



City of Bloomington
Common Council

Legislative Packet

Regular Session

21 June 2006

Office of the Common Council
P.O. Box 100
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Bloomington, Indiana 47402

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Packet Related Material

Memo

Agenda

Calendar

Notices and Other Agendas:

None

Reports

Annual Tax Abatement Report

Report from Ron Walker, Director of Economic Development

Contact: Ron Walker at 349-3534 or walkerr@bloomington.in.gov

Legislation for Final Action:

Res 06-06 Authorizing the Allocation of the Jack Hopkins Social Services Program Funds for the Year 2006 and Other Related Matters

- History of grants since the program began in 1993; Solicitation letter; Policy statement; Final ratings and recommendations; Summaries of all applications; Funding agreement template; Funding agreement table showing critical information in each agreement; and, Memoranda of meetings.

Contact: Dan Sherman at 349-3562 or sherman@bloomington.in.gov

Legislation and Background Material for First Reading:

App Ord 06-02 To Specially Appropriate from the General Fund, Telecommunications Infrastructure Fund, and Risk Management Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for the Police Department, from the Telecommunications Infrastructure Fund for the BDU, and from the Risk Management Fund for the BDU)

- Memo from Susan Clark, Controller; Map of BDU Network and Connections to City Facilities; Telecommunications Non-Reverting Fund – Balance Sheet

Contact: Susan Clark at 349-3416 or clarks@bloomington.in.gov

Ord 06-10 To Amend Title 10 of the Bloomington Municipal Code Entitled “Wastewater” - Re: Addition of Chapter 10.20 Prohibiting Illicit Stormwater Connection and Discharge

- Memo from Vickie Renfrow, Assistant City Attorney; 327 IAC 15-13-14

*Contact: Vickie Renfrow at 349-3557 or renfrowv@bloomington.in.gov
Mike Bengston at 349-3653 or bengstom@bloomington.in.gov*

Ord 06-11 To Amend Title 10 of the Bloomington Municipal Code Entitled “Wastewater” - Re: Pretreatment and Other Requirements for Compliance with the National Domestic Sewage Study

- Memo from John Langley, Deputy Director of Utilities; Enforcement Response Guide for the Industrial Pretreatment Program; Title 10 of the BMC Entitled “Wastewater” Annotated with Proposed Changes

Contact: John Langley at 349-3656 or langleyj@bloomington.in.gov

Minutes from Regular Session:

None

Memo

Full Agenda at the Regular Session on Wednesday, June 21, 2006

There are five items in this packet that will either receive final action by the Council at the Regular Session next week or be readied for the legislative cycle ending on July 7th.

The items scheduled for final action include the **Annual Tax Abatement Report** to be presented during Reports from the Mayor by Ron Walker, Director of Economic Development, and **Res 06-06**, which wraps up the work of the Jack Hopkins Social Services Funding Committee for the year by allocating \$135,411 to help disadvantaged City residents.

The items ready for first reading include an **App Ord 06-02**, which appropriates monies from the General Fund, Telecommunications Non-Reverting Fund, and Risk Management Fund, and **Ord 06-10** and **Ord 06-11**, which amend BMC Title 10 (Wastewater) in order to comply with various federal regulations.

Reports

Reports from the Mayor – Annual Tax Abatement Report

Ron Walker will present the Annual Tax Abatement Report to the Council next Wednesday night during Reports from the Mayor. Each year statute requires

recipients of tax abatements to file CF-1 forms with the legislative body showing whether the project is providing the benefits which were promised at the time the petitioner sought the abatement. Due to a recent change in State law, the deadline for submitting CF-1s for improvements to real estate and for the installation of new manufacturing equipment are now on the same date (May 15th) rather than on one date for real estate (March 1st) and another date for manufacturing equipment (May 15th).

Ron gathers the CF-1s, files his report with the Economic Development Commission, and presents its recommendations to the Council in time for the Council to pursue statutory procedures to terminate abatements, should the underlying circumstances justify that decision. This year the EDC recommended that all recipients who filed a CF-1 be found in substantial compliance.

The *Report* is to the Economic Development Commission and Common Council, and summarizes the activities of the active and recently inactive tax abatement projects. It is included in this packet and is in a new format that includes:

- more information on each project (particularly the years left on the period of abatement) and photos of the projects;
- a list of abatements in question (one this year) (page 59);
- a list of abatements that recently expired (three) (page 60);
- a summary of the economic impact of these projects (page 62); and
- maps of affordable housing and historic renovation projects (age 63-65).

My memo below briefly summarizes the process for reviewing these tax abatement projects and highlights some projects that were previously discussed by the Council or that may not have fully met their targets this year. *Please note that before next week's Regular Session, I will have met with Ron and will offer the Council an order for your deliberations as well as a menu of motions from which to choose.*

Typical Commitments - Standard of Review (Substantial Compliance)

Before granting a tax abatement, statute requires the Council to find that the benefits asserted by the petitioner are reasonable and probable and, in totality, justify the granting of the abatement. These benefits are found in the Application and Statement of Benefits and typically relate to:

- the amount of investment (as measured by the estimated assessed valuation of the improvements);
- the number of jobs retained and created by the project, and the size of the resulting payroll;

- the number of affordable dwelling units that have been set aside for low-to-moderate income households. (Please note that these units are usually in the form of subsidized rental units, but may include owner-occupied housing.);
- other goals specified in the tax abatement guidelines such as:
 - encouraging housing in the downtown area (which has grown from encouraging owner-occupied units to supporting some projects with market-rate rental units);
- other policies of the City such as:
 - following the West Kirkwood Corridor Plan, or
 - implementing the Growth Policies Plan;
- other benefits such as:
 - the use of higher quality materials or
 - a commitment to provide a certain level of indigent care.

The Annual Tax Abatement Report gives the Council an opportunity to review projects in order to determine whether they are in substantial compliance with the commitments made at the time of the abatement. The Council must act within 45 days of the deadlines for filing the CF-1s if it intends to exercise its power to rescind a tax abatement. Given the new, single deadline for filing all CF-1s, the Council will hear one Report next week rather than an initial report in April and a supplemental Report in June.

As noted above, the Council may rescind the tax abatement and terminate the deduction only if it finds that the property owner has not substantially complied with the commitments made at the time of the abatement. *According to statute, the decision to terminate the tax deduction should be made only when you conclude the tax payer has not made reasonable efforts to meet those commitments and was not prevented from complying with these terms due to factors beyond its control.*

Report Recommends Substantial Compliance for All Projects Having Filed a CF-1

The EDC recommended that all of the projects with CF-1s filed with the Council be found in compliance with the terms of their abatement. The following chart covers projects with some issues previously discussed by the Council and some issues possibly raised by the CF-1s:

<u>Report</u>	<u>Tax Payer</u>	<u>Site/Name of Project</u>	<u>Legislation</u>
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Page 9	Doug McCoy	314 N. Washington Street (The Gables)	<u>Res 94-01</u>
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Issue: This was one of the first owner-occupied residential projects in the downtown. It did not market well as a condominium (even with on-site parking) and changed hands during construction. The Council has acknowledged this difficulty and found the project in substantial compliance for many years. It has one year left on the period of abatement.

Page 27	Hopewell Renewal	1400 West 6 th Street	<u>Res 96-14</u>
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Issue: This project had three components: an apartment building for persons with HIV/AIDS, an apartment building for persons with mental disabilities, and 12, 2-story attached town homes for first-time home buyers. The apartment buildings and four of the town homes have been constructed and are being used as intended. Owners of the town homes have filed the CF-1s. Ownership, site and market constraints have prevented the development of the remaining eight units (on four installed platforms).

Page 35	Landmark Medical, LLC	550 Landmark Avenue (Landmark Business Center)	<u>Res 99-27</u>
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Issue: The benefits of this project included the construction of a new medical facility, the creation of 121 new jobs, and the provision of uncompensated health care to indigent community members. The *Report* indicates this entity provided \$2.16 million in uncompensated medical care in 2005 along with a significant amount of other donated services.

Page 36	Metropolitan Printing, Inc	720 South Morton Street	<u>Res 99-31</u>
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Issue: The property owner intended to invest a total of \$2.475 million for improvements in real estate and the acquisition of new manufacturing equipment and to create six to eight new jobs. The total investment exceeded projections (although the mix between real estate and equipment differed). However, the property owner was unable to create new jobs and, in fact, reduced the work force from 55 to 33 employees. The EDC found the property owner was making good-faith efforts to meet these commitments.

Issue: This project was intended to be a downtown, owner-occupied residential project. The *Report* indicates that all 17 units are occupied, but does not mention how many are occupied by the owners.

Issue: The property owner intended to invest about \$12 million and create about 3 new jobs for this downtown residential project. The property owner exceeded the investment target by more than \$3 million (\$15 million rather than \$12), and is contracting for management services rather than hiring staff.

Issue: The property owner built a new urbanist style retail and residential project at Grimes and South Walnut in order to relocate his downtown paint and wallpaper store. While his investment exceeded expectations (\$1.3 rather than \$1 million), he has created one job rather than the two-to-four jobs he projected.

Issue: The property owner intended to invest \$8.5 million in improvements to real estate and \$7.65 million in new manufacturing equipment, and create 223 jobs when relocating this manufacturing operation from Liberty Drive to the Indiana Enterprise Center. The property owner has completed the renovation at a cost of \$7.9 million, invested \$1.36 million in new manufacturing equipment, but has yet to increase the work force. The EDC found that the “property owner is in the process of meeting the abatement estimates.”

