

# City of Bloomington Common Council

## Legislative Packet

Containing legislation and materials related to:

Wednesday, 28 February 2024

Regular Session at 6:30pm



# CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:  
REGULAR SESSION  
WEDNESDAY | 6:30 PM  
28 February 2024

*Council Chambers (#115), Showers Building, 401 N. Morton Street  
The meeting may also be accessed at the following link:*

<https://bloomington.zoom.us/j/82078994996?pwd=1PeKjOmdVBabbCsbBzLgBpbd8ZsZBj.1>

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES:
  - A. September 6, 2023 – Regular Session
  - B. September 13, 2023 – Regular Session
  - C. September 20, 2023 – Regular Session
- IV. REPORTS *(A maximum of twenty minutes is set aside for each part of this section.)*
  - A. Councilmembers
  - B. The Mayor and City Offices
    - a. Report on city preparations for April 8<sup>th</sup> Solar Eclipse
  - C. Council Committees
  - D. Public\*
- V. APPOINTMENTS TO BOARDS AND COMMISSIONS
- VI. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS
  - A. Resolution 2024-02 - To Amend Resolution 23-22, Which Approved an Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana for the Operation of the Bloomington/Monroe County Capital Improvement Board and the Convention and Visitors Commission (To Reconcile Two Versions of the Agreement)
  - B. Resolution 2024-03 – Resolution Urging Passage of United States Senate Bill 2990, Regarding the Expansion of the Charles C. Deam Wilderness and the Establishment of the Benjamin Harrison National Recreation Area

*(over)*

\*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

Auxiliary aids are available upon request with adequate notice. To request an accommodation or for inquiries about accessibility, please call (812) 349-3409 or e-mail [council@bloomington.in.gov](mailto:council@bloomington.in.gov).

Posted: 23 February 2024

**VII. LEGISLATION FOR FIRST READINGS**

*None*

**VIII. ADDITIONAL PUBLIC COMMENT \***

*(A maximum of twenty-five minutes is set aside for this section.)*

**IX. COUNCIL SCHEDULE**

**X. ADJOURNMENT**

\*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

Auxiliary aids are available upon request with adequate notice. To request an accommodation or for inquiries about accessibility, please call (812) 349-3409 or e-mail [council@bloomington.in.gov](mailto:council@bloomington.in.gov).

**Posted: 23 February 2024**



**City of Bloomington  
Office of the Common Council**

**Minutes for Approval**

---

06 September 2023 | 13 September 2023  
20 September 2023

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, September 06, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
September 06, 2023

Councilmembers present: Matt Flaherty, Kate Rosenbarger, Dave Rollo, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan  
Councilmembers present via Zoom: Isabel Piedmont-Smith  
Councilmembers absent: none

ROLL CALL [6:31pm]

Council Vice President Isabel Piedmont-Smith gave a land and labor acknowledgement and Council President Sue Sgambelluri summarized the agenda.

AGENDA SUMMATION  
[6:31pm]

Rollo moved and Piedmont-Smith seconded to approve the minutes of February 16, 2022 and September 21, 2022. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES  
[6:34pm]

- February 16, 2022 (Regular Session)
- September 21, 2022 (Regular Session)

Piedmont-Smith reported on the Accelerate Indiana Municipalities (AIM) Ideas Summit including mental health impacts of the opioid epidemic, housing programs and incentives, sign ordinances and the first amendment, encouraging youth voices and engagement, public safety organizational development, minority and women owned enterprises, and build-operate-transfer for Public Private Partnerships.

REPORTS [6:35pm]

- COUNCIL MEMBERS

Clerk Nicole Bolden gave a background on AIM and its advocacy for Hoosier municipalities by collaboration with state legislators and corporate members for the benefit of all. They offered around one hundred trainings, workshops, and webinars for ongoing education, including Continuing Legal Education (CLE). She provided additional details including the sessions that she attended.

Volan said his trike had been stolen at the final budget hearing. He praised police officer Chad Dorman who recovered the trike the next day. He discussed comments at the podium including the administration and the public. Councilmembers reported from the dais. He commented on council process and components in meetings.

There were no reports from the mayor and city offices.

- The MAYOR AND CITY OFFICES [6:49pm]

There were no reports from council committees.

- COUNCIL COMMITTEES [6:49pm]

Daryl Ruble commented on speedbumps, the unhoused population, not having a new jail, and praised Judge Valeri Houghton, Sims, and Smith.

- PUBLIC [6:49pm]

Charlotte Zietlow spoke about democracy and appreciated council for their work. She urged council to support keeping the City Clerk's salary on par with the rest of the salaries in the city.

There were no appointments to boards and commissions.

APPOINTMENTS TO  
BOARDS AND  
COMMISSIONS [6:59pm]

LEGISLATION FOR  
SECOND READING AND  
RESOLUTIONS [7:00pm]

Rollo moved and Sims seconded that Resolution 23-16 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis.

Rollo moved and Sims seconded that Resolution 23-16 be adopted.

Flaherty presented Resolution 23-16 which, but expressed support for increasing the salary of the City Clerk. He noted council's statutory authority to fix the annual compensation for elected officials. He commented on budget hearings. The City Clerk's office functioned very similarly to city departments under the civil city budget. Both the Common Council and the Office of the City Clerk operated as independent departments from the administration. The head of the City Clerk's office and Common Council should be thought of as department heads. Historically, those positions have been inequitably compensated. He provided additional details.

There were no council questions.

Rollo moved and Sandberg seconded to adopt Amendment 01 to Resolution 23-16. Rollo presented Amendment 01 and did not agree that the City Clerk was similar to a department head because it was an elected position and did not work for the mayor. He gave additional reasons including information from Human Resources (HR) and data from the salary study of peer cities.

Amendment 01 Synopsis: This amendment is co-sponsored by Cms. Sgambelluri and Rollo. It would reduce the intended 2024 salary increase for the position of City Clerk by expressing the intent of the Council to fix the salary at \$87,000.

Volan asked if Westfield and Columbus were second class cities. He asked how the high cost of living in Bloomington factored in.

Rollo stated no, but Columbus might be in the process. He said that Bloomington was only a few points higher than West Lafayette.

Volan asked Bolden for her input.

Bolden clarified that the cost of living varied in second class cities. Noblesville, Fishers, and Fort Wayne had rates as high as 9.5% difference. Westfield and Columbus had clerk treasurers and not clerks.

Volan said the legislation that fixed the salaries of elected officials was not an appropriation ordinance and asked if the salaries could be increased or if the request had to originate from the mayor's office.

Stephen Lucas, Council Attorney, responded that the request did not have to originate from the mayor's office. Council could amend the salaries but there were practical considerations like budget hearings, submitting the budget to the state, and more.

Volan believed that the difference of \$17,000, as proposed in Amendment 01, could be addressed with reversion funds. He asked why Bloomington should base its decisions on other cities' salaries.

Rollo said that the median range was \$76,000 and the proposal in Amendment 01 was at the high end of clerk salaries, at \$87,000.

Volan asked Rollo if council and clerk were part of the administration or separate.

Rollo said that council had normally followed HR recommendations.

Resolution 23-16 –  
Calling for an Increase to the Salary of the City Clerk in the 2024 City Budget Synopsis: This resolution is sponsored by Councilmember Flaherty. It expresses the Common Council's intent to increase the salary for the City Clerk. In that regard, the resolution requests that the Mayor pursue any necessary and appropriate action to effectuate the increase as part of the 2024 city budget. [7:00pm]

Council questions:

Amendment 01 to  
Resolution 23-16

Council questions:

Volan reiterated that the City Clerk's office and Common Council were equivalent to departments and should be appropriately compensated.

Rollo said it was quantitatively and qualitatively different.

Volan commented on salary of previous Common Councils.

Rollo believed that the City Clerk and Common Council were different from departments and provided reasons.

Amendment 01 to  
Resolution 23-16 (cont'd)

Council questions:

Smith asked if council had ever set a salary before.

Rollo said yes, resolutions had been done in the past for police.

Smith asked if HR indicated they would do another salary study.

Rollo stated he did not know. Crowe & Associates were conducting the analysis but were not including elected positions.

Lucas concurred and said that the peer city salary information that was provided was not a recommendation from HR.

Rollo stated that he had spoken with Mayor John Hamilton who believed the matter should be objectively addressed. Rollo believed that the clerk had been undervalued historically and was in favor of an increase, as proposed in his amendment.

Charlotte Zietlow commented on data from around the state, Bloomington being a college city, the large work demand in the clerk's office, and high cost of living. She reiterated the Bloomington was different from other second class cities.

Public comment:

Jamie Sholl appreciated Flaherty for raising the concern, and to Clerk Bolden for her work. She said that it was ideal to keep the position in alignment with other, similar positions in the state.

April Hennessey spoke in favor of Resolution 23-16 as drafted, department heads and duties, and that Bloomington was unique. She said that it was important to have salaries that were commensurate with attracting talented and dedicated individuals.

Volan stated that the clerk's office was an independent check to both the administration and council. He noted the importance of the clerk's office as record keepers of council action and was a vital department of the city. Without clerk action, legislation could not be legally enacted. For too long, the clerk's office had not been seen as a separate department meriting compensation reflective of its duties. He noted Zietlow's comments. Previously, appropriately setting the clerk's salary had not been on council's radar. Clerks across the state needed to have a budget to hire staff and stay competitive in a difficult market. He mentioned the County Commissioners' salary based on attracting talented individuals willing to serve. It was also important to raise councilmembers' salary especially since five would not be serving another term. It would be for the benefit of future councilmembers. He questioned using the administration's HR department to establish salaries for separate elected offices like the City Clerk and Common Council.

Council comments:

Flaherty stated that he had not heard a compelling argument against the City Clerk's office being a department. He noted that benchmarking to existing salaries for clerk's enshrined an existing systemic inequity. The position was undervalued and historically undercompensated across the state. He could not support Amendment 01.

Sgambelluri supported Amendment 01 as a cosponsor. The discussion had centered on comparisons; cities, clerk salaries, and department heads. She said the clerk's role was important and agreed that the clerk was undercompensated. She supported a 34% increase. Her decision was informed by other clerk salaries in the state.

Volan had not fully realized that both the council and clerk acted as a department, separate from the administration, and should be compensated accordingly. He now understood that the Common Council and City Clerk were departments vital to the city's functionality. He urged council to not compound hypocrisy by voting for Amendment 01.

Amendment 01 to  
Resolution 23-16 (cont'd)

Council comments:

Piedmont-Smith agreed with Flaherty and Volan and supported Resolution 23-16 as written. She explained that the large salary increase made up for decades of neglect with the compensation for the City Clerk. The salary should be at the level of department heads in order to attract well-qualified candidates. She agreed that benchmarking the salary perpetuated an inequitable system that undervalued clerks. She would vote against Amendment 01.

Bolden commented that state code mandated that the Common Council set the salary for elected officials. By consent, council had typically deferred to the mayor which left the clerk's office in a position of silence. She was disappointed by Amendment 01 and its sponsors and was concerned about the discussion. She appreciated the consistency with which Volan, Rosenbarger, Flaherty, Piedmont-Smith had approached the issue. She thanked councilmembers that had discussed the issue with her and answered her phone calls. She noted the awkwardness of discussing a salary matter in such a public setting. She reiterated that the clerk's office was a department with the City Clerk being the department head. She noted the immense learning curve for new clerks and said it was helpful to have experience beforehand, just like with department heads. She reminded council that she and her staff attended many more hours' worth of meetings than other clerks in the state.

The motion to adopt Amendment 01 to Resolution 23-16 received a roll call vote of Ayes: 5, Nays: 4 (Flaherty, Rosenbarger, Piedmont-Smith, Volan), Abstain: 0.

Vote to adopt  
Amendment 01 [7:50pm]

There were no public comments.

Public comments:

Rollo acknowledged the awkward discussion and preferred that it be an HR matter with objective evaluation instead of a political discussion. He was shocked that the 33% increase seemed insufficient, which put Bloomington's clerk in the top tier. There were qualitative differences amongst clerks and clerk treasurers. He referenced the 2024 budget and questioned the duties of the clerk in comparison with the duties of other departments. He agreed that the clerk's office was important but wanted to see data showing that the clerk was similar to a department head.

