024, documenting the efforts made under the Human Rights Ordinances and this agreement.

4. Except as provided in Section 5, the County agrees to pay the City annually the following amounts to help fund the operations of the Commission:

- a. Half the portion of the City salary plus benefits of the Human Rights Director for the given contract year (i.e. including any raises or cost of living increases from the prior year), attributable to human rights functions. For the initial 3-year term of this Agreement, that portion is 70%. Therefore, the County will to pay 35% of the City's cost of this position.
- b. Half the portion of the City salary plus benefits of a human rights support staff member (however titled) for the given contract year (i.e. including any raises or cost of living increases from the prior year), attributable to human rights functions. For 2023, that portion is 65%. For 2024-25, that portion shall be 60%. Therefore, the County will pay 30% of the City's cost for this position.
- c. The City agrees to notify the County by September 1 of the actual employee cost for these positions for the next calendar year. If no notice is given the cost shall remain equal to that calendar year's cost.

5. The County's total contribution for calendar year 2023 shall be Thirty-Five Thousand Dollars (\$35,000).
6. The payments specified in Section 4 are contingent on annual appropriation of the funds by the Monroe County Council.
7. Payments shall be made semi-annually to the Controller of the City of Bloomington, upon the timely submission by the City of a claim. Such claims should be submitted to the Monroe County Board of Commissioners, Room 322, Courthouse, Bloomington, Indiana 47404.

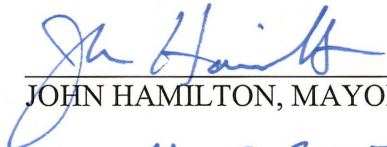


8. The City and the County departments affected by the terms of this Agreement will continue to communicate and cooperate to assure that the purposes of this Agreement are achieved on behalf of and to the benefit of the citizens of the respective political subdivisions.

**THE PARTIES**, intending to be bound, have executed this HUMAN RIGHTS COMMISSION INTERLOCAL AGREEMENT on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF BLOOMINGTON

MONROE COUNTY COMMISSIONERS


  
\_\_\_\_\_  
JOHN HAMILTON, MAYOR  
DATE: May 8, 2023

\_\_\_\_\_  
PENNY GITHENS, PRESIDENT  
DATE: \_\_\_\_\_

\_\_\_\_\_  
LEE JONES, COMMISSIONER  
DATE: \_\_\_\_\_

\_\_\_\_\_  
JULIE THOMAS, VICE PRESIDENT  
DATE: \_\_\_\_\_

ATTEST:

  
\_\_\_\_\_  
NICOLE BOLDEN, CLERK  
DATE: 05/04/2023

ATTEST:

\_\_\_\_\_  
CATHERINE SMITH, COUNTY AUDITOR  
DATE: \_\_\_\_\_

