# City of Bloomington
# Common Council

# Legislative Packet – 2nd Addendum

Issued on Wednesday, 20 April 2022

Wednesday, 20 April 2022

Regular Session at 6:30 pm

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# RESOLUTION 22-10

In support of the Indiana Graduate Workers Coalition – United Electrical Workers

Indiana University graduate student employees have organized through the Indiana Graduate Workers Coalition - United Electrical Workers (IGWC-UE) to raise concerns regarding compensation and fees, raises, benefits, equity for international graduate workers, and a formal grievance procedure. For example, the Coalition points out that for six years between 2014 and 2020, the vast majority of graduate employees at Indiana University did not receive a raise, while graduate student fees, especially those levied upon international graduate workers, have continued to increase. To this day many graduate Student Academic Appointees do not earn sufficient compensation to pay living expenses

After repeated attempts to increase stipends and reduce fees have failed, the IGWC-UE has pursued unionization of graduate student employees at Indiana University following the university's Human Resources policy on Conditions for Cooperation Between Employee Organizations and the Administration of IU.

Through the IGWC-UE's organizing efforts, more than 1,750 of approximately 2,500 Indiana University graduate workers have signed union cards indicating they want to be represented by the union, representing a supermajority of the intended bargaining unit.

The Provost of the Indiana University Bloomington campus, Rahul Shrivastav, and the President of Indiana University, Pamela Whitten, have refused to recognize the graduate workers union or negotiate with IGWC-UE to try to address their concerns, refusing to recognize graduate workers within their existing HR policy on employee organizations.

97.8% of the IGWC-UE members who voted were in favor of a strike, which began on Wednesday, April 13, 2022 and which has far-reaching impacts on the university as a whole, and by extension, on the Bloomington community.

Indiana University graduate student workers are essential members of the Bloomington community who often struggle financially while trying to pursue their studies despite their employment as Student Academic Appointees, and equitable graduate worker pay is in the best interests of the city's economic and social well-being.

All workers should have the right to unionize in order to gain a seat at the table to advocate for their well-being as employees, and such employee organization is recognized in Indiana University's HR policies.

The Common Council of the City of Bloomington has long supported the rights of working people in the City of Bloomington through adoption of legislation such as:

- The City of Bloomington Living Wage Ordinance (Ordinance 05-08, first adopted in 2005, as amended from time to time)
- Resolution 07-10 supporting the Employee Free Choice Act and recognizing as a fundamental right workers' ability to unionize
- Resolution 21-24 supporting the federal Protecting the Right to Organize Act and again recognizing workers’ fundamental right to unionize

Graduate students at several other universities, public and private, including peer institutions such as the University of Wisconsin, the University of Iowa, and the University of Michigan, have for decades had graduate worker unions recognized by their universities.



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

SECTION 1. The City of Bloomington supports the rights of Indiana University graduate student workers to unionize and strike, and urges the Indiana University administration to recognize Indiana Graduate Workers Coalition - United Electrical Workers as the chosen representative for graduate workers and enter into good faith negotiations with IGWC-UE.