Council comments:

Flaherty was disappointed by the passage of Amendment 01. He was struck by Rollo's request for data showing that the clerk's office was a department. He said that there was no data showing that it was not. The presumption that if one manages staff, and more, then they are a department head. The scope of responsibility in the clerk's office and the council office rose to the level of a department and the salary should be at the level of a department head.

Volan did not understand Rollo's request for data. Perhaps Rollo had not looked at departments in the city. Volan believed that councilmembers could do the research themselves. When elected officials were not adequately compensated, there was no incentive to do oversight. He noted that Bloomington had the longest meetings in the state. The point of the legislation was that the clerk's office was a coequal department of the city. The proposed salary in Resolution 23-16 would have been the lowest for a department head. He would vote against Resolution 23-16.



The motion to adopt Resolution 23-16 as amended received a roll call vote of Ayes: 7, Nays: 2 (Rosenbarger, Volan), Abstain: 0.

Vote to adopt Resolution 23-16 as amended [7:59pm]

LEGISLATION FOR FIRST READING [8:01pm]

Rollo moved and Sims seconded that Ordinance 23-20 be introduced and read by title and synopsis only. The motion was received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Ordinance 23-20 – To Amend Title 12 of the Bloomington Municipal Code Entitled “Streets, Sidewalks, and Storm Sewers,” Re: Establishing a New Section 12.04.130, Entitled “Obstructing the right-of-way” [8:01pm]

Sgambelluri referred this Ordinance 23-20 to the September 13, 2023 Regular Session.

Rollo moved and Sims seconded that Ordinance 23-21 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Ordinance 23-21- To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic,” Re: Amending Section 15.32.150 to Remove the Four Hour Limit on All Accessible Spaces [8:02pm]

Sgambelluri referred Ordinance 23-21 to the September 13, 2023 Regular Session.

Christopher Emge thanked the mayor for the appointments to the Capital Improvement Board (CIB) and spoke about the Convention Center’s expansion.

ADDITIONAL PUBLIC COMMENT [8:03pm]

Jamie Sholl commented on the under compensation of councilmembers. She also discussed the unhoused population and some of their issues.

Lucas reviewed the upcoming council schedule.

COUNCIL SCHEDULE [8:09pm]

Rollo moved and Volan seconded that a Council Work Session be held on Friday, September 8, 2023 at 12:00pm in order to hear a presentation by city administration about the progress of the Showers building expansion and redesign. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to schedule Council Work Session [8:11pm]

Sgambelluri adjourned the meeting without objection.

ADJOURNMENT [8:12pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVE:

ATTEST:

\_\_\_\_\_  
Isabel Piedmont-Smith, PRESIDENT  
Bloomington Common Council

\_\_\_\_\_  
Nicole Bolden, CLERK  
City of Bloomington

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, September 13, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
September 13, 2023

Councilmembers present: Matt Flaherty, Isabel Piedmont-Smith, Kate Rosenbarger, Dave Rollo, Susan Sandberg, Sue Sgambelluri, Jim Sims, Stephen Volan

ROLL CALL [6:30pm]

Councilmembers present via Zoom: none

Councilmembers absent: Ron Smith

Council Vice President Isabel Piedmont-Smith gave a land and labor acknowledgement and Council President Sue Sgambelluri summarized the agenda.

AGENDA SUMMATION  
[6:30pm]

Rollo moved and Sims seconded to approve the minutes of December 07, 2022. The motion was approved by voice vote.

APPROVAL OF MINUTES  
[6:33pm]

- December 07, 2022  
(Regular Session)

Rosenbarger said it was brought to her attention that amongst residents, police officers were ignoring the no turn on red signs and turning right on red. She urged drivers to abide by the rules, especially public servants.

REPORTS [6:34pm]

- COUNCIL MEMBERS

Piedmont-Smith mentioned that she, Rosenbarger, and Flaherty were at the Local Progress national convening and would report the following week.

Sandberg noted her and Rollo's upcoming joint constituent meeting.

Volan spoke about an incident the previous year when a Black graduate student, Moses Barrio, Jr., left the Student Recreation Center parking lot and tried to pay the \$3 fee with cash, but only cards were accepted. The attendant allowed Barrio to leave and told him to return with a card. The attendant also called Indiana University police who violently confronted and arrested Barrio in his apartment parking lot. Volan questioned the attendant's and police officer's decisions and behavior. He commented that the confrontation was not necessary, especially over a \$3.00 charge. There was a lawsuit and settlement on the incident.

There were no reports from the mayor and city offices.

- The MAYOR AND CITY OFFICES [6:38pm]

There were no reports from council committees.

- COUNCIL COMMITTEES [6:39pm]

Daryl Ruble spoke in favor of police and against abortion.

- PUBLIC [6:39pm]

Carole Canfield commented against replacing parking lots for apartment buildings and accessible parking spaces.

Alex Goodlad discussed the PRIDE parade, street closures, against not allowing tents in public parks, the unhoused population, and having a winter shelter.

Susan Brackney spoke about the Bloomington gateway at Millers Showers park and against the proposed monolith.

There were no appointments to boards and commissions.

APPOINTMENTS TO  
BOARDS AND  
COMMISSIONS [6:58pm]

LEGISLATION FOR  
SECOND READING AND  
RESOLUTIONS [6:59pm]

Rollo moved and Piedmont-Smith seconded that Ordinance 23-21 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis.

Ordinance 23-21- To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic," Re: Amending Section 15.32.150 to Remove the Four Hour Limit on All Accessible Spaces [6:59pm]

Rollo moved and Piedmont-Smith seconded that Ordinance 23-21 be adopted.

Audrey Brittingham, Assistant City Attorney, presented the legislation and stated that having a time limit on accessible parking spaces, while there was no limit for other spaces, was disparate and inequitable. The legislation rectified that inequity.

Council questions:

Public comment:

Council comments:

There were no council questions.

Carole Canfield spoke in favor of Ordinance 23-21.

There were no council comments.

Vote to adopt [7:02pm]

The vote to adopt Ordinance 23-21 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Rollo moved and Piedmont-Smith seconded that Ordinance 23-20 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 23-20 - To Amend Title 12 of the Bloomington Municipal Code Entitled "Streets, Sidewalks, and Storm Sewers," Re: Establishing a New Section 12.04.130, Entitled "Obstructing the right-of-way" [7:02pm]

Rollo moved and Piedmont-Smith seconded that Ordinance 23-20 be adopted.

Michael Rouker, City Attorney, presented the legislation which was based on Indianapolis' ordinances and was unanimously endorsed by the Board of Public Works (BPW). He explained rights of way and obstructions. He noted that police could not assist with removal of obstructions without a more specific section in city code. He provided an example and said how a right of way was considered obstructed. The city first gave members of the public an opportunity to remove the obstruction.

Council questions:

Sims asked about scooters as obstructions.

Rouker said scooters were covered under far more explicit policies. The city had placed sixty eight corrals for parking, and notices of violations were sent to scooter companies. There were three temporary, part time employees monitoring, and remedying, violations. In January there would be two full time employees monitoring.

Sims asked how the legislation applied all around town.

Rouker stated that it applied to all city right of ways.

Piedmont-Smith noted that scooter enforcement by the city had begun five years after arriving to Bloomington. She asked about continued violations by scooter users and why that was not prioritized over something like an unhoued individual blocking a sidewalk.

Rouker responded that neither should be prioritized. The city needed a mechanism in place to remove obstructions if needed. He clarified that the monitoring and remedying of scooter violations was new, and should help alleviate the obstruction by scooters.

Piedmont-Smith asked what prompted the legislation and how often there were obstructions that were not scooters.

Rouker said that it was discovered that the city could not remove an obstruction because it was not covered in code. It was against the American

with Disabilities Act (ADA) to have obstructions, like a table, on a city right of way. He did not have exact numbers on scooter obstructions versus other types of obstructions.

Ordinance 23-20 (cont'd)

Council questions:

Piedmont-Smith asked how many times in the last year there had been an obstruction on a city right of way, where the individual did not remove the obstruction when asked to do so.

Rouker was only aware of one single incident, but there could have been many more. He said the main point was to have something in code that allowed the city to clear right of ways. Staff looked at other cities' policies.

Rollo asked about trash and recycling bins blocking sidewalks.

Rouker said Ordinance 23-20 could address that violation. He commented on enforcement and the difficulty in keeping all city right of ways completely clear of obstructions. He gave examples.

Rosenbarger discussed the abundant feedback from the community about the ongoing problem of bins blocking sidewalks. She asked if a fiscal impact statement had been done. She noted how important it was to enforce that all sidewalks be clear at all times.

Rouker responded that areas that were more remote tended to not be reported to the city. The city was more readily made aware of obstructions in the downtown. He said council could work with the administration to have sufficient staff to enforce clear sidewalks.

Flaherty asked if there was a fiscal impact statement.

Rouker understood that Ordinance 23-20 would not have a fiscal impact.

Flaherty asked about the process if someone called the city about bins blocking a sidewalk.

Rouker said the first step was to contact the person to remove the obstruction. The next step would be to have staff remove the obstruction, and was typically Public Works staff.

Volan asked if the city required that bins be placed on the sidewalk.

Rouker stated that he did not immediately know and would research it.

There was additional discussion on bins, sidewalks, and obstructions.

Sgambelluri asked for clarification on why current regulations were not sufficient and Ordinance 23-20 was needed.

Rouker clarified that the purpose was to more specifically state when a right of way was obstructed.

Flaherty recalled that, in late 2020, unhoused individuals in Seminary Park moved their possessions closer to College Avenue, further away from the city's right of way, but the city eventually removed their possessions. He asked how the city was legally allowed to do that.

Rouker was aware of what Flaherty was referencing but was not sure how the right of way was involved in those events.

Flaherty asked if it was correct that there was nothing in city code that authorized the city to remove all obstructions in right of ways.

Rouker discussed types of obstructions including commerce, restaurant encroachment for sidewalk seating, and things like fences.

Rosenbarger noted the difference between removing a bin versus a person. She asked for clarification on the difference of enforcement in those cases.

Rouker said there was discretion by the enforcement official, but any municipal violation had to include information on how to appeal. For community members without an address, staff would provide the notice to police in case they were able to locate the individual.

Sims was concerned with the perception of the legislation targeting the unhoused population. He asked about a violation turning into an arrest.

Rouker reiterated that the goal was to have the right of way be clear for all to use.

Ordinance 23-20 (cont'd)

Council questions:

Piedmont-Smith noted the Indianapolis ordinance, Article V, Protections for the Homeless. There was concern that Ordinance 23-20 focused on the unhoused population.

Rouker understood the concern. The ordinance specified when a city right of way was obstructed, but also when it was not and individuals were in compliance. There was not a section in city code focused on protections for the unhoused.

Rollo asked about the term "storage."

Rouker said it was more permanent and gave examples. He said that the legislation was not a loitering ordinance and did not pertain to people.

Sandberg commented that perhaps Ordinance 23-20 was not fully ready for adoption that evening. She said the proposed mechanism was how to humanely address the unhoused population like working with social services. She asked how it would be addressed when an unhoused person refused to unblock a sidewalk.

Rouker said staff always welcomed discussion with council on how to address that situation. There were always rare circumstances where violations escalated.

Volan discussed construction companies that blocked sidewalks.

Rouker described the process of permitting for construction companies.

There was discussion on construction company violations.

Pauly Tarricone, Tim Dwyer, Nicholas Angelos, Soha Vora, Abhinav Kotaru, Kemal Perdana, Josh Montagne, and Sydney Zulich spoke against Ordinance 23-20 because it targeted the unhoused population. They expressed the need for a solutions-based approach.

Public comment:

Talisha Coppock and Jen Pearl supported Ordinance 23-20.

Christopher Emge urged council to table the legislation for additional work.

Flaherty referenced an article about the unhoused population at Seminary Park. He asked if a court order was obtained when the city removed individual's possessions from the park.

Council comments:

Rouker said no court order was attained.

Rosenbarger asked if the removal of possessions at Seminary Park was illegal.

Rouker stated that he was not in a position to comment on that.

Rosenbarger asked what would happen to the removed items.

Rouker explained notice requirements, and said the belongings were stored for at least thirty days, but there were times that the items were not picked up. It was part of the policy of closure of encampments.

Rosenbarger said it was ideal to add that to Ordinance 23-20. She also proposed adding that the legislation did not apply to humans.

Rouker supported adding the language on storage of belongings, and also that the legislation did not apply to humans.

Piedmont-Smith asked if there was a policy that the city could not clear an encampment unless there were beds available at local shelters.