Abatements in Question (Page 59)

The *Report* places one project in question, which is because Ron has not heard from the property owner and does not have information to determine compliance.

<u>Tax Payer</u>	<u>Site/ Type of Abatement</u>	<u>Legislation</u>
PTS Corporation	305 North Curry Pike <i>Equipment</i>	<u>Res 99-09</u>

Unfinished Projects (Page 61)

The Report indicates that five projects are still in the progress. The owners of those properties have no obligation to file the CF-1 form until the project is assessed and they want to claim the deduction. All of these projects were granted a tax abatement in the last two years and are under construction. Ron Walker will be able to address any questions you may have on these recent approvals. They include:

<u>Tax Payer</u>	<u>Site/Type of Abatement</u>	<u>Legislation</u>
Woolery Ventures, LLC	200 W Tapp Road <i>Real Estate</i>	<u>Res 04-01</u>
Cook Pharmica	1300 S. Patterson Drive <i>Real Estate</i>	<u>Res 04-08</u>
Habitat for Humanity	1010, 1018, 1042 W. 14 th Street <i>Real Estate</i>	<u>Res 05-09</u>
Habitat for Humanity	1034, 1042 W. 14 th Street <i>Real Estate</i>	<u>Res 05-11</u>
Rogers Property Management, LLP	East Magna Way <i>Real Estate</i>	<u>Res 06-02</u>

Expired Tax Abatements

The Report indicates that there are three tax abatement projects that recently expired. They include:

<u>Tax Payer</u>	<u>Site</u>	<u>Legislation</u>
ADC Real Estate Investment Group	1201, 1204 & 1208 West Cottage Grove	<u>Res 93-27</u>
Covey Park Partners	1851 – 1857 South Covey Lane	<u>Res 93-12</u>

*Note: Property owner may not have
filed for an abatement*

Recent Changes in State Law Offer Tax Abatements within the City Without Review by the Common Council

The Report evaluates current tax abatement projects and brings to mind the recent changes in State law which allow other forms of tax abatement within the City that are not reviewed by the Common Council. You learned about these changes when considering the adoption of Ord 06-03 in early March, which captured some of the foreseeable lost TIF revenues through an arrangement with the Bloomington Urban Enterprise Zone. Those two new programs were described in the 22 February 2006 Council Legislative Packet and can be found at:

http://bloomington.in.gov/egov/docs/1140209123_848155.pdf

One new form of tax abatement offers a temporary (March 2005 – March 2009), 3-year, graduated Investment Deduction (IC 6-1.1-12.4) for redevelopment, development or rehabilitation of real property and the purchase of personal property that creates or retains employment in areas outside of TIF districts and Certified Technology Parks. The other offers non-graduated, 10-year deduction for eligible investments within an Enterprise Zone for the purchase, construction and rehabilitation of buildings as well as the purchase and retooling of equipment.

Resolutions Scheduled for Final Action

Res 06-06 Approving Allocations for Jack Hopkins Social Services Funds and Related Matters - Report from Jack Hopkins Social Services Funding Committee 2006

This is the 14th year of the Jack Hopkins Social Services Funding Program, named after former Council Member Jack Hopkins in 2002. The City has expended in excess of \$1 million between 1993 and 2005, and increased the annual appropriation by \$10,000 to \$135,000 in 2006. After a series of four meetings, the Jack Hopkins Social Services Funding Committee recommended funding 23 agency programs (see below for more on the Committee and those meetings).

Res 06-06 will be considered by the full council on June 21st. It implements those recommendations, approves the funding agreements with these agencies, delegates questions regarding the interpretation of the agreements to the Chair of the Committee (Chris Gaal), and approves the report of this standing committee, which includes this summary and the related packet materials.

Committee Members and Staff

The Committee is a Standing Committee of the Council and included five Council members appointed by the President of the Council – Chris Gaal (Chair), Tim Mayer, Dave Rollo, Andy Ruff, and David Sabbagh, and two members appointed by the Committee from other City entities. These appointees included Dr. Anthony Pizzo from the CDBG Citizens Advisory Committee for Social Services and Shaunica Pridgen from the Community and Family Resources Commission. Along with committee members and Council Office staff, representatives from the HAND department (Marilyn Patterson) and the CFR department (Pete Giordano) assisted with the process.

Policies, Procedures, and Schedule for 2006

The following is a summary of the proceedings for this year:

- **Thursday, March 9, 2006 from 12:00 p.m. to 2.30 p.m. in the Council Library** - The Committee met to review the previous funding process and establish a procedure for the coming round. At that meeting the Committee:
 - *Heard a report of last year's grants from Marilyn Patterson, HAND department;*
 - *Reviewed the responses of agencies to the annual survey;*
 - *Clarified program criteria and procedure. In particular, the Committee made more clear the requirement of serving city residents and the high priority given to programs that offered emergency services (e.g. food, shelter, and health care) to low-income households;*
 - *Established the schedule for 2006; and,*
 - *Discussed methods for obtaining more uniform ratings from committee members.*

(See enclosed Memorandum of meeting.)

- **Friday, March 10, 2006** - The Council Office sent solicitation letters to social services agencies and posted the letter and related materials on the City's website. Within the next few weeks, the United Way distributed this information to its members and in the Non-Profit Alliance Newsletter and the H-T provided a brief article.
- **Thursday, March 30, 2006, from 4:00 p.m. to 4:40 p.m.** - The Council Office held a Voluntary Technical Assistance meeting in the McCloskey Room in order to explain the program and answer questions from agency representatives. Approximately 22 agencies were represented at meeting.
- **Monday, April 10, 2006 at the 4:00 p.m. Deadline** - 35 agencies submitted applications to the Council Office by the deadline. These agencies requested at least \$1,000 (per guidelines) and the total amount requested was approximately \$268,000.
- **Friday, April 21, 2006** - The Council Office distributed a cover memo, summaries, and application materials to committee members and staff.
- **Thursday, April 27th** - The Committee met and reviewed the 35 applications. In the course of its deliberations the Committee announced potential conflicts of interests (mostly service on agency boards by members and spouses), dropped eight applications from further consideration, and developed questions to be answered by presenters at the Presentation Hearing. (*See enclosed Memorandum of meeting.*)
- **Thursday, May 11, 2006 at 5:00 p.m. in the Council Chambers** - The Committee met, heard presentations from, and asked questions of twenty-seven agencies. (*See enclosed Memorandum of meeting.*)
- **Wednesday, May 17, 2006** - The committee members submitted their ratings to the Council Office. These ratings were based upon how well the applications fit the program criteria relative to the other requests and were on a scale of 0 – 5 (*See Ratings Sheet*).

- **Monday, May 22, 2006 at 5:30 p.m. in the Council Chambers** - The Committee recommended funding for 23 agencies (*See Ratings Sheet and Memorandum of the meeting*).
- **Wednesday, June 7, 2006 at 6:00 p.m. in the Council Library** – The Committee met to review the program procedures and plan for the coming year.
- **Wednesday, June 21, 2006 at 7:30 p.m. Council Chambers** - The Common Council will consider the resolution approving recommendations and will take related actions regarding the program.
- **Tuesday, June 27, 2006 at 8:30 a.m.** – Marilyn Patterson in the HAND department has scheduled Technical Assistance meetings at this time to inform funded agencies how to obtain reimbursements under the grant.
- **December 1, 2006** - This is the last day for filing claims under the grant unless the agency has arranged for a later date in the funding agreement (*see funding agreement below*) or has submitted a written request to Lisa Abbott, Director of the HAND department, at least two weeks earlier setting forth good cause for extending the period for receiving the funds.

Criteria and Other Program Policies

Former Council member Jack Hopkins established the three criteria for this program in 1993. The Committee has elaborated upon them over the years by providing a policy statement, which was sent out with the funding solicitation as well as placed on the Council web page. Those criteria are briefly stated below:

- 1) The program should address a previously identified priority for social services funds (as indicated in the *Service Community Assessment of Needs* (SCAN), the City of Bloomington Housing and Neighborhood Development Department's *2005-2010 Consolidated Plan* or any other community-wide survey of social service needs);

The program generally funds proposals that provide basic services to disadvantaged city residents. This year the Committee emphasized that:

- *the funds are for programs that primarily serve city residents; and*
 - *a higher priority is given to programs offering emergency services (e.g. food, housing, and healthcare) to low income City residents.*
- 2) The funds should provide a one-time investment that, through matching funds or other fiscal leveraging, makes a significant contribution to the program; and

This criterion has both a “one-time investment” and a “matching funds or other fiscal leveraging” element. The “one-time investment” requirement is the most misunderstood element. It is intended to encourage innovative projects and allow these funds to address changing circumstances in the community.

While “operational costs” are not generally considered a “one time investment,” the Committee recognized two circumstances where such costs would be eligible for funding:

First, when an agency is proposing a pilot project and demonstrates a well developed plan for funding in future years which is independent of this funding source; or,

Second, when an agency demonstrates that an existing program has suffered a significant loss of funding and requires “bridge” funds in order to continue for the current year.

- 3) This investment in the program should lead to broad and long-lasting benefits to the community.

This favors projects or programs where investments now will have positive, long-term spillover effects.

Please note that the Committee also clarified that the fiscal agent for funds must be incorporated as a 501(c)(3) organization.