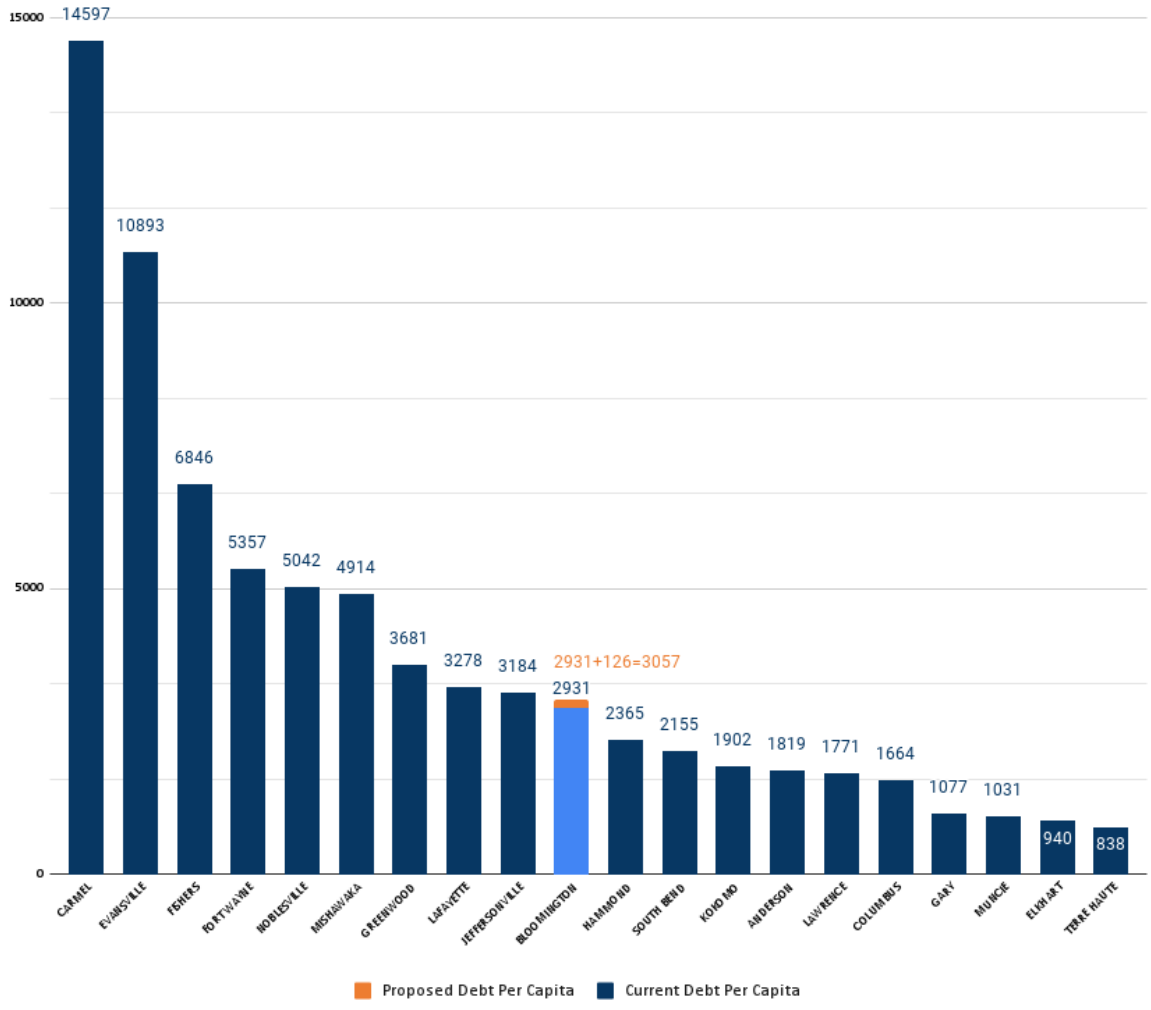
SECTION 2. Upon adoption, the City Clerk shall send a copy of this resolution to President Pamela Whitten, IU-Bloomington Provost Rahul Shrivastav, the IU-Bloomington Vice Provost for Faculty and Academic Affairs Eliza Pavalko, and the IU Board of Trustees.

# New Revenue Q&A from 4/13/22 Council Meeting

## Public Works GO Bond

**Information on other comparable cities bonding capacity (Sgambelluri)**

***Response from Underwood:*** There is no standard report across cities on this information. The best city-to-city comparison we have is per-capita annual debt (see graph below).



**Benefit and cost comparison of LED vs. sodium lights, including information on annualized lifetime costs of LED lights compared to other lighting options and return on investment of City LED light installation (Rollo)**

***Response from Wason/Clemens:*** This three-year LED conversion project will target the 2,469 leased high pressure sodium vapor (HPS) cobra head fixtures to convert to more efficient LED roadway fixtures. The head-to-head conversion is the most cost effective approach because the approach does not require the installation of poles and/or an additional electrical system. The locations for street light conversion for this project will be selected in conjunction with Duke Energy based upon the oldest and highest energy consumption usage roadway fixtures along city arterial and collector streets during each year of the three-year term. Duke Energy crews will replace selected High Pressure Sodium fixtures with new LED fixtures.