Rouker confirmed that was correct; staff checked with social service partners first. The city had no authority over private property.

There was additional discussion on clearing encampments, the period of time items were placed in right of ways in order to be considered an obstruction, and enforcement.

Flaherty could not support Ordinance 23-20. He believed there needed to be more work on alternative solutions. The discussion highlighted some concerns including disparate situations of people and bins. He provided reasons supporting his concerns. He commented that the city might not have had authority to remove property from Seminary Park in December 2020 and January 2021. He could support something like protections for the homeless; there needed to be safe parking spaces for those sheltering in their car, access to bathrooms, trash, basic safety, storage, and safe outdoor spaces for those sheltering in tents. It was possible that individuals were unwilling to go to a shelter or there was not enough space. People in vulnerable situations tended to become victims which the city should not exacerbate. Bloomington could look to other cities that were addressing the problems. Flaherty referenced Ordinance 21-06 attempted to address protections for the unhoused, but it did not pass at council's meeting.

Ordinance 23-20 (cont'd)

Council comments:

Piedmont-Smith opposed Ordinance 23-20 and believed the city should invest in solutions to homelessness. The city contributed to the Heading Home program which was good but not sufficient when there were many individuals attempting to just survive in the city. The legislation was not about ADA accessibility because if it were, then scooters and other obstacles would have been addressed. She believed that the legislation further criminalized being homeless.

Rosenbarger would vote against Ordinance 23-20. She noted the discussion on where people were allowed to sleep if they were not able to do so in public parks. She agreed that safe spaces could be done, and were successful in other cities. It included access to bathrooms, security, and more.

Sandberg supported tabling Ordinance 23-20 and suggested that the administration work on addressing the concerns. She believed that the administration would not have brought forward the legislation if it was not needed. She disagreed that the legislation was about law enforcement. It was a humane effort to build community. She would have appreciated having the Committee of the Whole to have addressed some concerns.

Volan attested to his experience with scooters and parking corrals. He could not end his scooter session without parking in a corral. Obstacles like scooters were given space, via the parking corrals, in city right of ways but the same space was not given to individuals who had no recourse. He discussed the scope of policies and reasons why legislation was drafted. There had only been one instance where an individual had not removed an obstacle after being asked to do so. He regularly saw bins left out for days and the city did not consistently enforce removals. He commented on enforcement, right of ways, blocked sidewalks by construction companies, and the city budget and council's authority. He expressed concerns on the term "storage" and that those with appropriate permits were seemingly allowed to block sidewalks. He discussed potential council actions.

Sims did not see value in referencing Ordinance 21-06. If there was a vote that evening, then he would vote against Ordinance 23-20. He commented on the opportunity to compromise. There were legitimate issues with obstructing the public right of way. He said that it was easy to want solution-based policies, but felt he had not heard any that evening. He did not believe that the intent was to give the police a mechanism to criminalize the unhoused population. Sims discussed a recent protest at the Monroe County courthouse. He was concerned about unintended consequences resulting from Ordinance 23-20. He had heard concerns from community members including a possible racial component to the legislation.

Rollo thanked everyone for the discussion. He would not make a motion to table but would abstain. He understood peoples' concerns but said there

were some good aspects in the legislation. He believed that pedestrians were undervalued relative to vehicles and bikes. Stop signs and crosswalks were removed in the city.

Ordinance 23-20 (cont'd)

Council comments:

Sgambelluri expressed concerns and preferred to table Ordinance 23-20 in order for the administration to address the concerns. She agreed that a solution-based effort was imperative and appreciated the city's contributions to the Heading Home program, and other programs like the Jack Hopkins Social Services Fund (JHSSF). There were long term and real time challenges. She agreed with concerns about scooters and bins blocking sidewalks. She would vote in favor of Ordinance 23-20.

Flaherty clarified that the long term solutions, like Heading Home, did not address immediate needs like where an unhoused individual could legally sleep, have security and safety, store their belongings, use the restroom, and throw out trash. Long term solutions and interim, non-permanent solutions were needed. He noted that solutions in the failed Ordinance 21-06 were interim solutions dealing with pragmatic tragedy of unhoused individuals not having basic safety and more. He reiterated the need for safe spaces with access to bathrooms, and more, were crucial.

The motion to adopt Ordinance 23-20 received a roll call vote of Ayes: 2 (Sandberg, Sgambelluri), Nays: 5 (Flaherty, Piedmont-Smith, Rosenbarger, Sims, Volan), Abstain: 1 (Rollo). FAILED

Vote to adopt Ordinance 23-20 [9:02pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST READING [9:02pm]

Christopher Emge commented on the Special Committee on Council Processes.

ADDITIONAL PUBLIC COMMENT [9:02pm]

Lucas reviewed the upcoming council schedule.

COUNCIL SCHEDULE [9:03pm]

Sgambelluri adjourned the meeting without objection.

ADJOURNMENT [9:06pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVE:

ATTEST:

\_\_\_\_\_  
Isabel Piedmont-Smith, PRESIDENT  
Bloomington Common Council

\_\_\_\_\_  
Nicole Bolden, CLERK  
City of Bloomington

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, September 20, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
September 20, 2023

Councilmembers present: Matt Flaherty, Isabel Piedmont-Smith, Kate Rosenbarger, Ron Smith, Stephen Volan

ROLL CALL [6:34pm]

Councilmembers present via Zoom: Dave Rollo, Susan Sandberg, Sue Sgambelluri, Jim Sims

Councilmembers absent: none

Councilmember Matt Flaherty gave a land and labor acknowledgement and Council Vice President Isabel Piedmont-Smith summarized the agenda.

AGENDA SUMMATION  
[6:34pm]

Rollo moved and Sgambelluri seconded to approve the minutes of December 07, 2022 as corrected and December 21, 2022. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES  
[6:38pm]

Volan reported on two articles regarding right of ways and a recent incident where a bicyclist, knowingly on a bike with no brakes, collided with a pedestrian, Amanda Whitaker. She sustained serious injuries. The bicyclist was not criminally charged. He referenced another incident involving a crash between a scooter and a vehicle. He said that all modes of transportation were valid, including scooters, and that vehicles should be the most regulated.

REPORTS [6:38pm]  
• COUNCIL MEMBERS

Smith reported on the recent Plan Commission meeting and the projects it considered including the former Marsh store site and the Sudbury development.

Sims acknowledged Hispanic Heritage Month and commented on the similarities of it with Black History Month. He discussed the incident involving the Black graduate student arrested by Indiana University (IU) police for not paying a \$3 parking fee with a card because he only had cash. He questioned the training of the parking attendant and the behavior of the police.

Rosenbarger presented a brief slide show on the Local Progress national convening event that she, Flaherty, and Piedmont-Smith attended. They discussed public engagement with city budgets through outreach to thirteen underserved neighborhoods, local elected officials' role with public safety and prison, breaking down systems of oppression and building up systems of support, supporting our unhoused neighbors, and resources and readings. They gave specific details on the sessions and gave examples.

Piedmont-Smith extended reports from councilmembers for 10 minutes without objections.

Stephen Lucas, Council Attorney, explained that the review of the Community Advisory on Public Safety (CAPS) commission was part of the legislation that established it. He highlighted the activities, meetings and events, annual reports, and recommendations.

• The MAYOR AND CITY  
OFFICES [7:01pm]

There was council discussion on commissioners, applications, and the purposes of the commission.

Council discussion:

Jason Michálek, CAPS commissioner, commented on the difficulty of filling seats on the commission. It was sometimes due to the goal of including those with lived experience of being marginalized due to race, disability, gender, sexual identity, or sexual orientation.



There was additional discussion on recruiting commissioners, having representatives from underrepresented demographics, barriers and challenges for members, and research and outreach.

- The MAYOR AND CITY OFFICES (cont'd)

Piedmont-Smith extended reports from city offices for 10 minutes without objections.

Council discussion:

Final discussion included a better understanding of qualifications for applicants, and that historically underrepresented communities were strongly encouraged to apply including residents who were Black, Latinx, people of color, people with disabilities, people who were experiencing or had experienced challenges with mental health, non-binary or non-cisgender identities, people experiencing or had experienced homelessness, domestic violence, incarceration, addiction, and those who had a demonstrated background on empowering historically disadvantaged groups and working to further racial, social, and economic equity. Additionally, there was discussion on the review of all boards and commissions, public safety, the robust annual reports from CAPS, and the need for CAPS work, initiatives, and research.

There were no council committee reports.

- COUNCIL COMMITTEES [7:36pm]

Greg Alexander commented on his concerns involving sidewalks as well as successes with city staff monitoring sidewalks with examples.

- PUBLIC [7:36pm]

Jamie Sholl read negative comments regarding the proposed monolith at the Millers-Showers Park.

Volan moved and Piedmont-Smith seconded to appoint Rosenbarger to the Safe Streets for All Steering Committee. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:50pm]

There was no legislation for second reading.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:51pm]

LEGISLATION FOR FIRST READING [7:51pm]

Rollo moved and Sgambelluri seconded that Ordinance 23-22 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis.

Ordinance 23-22- To Vacate Public Parcels – Re: Two 12-Foot Wide Alley Segments Located Between West 1st Street, West 2nd Street, South Rogers Street, and South Walker Street (City of Bloomington Redevelopment Commission, Petitioner) [7:51pm]

Piedmont-Smith referred Ordinance 23-22 to the Regular Session to meet on October 04, 2023.

Rollo moved and Sgambelluri seconded that Ordinance 23-23 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Ordinance 23-23 – To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Amending Section 15.12.010 (Stop Intersections) to remove a stop intersection from Schedule A and add a multi-stop intersection to Schedule B [7:53pm]

Piedmont-Smith referred Ordinance 23-23 to the Regular Session to meet on October 04, 2023

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT [7:54pm]

Piedmont-Smith reviewed the upcoming council schedule.

COUNCIL SCHEDULE [7:54pm]

Piedmont-Smith adjourned the meeting without objection.

ADJOURNMENT [7:56pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVE:

ATTEST:

\_\_\_\_\_  
Isabel Piedmont-Smith, PRESIDENT  
Bloomington Common Council

\_\_\_\_\_  
Nicole Bolden, CLERK  
City of Bloomington



**NICOLE BOLDEN  
CLERK**

**CITY OF BLOOMINGTON**

401 N Morton St, Suite  
110 Bloomington, IN  
47404

**OFFICE OF THE CITY  
CLERK**

812.349.3408  
clerk@bloomington.in.gov

**To:** Members of the Common Council

**From:** Clerk Nicole Bolden

**Date:** 23 February 2024

**Re:** Interview Committee Recommendations for Board and Commissions

---

The council interview committees have made the following recommendations for appointment to the following boards and commissions:

**Interview Committee Team A Recommendations:**

- For the Commission on the Status of Black Males - to reappoint Herbert Caldwell to seat C-2.
- For the Commission on Aging - to reappoint Wendy Rubin to seat C-1 and to reappoint Robert Deppert to seat C-2.

**Interview Committee Team B Recommendations:**

- For the Bloomington Digital Underground Advisory Committee - to appoint Andy Koop to seat C-1.
- For the Community Advisory on Public Safety Commission -to reappoint Nejla Routsong to seat C-5.
- For the Environmental Commission - to reappoint Shannon Gayk to seat C-4.

**Contact**

Jennifer Crossley, Deputy City Clerk, 812-349-3838, [jennifer.crossley@bloomington.in.gov](mailto:jennifer.crossley@bloomington.in.gov)  
Clerk Nicole Bolden, 812-349-3408, [clerk@bloomington.in.gov](mailto:clerk@bloomington.in.gov)





## MEMO FROM COUNCIL OFFICE:

**To:** Members of the Common Council

**From:** Stephen Lucas, Council Administrator/Attorney

**Date:** February 23, 2024

**Re:** Resolution 2024-02 - To Amend Resolution 23-22, Which Approved an Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana for the Operation of the Bloomington/Monroe County Capital Improvement Board and the Convention and Visitors Commission (To Reconcile Two Versions of The Agreement)

---

### Synopsis

This resolution amends Resolution 23-22 to reconcile two versions of an Interlocal Cooperation Agreement between the City and the County for mutual and collaborative support of an expanded Convention Center, related amenities, and necessary related entities, including the Capital Improvement Board (“CIB”) and Convention & Visitors Commission (“CVC”), managing the expansion project and Convention Center operations. This resolution adopts the version of the agreement approved by Monroe County in February 2024.