Recommendations to Fund 23 Programs

The Committee recommended funding 23 agency programs. These agencies, programs, and grant amounts are briefly described below:

<u>Agency</u>	<u>Grant Amount</u>	<u>Purpose of the Grant</u>
Amethyst House	\$8,000.00	To pay for property and liability insurance, utilities, food, and salaries needed to operate the Men's House at 215 North Rogers.
The Area 10 Council on Aging of Monroe & Owen Counties, Inc.	\$2,187.33	To purchase IRis online software for the Go Live with 211 Infoline initiative.
Big Brothers Big Sister of South Central Indiana	\$8,109.00	To reconfigure and repair the roof and restore water-damaged areas at 418 South Walnut.
Bloomington Hospital Positive Link	\$1,150.00	To purchase portable hot boxes, portable coolers, and related supplies for the Nutrition Links program.
Boys & Girls Club of Bloomington	\$8,160.00	To pay for staffing, supplies, food, and rent for the Crestmont Youth Camp.
Center for Behavioral Health	\$1,816.67	To pay for car repairs and garage insurance for the Wheels to Work program.
Community Justice and Mediation Center	\$2,170.00	To pay for printing a conflict resolution handbook, purchasing conflict resolution materials, and personnel expenses for outreach and instruction.
Community Kitchen of Monroe County, Inc.	\$8,401.64	To purchase and repair a used van from Girls, Inc.
El Centro Comunal Latino	\$2,468.51	To purchase a portable DLP projector and laptop and provide stipends for speakers for the Informate Series initiative.
First Christian Church	\$1,250.00	To purchase two jumbo storage cabinets, an upright freezer, and supplies for the Gathering Place.
Girls Incorporated of Monroe County	\$1,950.40	To pay for personnel expenses for a half-time Program Specialist and purchase Commit to be Fit support materials.
Hoosier Hills Food Bank, Inc.	\$6,670.00	To install lights, replace door, reinstall floor scale, and purchase safety equipment for two trucks.
Martha's House Inc.	\$8,000.00	To pay for personnel expenses for the Martha's House homeless shelter.
Mental Health Alliance	\$13,532.80	To pay for personnel expenses for a Mental Health Community Coordinator and Office Manager and for the purchase of: resource guides, supplies, telephone expenses, travel costs, audit insurance, equipment leases and items for the Material Support Program (transportation and clothing vouchers, emergency medication, and related material).
Middle Way House, Inc.	\$12,000.00	To pay for the personnel expenses of the Childcare Program Coordinator.
Monroe County United	\$20,000.00	To pay for personnel expenses of an additional social

Ministries		worker for the Emergency Services program.
Mother Hubbard's Cupboard, Inc.	\$6,670.00	To pay for the purchase and installation of one two-door freezer unit and one two-door refrigeration unit.
Options for Better Living, Inc.	\$4,000.00	To format and rebuild computers and install modems and software as part of the Equalizing with E-cycling program.
Pinnacle School (dePaul Reading & Learning Association, Inc.)	\$4,394.67	To purchase specialized teaching materials.
Planned Parenthood of Indiana	\$2,440.00	To install cabinetry and purchase files and furniture for the front desk renovation.
Shalom Community Center	\$7,809.18	To purchase a communication system and a technology system network that includes both server and software to be installed at 110 South Washington, Bloomington, Indiana.
South Central Community Action Program Head Start	\$2,230.80	To pay for personnel expenses incurred as part of the Children's Door exchange program.
Teachers Warehouse	\$2,000.00	To purchase shelving and help pay for overhead costs.

Funding Agreements. Along with recommending these allocations, the resolution approves the funding agreements entered into with each agency. These agreements are designed to ensure that the money is used for the intended purpose. Each agreement states the amount and purpose of the grant as well as the manner and schedule for the agency to follow in order to receive funds.

The HAND department will implement the agreements and release the funds on a reimbursement/claims basis similar to other funds it oversees (such as through the City's Community Development Block Grant process). The agreements give agencies until December 1, 2006, to submit those claims, but allow Lisa Abbott, Director of HAND, to extend that deadline if the agency submits a request in writing at least two weeks before that deadline, providing good cause for an extension. In those cases, Lisa's staff would encumber the money for use into 2007. Please note that four agencies have asked to have this deadline set for dates in 2007.

Under the Agreement, all of the agencies will be required to follow customary accounting procedures when keeping track of the grant and must allow the City to inspect their records, which must be kept for at least three years from the date of the resolution. The Agreement also makes clear the City is not liable to 3rd parties due to the agency's handling of the funds. Lastly, the City may terminate the Agreement if it does not have the funds (and, in that event, must promptly notify

the affected agencies) and may require the refunding of monies if they are not used as agreed or in accordance with the law.

Chairperson Interprets the Funding Agreement. The resolution also authorizes the Chair of the Committee to resolve any questions that arise concerning the implementation of the funding agreements. Please note that the Committee has delegated its duty to appoint to additional members from other City entities to the Chair as well.

Approval of Report of this Standing Committee. The Jack Hopkins Social Services Funding Committee, as a Standing Committee of the Council, must file a Report of its activities to the full Council. This summary and the following background material constitute the Report.

Background Material (attached to the Report and included in the Council weekly packet):

- history of grants since the program began in 1993;
- solicitation letter;
- policy statement;
- final ratings and recommendations;
- summaries of all applications;
- funding agreement template;
- funding agreement table showing critical information in each agreement; and
- Memoranda of meetings.

Please note that the remaining material is available in the Council Office and includes a petition signed by approximately 160 individuals who oppose City funding for Planned Parenthood of Indiana.

First Readings

Item One - App Ord 06-02 Appropriating from the General Fund, Telecommunications Non-Reverting Fund, and the Risk Management Fund

App Ord 06-02 appropriates \$461,742 from three City funds to three City departments.

General Fund. First, it authorizes the Bloomington Police Department to expend \$126,315 from the General Fund-Police in grant funds awarded by the United States Department of Justice COPS MORE grant to purchase new Mobile Data Terminals for the City's patrol cars. As explained in the *Memo* provided by Controller Susan Clark, the COPS MORE grant is reimbursable at seventy-five percent with a local match of twenty-five percent. The match element (\$42,105) has been satisfied using funds in the existing budget. The City will receive \$126,315 upon providing documentation of the purchase of the Terminals. As Clark points out, the Police Department worked in consultation with the City's Information & Technology Department in selecting Terminal hardware and software.

Telecommunications Non-Reverting Fund. Next, the ordinance expends \$185,427 from the Telecom Fund's Infrastructure Account at the request of the City's Information & Technology Department to upgrade the City's communication network. Toward that end, ITS wishes to:

Expand the Bloomington Digital Underground (BDU) by:

- Spending about \$138,237 to install conduit and fiber connecting four additional City Buildings: the Fire Operations Building, the Allison-Jukebox Community Center, the Banneker Center and the Traffic Division Building; and
- Spending about \$25,000 to install fiber conduit in the road improvement project at Tapp Road and Adams Street.
Please see the accompanying map, 2006 COB Network Upgrade Plan.

Improve the availability and quality of network access for various City buildings by providing:

- point-to-point wireless connections for the Animal Shelter and Sanitation garage;
- a T-1 connection at Fire Station #2; and
- DSL connections at Fire Station #3 and five Park facilities.

The estimated cost of these three improvements is \$22,190 and includes fees for the remainder of 2006 where applicable.

Note that the Infrastructure Account comprises forty percent of the Telecommunications Fund while the Services Account constitutes the balance. The Infrastructure Account currently has \$642,402.47 in available cash.

Risk Management Fund. Third, the ordinance expends \$150,000 from the Risk Management Fund at the request of the Employee Services Department in order to cover Workers Compensation expenses. The Controller's current estimate indicates that an addition of this amount to the budget may not be sufficient to cover the remainder of expenses in 2006. However, the estimate will cover funding for a minimum of four months. As Susan Clark states in her *Memo*, after the Council authorizes this appropriation, the projected year-end balance in the Risk Fund will be \$83,000, approximately equal to two months of Workers Compensation expenditures. According to Clark, "Later this year we will reevaluate our Workers Compensation expenses relative to the adjusted budget, and if additional funds are needed, we will request an appropriation that not only authorizes expenditures from the Risk Fund, but also transfers cash from the various City departmental funds that normally provide revenue to the Risk Fund."

Item Two - Ord 06-10 Amending Title 10 (Wastewater) by Inserting Chapter 10.20 which Prohibits Illicit Stormwater Connection and Discharge in Compliance with 327 IAC 15-13-14

Ord 06-10 amends Title 10 of the BMC entitled, Wastewater, by inserting Chapter 10.20 entitled, Illicit Stormwater Connection and Discharge. This new chapter will bring the City into compliance with some of the new stormwater quality requirements imposed by the Federal Stormwater Phase II National Pollutant Discharge Elimination System (NPDES) permit program which is largely administered by the Indiana Department of Environmental Management (IDEM). IDEM has adopted numerous provisions in the Indiana Administrative Code (IAC) related to these stormwater quality requirements that will require further action by the Council but, for the time being, the proposed ordinance is intended to satisfy 327 IAC 15-13-14 (c), *which requires the City to adopt an ordinance or regulations prohibiting illicit discharges into our storm drain system and establishing appropriate enforcement procedures and actions.*

The other parts of 327 IAC 15-13-14 also require the City to:

- Develop a plan with a commitment to develop and implement a strategy to detect and eliminate illicit discharges;
- Develop of map of our storm drain system that identifies all “outflows” and “conveyances”;
- Develop a plan to detect, address, and eliminate illicit discharges;
- Complete and submit a certification form once the plan has been developed;
- Educate public employees, businesses, and the general public about the hazards associated with illicit discharges and improper disposal of waste;
- Coordinate existing recycling programs in the area for commonly dumped wastes, such as motor oil, antifreeze, and pesticides; and
- Develop measurable goals for these aforementioned minimal control measures (MCM).