The three-year term length provides a greater equipment and electricity cost return on investment compared to a 10-year term alternative. Given the three-year term, the City of Bloomington would pay a one-time upfront lump equipment sum of about $1.2 million and then a monthly equipment cost of $24,000 and monthly energy and maintenance costs of $42,000 throughout the 36-month term length. Paying the $1.2 million equipment cost upfront will save the City an estimated $725,000 in just equipment costs for the project compared to spreading that equipment cost over a 10-year term length. The project also has significant long-term cost savings from reductions in electricity consumption since swapping the sodium vapor lights to LED may save more than 50% of energy usage, lowering the energy portion of the Duke Energy electricity bill for the street light accounts.

Between August 2020- July 2021, street light utility costs cost the City of Bloomington $437,633. 2022 electricity rate increases of about 1.3% are expected to result in an additional $5,877 in expenses for street light operation. The project's reductions in electricity consumption will reduce electricity expenditure and reduce operational annual carbon footprint by an estimated 565 metric tons of CO2. Street and traffic lights generate an estimated 5.6% of total operational carbon emissions for the City of Bloomington. This project is expected to reduce carbon emissions associated with street light electricity consumption by 36%.

**Timing of the state funding for the trails project (Sgambelluri)**

***Response from Robinson:*** The request is to fund the design of the N. Dunn Multi-Use Path. One of the challenges is to have a competitive grant proposal where a project is as close to "shovel ready" as possible. This helps to ensure the designs, right of way, necessary permitting, and reviews have been identified to avoid possible delays if funding is awarded. Indiana's Next Level Trails program, which just concluded Round 3 applications in December of 2021, is one funding source to consider. If additional rounds are announced by the Governor, the City could submit an application for funding toward construction. No additional information or announcements have been made about future rounds.

**More information on how the city will approach "matching funds" and getting status of grant applications (Sims)**

***Response from Robinson:*** The City uses general funds, TIF funds, and prior bonds to "match" federal aid/grant for transportation projects. Generally, the "match" is 20% local and 80% federal that can be used for design, right of way, and/or construction. The federal funding is formulaic and appropriated to each state. Each state then allocates available funding to Metropolitan Planning Organizations (MPOs) within each state. Locally, the federal funding is administered through the Bloomington/Monroe County MPO. Approximately $3.2 million in federal aid is available annually for transportation projects (excluding transit funding aid/grants). These funds are programmed 3-4 years in advance and are on a "use it or lose it" basis. This limits the ability to delay projects, further phase projects and/or change federal funding once the initial funding is approved by the MPO. Having a local match is essential to leverage this federal funding. The Infrastructure Investment and Jobs Act will increase available federal funding, however the specific details have not yet been determined at the State or local MPO level. Funding and various requirements associated with the funding are also yet to be determined. With that said, this bond request would position the City well to leverage additional future federal funds anticipated with the Infrastructure Investment and Jobs Act. These would be in addition to on-going ability for the City to leverage federal funds through the MPO. The City programmed approximately $13 million in federal funds for fiscal years 2020-2023.

**Cost savings analysis of electric vehicle replacements**

***Response from Wason/Clemens:*** The purchase of the City of Bloomington fleet's first light duty electric vehicle was facilitated through a negotiated cost discount through the Climate Mayor's Electric Vehicle Purchasing Collaborative in 2020. Bloomington's membership in the Climate Mayors provided access to a one-stop resource assisting member cities with lower cost procurement options, the ability to look at the competitive bids in a transparent way, and to calculate the estimated savings from electrification over time. Through the use of these procurement discounts for light duty vehicles, the City purchased two electric Bolts in 2020 at a cost of $33,000 each.