### Relevant Materials

- Resolution 2024-02
- Revised Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana Regarding Operation of the Bloomington/Monroe County Capital Improvement Board and the Convention And Visitors Commission
- County Commissioner Ordinance 2023-24

### Summary

Resolution 2024-02 approves of an interlocal agreement between Monroe County and the City of Bloomington. The agreement details the arrangements between those two parties with respect to the Monroe County Capital Improvement Board (CIB) and the Convention and Visitors Commission (CVC) as a means to further a Monroe County Convention Center (“Convention Center”) expansion project.

### Brief History

In 2017, through Resolution 17-38, the Bloomington Common Council supported the passage of a county-wide food and beverage tax to fund expansion of the Convention Center. Shortly thereafter, the Monroe County Council adopted an ordinance imposing a food and beverage tax, which has been collected since that time. The tax is authorized by state law (Indiana Code 6-9-41) and may be used only to finance, refinance, construct, operate, or maintain a convention center, a conference center, or related tourism or economic development projects (I.C. 6-9-41-15(a)).



**City of Bloomington Indiana**

City Hall | 401 N. Morton St. | Post Office Box 100 | Bloomington, Indiana 47402

Office of the Common Council | (812) 349-3409 | Fax: (812) 349-3570 | email: [council@bloomington.in.gov](mailto:council@bloomington.in.gov)

Under state law (I.C. 6-9-41-15(b)), the city is required to develop a written plan before December 1 each year and submit that plan to the state with the following information:

1. Proposed use of food and beverage tax funds for the upcoming calendar year;
2. Detailed use of funds in the current and prior calendar years; and
3. Fund balance as of January 1 of the current calendar year.

State law (I.C. 6-9-41-15(c)) requires that the city spend its food and beverage tax receipts according to this written plan. If the county and the city fail to spend money from their respective food and beverage tax receipts funds in accordance with these written plans before July 1, 2025, the ordinance establishing the food and beverage tax becomes void and no new revenue would be collected. (I.C. 6-9-41-15.5)

Since 2017, both city and county officials have met at various times to advance the Convention Center expansion project. In 2023, members of the Monroe County government took the step of creating a CIB to manage and direct the affairs of the Convention Center and its expansion (see County Commissioner Ordinance 2023-24, included herein). Later in 2023, the city adopted [Resolution 23-22](#), which approved of an interlocal agreement detailing city and county responsibilities with respect to the Convention Center expansion project as well as the membership and funding of the CIB and CVC.

Most recently, both the County Council and County Commissioners have adopted a revised version of this interlocal agreement, which is why city action is needed to reconcile the two versions. Under the revised agreement, the five appointments to the CVC would occur as called for under state law, with appointments split between the County Council and County Commissioners. Under the terms of the initial interlocal agreement, the City Council was to provide recommendations for the three CVC seats appointed by the County Council. The revised interlocal agreement also includes several non-substantive updates to reflect how the CVC appointments would now be handled, to update names and dates, and to reference/attach County Commissioner Ordinance 2023-24.

**Contact**

Margie Rice, Corporation Counsel, [margie.rice@bloomington.in.gov](mailto:margie.rice@bloomington.in.gov), (812) 349-3426

**RESOLUTION 2024-02**

**TO AMEND RESOLUTION 23-22, WHICH APPROVED AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA FOR THE OPERATION OF THE BLOOMINGTON/MONROE COUNTY CAPITAL IMPROVEMENT BOARD AND THE CONVENTION AND VISITORS COMMISSION  
(To Reconcile Two Versions of the Agreement)**

WHEREAS, on November 15, 2023, the Common Council of the City of Bloomington considered and approved Resolution 23-22 to approve an Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana for the Operation of the Bloomington/Monroe County Capital Improvement Board and the Convention and Visitors Commission (“Agreement”), which resolution was subsequently signed and approved by the Mayor on November 17, 2023; and

WHEREAS, on February 13, 2024, the Monroe County Council approved of the Agreement with a number of differences from the version adopted by the City of Bloomington via Resolution 23-22; and

WHEREAS, on February 21, 2024, the Monroe County Commissioners approved of the Agreement as adopted by the Monroe County Council; and

WHEREAS, the City of Bloomington wishes to amend Resolution 23-22 to reconcile said differences between the two different versions of the Agreement and to approve of the version of the Agreement that was approved by both the Monroe County Council and the Monroe County Commissioners, a copy of which is attached hereto as Exhibit A and made a part hereof;

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

SECTION 1. The Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana for the Operation of the Bloomington/Monroe County Capital Improvement Board and the Convention and Visitors Commission, a copy of which is attached hereto as Exhibit A and made a part hereof, is hereby approved.

SECTION 2. If any sections, sentences or 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 applications 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.

SECTION 3. This resolution shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
ISABEL PIEDMONT-SMITH, President  
Bloomington Common Council

ATTEST:

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

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
KERRY THOMSON, Mayor  
City of Bloomington

SYNOPSIS

This resolution amends Resolution 23-22 to reconcile two versions of an Interlocal Cooperation Agreement between the City and the County for mutual and collaborative support of an expanded Convention Center, related amenities, and necessary related entities, including the Capital Improvement Board (“CIB”) and Convention & Visitors Commission (“CVC”), managing the expansion project and Convention Center operations. This resolution adopts the version of the agreement approved by Monroe County in February 2024

**MONROE COUNTY AND CITY OF BLOOMINGTON, INDIANA  
INTERLOCAL COOPERATION AGREEMENT  
FOR  
THE OPERATION OF THE BLOOMINGTON/MONROE COUNTY CAPITAL  
IMPROVEMENT BOARD AND THE  
CONVENTION AND VISITORS COMMISSION**

This Interlocal Cooperation Agreement, entered into on this 21st day of February, 2024, by and between Monroe County, Indiana (“County”), the City of Bloomington, Indiana. (“City”).

**WITNESSETH:**

WHEREAS, Indiana Code 36-1-7, *et seq.*, allows local government entities to make the most efficient use of their powers by enabling them to contract with other governmental entities for the provision of services to the public; and

WHEREAS, the County and the City each possesses the power and authority to engage in activities that promote tourism and recreation, and to construct and operate improvements to further those ends; and

WHEREAS, Bloomington/Monroe County is a highly sought-after destination for groups seeking to hold events of significant size in Indiana; and

WHEREAS, people attending events at the Monroe Convention Center (“Convention Center”) also patronize restaurants and shops in the County and City, which has benefited the local economy by hundreds of millions of dollars since the existing Convention Center began operating; and

WHEREAS, the Convention 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 parties agree that an expanded Convention Center (“Expanded Convention Center”) would provide civic benefits as well as significantly enhance the local economy through additional visitors to the area and increased employment opportunities; and

WHEREAS, the parties acknowledge that building and activating an Expanded Convention Center and any related amenities such as a hotel and/or parking garage (collectively, the “Project”) requires their collaboration and that a Capital Improvement Board (“CIB”) is an appropriate vehicle for achieving that collaboration; and

WHEREAS, the parties agree that the Project and ongoing operations of an Expanded Convention Center will be funded through a combination of assets to be transferred or pledged by each party to the CIB, including but not limited to real property controlled by the parties, as well as certain tax revenues provided for under Indiana Code § 6-9-41-0.3, *et seq.* (“Food and Beverage Tax”), and under Indiana Code §6-9-4-1 *et seq.* (“Innkeepers Tax”); and



WHEREAS, the County is authorized under Indiana Code §36-10-8-4 to determine who may appoint members to the CIB, and the County is also authorized to make appointments to the Convention and Visitors Commission (“CVC”), which oversees expenditures of the Innkeepers Tax revenues; and

WHEREAS, the parties agree that their success of the Project requires an effective distribution of responsibility for funding and managing the Project and the future management and operation of the Expanded Convention Center and related amenities;

NOW, THEREFORE, in consideration of the mutual terms, covenants and conditions set forth herein, the County and the City hereby agree as follows:

**ARTICLE I**  
**PURPOSE AND DURATION OF AGREEMENT**

**Section 1. Purpose:** The purpose of this Agreement is to set forth and define the respective duties, obligations, rights, and responsibilities of the parties with regard to the Project and their interactions with the CIB and the CVC, as these entities together will control (except as provided below) the Expanded Convention Center’s assets and funding streams.

The Project goals are threefold, 1) to expand the convention and tourism industries in downtown Bloomington, Monroe County, and the region; 2) to provide accommodations to local not-for-profits and civic organizations; and 3) to accentuate the Community goals of sustainable and environmentally progressive action.

**Section 2. Duration:** This Agreement shall be in full force and effect as of the date of its execution and shall remain in full force and effect for the duration of the longest term of any of the bonds issued to finance the Project, and thereafter until either party provides written notice of termination at least six (6) months in advance. The terms of this Agreement may not be changed except by mutual agreement of the parties. In the event state statutes governing the CIB and CVC are amended so as to substantively affect the balance of authority among the parties under either the terms of this Agreement or any of the other governing documents for the CIB or CVC, the County and City agree to renegotiate the terms of this Agreement in the interest of maintaining the balance of authority between the parties, including finding other means of restoring the balance. The County and City also agree that regardless of the duration of this specific Agreement, their explicitly shared and publicly declared intent is to continue collaboration in perpetuity to oversee and direct the affairs of the Convention Center for the betterment of the entire community and region, as future office holders determine.

**ARTICLE II**  
**CIB MEMBERSHIP**

**Section 1. APPOINTMENTS**

Per County Ordinance 2023-24, the CIB shall be composed of seven (7) members, consistent with IC 36-10-8-4. The units of government which shall make appointments to the CIB are

Monroe County and the City of Bloomington. Specifically, Monroe County (“County”) shall appoint three (3) members and the City of Bloomington (“City”) shall appoint three (3) members. Those six (6) members appointed shall appoint the seventh appointment by a vote of at least four (4) members. The Mayor shall appoint two members to the CIB; the appointments must not be from the same political party. The City Council shall appoint one member to the CIB. The County Commissioners shall appoint two members to the CIB; the appointments must not be from the same political party. The County Council shall appoint one member to the CIB.

**Section 2. RESTRICTIONS**

No members of the CIB may be elected officials of or employees of either the County or the City, Visit Bloomington, Convention and Visitors Commission, Food & Beverage Tax Advisory Commission, the Convention Center Management Company or of the following entities affiliated with or related to the County or City: the Bloomington Housing Authority, the City of Bloomington Utilities, and Bloomington Public Transportation Corporation (“Bloomington Transit”). This restriction does not apply to board members of any County or City convention center building corporation or City of Bloomington Capital Improvements, Inc.

All terms of office shall begin on January 15th, consistent with State law. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, a person shall be appointed by the original appointing authority in the same manner as the original appointment to serve for the remainder of the term.

**ARTICLE III**  
**ASSETS, FUNDING AND OPERATIONAL RESPONSIBILITIES**

**Section 1. Real Property Assets:**

- A. The parties agree that the work previously conducted regarding location, scope and design of the Convention Center expansion retains relevance. Accordingly, they expect the CIB to incorporate that work, updated as appropriate with additional data and input from City and County leadership and the public, into the CIB’s selection of a site for the Expanded Convention Center and sites for related amenities (e.g., hotel(s), parking garage), corresponding designs for the same, and partner selection for architectural and design services and hotelier(s).
- B. The CIB shall request from the parties such transfer of ownership of property assets as are needed in its judgment successfully to complete the Project, including property needed directly for such structures or needed to help finance them, and on such terms as needed. The Parties shall in good faith review and negotiate regarding such requests. The Parties agree that the County properties located south of W. 3rd Street and east of South College Avenue shall not become available for use prior to the conclusion of the 2024 election cycle.