The City Utilities Department retained a consultant, Commonwealth Engineers, Inc, to help bring the City into compliance with the new rules. They prepared the substance of the ordinance which Assistant City Attorney, Vickie Renfrow, says in her memo, represents the minimum requirements necessary to be in compliance.

Brief Summary of the Ordinance

Purpose: The purpose of the ordinance is to regulate any discharge into the storm drain system that is not entirely composed of stormwater (otherwise known as a “non-storm water discharge”) in order to protect the health, safety and general welfare of our citizens and comply with state and federal law. In particular, the ordinance,

- Regulates discharges as well as prohibits illicit connections and discharges into the storm drain system; and
- Establishes the legal authority to inspect and monitor private facilities to ensure compliance with the ordinance.

Applicability: The ordinance applies to all water entering our storm drain system unless specifically exempted by the City.

Administration: This section authorizes the City to administer and enforce this ordinance and authorizes the Mayor to delegate in writing the power to enforce it to employees or others acting in the interest of the City.

Ultimate Authority: This section clarifies that the ordinance sets forth minimum standards for protection of storm water quality, but does not declare that compliance will ensure the absence of contamination or unauthorized discharges.

Prohibitions and Exemptions: This section prohibits persons from discharging materials into the storm drain system that violate applicable water quality standards, but exempts:

- a number of common and innocuous activities that include: “water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated - typically less than one part per million chlorine), fire fighting activities, irrigation water, street wash water, and any other water source not containing Pollutants ¹.”
- Discharges authorized in writing by the City when necessary to protect health and safety;
- Dye testing when done after notification to the City; and
- Non-stormwater discharges by an entity operating under and in full compliance with a NPDES permit, waiver, or waste discharge order;

It also prohibits the construction, use, maintenance or continued existence of illicit connections *without any provision for grand-fathering existing connections*.

Suspension of Access to the Storm Drain System: This section authorizes the City to suspend access to the storm drain system:

- Without notice, when it is necessary to stop or prevent a discharge which presents an imminent or substantial danger to the environment, health or welfare of persons, the storm drain system, or waters of the United States;
- With notice and an opportunity for a hearing, when termination would reduce an illicit discharge.

It also makes it a violation to reinstate access after it has been terminated unless authorized in advance by the City.

¹ “Pollutant” means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Industrial or Construction Activity Discharges: This section authorizes the City to obtain proof that industrial or construction activities subject to NPDES stormwater discharge permits are in compliance with those permits.

Monitoring Discharges: This section authorizes the City to take steps to monitor facilities associated with industrial or construction activity that are subject to NPDES stormwater discharge permits. These steps include:

- Entering and inspecting facilities as often as is necessary to determine compliance (which means dischargers with special security measures must allow such access);
- Inspecting all parts of the facility in order to inspect, sample, examine and copy records required by the appropriate NPDES permit, and perform any other duty defined by state and federal law;
- Setting up devices to monitor and sample the facility's storm water discharge;
- Requiring the discharger to install such suitable and well-calibrated devices at their own expense;
- Requiring the operator to remove any temporary or permanent obstruction to safe and easy access to the facility promptly upon written or oral request and their own expense;
- Prohibiting unreasonable delay or denial of a reasonable request to access the facility;
- Seeking a search warrant if the City is able to show probable cause to believe there is:
 - A violation of the ordinance,
 - a need to inspect and sample as part of a routine inspection and sampling program,
 - any order under this ordinance, or
 - a need to protect the public health, safety, or welfare of the community.

Use of Best Management Practices to Prevent, Control, and Reduce Storm Water Pollutants: This section directs the City to establish best management practices for preventing, controlling, and reducing storm water contamination and requires owner/operators of commercial and industrial establishments to implement practices that provide reasonable protection against accidental discharges of non-storm water into the storm drain system. In order to prevent further discharge, the City may require these owner/operators to implement additional practices at their own expense. However, entities who have complied with an NPDES permit

authorizing discharge related to the permitted activity need not do more than what's required under the permit.

Watercourse Protection: Owners and lessees of property must keep any watercourse on their property free of trash, debris, excessive vegetation or other obstacles that would pollute or slow the flow of water through the water course. They must also prevent any privately owned, adjacent structure from impairing the physical integrity and function of the water course.

Notification of Spills: Persons responsible for a facility, its operation, and emergency responses at the facility must take all necessary steps to ensure the discovery, containment, and cleanup of any release. In the event of release of hazardous materials, those persons must notify emergency dispatch services immediately and, in the event of the release of non-hazardous materials, those persons must notify the City within one business day and follow-up with written notice within three business days of the initial notice. Owners or operators of commercial or industrial establishments must also prepare an on-site written record of the release and response, and keep that on file for at least three years.

Enforcement –Notice of Violation (NOV): Once the City finds a violation of the ordinance has occurred, the USB may order compliance by issuing a written NOV. In the event of an emergency, authorized employees may also issue the NOV. The NOV may require the alleged violator to:

- monitor, analyze and report to the City;
- eliminate the illicit connection or discharge;
- cease and desist all violations;
- abate or remediate storm water pollution hazards and restore the affected property (in which case, the NOV must establish a deadline for compliance and advise the violator that the City may enter and take all necessary steps to abate or restore the property and make the violator responsible for the costs if the NOV is not addressed by the deadline);
- pay a fine to cover administrative and restoration costs; and
- implement appropriate Best Management Practices.

Appeal of Notice of Violation: Persons wishing to appeal the USB determination to issue an NOV must file an appeal within 10 days of the date of the NOV. The USB must then hold a hearing within 30 days of receipt of the appeal and the decision it makes is final.

Enforcement Measures After the Appeal: If the violation has not been corrected by the deadline set forth in the NOV or within 30 days after denial of an appeal, then the City shall enter the property and is authorized to take all measures necessary to abate the violation and/or restore the property. Refusal to allow the City to enter the property for these purposes is also a violation of the ordinance.

Costs of Abatement of Violations: The City shall notify the property owner of the costs of the abatement (including administrative costs) within 30 days of the action and if the amount is not paid in a timely fashion, then the charges will become a special assessment and collectable as a lien against the property.

Injunctive Relief: The City may petition for a preliminary or permanent injunction restraining persons from activities which would create further violations or compelling them to abate or remediate the violation.

Compensatory Action: Instead of pursuing other remedies, the City may require the violator to take alternative compensation actions such as storm drain stenciling, creek cleanups, attendance at workshops, etc.

Violations Deemed a Public Nuisance: Violations of the ordinance are deemed a threat to public health, safety, and welfare and are declared a public nuisance and the City may pursue remedies available for correcting or preventing nuisances.

Civil Penalty: Persons who violate the ordinance will be subject to the maximum fine allowable by State law (\$2,500 per day per violation) and the payment of all attorney fees, court costs, and other expenses associated with enforcement of the ordinance.

Other Remedies: The City may, in addition to the above remedies, pursue any other remedies allowed under federal, State or local law.

Item Three - Ord 06-11 Amending Title 10 of the BMC Entitled “Wastewater” – Pretreatment Protocols

Ord 06-11 involves other changes spread across the rest of Title 10 (Wastewater) required by another set of federal regulations. This time the regulations were tied to the National Pollution Discharge Elimination System (NPDES) permit the City received for the Dillman Road Treatment Plant in 2004. That permit required the City to review Title 10 for compliance with the National Domestic Sewage Study and Pesticide Incident Reporting and Tracking (PIRT) regulations. The Pretreatment staff

offered revisions to the ordinance that were approved by the EPA this Spring and are scheduled for action by the USB on June 26th (after already having been considered by the Rules and Regulations Sub-Committee).

According to the memo from John Langley, Deputy Director of Utilities, part of those revisions addressed our local effluent limitations. The new levels were calculated by the City's pretreatment program consultant, American Environmental, Incorporated, and should protect plant processes, yet not create compliance problems for current permit holders. Langley notes that the limit for PCBs matches the lower limits of the test protocol under the Clean Water Act, which "in effect, makes the discharge of PCBs illegal."

Enforcement Response Guidance (ERG) Plan

Although not presented for your approval, the material also includes an Enforcement Response Guidance (ERG) plan, which sets forth the enforcement procedures for the Utilities Industrial Pretreatment Program. It was approved by the EPA and, in accordance with their recommendations, offers graduated enforcement responses to a broad, but by no means exhaustive, range of violations. The ERG will be distributed to industries with Industrial Pretreatment Permits and is intended to alert them to the importance of the regulations and likelihood of a response in the event of violations as well as to establish responses that are uniformly applied and appropriate to the nature, severity and impact of the violation. To that end, it elaborates upon a list of enforcement response actions that range from a telephone call to legal action, establishes what constitutes significant noncompliance, and then charts responses in four violation categories:

- sampling, monitoring or reporting violations;
- discharge violations;
- compliance schedule violations; and
- violations detected through inspections.

Brief Overview of Changes

CHAPTER 10.04 GENERAL RULES

10.04.010 Definitions

The definitions have been replaced by an entirely reformatted section where the terms stand alone in alphabetical order without an identifying number or letter.