After completing this procurement process for the first two electric vehicles, ESD and Public Works, in conjunction with the Electrification Coalition, completed an analysis to identify near term opportunities for electric replacements from the existing fleet inventory. Given the high costs associated with fuel and associated savings from electrification, this is an immediate emissions savings opportunity with a high associated operational cost savings.

The focus of the electrification analysis was on opportunities for replacement of the 151 light duty vehicles in the fleet, which make up about 54% of the total vehicles maintained by the Fleet Division. This analysis considers total cost of ownership and analyzes the

cost of owning the vehicle over its entire expected useful life, as well as each vehicle's purchase price, operations, and maintenance costs. Vehicle replacement for this project would be staggered, starting with the vehicles that are already past their useful lifespan and have the highest identified cost savings from replacement.

For the first 20 vehicles identified for replacement in the analysis, the average savings over the first 10 years of ownership would be 29%. This rate of savings is due to the age of the existing vehicles, as well as the maintenance and fuel savings from procuring a bulk order of the replacement at a negotiated rate through purchasing collaborative. Replacement of the light duty sedans are the first priority, given the ratio of average cost per mile between conventional and electric, which is $0.82 per mile for a conventional vehicle versus $0.62 per electric alternative, a 21% cost savings. Vehicle fleet also comprises about 9% of City of Bloomington's local government operations emissions due to fuel use; this bond project would reduce total fuel consumption associated with fleet operations.

**Cost savings analysis of energy efficiency retrofits**

***Response from Clemens:*** The focus of the energy efficiency retrofit bond project is to create a financing method to fund the capital improvements required to reduce electricity consumption across City facilities. Electricity and natural gas consumption related to buildings and facilities (excluding water and wastewater treatment) comprise about 14% of the City of Bloomington operational carbon footprint. The focus of the initial investments would be to fund unfunded capital needs identified in the investment grade audits completed in 2018. These investment grade audits evaluated current building and property performance, as well as providing a description of existing conditions, a commercial building energy consumption survey (CBECS) benchmarking comparison, and evaluation of conservation measures for part of the City's building inventory. Reducing overall energy consumption through this project will help reduce the remainder of the carbon impact of facility operations that is not offset through renewable energy production.

The findings of past retrofit analyses indicate that the City's real estate assets and their energy infrastructures have a high percentage of deferred maintenance, which needs to be holistically addressed in order to achieve energy efficiency gains. Between August 2020-July 2021, Parks and Recreation facilities consumed 1,628,027 kWh electricity in excess of solar production with a cost of $160,227. This cost is expected to increase 7% in 2022 due a Duke Energy rate increase. Public Works facilities (not including street lights or traffic lights) also consumed 2,440,375 kWh at a cost of $251,828 a year with an expected rate increase of an average of 7%. Due to rate increases, the City would have to reduce electricity use to maintain the cost of utilities year over year.

Utilization of the bond as a funding source reduces the time to realize the energy savings from the capital repairs and improvements over other funding methods. Analysis completed looked at modeled energy savings, operations and maintenance savings,

capital cost avoidance savings and specific facility improvements to reduce electricity use. Recommendations and proposed measures from the utility grade audit will be matched with existing utility rebates available to reduce the overall project cost over five years. Buildings will also be prioritized that have the greatest potential return on investment from a utility spend perspective. For those facilities that have not received an investment grade audit, those facilities will also be assessed after the completion of the first year of projects.

The project is expected to generate a positive return on net project cash flow and can be scaled depending on available funding by further targeting the phasing and facilities included. Bond funding allows for a faster realization of positive cash flow by reducing the lease payments that would be required as part of a guaranteed energy savings agreement. The match funding for this project will also allow for leveraging existing Duke Energy utility rebates which can cover a proportion of the project costs for HVAC, lighting, and other capital improvements.