**Section 2. Project Construction Funding and Management:**

- A. The City shall be solely responsible for approving any debt issued to finance the design and construction of the Expanded Convention Center. For this purpose, the City intends to use a non-CIB third-party building corporation (“City Building Corporation”) to issue debt on behalf of the City. Such City Building Corporation shall own the Expanded Convention Center and lease it to the City, and the City, and if necessary, the City Building Corporation shall contract with the CIB to manage the design and construction of the Expanded Convention Center, consistent with and subject to Indiana public construction laws and the terms of the debt financing and budgets for design and construction approved by the City Council. These same provisions shall apply in the event that any debt used to finance amenities such as a parking garage or hotel is issued on behalf of the City rather than the CIB or County.
- B. The bond proceeds and any other designated funds provided by the City to be used in connection with the Project shall not be included in any annual budget presented by the CIB to the County Council or otherwise require approval for their use from County authorities.
- C. As soon as reasonably practicable following completion of construction, the City shall enter into a contract with the CIB for post-construction operation and management of the Expanded Convention Center.
- D. Once debt service is completed, the City Building Corporation shall transfer ownership of the Expanded Convention Center, and the real property(ies) on which it is located, and any other structures that are financed with debt approved and issued on behalf of the City and the real property(ies) on which they are located, first to the City as lessee, in accordance with the terms of the debt financing arrangements and such terms as have been agreed between the entity(ies) that transferred real property to the City Building Corporation on terms agreed under Section 1(B) above. Subject to Indiana property disposition laws and federal tax laws relating to tax-exempt debt issued by the City Building Corporation, the City shall then transfer ownership to the CIB.

**Section 3. Convention Center Operation and Management:**

The Parties understand and agree to the following regarding the operation and management of the existing and expanded Convention Center and any related amenities:

- A. The existing County contract with the CVC for facility management of the current Convention Center will be assigned to the CIB as soon as practicable following completion of the design and construction period, but not before, to ensure that the ongoing operations of the current Convention Center are sustained smoothly and to allow the CIB to focus fully on the design and construction of the Project.
- B. The CVC shall promote the existing and Expanded Convention Center and related tourism and convention opportunities.

- C. The CVC shall provide the City and County Councils with updates concerning revenue projections of the Innkeepers' tax prior to July 1 of each year.
- D. The CIB shall be responsible for selecting and overseeing partnerships with any hotelier partners.
- E. The CIB shall have the authority to name the Expanded Convention Center, subject to Article IV Section 1 below.

**Section 4: CIB and CVC Funding:**

- A. CIB Funding:
  - a. The parties agree that during the Project design and construction period and before implementation of the contract described in Article III Section 2C above, the CIB shall have authority to determine its budget solely with the City Council, including City food and beverage funds or any other City-designated funds needed to cover the hiring/retention during the design and construction phase of relevant support staff (e.g., an Executive Director/Project Manager, financial and legal support, administrative support).
  - b. The parties anticipate that the CIB shall be funded solely with City funds through the completion of the Project design and construction period. However, to the extent that the CIB does seek appropriations from the County during the Project design and construction phase, the County agrees not to use its approval authorities over CIB annual budgets or otherwise to override, change, or interfere with (i) CIB budgets and expenditures that are agreed to by the City Council during and covering the Project design and construction period, or (ii) Project design and construction decisions that rest with the CIB and are to be funded through debt approved by the City Council or other City Council appropriations.
  - c. The parties agree that following the Project design and construction period and implementation of the contract described in Article III Section 2C above, the CIB shall work with both the City and County Councils in developing its annual budget to reach agreement among the parties prior to presenting the budget for official approval. The parties shall coordinate with the CIB so that it will present its budget to the City Council for review and approval prior to the County Council Budget Session and will present its budget to the County Council during a County Council Budget Session. In the event the County Council does not agree with the budget approved by the City Council, the two Councils shall work to come to agreement on a budget that both Councils can approve. If the Councils cannot agree on a budget by December 1st, the budget for the then-current year shall be the budget for the succeeding year.
  - d. The parties agree that in the event the CIB determines a bond or other financing is recommended for activities other than Expanded Convention Center design and construction, the CIB shall make that recommendation to the City and/or County Council, depending on the proposed source(s) of financing. If the relevant

Council(s), by resolution, approve the recommendation, then the statutory process for issuing the debt may proceed. No such bond or other financing may be issued for CIB purposes without first going through this process.

**B. CVC Funding:**

- a. The parties agree that during the Project design and construction period, the CVC shall develop and present its annual budget to the County Council. The County Council shall ensure that such budget reflects the continued use of Innkeepers Tax revenue to properly and sufficiently fund the operation and management of the existing Convention Center.
- b. Following the Project design and construction period and implementation of the contract described in Article III Section 2C above, the City and County shall work with the CVC in developing its annual budget to reach agreement among the parties prior to the CVC presenting its budget for official approval. The parties shall ensure through this process that the CVC uses Innkeeper's Tax to properly and sufficiently fund the ongoing operation and maintenance of the Expanded Convention Center, with at least the same proportion or dollar amount, whichever is greater, of Innkeepers Tax revenue going to support the expanded Convention Center as the CVC and County Council have approved for existing Convention Center support in recent years. The parties shall coordinate with the CVC so that the CVC shall present its proposed budget to the City Council for review and approval prior to the County Council Budget Session, and then present the budget to the County Council during a County Council Budget Session. In the event the County Council does not agree with the budget approved by the City Council, the two Councils shall work to come to agreement on a budget that both Councils can approve. If the Councils cannot agree on a budget by December 1st, the budget for the then-current year shall be the budget for the succeeding year.

**ARTICLE IV**  
**MISCELLANEOUS PROVISIONS**

**Section 1. Convention Center Name:** The CIB shall determine a process for selecting a name for the Expanded Convention Center, except that any sale of overall naming rights to the Expanded Convention Center by the CIB shall require prior approval by both the County Board of Commissioners and the Mayor of the City of Bloomington.

**Section 2. Local Government Approvals:** The parties shall cooperate on the review and approval of any documents necessary to secure timely regulatory approvals for the Project site plan, design, and construction.

**Section 3. Amendment of this Agreement:** The parties may mutually agree to amend this Agreement to correct errors, clarify the understanding of the parties, or to otherwise fulfill the intent of the parties where the initial signed version is deemed inadequate for that purpose. The CIB and CVC may recommend changes to this Agreement for review by the parties.

**Section 4. Effective Date:** This Agreement will be effective when approved, in the same manner as approval of all Interlocal Agreements, except that the State Attorney General shall not be asked to approve this contract.

**Section 5. General Intention as to Convention Center Use:** The parties intend that the Expanded Convention Center shall also serve as a Civic Center for the use of community residents and non-profit organizations, consistent with the financial and operational needs of the Expanded Convention Center.

**Section 6. Sustainability:** The parties hereby express their desire and intention that the Project will incorporate sustainability into its design and future operations, and the CIB is directed to continually pursue sustainability as a primary goal, so far as financially and operationally feasible and practicable.


**Section 8. Savings Clause:** In the event any Article, Section or Portion of this Interlocal Agreement should be held invalid and unenforceable by any court of competent jurisdiction, such decision shall apply only to the specific Article, Section or Portion thereof specifically specified in the court's decision.

**Section 9. Compliance with Monroe Couty Ordinance 2023-24.** Nothing in this interlocal is meant to contradict or supplant Monroe County Ordinance 2023-24, which is attached to this Interlocal as Exhibit A.

WHEREFORE, the parties hereto have executed this Agreement as of the date first set forth above.


COUNTY OF MONROE, INDIANA  
BOARD OF COMMISSIONERS

CITY OF BLOOMINGTON

  
\_\_\_\_\_  
Julie Thomas, President

\_\_\_\_\_  
Kerry Thomson, Mayor

  
\_\_\_\_\_  
Penny Githens, Vice President

  
\_\_\_\_\_  
Lee Jones, Member

ATTEST: (Dated: 2/21/2024 )

\_\_\_\_\_  
Brianna Gregory, Auditor  
Monroe County, Indiana

CITY OF BLOOMINGTON COMMON COUNCIL

\_\_\_\_\_  
Isabel Piedmont-Smith, President


ATTEST:

\_\_\_\_\_  
Nicole Bolden, Clerk  
City of Bloomington

MONROE COUNTY COUNCIL

  
\_\_\_\_\_  
Trent Deckard, President

ATTEST:

  
\_\_\_\_\_  
Brianne Gregory, Auditor  
Monroe County

**ORDINANCE 2023-24**

**AN ORDINANCE OF THE MONROE COUNTY BOARD OF COMMISSIONERS  
CREATING A CAPITAL IMPROVEMENT BOARD TO DIRECT  
CONVENTION CENTER SITE SELECTION, DESIGN, CONSTRUCTION, AND OPERATIONS**

**WHEREAS**, Monroe County Government established, maintained, and has operated the Monroe Convention Center (“Convention Center”) for more than thirty years, using Innkeeper’s Tax Funds provided for by Indiana Code 6-9-4 et seq. and appropriated by the Monroe County Council (“County Council”); and,

**WHEREAS**, the Monroe County Board of Commissioners (“Commissioners”) have purchased real property, funded through bonds and appropriations approved by the County Council, for the expansion of the Convention Center; and,

**WHEREAS**, the Indiana General Assembly enabled the County Council to enact a County Food and Beverage Tax in 2009, with the passage of P.L. 176-2009, SEC. 21; and,

**WHEREAS**, the County Council, relying upon assurances of collaboration and partnership issued by the City of Bloomington Common Council and Mayor of Bloomington, the County Council adopted Ordinance 2017-51, which authorized the Monroe County Food and Beverage Tax (“Tax”); and,

**WHEREAS**, local enabling Ordinance 2017-51 confirmed and affirmed the state-law provisions providing for a Food and Beverage Advisory Commission (“Commission”) to *“coordinate and assist efforts of the County and City of Bloomington fiscal bodies”* and requiring legislative action to seek and receive the Commission’s recommendations of all expenditures prior to the legislative approval of any expenditures of Tax proceeds; and,

**WHEREAS**, the Commissioners wish to follow state law procedures and those procedures which are required by Ordinance 2017-51, including reliance upon Commission to coordinate and assist the City and the County Council regarding the utilization of Tax receipts and requiring legislative oversight and action, which may not be contradicted or delegated under the guise of Indiana’s Home Rule authority; and,

**WHEREAS**, the Commissioners, County Council, City, and Mayor (“Elected Officials”) met on at least three occasions in 2019 in order to resolve issues regarding construction and future operation and management of the Convention Center; and,

**WHEREAS**, the discussions were delayed due to the COVID-19 pandemic; and,

**WHEREAS**, in 2022, the City of Bloomington expressed a wish to move forward with the project and expressed urgency due to the possibility of state legislation which would rescind the local Food and Beverage Tax; and,

**WHEREAS**, the City’s offer did not reflect the status of the negotiations from 2019 with the Commissioners; and,

**WHEREAS**, the Commissioners, wish to move forward with the 2019 structure, which included a CIB, however, there is a concern that the City does not; and,

**WHEREAS**, a Capital Improvement Board (“CIB”), discussed by the Elected Officials and authorized pursuant to Indiana Code 36-10-8 et seq., is a natural option to direct Convention Center site selection, design, construction, and operations, as it is a governmental entity created for this very purpose, protected by the Tort Claims Act, and completely transparent and publicly accountable; and,

**WHEREAS**, the Commissioners do not support the creation of an independent 501c3 corporation, due to the lack of legally-required transparency, the lack of Tort Claim liability protection, and the inherent risks that are associated with the “flexibility” provided to a 501c3; and,



**WHEREAS**, the Commissioners wish to see the Convention Center expansion and its ongoing operations advance and be directed by a bipartisan, neutral CIB, which is composed of appointments made by the City and County, who are empowered under state law and Ordinance 2017-51; and,

**WHEREAS**, the Commissioners look forward to working with their City colleagues to expeditiously move forward making appointments to a CIB so that the Convention Center expansion may proceed, and the process no longer stalled.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA.**

Section 1. A Capital Improvement Board ("CIB") is hereby created, pursuant to Indiana Code 36-10-8 et seq. to manage and direct the affairs of the Monroe County Convention Center ("Convention Center") and its expansion.

Section 2. The CIB shall be composed of seven (7) members, consistent with IC 36-10-8-4. The units of government which shall make appointments to the CIB are Monroe County and the City of Bloomington. Specifically, Monroe County ("County") shall appoint three (3) members and the City of Bloomington ("City") shall appoint three (3) members. Those six (6) members appointed shall appoint the seventh appointment, such appointment must comply with IC 36-10-8-4 (b). The Mayor shall appoint two members to the CIB, the appointments must not be from the same political party. The City Council shall appoint one member to the CIB. The County Commissioners shall appoint two members to the CIB, the appointments must not be from the same political party. The County Council shall appoint one member to the CIB. To create staggered appointments, the first round of appointments made by the Mayor and the County Commissioners will expire ending on January 15, 2024. All other and subsequent appointments will be two-year appointments to the CIB.