Here are the new terms (with some explained):

- approved authority
- authorized representative of the user
- existing and new source
- grab sample
- impervious area
- instantaneous maximum allowable discharge limit
- medical waste
- non contact cooling water
- pass through – a discharge that enters US waters from our system that violates our NPDES permit
- pH
- septic tank waste
- significant industrial user – a user who is subject to federal pretreatment standards, discharges at least 25,000 gallons per day of certain wastewater, or contributes at least 5% of the average dry weather hydraulic or organic capacity of the treatment plant;
- standard industrial classification code

Here are terms with more than a nominal revision in meaning:

- categorical pretreatment standards
- interference – broadens the definition to include contributing to violations of various state and federal regulations;
- person
- pollutant
- pretreatment standards
- publicly owned treatment works (POTW)
- rules
- slug load or slug
- wastewater

10.04.110 Penalties

This section currently makes any person violating Title 10 or any order of the USB under it, subject to a \$2,500 fine per day per violation and the cost of reasonable attorney fees and expenses associated with the litigation.

The ordinance adds a provision entitled “Administrative Fines,” which would:

- authorize the Director to fine the user for the amount and costs listed in the foregoing paragraph when the user violates any part of the ordinance, any

wastewater discharge permit or order, or any pretreatment standard or requirement;

- provide for a 10% penalty and a 1% per month interest on charges, fines and penalties that have gone unpaid for over 45 days;
- allow persons who submit a written request and make full payment of the fine to appeal it within 30 days of the notification of the fine; and
- establish that issuance of these fines do not affect other actions the City may take against a violator.

10.12 PROHIBITED WASTEWATER DISCHARGES

10.12.010 General Prohibitions

This section currently prohibits the discharge into any area under the jurisdiction of the City of any polluted waters except those treated in accordance with this chapter.

The ordinance would prohibit any user (whether or not they are subject to any pretreatment standards or requirements) from introducing any pollutants or wastewater that contributes to or causes “pass through” or “interference” (see definitions).

10.12.020 General Discharge Prohibitions (Now Specific Prohibitions)

This section currently prohibits persons from causing or contributing to the discharge of a long list of items that would injure the system, interfere with its operation, create a nuisance, endanger workers, or violate various state and federal laws and regulations.

As the new name for this section implies, the ordinance offers more specific prohibitions which, for example, prohibit petroleum products, medical wastes, detergents that would cause excessive foaming, animal/vegetable oils in high concentrations, trucked pollutants which are not discharged at designated places, and solids over a certain size. It also prohibits users from operating their business in a manner that allows these items to be discharged into the system and, when necessary, requires them to provide facilities that prevent such accidental discharges.

10.12.030 Limitations on Wastewater Strength

This section covers the concentrations of pollutants in discharges as well as the occurrence of accidental discharges.

Among other things the ordinance:

- incorporates the National Pretreatment Standards found in 40 CFR 1 (N), 400-471, rather than referring to various federal provisions and allowing more stringent state and local regulations;
- continues to prohibit users from diluting waste as a means of meeting acceptable levels of concentration, (unless expressly authorized by the pretreatment standards or requirements) and allows the Director to use alternate methods for assessing the concentration and mass of the discharge;
- now requires users to notify the City within two business days when they have reason to believe a change in production will affect the levels of concentration and mass in their discharge;
- adds oil and grease, and silver to the list of specially regulated effluents and significantly reduces the effluent levels for all existing regulated metals except lead. (*Please note that PCBs are on the list and that John Langley says they are set at the lowest levels detectable by the testing protocols*);
- continues to prohibit accidental discharges, requires persons to notify the City immediately, and make them liable for the discharge; but now authorizes the Director to determine at least once every two years whether significant users (see definitions) need an accidental discharge/slug control plan, and if necessary, to develop it for them.

10.12.050 Hauled Waste

The ordinance inserts this new provision covering trucked or hauled waste. It says the City will not accept such waste if it adversely affects the treatment processes or final effluent. It requires haulers to discharge the waste where the Director designates and identify the person(s) providing the waste. It also specifies what waste may be delivered in this manner, which includes:

- Domestic septage – which also covers food-based waste. Here, the Director may require the hauler to provide a waste analysis and waste tracking form for every load;
- Grease waste – which only covers animal and vegetable oils gathered in grease traps;
- Wastewater treatment plant waste – which must be in compliance with 40 CFR 503;
- Commercial/Industrial waste – which may only be accepted after a written request has been approved by the Director;
- Out-of-county waste – which will be subject to a 50% surcharge.

Note: In almost all of these cases, the City will charge for the full volume of the truck or trap, the USB may set parameters for testing the waste, and the hauler will be responsible for any testing.

10.16.020 Wastewater Discharge Permits

This section sets forth the terms and conditions for obtaining and renewing a wastewater discharge permit.

The ordinance would reorganize this section and offer two changes. The first change allows the Director to reduce the usual five-year period of the permit. The second change adds (e)(10) which clarifies that users must comply with the more stringent of federal, state, and local regulations when treating waste and do so with facilities provided at their own expense. Users must submit plans for those facilities to the Director for approval prior to construction, but are still responsible for modifying the facilities in order to meet discharge requirements.

10.16.030 Reporting Requirements for Permittee

This section currently requires industrial dischargers to report on the nature and concentration of all prohibited or regulated substances, whether their discharges are in compliance with pretreatment standards and requirements, and if not, what steps will bring them into compliance. It also requires them to report the results of sampling which must be done in accordance with the pretreatment standards.

The ordinance would significantly increase the reporting requirements for industrial dischargers. The changes require these users to:

- Report discharge violations discovered through sampling within 24 hours and perform repeat sampling within 30 days unless the sampling was already scheduled or done in that period of time;
- Certify to the truth, accuracy and completeness of reports and that qualified persons have prepared it;
- Provide baseline reports within 180 days of new standards for existing sources or no later than 90 days prior to commencement of discharges for new sources. These reports must: identify the owner/operator, list any environmental control permits, describe the operations, indicate all relevant flow and pollutant measurements and compliance schedules (if not consistently meeting pretreatment standards and requirements), and be certified;

- Provide reports of significant changes of conditions at least 60 days before the change. Examples of a significant change would be a 20% increase in flow and the release of a new pollutant;
- Provide reports of potential problems, such as accidental or other discharges that cause problems for the City’s wastewater system, within 24 hours after discovering it and submitting a detailed written report within five days, unless waived by the Director; and
- Post signs and making employees aware of who to call in the event there is such a discharge.

10.16.080 Emergency Suspension of Service or Discharge Permit

This section sets forth the grounds and procedures for an emergency suspension of service or a permit.

The ordinance provides for the suspension of discharge after informal notice, in the event of threat to the health or welfare of persons, and after notice and an opportunity to respond, in the event of a threat to the environment. It directs the user to stop its contribution to a discharge and write a detailed statement regarding what happened and what can be done to avoid it in the future. It also authorizes the Director take steps to minimize the damage and reinstate access once the danger has passed.

10.16.085 Termination of Discharge

The ordinance adds a new section regarding the termination of discharge of any user. The changes:

- Set forth the reasons for termination which include
 - Violating discharge permit conditions and pretreatment standards set forth in Chapter 10.12;
 - Failing to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
 - Failing to accurately report wastewater constituents and characteristics of a discharge; and
 - Refusing the City reasonable access for the purpose of enforcement;
- Provide for notice to the user and an opportunity to be heard prior to termination; and
- Reinsert language regarding the grounds and procedures for an emergency suspension of service or a permit.

10.16.140 Enforcement Actions – Annual Publication

This section currently requires the City to annually publish in the Herald-Times a list of all industrial dischargers who, in the previous 12 months, did not correct a violation within 45 days after notice, exhibited a pattern of non-compliance, or failed to accurately report non-compliance.

The ordinance would replace the current provision with one that covers all users and adds to the list of their actions that warrant such notoriety. These actions include:

- Committing violations which are chronic (defined in the ordinance), exceed the Technical Review Criteria (which sets allowances for overages), or involve discharges that resulted in “interference,” “pass-through,” imminent threat to the public or environment, or an emergency response by the Director;
- Failing to meet certain compliance schedule milestones within 90 days, failing to file any required reports within 30 days of the due date, and failing to accurately report non-compliance; and
- Committing any other violations which adversely affect the operation or implementation of the local pretreatment program.

10.16.160 Operating Upsets

This section requires industrial dischargers who experience a violative discharge due to an upset in operations to notify the Director within 24 hours and follow-up with a more detailed written report within five days.

The ordinance uses the phrase “minor operating upset” to describe these circumstances and limits them to temporary non-compliant discharges which are not expected to cause “pass through” or “interference.”

10.16.190 Regulation of Wastes from Other Jurisdictions

The ordinance adds a new section calling for interlocal agreements with other jurisdictions who discharge waste into our wastewater system. Prior to entering into such an agreement, the ordinance requires the Director to request a description of the quality and volume of wastewater discharged by them into our system, a list of users who contribute to the discharge into our system, and any other relevant information.

This agreement must contain conditions assuring that the other jurisdiction:

- adopts a sewer use ordinance and standards at least as stringent as our own and revises it as necessary to reflect subsequent changes we make;
- submits a revised users list each year;

- provides the Director with access to all information it obtains regarding pretreatment activities and with access to all public and private facilities in order to enforce the ordinance;
- limits the nature, quality, and volume at the point it enters our system; and
- monitors the discharge.

The agreement must specify which pretreatment implementation duties will be performed by the City, other jurisdiction, or both, and must specify remedies available for breach of its terms.

A Belated Happy Birthday to Steve Volan (May 31st) and Dave Rollo (June 11th)

**NOTICE AND AGENDA FOR
COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, JUNE 21, 2006
COUNCIL CHAMBERS
SHOWERS BUILDING 401 NORTH MORTON**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: None

IV. REPORTS FROM:

1. Councilmembers
2. The Mayor and City Offices
 - Tax Abatement Report
3. Council Committees
4. Public

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Resolution 06-06 Authorizing the Allocation of the Jack Hopkins Social Services Program Funds for the Year 2006 and Other Related Materials.