# Parks GO Bond

**Information on cost savings of using battery powered equipment versus traditional types of equipment (Flaherty)**

***Response from McDevitt/Street:***

Handheld Equipment Inventory
Parks currently has 10 pieces of handheld battery equipment, including weed eaters, trimmers, blowers, and a chainsaw. Along with the purchase of extra batteries and chargers, the purchase of this equipment in 2020 and 2021 totaled more than $11,000. Records show our inventory of gas-powered equipment still consists of 20 weed eaters, 20 blowers, and 6 chainsaws (each in various stages of use), leaving ample room for further investment – while also recognizing some areas of operations are still more suited for gas-powered equipment. The $25,000 bond funding request was intended to jump-start the efforts to replace handheld gas equipment.

Battery-Powered Mowers
Since the beginning of the bond process, Parks arranged a demo of Mean Green electric zero-turn mowers at Switchyard Park. After seeing the demo, we feel this technology has reached a level of reliability and performance where we are now ready to make a purchase. The potential amount approved in the bond could fund or partially fund (in conjunction with other available funding) the purchase of one or more battery mowers for use in a high-impact area, like Switchyard Park, Bryan Park, or along the B-Line  Trail.

Using numbers from several data sources, including the Mean Green Electric Mowers website, mowelectric.org, along with gas and electric prices, here is a conservative estimate of savings from the use of a battery-powered motor for five years. This

calculation does not factor in the increased value of the product (decreased noise, less emissions) for a park user, neighbor, or citizen. We expect operational savings to follow a similar pattern for handheld equipment, albeit on a smaller scale.

| Gas Mower | Category of Spending | Electric Mower |
|---|---|---|
| $13,000 | Purchase Cost | $28,000* |
| 600** | Annual operating hours | 600 |
| $3.50/gal | Fuel/electricity cost | $0.12/kWh |
| 1.5 gal | Fuel/electricity consumption per hour | 2.8 kWh |
| $2,000 | Residual value at 3,000 hours | $6,000 |
| 900 gal | Annual fuel/electric use | 1,680 kWh |
| $3,150 | Annual fuel/electricity cost | $201.60 |
| $1,375 | Annual maintenance & repair costs | $550 |
| $4,525 | Annual operating cost | $751.60 |
| $22,625 | 5-year life-cycle operating cost | $3,758 |

**Would also take around $500-$1,000 to create charging station(s).*
***Some Parks mowers record closer to 900 hours per year.*

**Five-year operational cost savings:** $18,867
**Initial purchase price difference**: ($15,000)
**Residual resale value difference:** $4,000
**Five-year net savings:** $7,867

# LIT

**Must we take final action on April 20th? Are there restrictions on changing the rate of LIT, etc.? If this fails, is there a time constraint on hearing a new LIT? Do we have guidance on what "substantially similar" means in the case law on this? (Flaherty)**

***Response from Cate:*** Council does not need to take final action on April 20 on Resolution 22-09 and the LIT Ordinance it contains. Council must conduct the public hearing on the Resolution and proposed LIT Ordinance on April 20, as currently noticed and scheduled, but it may recess and reconvene to take final action on the Resolution and Ordinance. The Council would need to give its usual public notice of the later meeting.

Council may lower the LIT rate from what has been proposed without requiring a new notice and public hearing. If the Council amended the Ordinance to change either the method of distribution under ED-LIT, or the type of LIT, it should re-notice the public and other members of the LIT Council and conduct a new public hearing on the amended Ordinance. State code says that before a member of the LIT Council may propose or vote on a LIT ordinance, it must "hold a public hearing on the proposed ordinance…." IC

6-3.6-6-7. No case law exists on this provision to indicate when amendments may alter an ordinance enough to mean that the noticed public hearing is no longer on "the proposed ordinance." An argument could be made that people know that amendments are a normal part of the legislative process and anticipate that such amendments could arise, and so they know they need to come to the public hearing if they want to support or oppose not only the original ordinance but any potential amendments. City Legal's view is that re-noticing is appropriate and advisable when amendments change the type and/or allocation of the LIT revenue, in case people who would have commented on the amended version did not anticipate that need and to avoid possible challenges to the validity of an adopted LIT ordinance.