Section 3. The CIB shall have all authority permitted by law, however, the CIB shall not be allowed to employ or have appointed to the Board of Directors any Monroe County or City of Bloomington elected officials, employees, or board members who oversee any potential local governmental funding stream, such as Redevelopment funds, Innkeepers tax, or Food and Beverage Tax. It is the intent of the Commissioners, with this limiting provision, to avoid conflicts of interest and to ensure independent and fair decision-making by the CIB.

Section 4. The CIB shall select the site for the expansion of the Convention Center expansion components, including a site plan, select and contract with the operation and management organization(s), oversee process for hotelier partner selection, name the expanded center, hire/retain support staff, and the need for additional amenities including a parking garage.

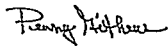
Section 5. In accordance with Section 3 and 4, this ordinance is subject to both the City of Bloomington and the Monroe County Officials to perform statutory functions. The Commissioners vow to work with their colleagues at the City to transfer the necessary real property for the actual expansion, execute all agreements, and take any/all steps necessary in order to allow the CIB to fulfill the statutory duties contained in Indiana Code 36-10-8 et seq., including the financing, construction, equipping, operating, and maintaining of the capital improvements that are and will be a part of the Monroe County Convention Center. The building and parking lot currently utilized for County Election Operations will not be made available until the conclusion of the November General Election in 2024.

Section 6. This Ordinance takes effect upon passage by the Commissioners.

Approved this 5th day of July 2023, by the Board of Commissioners of Monroe County, Indiana.

MONROE COUNTY BOARD OF COMMISSIONERS

"AYES"

 7/6/2023

\_\_\_\_\_  
Penny Githens, President

 7/6/2023

\_\_\_\_\_  
Julie Thomas, Vice President

 7/7/2023

\_\_\_\_\_  
Lee Jones, Member

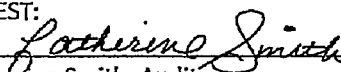
"NAYS"

\_\_\_\_\_  
Penny Githens, President

\_\_\_\_\_  
Julie Thomas, Vice President

\_\_\_\_\_  
Lee Jones, Member

ATTEST:

  
\_\_\_\_\_  
Catherine Smith, Auditor

## MEMO FROM COUNCIL OFFICE:

**To:** Members of the Common Council

**From:** Ash Kulak, Deputy Administrator / Deputy Attorney for Common Council

**Date:** February 23, 2024

**Re:** Resolution 2024-03 – Resolution Urging Passage of United States Senate Bill 2990, Regarding the Expansion of the Charles C. Deam Wilderness and the Establishment of the Benjamin Harrison National Recreation Area

---

### Synopsis

This resolution, sponsored by Councilmember Dave Rollo, would endorse and urge the passage and enactment of United States Senate Bill 2990, which would establish the Benjamin Harrison National Recreation Area, as well as expand the Charles C. Deam Wilderness through designation of 15,300 acres of National Forest System land. If passed, this resolution would direct the city clerk to send a copy of it to the Indiana Congressional delegation.

### Relevant Materials

- Resolution 2024-03
- United States Senate Bill 2990
- United States Forestry Service Map of Proposed Boundaries
- Fact Sheets from Indiana Forestry Alliance

### Summary

This resolution urges members of the United States Congress to pass and enact Senate Bill 2990, known the Benjamin Harrison National Recreation Area and Wilderness Establishment Act of 2023. The Monroe County Board of Commissioners passed a similar resolution on December 20, 2023.

U.S. Senator Mike Braun, of Indiana, introduced S. 2990 to the U.S. Senate on September 28, 2023. If passed, the act would establish a National Recreation Area of 29,382 acres of National Forest System (NFS) land, as well as expand the Charles C. Deam Wilderness by designating 15,300 acres of NFS land.

The recreation area would promote recreational activities such as hiking, camping, horseback riding, and mountain biking. The act states that the area will be managed to ensure the protection of the water supply of the Monroe Reservoir under the Healthy Forests Restoration Act of 2003.

The expanded wilderness areas would be managed in accordance with the federal Wilderness Act, which places higher restrictions on timber removal and management. The act also authorizes the implementation of restrictions on hunting, fishing, and trapping for species management and protection under the Endangered Species Act of 1973.

The act would also establish an advisory committee to advise on the management of the recreation area, and it would require the development of a comprehensive management plan within five years of its enactment.

Note that this wilderness designation would absorb the lands included in the United States Forest Service [Houston South Vegetation Management and Restoration Project](#), which would restrict the use of machinery or other forest management activities that are not permitted by law within wilderness areas.

The Houston South Project has been the subject of vigorous dispute and litigation between the Indiana Forest Alliance, Monroe County Board of Commissioners, and Friends of Lake Monroe against the United States Forest Service (USFS). The dispute centers on the fact that the Project includes intensive forest management activities, such as prescribed burns and timber harvest. Houston South Project documents, with maps on prescribed burns and proposed silvicultural treatments, are available on the USFS website: <https://www.fs.usda.gov/project/?project=55119&exp=overview>.

The USFS believes that the use of these forest management tools through the Houston South Project would fulfill the Forest Plan's goals of maintaining and restoring sustainable ecosystems. The IFA, Monroe County Commissioners, and Friends of Lake Monroe believe that these tools would cause more harm by disrupting the ecosystems of endangered species like the Indiana bat, as well as have adverse impacts on environmental resources, including the drinking water at Lake Monroe. The environmental impacts of the Houston South Project are not yet fully known and are the subject of the currently pending litigation on appeal at the Seventh Circuit.

Should S. 2990 pass, the designation of portions of the Houston South Project as wilderness areas would prevent the implementation of the Houston South Project's more intensive proposed forest management activities and restoration efforts, which could impact the long term biodiversity and sustainability of forests within those wilderness areas. Similarly, the environmental impact of such a wilderness designation is not yet fully known.

City staff have noted these concerns from an environmental perspective about biodiversity and how such a designation would impact restoration efforts, without knowing more about the current condition of the forests in the area proposed to be designated Wilderness. Other concerns about the Deam Wilderness expansion have come from Indiana University staff at Outdoor Adventures, noting the impact such a designation would have on education programs in areas of the forest that would no longer be allowed without additional permits or other restrictions.

If passed, this resolution would direct the City Clerk to send a copy of the resolution to the Indiana Congressional delegation.

### **Contact**

Councilmember Dave Rollo, [rollod@bloomington.in.gov](mailto:rollod@bloomington.in.gov), (812) 349-3409

**RESOLUTION 2024-03**

**RESOLUTION URGING PASSAGE OF UNITED STATES SENATE BILL 2990,  
REGARDING THE EXPANSION OF THE CHARLES C. DEAM WILDERNESS  
AND THE ESTABLISHMENT OF THE BENJAMIN HARRISON NATIONAL  
RECREATION AREA**

- WHEREAS, the restoration of our natural forest ecosystem requires that as many examples of that ecosystem of landscape scale in size be protected to return to the old growth condition as possible; and
- WHEREAS, while the Hoosier National Forest is one of America’s smallest national forests, the Hoosier National Forest is by far Indiana’s largest public forest; and
- WHEREAS, the Hoosier National Forest is Indiana’s only national forest, and it contains the largest tracts of wild, undeveloped forest among the public lands in Indiana with several of those tracts located adjacent to each other in the northern Pleasant Run Purchase Unit of this public forest; and
- WHEREAS, the Charles C. Deam Wilderness (Deam Wilderness) and many thousands of adjacent acres of national forest land comprise an area of deep, uninterrupted hardwood forest of incomparable wild beauty in the nation’s industrial heartland; and
- WHEREAS, most of the land within the Deam Wilderness and adjacent national forest land to the southeast, east, and north of this Wilderness is rugged hills with steep slopes and deep hollows that drain to streams and creeks that feed Monroe Reservoir, a public water supply for more than 130,000 people; and
- WHEREAS, on September 28, 2023, U.S. Senator Mike Braun of Indiana introduced Senate Bill 2990, legislation that would expand the Deam Wilderness to the north, east, and southeast by designating 15,300 acres of National Forest System land as “Wilderness”, as well as establish the Benjamin Harrison National Recreation Area consisting of 29,382 acres of National Forest System land; and
- WHEREAS, such designations endeavor to protect public national forest lands by law from activities that may adversely impact the water quality of Monroe Reservoir, which is the sole water supply of residents of the City of Bloomington; and
- WHEREAS, the aforementioned public national forest lands include Nebo Ridge, Bad Hollow, Porter Hollow, Will Hay Branch, Panther Creek, Deckard Ridge, Eel Creek, Hickory Ridge, Fleetwood Branch, Combs Branch and Moses Ray Branch, and other national forest lands within the Pleasant Run Purchase Unit of the Hoosier National Forest; and
- WHEREAS, these national forest lands have been set aside from commercial timber harvest for the past 32 years under the 1991 and 2006 Hoosier National Forest Land and Resource Management Plans; and
- WHEREAS, the designation of these national forest lands to the north, east, and southeast, of the Deam Wilderness as Wilderness should facilitate returning large tracts of old forest to old growth condition on a landscape scale and assist in providing an ample habitat for species such as the cerulean warbler, timber rattlesnake, Indiana bat, northern long eared bat, tricolored bat, and other forest dependent animals, plants, and fungi that are endangered or rare in the state and which have been identified present in these forests by recent Indiana Forest Alliance surveys; and
- WHEREAS, the Hoosier National Forest is heavily enjoyed by Hoosiers for its recreational value, and the establishment of the Benjamin Harrison National Recreation Area aligns with this interest; and

WHEREAS, combined with the adjacent Brown County State Park, the expansion of the Deam Wilderness to include these national forest lands to the southeast, east and north will create a large sanctuary for the enjoyment of wild nature and native hardwood forest that is unparalleled in the states of Indiana, Ohio, and Illinois.

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

Section 1. The Bloomington Common Council hereby endorses and respectfully urges the passage and expeditious enactment of S. 2990, known as the Benjamin Harrison National Recreation Area and Wilderness Establishment Act of 2023, introduced in the U.S. Senate by U.S. Senator Mike Braun of Indiana, that extends the boundaries of the Deam Wilderness to include approximately 15,300 acres of additional National Forest land, and establishes the Benjamin Harrison National Recreation Area consisting of approximately 29,382 acres of National Forest land that surrounds the expanded Wilderness area.

Section 2. The City Clerk shall send a copy of this resolution, duly adopted, to the Indiana Congressional delegation.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
ISABEL PIEDMONT-SMITH, President  
Bloomington Common Council

ATTEST:

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

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

SIGNED AND APPROVED by me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
KERRY THOMSON, Mayor  
City of Bloomington

#### SYNOPSIS

This resolution, sponsored by Councilmember Dave Rollo, would endorse and urge the passage and enactment of United States Senate Bill 2990, which would establish the Benjamin Harrison National Recreation Area, as well as expand the Charles C. Deam Wilderness through designation of 15,300 acres of National Forest System land. If passed, this resolution would direct the city clerk to send a copy of it to the Indiana Congressional delegation.

# S. 2990

To establish the Benjamin Harrison National Recreation Area and Wilderness in the State of Indiana, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28 (legislative day, SEPTEMBER 22), 2023

Mr. BRAUN introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

---

## A BILL

To establish the Benjamin Harrison National Recreation Area and Wilderness in the State of Indiana, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Benjamin Harrison National Recreation Area and Wilderness Establishment Act of 2023”.

### SEC. 2. DEFINITIONS.

In this Act:

(1) **ADVISORY COMMITTEE.**—The term “Advisory Committee” means the advisory committee for the National Recreation Area established under section 4(a)(1).

(2) **MANAGEMENT PLAN.**—The term “Management Plan” means the management plan for the National Recreation Area and Wilderness developed under section 4(b).

(3) **MAP.**—The term “map” means the map entitled “Benjamin Harrison National Recreation Area and Wilderness Establishment Act of 2023” and dated September 28, 2023.

(4) **NATIONAL RECREATION AREA.**—The term “National Recreation Area” means the Benjamin Harrison National Recreation Area established by section 3(a)(2).

(5) **NATIONAL RECREATION AREA AND WILDERNESS.**—The term “National Recreation Area and Wilderness” means the Benjamin Harrison National Recreation Area and Wilderness established by section 3(a)(1).

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(7) **STATE.**—The term “State” means the State of Indiana.