VII. LEGISLATION FOR FIRST READING

1. Appropriation Ordinance 06-02 To Specially Appropriate from the Risk Management Fund, the Telecommunication Non-Reverting Fund, and the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for a Grant Awarded to the Police Department; from the Telecom – Infrastructure Fund for the Expansion of the Bloomington Digital Underground (BDU) and Internet Access in Various City Buildings; and from the Risk Management Fund for Additional Workers Compensation Charges)

2. Ordinance 06-10 To Amend Title 10 of the Bloomington Municipal Code Entitled “Wastewater” - Re: Addition of Chapter 10.20 Prohibiting Illicit Stormwater Connection and Discharge.

3. Ordinance 06-11 To Amend Title 10 of the Bloomington Municipal Code Entitled “Wastewater”- Re: Pretreatment and other Requirement for Compliance with the National Domestic Sewage Study

VIII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

IX. ADJOURNMENT

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
e-mail: council@bloomington.in.gov

To: Council Members
From: Council Office
Re: Calendar for the Week of June 19-24, 2006
Date: June 16, 2006

Monday, June 19, 2006

1:30 pm Safe Routes to School, McCloskey
3:00 pm Smokefree Policy Meeting, Hooker Room
4:00 pm Council for Community Accessibility, McCloskey
5:30 pm Bicycle and Pedestrian Safety Commission, Hooker Room
5:30 pm Plan Commission Workshop-Zoning Ordinance, Council Chambers

Tuesday, June 20, 2006

12:00 pm Bloomington Industrial Development Advisory Council, Hooker Room
1:00 pm Unified Development Ordinance (UDO) Public Input Meeting, Council Chambers
3:00 pm Board of Public Safety, McCloskey
3:30 pm Community and Family Resources Commission, Hooker Room
4:00 pm Unified Development Ordinance (UDO) Public Input Meeting, Council Chambers

Wednesday, June 21, 2006

9:30 am Tree Commission, Rosehill Cemetery, 930 W. Fourth Street
2:00 pm Hearing Officer, Kelly
6:30 pm Metropolitan Planning Organization Citizen Advisory Council, McCloskey
7:00 pm Council of Neighborhood Associations, Hooker Room
7:30 pm Common Council Regular Session, Council Chambers

Thursday, June 22, 2006

10:30 am Council for Community Accessibility Arts Access Committee, Dunlap
11:30 am Habitat Women's Build, Hooker Room
5:30 pm Board of Zoning Appeals, Council Chambers
7:00 pm Environmental Commission, McCloskey

Friday, June 23, 2006

12:00 pm Economic Development Commission, Hooker Room

Saturday, June 24, 2006

7:00 am Farmers' Market, Showers Common

Tax Abatement Program

Activity Summary

Report
to

Economic Development Commission
and
Common Council

May 26, 2006
June 21, 2006

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Madison Park Homeowners Association
Madison Park Condominiums
Resolution: 91-18

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$1,800,000

Estimated New Employment: NA

Estimated New Salaries: NA

Benefits: Construction of sixteen 2
bedroom garden and sixteen 2
bedroom town house
condominiums

*Some of these units are expired and
some are still under the abatement.

Compliance

Summary: The project is complete as of
11/30/1999 and all units are
occupied

Actual New Investment: \$1,431,124

Actual New Employment: NA

Actual New Salaries: NA

Remarks: Although approved in 1991 for a
10 year abatement, one building
in this project is still within the
abatement term because
construction was divided into
three phases over a period of
eight years. The property owner
is in substantial compliance with
the Statement of Benefits.

This abatement is in year 6 of 10.

David Ferguson

Cantol Wax Building, 211 N. Washington St.

Resolution: 91-31

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$141,000

Estimated New Salaries: NA

Benefits: Renovation of historic warehouse into five apartments



Compliance

Summary: The project is complete as of 9/1/1997 and all units are occupied

Actual New Investment: \$362,354

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 7 of 10



Johnson Creamery, LLC
400 West 7th Street
Resolution: 93-24

Statement of Benefits

Type: Real Estate Improvements
Length of Abatement: 10 years
Estimated New Investment: \$1,675,000
Estimated New Employment: NA
Estimated New Salaries: NA
Benefits: Renovation of historic building to accommodate commercial and professional offices.

Compliance

Summary: The project is complete and the building is occupied
Actual New Investment: \$3,500,000
Actual New Employment: NA
Actual New Salaries: NA
Remarks: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 9 of 10

Doug McCoy

314 N. Washington Street (The Gables)

Resolution: 94-06

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$815,000

Estimated New Employment: NA

Estimated New Salaries: NA

Benefits: Construction of brick two-story, six-unit condominium building with parking below.



Compliance

Summary: The project is complete and all units are occupied. This was the first downtown condominium and it has built-in parking. The current owner bought the project from the developers after the project stalled during the construction process. The new owner had to convert the units to rentals.

Actual New Investment: \$825,000

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The property owner has made a good faith effort to meet the abatement estimates and is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 9 of 10



CFC, Inc. - Showers
320 W. 8th St
Resolution: 94-17

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$11,901,422

Estimated New Employment: 41 (temp)

Estimated New Salaries: \$833,000

Benefits: Redevelopment of historic Showers Building into retail and office space

Compliance

Summary: The project is complete and most units are rented.

Actual New Investment: \$7,547,037 (actual cost for CFC portion of Showers Plaza)

Actual New Employment: 75 (shared)

Actual New Salaries: \$35,000/yr (avg)

Remarks: The owner is in substantial compliance with the Statement of Benefits.

Huntington Gardens, LLC.
838-840 E. Miller Drive
Resolution: 94-18

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$1,300,000

Estimated New Employment: NA

Estimated New Salaries: NA

Benefits: Construction of 32 affordable apartments. Ten of the units are handicapped accessible.

Compliance

Summary: The project is complete and all of the units are occupied by income eligible renters.

HAND verified their compliance

Actual New Investment: \$1,347,955

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 9 of 10

Lincoln Place Homeowners Association

301, 303, 305, 307, 309, 311 East 7th and 308, 310 N. Lincoln

Resolution: 94-33

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$1,280,000

Estimated New Employment: NA

Estimated New Salaries: NA

Benefits: Construction of eight 2 bedroom condominiums with two-car garages

Compliance

Summary: The project is complete and all units are occupied

Actual New Investment: \$1,424,213

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 9 of 10

East Third Street Properties, Inc.

1239, 1249, 1251 Miller Drive & 1721, 1725, 1731 Highland Avenue

Resolution: 95-03

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$450,000

Estimated New Employment: NA

Estimated New Salaries: NA

Benefits: Construction of six 3 bedroom affordable houses.

Compliance

Summary: The project is complete and all of the units are occupied by income eligible renters.

HAND verified their compliance

Actual New Investment: \$450,000

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is between 5 of 10 and 10 of 10 due to completion dates.













Indiana Assets, formerly known as:
Fortune Properties, Inc.
213 S. Rogers St.
Resolution: 95-09

Statement of Benefits

Type: Real Estate Improvements
Length of Abatement: 10 years
Estimated New Investment: \$775,000
Estimated New Employment: NA
Estimated New Salaries: NA
Benefits: Renovation of the historic Frosted Foods building into commercial space.

Compliance

Summary: The project is complete.
Actual New Investment: \$1,227,261
Actual New Employment: 24
Actual New Salaries: \$630,000
Remarks: The owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 9 of 10



Habitat for Humanity
410, 412, 414 N. Hay Street
Resolution 95-12

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$87,000

Estimated New Employment: NA

Estimated New Salaries: NA

Benefits: Construction of three 1,200 square foot 3-bedroom homes to be sold to low-income families.

Compliance

Summary: The project is complete and all homes were sold to low-income families.

HAND verified their compliance

Actual New Investment: \$105,000

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The property owner is in substantial compliance with the Statement of Benefit.

This abatement is in yr. 4 of 10

CFC, Inc. – Bicycle Apartments

200-216 S. Madison

Resolution: 95-30

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$1,195,000

Estimated New Employment: NA

Estimated New Salaries: NA

Benefits: Construction of five buildings containing a grand total 66 efficiency and twelve 1-bedroom apartment units. Two of the buildings contain only affordable units. Four units are handicapped accessible. Automotive vehicles are prohibited.

Compliance

Summary: The project is complete.

HAND verified compliance

Actual New Investment: \$1,400,191

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 5 of 10



CFC, Inc.

417 and 421 W. 6th St (Max Fulk/East House)

Resolution: 98-10

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$971,692

Estimated New Employment: NA

Estimated New Salaries: NA

Benefits: Restoration of the historic East House and demolition/conversion of Fulk warehouse building into a 2-story, mixed-use, brick structure.

Compliance

Summary: The project is complete. The property us a mix of commercial, and market-rate residential.

Actual New Investment: \$1,134,072

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 7 of 10

Hopewell Renewal (various owners)

W. 6th Street

Resolution: 96-14

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment:
\$1,145,000

Estimated New Employment: NA

Estimated New Salaries: NA

Benefits: Construction of 2 apartment buildings - one to serve people with HIV/AIDS and one to serve people with emotional disabilities; and construction of 12 two-story attached town homes (6 structures) for first-time homebuyers.