State code says that the LIT Council may not vote on a proposed ordinance if in the same year the county auditor already received and distributed to the LIT Council a proposed ordinance "whose passage would have substantially the same effect." IC 6-3.6-3-10(c). The county auditor receives and distributes a proposed ordinance once it is passed by a member of the LIT Council (e.g., the City Council). IC 6-3.6-3-8(b), (c). Passage of the proposed ordinance requires at least 5 votes in the City Council.

**What is the time scale/bond status for fire and police facilities expansions? Can we get more detail on the specific facilities that need improvement and the improvements they need? (Flaherty)**

***Response from Underwood:*** $2.5 million is the yearly debt service for the properties (for approximately 20 years). These funds would both refurbish the old and acquire the new police and fire headquarters. Bonding would assume that we combine the two headquarters into a single public safety center.

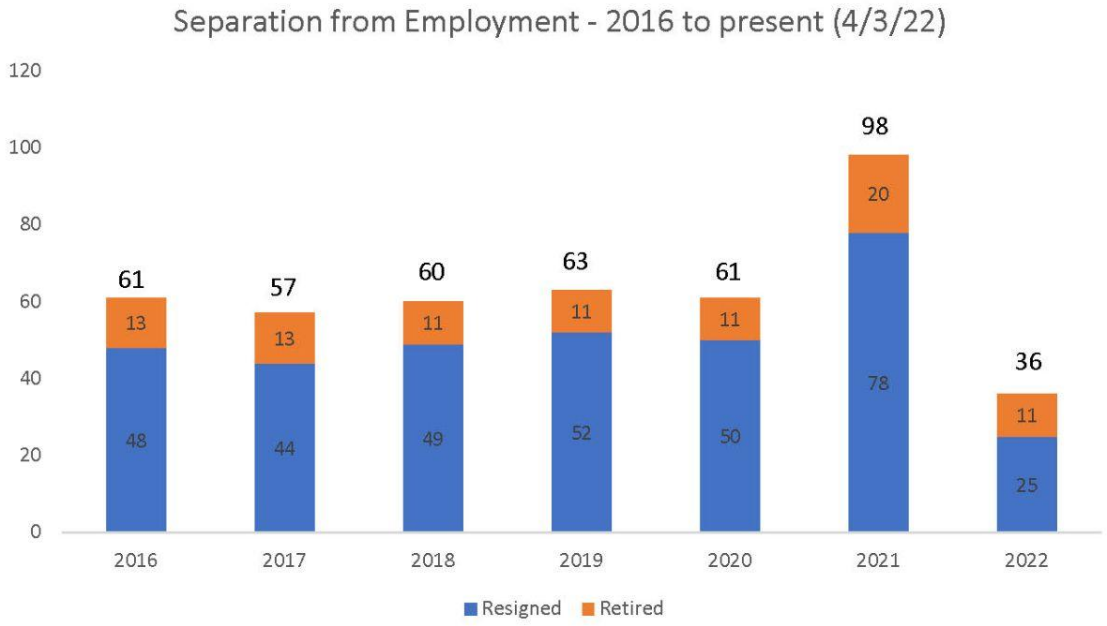
***Response from Moore:*** An engineering study showed that three stations plus due to the flood the headquarters must be replaced. This is the beginning of a fifty-year plan for improvement of FD facilities. Emergency calls for service have increased significantly year over year but the facilities are failing. Our first priority is to build a new Station 1 to fully restore services to the downtown area and ensure the proper resources are in the proper location. This station was originally designated for a major remodel but after the flooding that completely destroyed the building's systems and caused extensive water / mold damage it needs to be replaced. In order to avoid major impacts to our service delivery and our ISO rating we need to begin construction as soon as possible on the new station 1. Second priority is Headquarters (HQ) (to be combined with the Police) , which is currently occupying a temporary space that is not a feasible long-term solution. Our third priority is replacing Station 3, which at the time of the engineering study was past due for replacement by nearly a decade. Station 3 has major issues with the plumbing and electrical systems and is horribly inefficient for heating and cooling.