(8) **WILDERNESS ADDITION.**—The term “Wilderness addition” means the land added to the Charles C. Deam Wilderness by section 3(a)(3).

### **SEC. 3. BENJAMIN HARRISON NATIONAL RECREATION AREA AND WILDERNESS.**

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There is established in the State the Benjamin Harrison National Recreation Area and Wilderness as a subunit of the Hoosier National Forest, consisting of—

(A) the National Recreation Area; and

(B) the Wilderness addition.

(2) **BENJAMIN HARRISON NATIONAL RECREATION AREA.**—There is established in the State the Benjamin Harrison National Recreation Area, consisting of approximately 29,382 acres of National Forest System land depicted on the map as “Proposed National Recreation Area (NRA)”.

(3) **CHARLES C. DEAM WILDERNESS ADDITION.**—The approximately 15,300 acres of National Forest System land in the State generally depicted on the map as “Proposed Wilderness” shall be added to and administered as part of the Charles C. Deam Wilderness in accordance with Public Law 97–384 ([16 U.S.C. 1132](#) note; 96 Stat. 1942).



(4) **AVAILABILITY OF MAP.**—The map shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(b) **ADMINISTRATION.**—The Secretary shall manage—

(1) the Wilderness addition in a manner that is consistent with the Wilderness Act ([16 U.S.C. 1131 et seq.](#)), except that the setback for trails and roads in the area depicted on the map as “Proposed Wilderness” and the setback for any trails in the Wilderness addition established under subparagraph (C)(ii) of paragraph (4) that is excluded from the Wilderness addition under subparagraph (A)(ii) of that paragraph shall not be subject to that Act; and

(2) the National Recreation Area in a manner that ensures—

(A) the protection of the water quality of the public water supply of Monroe Reservoir in the State in accordance with section 303(e)(1) of the Healthy Forests Restoration Act of 2003 ([16 U.S.C. 6542\(e\)\(1\)](#)); and

(B) the promotion of recreational opportunities in the National Recreation Area.

(3) **HUNTING, FISHING, AND TRAPPING.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary shall allow hunting, fishing, and trapping in the National Recreation Area and Wilderness.

(B) **LIMITATIONS.**—The Secretary, in consultation with designees from the State Department of Natural Resources and the Corps of Engineers, may, for reasons of public safety, species enhancement, or management of a species listed as endangered or threatened under the Endangered Species Act of 1973 ([16 U.S.C. 1531 et seq.](#)), designate areas in which, and establish seasons during which, no hunting, fishing, or trapping is permitted in the National Recreation Area and Wilderness.

(C) **EFFECT.**—Nothing in this Act affects the jurisdiction of the State with respect to fish and wildlife in the National Recreation Area and Wilderness.

(4) **RECREATION.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary shall—

(i) in the National Recreation Area, continue to permit and provide for appropriate nonmotorized and motorized recreational

uses, including hiking, viewing of nature and wildlife, camping, horseback riding, mountain biking, and other existing recreational uses; and

(ii) permit the nonmotorized recreational use of the Wilderness addition, in accordance with the Wilderness Act ([16 U.S.C. 1131 et seq.](#)) within the boundary of the “Proposed Wilderness” indicated on the map (excluding the setback for trails and roads in the area depicted on the map as “Proposed Wilderness” that is excluded from the Wilderness addition pursuant to the setback established under subparagraph (C)(ii)).

(B) LIMITATIONS.—The Secretary, in consultation with designees from the State Department of Natural Resources and the Corps of Engineers, may designate zones in which, and establish periods during which, a recreational use shall not be permitted in the National Recreation Area and Wilderness under subparagraph (A) for reasons of public safety, species enhancement, or management of a species listed as endangered or threatened under the Endangered Species Act of 1973 ([16 U.S.C. 1531 et seq.](#)).

(C) TRAIL PLAN.—

(i) IN GENERAL.—Notwithstanding any provisions of the Wilderness Act ([16 U.S.C. 1131 et seq.](#)) or any other provision of law, the Secretary, in consultation with interested parties, shall establish a trail plan—

(I) to maintain existing mountain biking, hiking, and equestrian trails in the Wilderness addition; and

(II) to develop mountain biking, hiking, and equestrian trails in the National Recreation Area.

(ii) SETBACK.—There shall be established a 100-foot setback from the centerline of each trail identified in the Wilderness addition in accordance with the trail plan established under clause (i) to exclude the trail from the Wilderness addition under subparagraph (A)(ii).

(5) VEGETATION MANAGEMENT.—

(A) WILDERNESS ADDITION.—Consistent with the Wilderness Act ([16 U.S.C. 1131 et seq.](#)), timber removal or management shall not be permitted in the Wilderness addition, except as the Secretary determines to

be necessary for public safety and management of diseases, as described in section 293.3 of title 36, Code of Federal Regulations (or a successor regulation).

(B) NATIONAL RECREATION AREA.—Vegetation management within the National Recreation Area shall be consistent with—

(i) the Management Plan; and

(ii) any applicable Forest Service land management plan.

**SEC. 4. NATIONAL RECREATION AREA ADVISORY COMMITTEE; MANAGEMENT PLAN.**

(a) NATIONAL RECREATION AREA FEDERAL ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—As soon as practicable after the date of enactment of this Act, the Secretary shall establish an advisory committee to advise the Secretary with respect to the management of the National Recreation Area.

(2) MEMBERSHIP.—The Advisory Committee shall be composed of members appointed by the Secretary, from among—

(A) representatives of local government;

(B) forest ecologists;

(C) experts in dispersed recreation;

(D) local residents who own or reside in property located not more than 2 miles from the boundary of the National Recreation Area;

(E) representatives of conservation and outdoor recreation groups;

(F) consulting foresters;

(G) the Director of the State Department of Natural Resources (or designees);

(H) wildlife experts; and

(I) designees from the Corps of Engineers.

(b) MANAGEMENT PLAN.—

(1) **IN GENERAL.**—Not later than 5 years after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term protection and management of the National Recreation Area.

(2) **REQUIREMENTS.**—The Management Plan shall—

(A) be developed—

(i) in consultation with the Advisory Committee;

(ii) after providing an opportunity for public comment; and

(iii) after engaging with interested or affected federally recognized Indian Tribes, other Federal agencies, and State and local governments, including the State Department of Natural Resources;

(B) address management issues associated with the National Recreation Area, including—

(i) fires;

(ii) invasive species;

(iii) the response to insect and disease infestations;

(iv) measures needed to protect the public water supply provided by Monroe Reservoir;

(v) the establishment, maintenance, and closure of camp sites, campgrounds, trails, and roadways; and

(vi) any other issues identified by the Advisory Committee; and

(C) include—

(i) measures to preserve and protect native and historical resources, flora, fauna, and recreational, scenic, and aesthetic values within the National Recreation Area; and

(ii) measures to prevent degradation of the public water supply provided by Monroe Reservoir.

## **SEC. 5. FUNDING.**

(a) **NO ADDITIONAL FUNDS.**—No additional funds are authorized to be appropriated to carry out this Act.



**(b) USE OF EXISTING FUNDS.**—This Act shall be carried out using amounts otherwise made available to the Secretary.

**SEC. 6. EFFECT.**

Nothing in this Act—

(1) affects the Corps of Engineers use permits for flowage rights within the National Recreation Area and Wilderness established by the order entitled “Joint Order Interchanging Administrative Jurisdiction of Department of the Army Lands and National Forest Lands” (35 Fed. Reg. 10382 (June 25, 1970));

(2) prevents the Corps of Engineers from carrying out the water control management plan of the Corps of Engineers within the National Recreation Area and Wilderness as described in the Corps of Engineers water control manual;

(3) prevents the Corps of Engineers from—

(A) disposing of, or otherwise managing, real estate interests held by the Corps of Engineers as of the date of enactment of this Act; or

(B) acquiring additional real estate interests required to support the operation or maintenance of Monroe Lake;

(4) affects the use of motor vessels (as defined in section 2101 of title 46, United States Code) on Monroe Lake;

(5) results in the closure of any State or county roadway in the National Recreation Area and Wilderness;

(6) precludes the ownership, use, or enjoyment of private land within the National Recreation Area and Wilderness;

(7) otherwise affects access to private land or cemeteries within the National Recreation Area and Wilderness;

(8) affects the access to land within the Wilderness addition by any State or private entity or organization with a permit, special use authorization, or other right to access land within the Wilderness addition, as described in section 5(a) of the Wilderness Act ([16 U.S.C. 1134\(a\)](#)), for the purpose of maintaining infrastructure located within the Wilderness addition, including access by—

(A) the Smithville Telephone Company;

- (B) Jackson County Water Utility;
- (C) Jackson County Rural Electric;
- (D) the ANR Pipeline Company;
- (E) the Monroe County commissioners;
- (F) Hoosier Trails Council, BSA; and
- (G) the State Department of Natural Resources; or

(9) affects the access to land within the Wilderness addition by the State Department of Natural Resources or appropriate public safety officers with the use of motor vehicles, mechanized equipment, or motorboats for emergencies involving the health and safety of persons within the Wilderness addition, in accordance with section 4(c) of the Wilderness Act ([16 U.S.C. 1133\(c\)](#)).

---

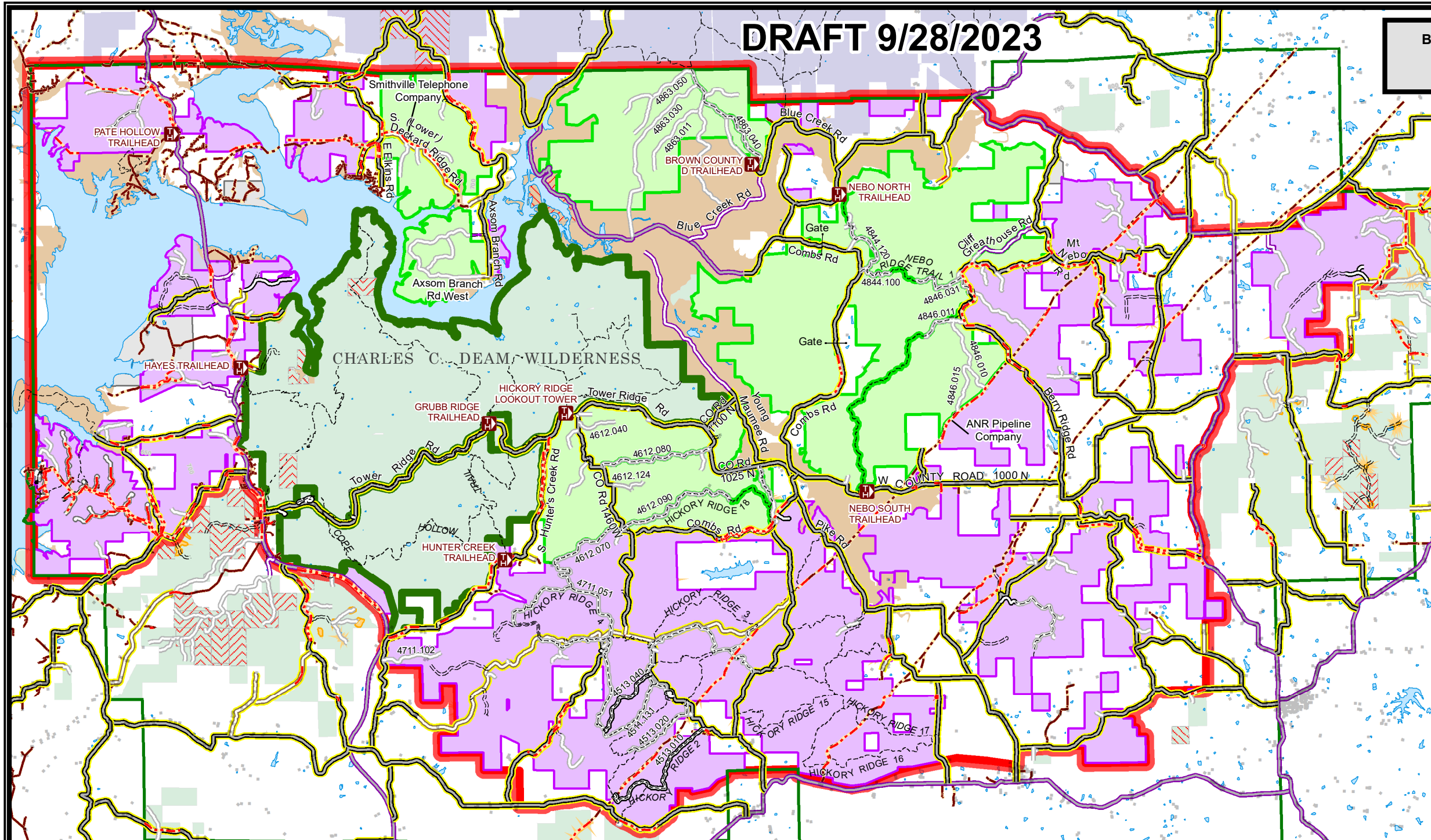


**DRAFT 9/28/2023**

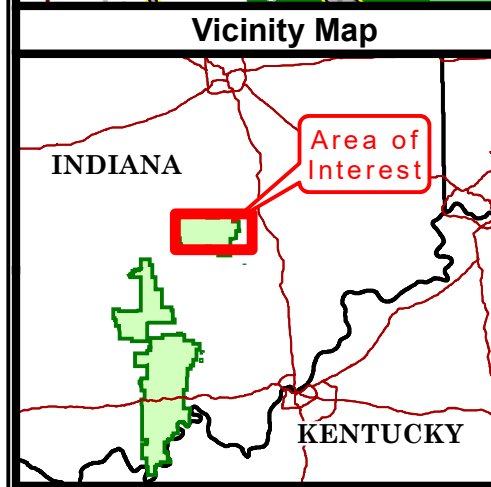
**Benjamin Harrison National Recreation Area and  
Wilderness Establishment Act of 2023**  
DRAFT Map version 9/28/2023

A section of Combs Road is currently (as of September 2023) gated and closed to motorized vehicles but remains open as a trail.