Compliance

Summary: The project is partially complete. The 2 apartment buildings are currently occupied as intended, and 4 town homes are occupied by first-time homebuyers. **Actual New Investment:** Unknown

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The homeowners are receiving a tax abatement. The built portion of the site is being used as intended. The owners are in Substantial compliance with the Statement of Benefits.

Hopewell Renewal

Affordable Owner-Occupied Housing



Hopewell Renewal



Hirons Investments, LLC
555 North Morton Street
Resolution: 99-13

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$2,700,000

Estimated New Employment: 30

Estimated New Salaries: NA

Benefits: Renovation of historic former Showers Showroom, including an 8,000 square foot addition, for the new location of Hirons and Co.



Compliance

Summary: The project is complete.

Actual New Investment: \$4,200,000

Actual New Employment: 54

Actual New Salaries: \$944,510

Remarks: The owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 3 of 10





Ferguson, Seeber and Cassady
114-116 N. Walnut Street (KP Building)
Resolution: 99-20

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$500,000

Estimated New Employment: NA

Estimated New Salaries: NA

Benefits: Renovation of the historic downtown fraternal lodge building into ten apartments

Compliance

Summary: The project is complete. The renovation of the building is complete and all of the units are occupied

Actual New Investment: \$500,000

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 6 of 10



Landmark Medical, LLC

550 Landmark Avenue (Landmark Business Center)

Resolution: 99-27

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$9,231,231

Estimated New Employment: 121

Estimated New Salaries: \$6,900,000

Benefits: Construction of new outpatient facility for IMA and SIRA and the creation of 121 jobs. Provision of \$900,000 in uncompensated health care, indigent medication program, high school physicals, and community involvement.

Compliance

Summary: The project is complete. The Center provides \$2,161,057 in uncompensated health care, \$25,696 in staffing support for indigent health care, \$141,120 in donated services to high schools, \$127,008 in donated services to incoming IU athletes and \$29,071 in donated staff time for health fairs.

Actual New Investment: \$12,000,000

Actual New Employment: 154

Actual New Salaries: \$12,044,193

Remarks: The owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 4 of 10

Metropolitan Printing, Inc.
720 S. Morton Street
Resolution: 99-31

Statement of Benefits

Type: Real Estate Improvements &
New Manufacturing and
Equipment

Length of Abatement: 10 years

Estimated New Investment: \$225,000 in real
estate improvements and \$2,250,000 in
equipment. (Total = \$2,475,000)

Estimated New Employment: 6-8

Estimated New Salaries: \$137,280

Benefits: Creation of jobs as part of
business expansion.

Compliance

Summary: The project is complete. The company has
struggled in recent years and has lost employment.
They do not expect to meet their estimated
employment goals during the term of the abatement.

Actual New Investment: \$125,000 in real estate
improvements and \$2,522,686 in equipment. (Total =
\$2,647,686)

Actual New Employment: 0 new jobs created. Total
employment at time of approval was 55, current
employment is 33.

Actual New Salaries: \$0.00

Remarks: Actual investment has exceeded estimates.
Additional employees have not been hired. The
property owner is making a good faith effort to meet
the abatement estimates and is in substantial
compliance with the Statement of Benefits.

This abatement is in yr. 4 of 10

Printpack, Inc.
303 N. Curry Pike
Resolution: 99-35
(Amended 97-07 & 93-19)

Statement of Benefits

Type: Real Estate Improvements & New
Manufacturing Equipment

Length of Abatement: 10 years

Estimated New Investment:

\$750,000 RE improvements
\$3,820,000 PP equipment

Estimated New Employment: 22

Estimated New Salaries: \$485,000

Benefits: Creation of jobs as part of
business expansion.

Compliance

Summary: The project is complete.

Actual New Investment:

\$711,000 RE improvements
\$4,059,000 PP equipment

Actual New Employment: 22

Actual New Salaries: \$485,000

Remarks: The property owner is in
substantial compliance with the
Statement of Benefits.

B & L Sheet Metal & Roofing

1301 N. Monroe Street

Resolution: 99-41

Statement of Benefits

Type: Real Estate Improvements, Equipment

Length of Abatement: 10 years

Estimated New Investment: \$220,000 RE
\$183,000 PP

Estimated New Employment: 10

Estimated New Salaries: \$250,000

Benefits: Purchase and renovation of vacant building for expansion of B&L and purchase of new equipment.

Compliance

Summary: The project is complete and actual investment and hiring exceeded estimates.

Actual New Investment: \$220,000 RE
\$228,520 PP

Actual New Employment: 25

Actual New Salaries: \$668,957

Remarks: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 2 of 10



Mary & Daniel P. Friedman
252 N. Walnut Street (Omega Building)
Resolution: 00-07

Statement of Benefits

Type: Real Estate Improvements
Length of Abatement: 10 years

Estimated New Investment: \$2,100,000

Estimated New Employment: 1

Estimated New Salaries: \$10,000

Benefits: Construction of 4-story mixed-use building on downtown vacant lot. Building contains 13 apartments and 2 commercial spaces.

Compliance

Summary: The project is complete and the building is completely occupied.

Actual New Investment: \$2,100,000

Actual New Employment: 1

Actual New Salaries: \$22,500

Remarks: The owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 6 of 10





Lockerbie Court Condominiums, LLC
500 N. Walnut Street
Resolution: 01-02

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$2,700,000

Estimated New Employment: 1

Estimated New Salaries: \$10,000

Benefits: New downtown construction of a 4-story brick/limestone residential building with 17 condominiums and parking on the ground floor.

Compliance

Summary: The project is complete and the building is completely occupied.

Actual New Investment: \$4,400,000

Actual New Employment: NA

Actual New Salaries: NA

Remarks: The owner is in substantial compliance with the Statement of Benefits.



All Natural Properties, Inc.
1403, 1405 W. 6th Street
Resolution: 01-06

Statement of Benefits

Type: Real Estate Improvements
Length of Abatement: 10 years

Estimated New Investment: \$140,000
Estimated New Employment: NA
Estimated New Salaries: NA
Benefits: Construction of two downtown 3-bedroom, 2-bath, affordable housing units that are set aside for low-to-moderate income renters for 20 years.

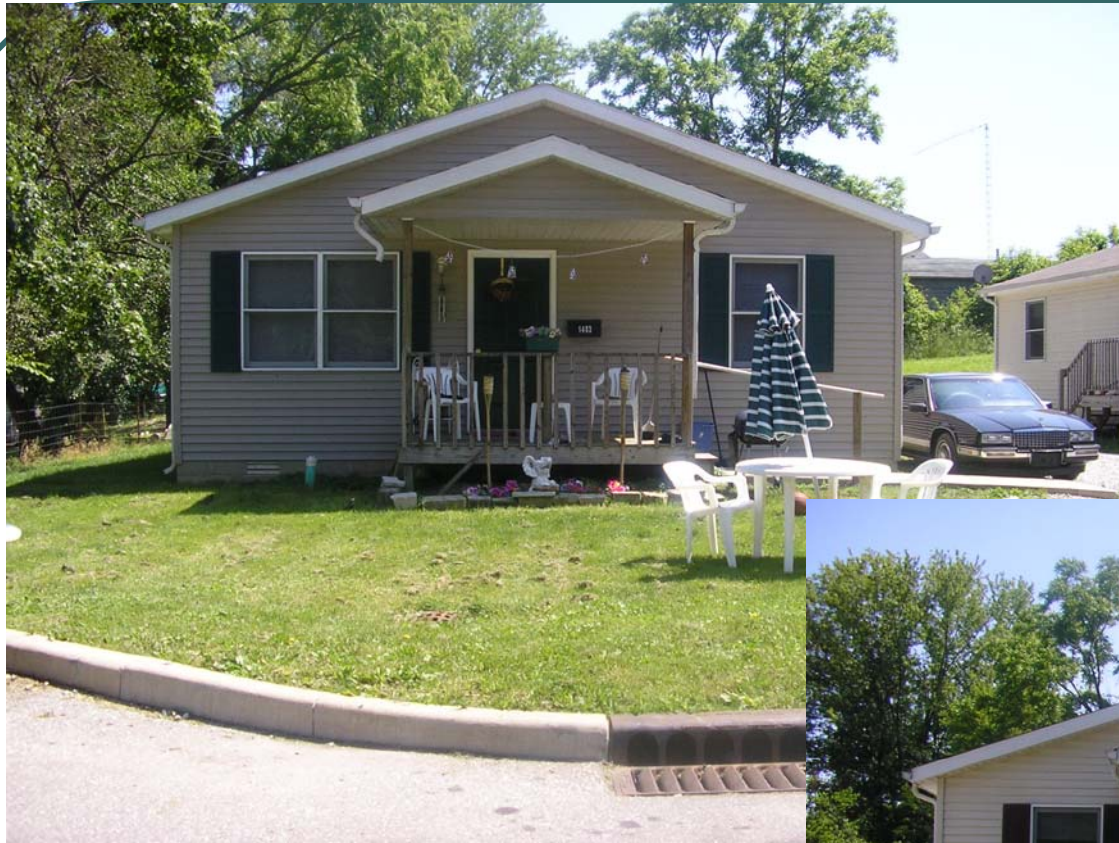
Compliance

Summary: The project is complete and both units are occupied by low-income renters

HAND verified compliance

Actual New Investment: \$176,000
Actual New Employment: NA
Actual New Salaries: NA
Remarks: The owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 3 of 10



Renaissance Rentals, LLC
3000 Covenant Drive
Resolution: 02-18

Statement of Benefits

Type: Real Estate Improvements
Length of Abatement: 10 years

Estimated New Investment: \$520,332
Estimated New Employment: NA
Estimated New Salaries: NA
Benefits: Construction of a 12-unit apartment building with 11 affordable, handicapped accessible units.