***Response from Diekhoff:*** Our building is over 50 years old and flood-damaged. We just spent over $100,000 to fix the damage. There is evidence of new water coming into the building. We cannot sustain these conditions financially and for health reasons. We are

also out of space and have no more room for expansion, especially as we continue to add non-sworn positions.

**How many personnel have we lost since the beginning of this calendar year? (Sims)**

***Response from Shaw:*** As of April 3rd, thirty-six employees have separated from employment with the City. Eleven retired and 25 resigned. The chart shows separation from employment since 2016. In 2021, we had 98 total separations from employment compared to 61 in 2020. The "Percent Change from Prior Year" chart shows a significant increase in both resignations and retirements in 2021 over prior years. The current year-to-date pace of employment separations is on pace to exceed 2021 levels.

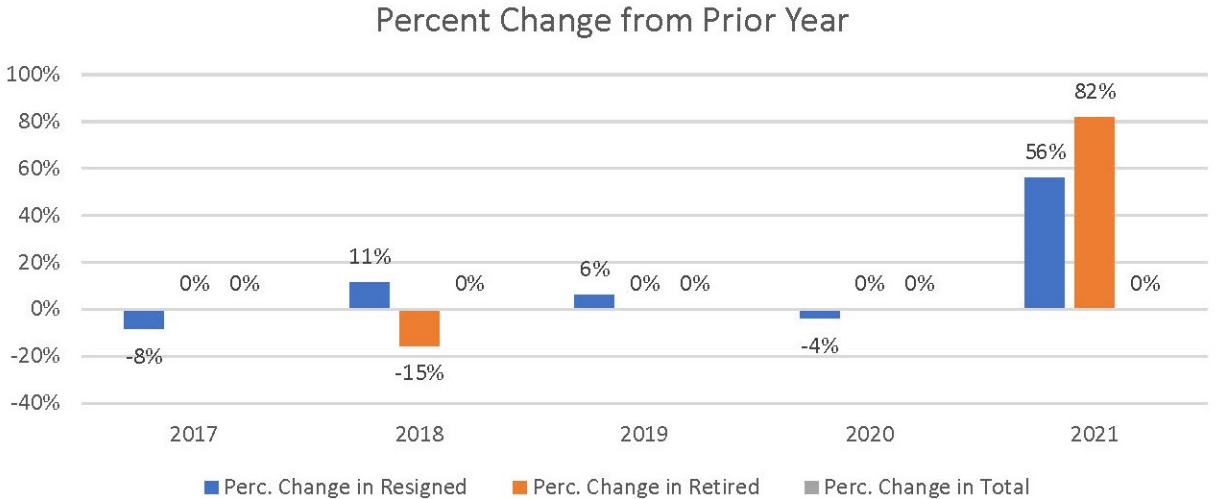



**What is the status of the Green Ribbon Panel? (Sims)**

***Response from Clemens:*** The Mayor proposed the formation of the Green Ribbon Panel in January 2020, modeled on successful efforts in other cities, to be composed of government, nonprofit, educational, and private sector community and regional representatives working together to develop mutual goals and approaches to climate action. As part of the 2022 State of the City Address, the Mayor recommitted to this effort and pledged to reach out to assemble this panel by this summer. Participation from key community sectors of the community will be essential for aligning, empowering, and engaging the broader Bloomington community to address the climate crisis.

Planning work for the group is in process to set a governance and facilitation structure,

as well as determining a long-term funding plan. Initial work that is ongoing includes determining organizational commitments to participation and completing outreach to key stakeholders. Additionally, the Mayor has engaged in a review of other climate advisory committees functioning nationwide to identify and incorporate their best practices. Once participation is confirmed, another public announcement will be made about next steps for the group.


Percent Change from Prior Year
100%
80%
60%
40%
20%
0%
-20%
-40%
-8%
0%
0%
11%
-15%
0%
6%
0%
0%
-4%
0%
0%
56%
82%
0%
2017
2018
2019
2020
2021
Perc. Change in Resigned
Perc. Change in Retired
Perc. Change in Total