The proposed Wilderness expansion area excludes a 100 ft. setback from centerline of roads and trails listed in the table below.



Setback Distances for Roads and Trails	
Route	Setback from Centerline
South (Lower) Deckard Ridge Road	100'
Axson Branch Road	100'
Combs Road	100'
Combs Road (CO Rd1140)	100'
Combs Road (N CO Rd 1200 W)	100'
Combs Road (Co Rd 990 N)	100'
Cliff Greathouse Rd	100'
Mt Nebo Road	100'
Berry Ridge Road	100'
W County Road 1000 N	100'
County Road J117	100'
Young Maumee Road	100'
CO Rd 1100 N	100'
Tower Ridge Road (CO Rd 1070 N)	100'
Tower Ridge Road (CO Rd 1100 N)	100'
S Hunter's Creek Road	100'
CO Rd 1460W	100'
CO Rd 1325W	100'
CO Rd 1025 N	100'
COE Road-Porter Hollow	100'
Blue Creek Road	100'
County Road B79	100'
Brown County "D" Trail	100'
Nebo Ridge Trail 1	100'
Nebo Ridge Trail 2	100'
Hickory Ridge Trail 18	100'
Hickory Ridge Trail 19	100'
Hickory Ridge Trail 20	100'



**References**  
NFS ownership and Wilderness boundaries from R9 Automated Lands Program (ALPS). Other data acquired from a variety of sources.

**Disclaimer**  
Creation of this map does not indicate USDA support of this proposal. This represents USDA technical assistance only. These documents remain congressional records in their entirety, even after the completion of the proposed language, and are not USDA records under the Freedom of Information Act (FOIA) or any other law. If USDA receives any request or demand for access to these records under the FOIA or any other authority, USDA will immediately notify the congressional staff and will respond to the request or demand based upon the understanding that these are congressional, not USDA, records.

**Legend**

— Level 1 FS Road - Basic Custodial Care (Admin Use)	— Other Unpaved Road	■ Wilderness
==== Level 2 FS Road - High Clearance Vehicles	- - - Multi-Use Trail	■ USDA Forest Service Land
— Level 3 FS Road - Suitable For Passenger Cars	- · - · Special Use Line	□ Non-Forest Service Land
— Level 4 FS Road - Moderate Degree of User Comfort	- · - · Utility Line	■ Proclaimed Forest
— Level 5 FS Road - High Degree of User Comfort	■ Proposed Wilderness	■ Other Federal Lands
— Paved County Road	■ Proposed National Recreation Area (NRA)	■ State Lands
— Unpaved County Road	■ Proposed National Recreation Area (NRA) Boundary	■ Private, Local Government, Undesignated
— Other Paved Road	■ Lake / Pond / Reservoir	
	■ Mineral Right	

**Proposed Benjamin Harrison National Recreation Area**

Legislative Map

Proposed Wilderness: 15,300 Acres +/-  
Proposed National Recreation Area: 29,382 Acres +/-  
All lands are located in Monroe, Brown & Jackson County, Indiana

U.S. Forest Service - Eastern Region  
Hoosier National Forest  
9th U.S. Congressional District

Bill Sponsor: Senator Mike K Braun  
Copies of this map are available for public inspection in the Office of the Regional Forester, Eastern Region, Milwaukee, WI.



**Indiana Land Guardian**  
**FS-23-001**  
**November 2023**

### **Fact Sheet: A Summary of Senate Bill 2990: The Benjamin Harrison National Recreational Area and Wilderness Establishment Act of 2023**

S.2990 is a bill proposed in the United States Senate, intended to establish the Benjamin Harrison National Recreation Area and Wilderness in Indiana. This bill, if enacted, would have a significant impact on land management and recreational activities in the state. Here's a summary of its key points:

1. **Establishment of Areas:** The bill proposes to create the Benjamin Harrison National Recreation Area and Wilderness within Indiana as a subunit of the Hoosier National Forest. This includes a National Recreation Area of approximately 29,382 acres and an addition to the Charles C. Deam Wilderness of about 15,300 acres.
2. **Administration and Management:**
  - The Wilderness addition will be managed in accordance with the Wilderness Act, with certain exceptions for trails and roads.
  - The National Recreation Area management aims to protect diverse habitat, water quality, and promote recreational opportunities.
3. **Activities and Usage:**
  - Hunting, fishing, and trapping will generally be allowed, with potential restrictions for public safety, species management, or endangered species protection.
  - Recreational activities such as hiking, camping, horseback riding, and mountain biking will be permitted, with limitations for certain zones and periods for public safety and species management.
4. **Vegetation Management:**
  - In the Wilderness addition, timber removal or management is restricted except for public safety and disease management.





- Vegetation management in the National Recreation Area must align with the Management Plan and Forest Service land management plans.

**5. Advisory Committee and Management Plan:**

- An advisory committee will be established to advise on managing the National Recreation Area.
- A comprehensive management plan must be developed within five years of the Act's enactment.

**6. Funding and Effect:**

- No additional funds are authorized for this Act; it must be carried out using existing funds.
- The Act clarifies that it does not affect certain Corps of Engineers activities, the use of motor vessels on Monroe Lake, access to private land, and several other specific rights and operations.

**7. Legal and Practical Implications:**

- This Act, if passed, will have broad implications for land use, conservation, recreation, and local community engagement in Indiana.
- It aims to balance environmental protection with recreational access and land use, reflecting a collaborative approach to managing these natural resources.

This legislation is an example of how federal and state governments, along with local stakeholders, work together to manage public lands in a way that balances ecological conservation with public use and enjoyment.



## Indiana Land Guardian

FS-23-002

November 2023

### Fact Sheet: A Summary of Differences Between National Forests and National Recreation Areas

National Forests and National Recreation Areas (NRAs) in the United States, both overseen by federal agencies, serve distinct purposes and have different management objectives. Here's a comparison of their benefits and restrictions:

#### National Forests

**Managed By:** Primarily the U.S. Forest Service (USFS), part of the Department of Agriculture.

#### Purpose and Benefits:

1. **Resource Management:** Focus on the sustainable use and conservation of forest resources, including timber, wildlife, and water.
2. **Multiple Uses:** Support a variety of uses such as recreation, grazing, timber harvesting, and habitat conservation.
3. **Recreation:** Offer diverse recreational opportunities like hiking, camping, and fishing, but these are balanced with resource management goals.
4. **Conservation:** Include designated wilderness areas where land is more stringently protected from development.

#### Restrictions:

1. **Land Use:** While recreation is encouraged, it may be restricted in certain areas to protect resources or manage timber harvesting.
2. **Development Limitations:** Development and commercial activities are regulated to ensure sustainable resource use and environmental protection.



3. Timber Harvesting: Managed in a way that can include logging, subject to environmental impact assessments and sustainable practices.

## National Recreation Areas

**Managed By:** Can be managed by various federal agencies, including the National Park Service (NPS) or the USFS, depending on the specific NRA.

### Purpose and Benefits:

1. Recreational Focus: Primarily designated for recreational purposes, offering a wide range of activities like boating, fishing, hiking, and camping.
2. Accessibility and Facilities: Often have enhanced visitor facilities and services compared to National Forests, focusing on visitor experience.
3. Natural and Cultural Preservation: While recreation-focused, NRAs also aim to preserve significant natural and cultural features.

### Restrictions:

1. Conservation Balance: Recreational activities are managed to ensure they do not harm the natural and cultural values of the area.
2. Limited Resource Exploitation: Generally, less emphasis on resource extraction (like logging) compared to National Forests.
3. Development Control: Infrastructure and development are controlled to maintain the area's natural character while supporting recreational activities.

### Key Differences:

- Primary Objective: National Forests focus on a balance between resource management and recreation, while NRAs are primarily dedicated to recreation and public enjoyment.
- Resource Management: National Forests may allow more varied use of natural resources, including timber harvesting and grazing, under sustainable management practices. NRAs usually have stricter limitations on resource exploitation.



**COALITION**  
to Advance the Benjamin  
Harrison National Recreation  
Area and Wilderness Establishment Act

- **Recreational Facilities and Services:** NRAs typically offer more developed recreational facilities and visitor services than National Forests, reflecting their recreation-centered mission.

In conclusion, National Forests and NRAs both play important roles in public land management in the United States but have different primary focuses. National Forests are multi-use lands with a strong emphasis on resource management, while NRAs are designated primarily for recreation and enjoyment, with a greater emphasis on preserving natural and cultural features.



**Indiana Land Guardian**  
**WP-23-003**  
**December 2023**

**Senate Bill 2990, the Benjamin Harrison National Recreation Area and Wilderness Establishment Act of 2023 and Project 46**

Senate Bill 2990, the Benjamin Harrison National Recreation Area and Wilderness Establishment Act of 2023, will contribute to carbon sequestration through the preservation and management of forested areas in the Hoosier National Forest (HNF). Here's how this relates to the goals of Project 46, which focuses on addressing climate change:

**Expansion of Protected Forest Areas:** S.2990 aims to designate approximately 15,300 acres to expand wilderness areas and about 29,382 acres for a National Recreation Area within the HNF. Forests are natural carbon sinks, absorbing carbon dioxide (CO<sub>2</sub>) from the atmosphere and storing it in biomass (trees and vegetation) and soil. By increasing the area of protected forest, S.2990 enhances the capacity of these lands to sequester carbon.

**Management Consistent with USFS Land Management Plan:** The bill requires that the new wilderness and recreation areas be managed in a way that promotes vegetation management consistent with the U.S. Forest Service (USFS) land management plan. Effective forest management can lead to healthier, more robust forests that are better at capturing and storing carbon.

**Supporting Project 46's Climate Goals:** Project 46 focuses on tracking and reporting greenhouse gas emissions, leveraging funding for climate initiatives, and promoting best practices for climate action. By preserving and managing forest areas, S.2990 supports these goals. Healthier, well-managed forests can play a significant role in reducing greenhouse gas concentrations, thus contributing to the regional efforts of climate change mitigation as envisioned by Project 46.



**COALITION**  
to Advance the Benjamin  
Harrison National Recreation  
Area and Wilderness Establishment Act

**Benefits to Regional Climate Initiatives:** While S.2990 does not explicitly target greenhouse gas emission reductions, the enhanced carbon sequestration resulting from this bill complements the objectives of Project 46. By maintaining and enhancing forested areas, the bill supports the broader regional efforts to mitigate climate change, which is a key focus of Project 46.

In summary, while Senate Bill 2990 and Project 46 operate independently, the environmental benefits of S.2990, particularly in terms of carbon sequestration through forest conservation and management, align well with the climate change mitigation goals of Project 46. By contributing to the health and resilience of Indiana's forests, S.2990 indirectly supports the objectives of Project 46 to combat climate change in the region.