Compliance

Summary: The project is complete and the units are occupied by income-eligible tenants.

HAND verified compliance

Actual New Investment: \$641,500
Actual New Employment: NA
Actual New Salaries: NA
Remarks: The owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 2 of 10

Richland Development Group

1600 Bloomfield Road

Resolution: 02-03

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$3,350,000

Estimated New Employment: 30

Estimated New Salaries: \$11/hr

Benefits: Construction of a 26,000 square foot corporate office building.



Compliance

Summary: The project is complete and all units are occupied

Actual New Investment: \$3,350,000

Actual New Employment: 37

Actual New Salaries: \$15/hr

Remarks: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 2 of 10

Kirkwood & Madison LLC.
314 W. 4th Street
Resolution: 03-02

Statement of Benefits

Type: Real Estate Improvements
Length of Abatement: 10 years

Estimated New Investment: \$12,000,000
Estimated New Employment:
3 permanent, 130 temporary
Estimated New Salaries:
\$71,000 permanent, \$6,000,000 temporary
Benefits: Construction of a 59 unit
residential apartment complex,
with underground parking.

Compliance

Summary: The project is complete.

Actual New Investment: \$15,100,000
Actual New Employment: 0 permanent
(contracts with CFC), 130 temporary
Actual New Salaries: \$0 permanent,
\$6,000,000 temporary
Remarks: The property owner is in
substantial compliance with
the Statement of Benefits.

This abatement is in yr. 3 of 10



B & L Rentals, LLC
612 & 614 W. Kirkwood
Resolution: 03-21

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 10 years

Estimated New Investment: \$155,000

Estimated New Employment: 2

Estimated New Salaries: \$40,000

Benefits: Construction of a 2-story building with office on the first floor and a 2-bedroom apartment upstairs. Construction of a detached garage.

Compliance

Summary: The project is complete.

Actual New Investment: \$155,000

Actual New Employment: 4

Actual New Salaries: \$145,000

Remarks: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 3 of 10

B & L Rentals, LLC
718, 720 & 722 W. Kirkwood
Resolution: 03-22

Statement of Benefits

Type: Real Estate Improvements
Length of Abatement: 10 years

Estimated New Investment: \$100,000
Estimated New Employment: NA
Estimated New Salaries: NA
Benefits: Renovation of Queen Anne residential unit into 3 apartments.

Compliance

Summary: The project is complete.

Actual New Investment: \$100,000
Actual New Employment: NA
Actual New Salaries: NA
Remarks: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 2 of 10



Richard Dean Groomer
1000 W. Kirkwood
Resolution: 03-27

Statement of Benefits

Type: Real Estate Improvements
Length of Abatement: 10 years
Estimated New Investment: \$60,000
Estimated New Employment: 5
Estimated New Salaries: Not Indicated
Benefits: Construction of a 2,100 square foot one-story building to be used as commercial space.

Compliance

Summary: The project is complete.

Actual New Investment: \$67,256

Actual New Employment: 5

Actual New Salaries: N/A

Remarks: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 2 of 10

Bloomington Paint & Wallpaper

1150 S. Walnut Street

Resolution: 04-03

Statement of Benefits

Type: Real Estate Improvements

Length of Abatement: 5 years

Estimated New Investment: \$1,010,000

Estimated New Employment: 2-4

Estimated New Salaries: \$10,000 - \$40,000

Benefits: New construction of mixed-use facility, 9,000 sq. ft. of retail on first floor and 7,000 square feet of apartments on second level. Exterior construction is brick and limestone.

Compliance

Summary: The project is complete. The retail facilities are occupied and all but one of the apartments are currently occupied.

Actual New Investment: \$1,330,000

Actual New Employment: 1

Actual New Salaries: \$30,000

Remark: The property owner is in substantial compliance with the Statement of Benefits.

This abatement is in yr. 2 of 5



Schulte Corp.
1500 Strong Dr.
Resolution: 00-25

Statement of Benefits

Type: Real Estate Improvements
Length of Abatement: 10 years RE
5 years PP
Estimated New Investment: \$8,550,406 RE
\$7,652,000 PP
Estimated New Employment: 223
Estimated New Salaries: \$6,447,376
Benefits: Renovation of existing building to
manufacture wire and wood
storage products. This company
was relocated from 2000 Liberty
Dr.

Compliance

Summary: The project is complete.

Actual New Investment: \$7,905,702 RE
\$1,363,214 PP

Actual New Employment: 0

Actual New Salaries: 0

Remark: The property owner is in the
process of meeting the
abatement estimates and is in
substantial compliance with the
Statement of Benefits.

This PP abatement is in yr. 1 of 5
This RE abatement is in yr. 1 of 10





Abatements in Question

We have not been able to determine that the following abatements are active

- PTS

Expired Abatements

Our records indicate that the following abatements are expired

- ADC Real Estate Investment Group 1204, 1208, 1201 W. Cottage Gr.
- Rono Corp./ RC One
- Covey Park Partners 1851-1857 S. Covey Lane

Projects still in progress...

Res. 04-01	Woolery Ventures, LLC (2200 W. Tapp Road)
Res. 04-08	Cook Pharmica (1300 S. Patterson Drive)
Res. 05-09	Habitat for Humanity (1010, 1018, 1042 W. 14 th St.)
Res. 05-11	Habitat for Humanity (1034, 1042 W. 14 th St.)
Res. 06-02	Rogers Property Management, LLP (Landmark Medical- E. Magna Way)

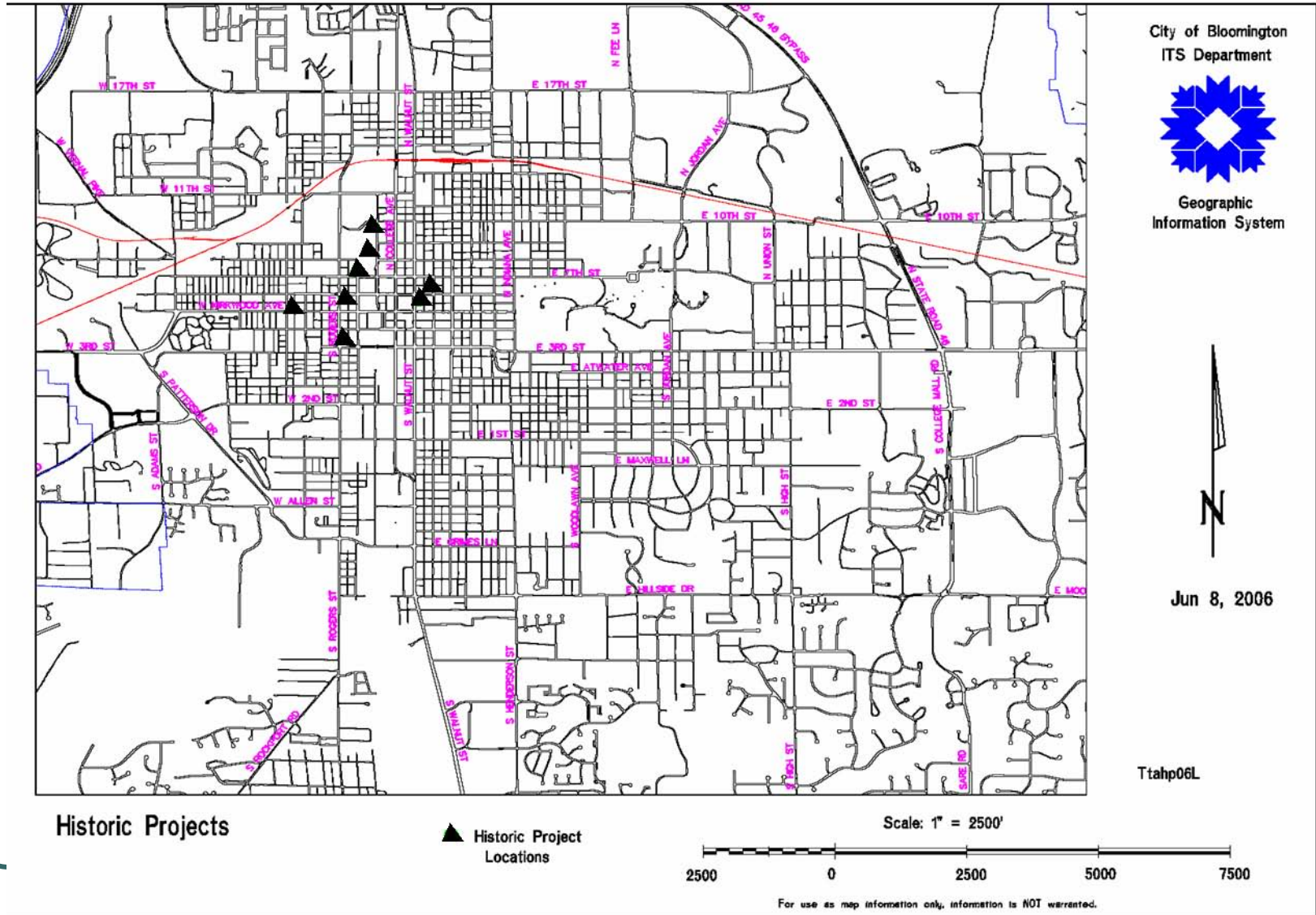
Economic Impacts

Figures calculated from all active abatements.

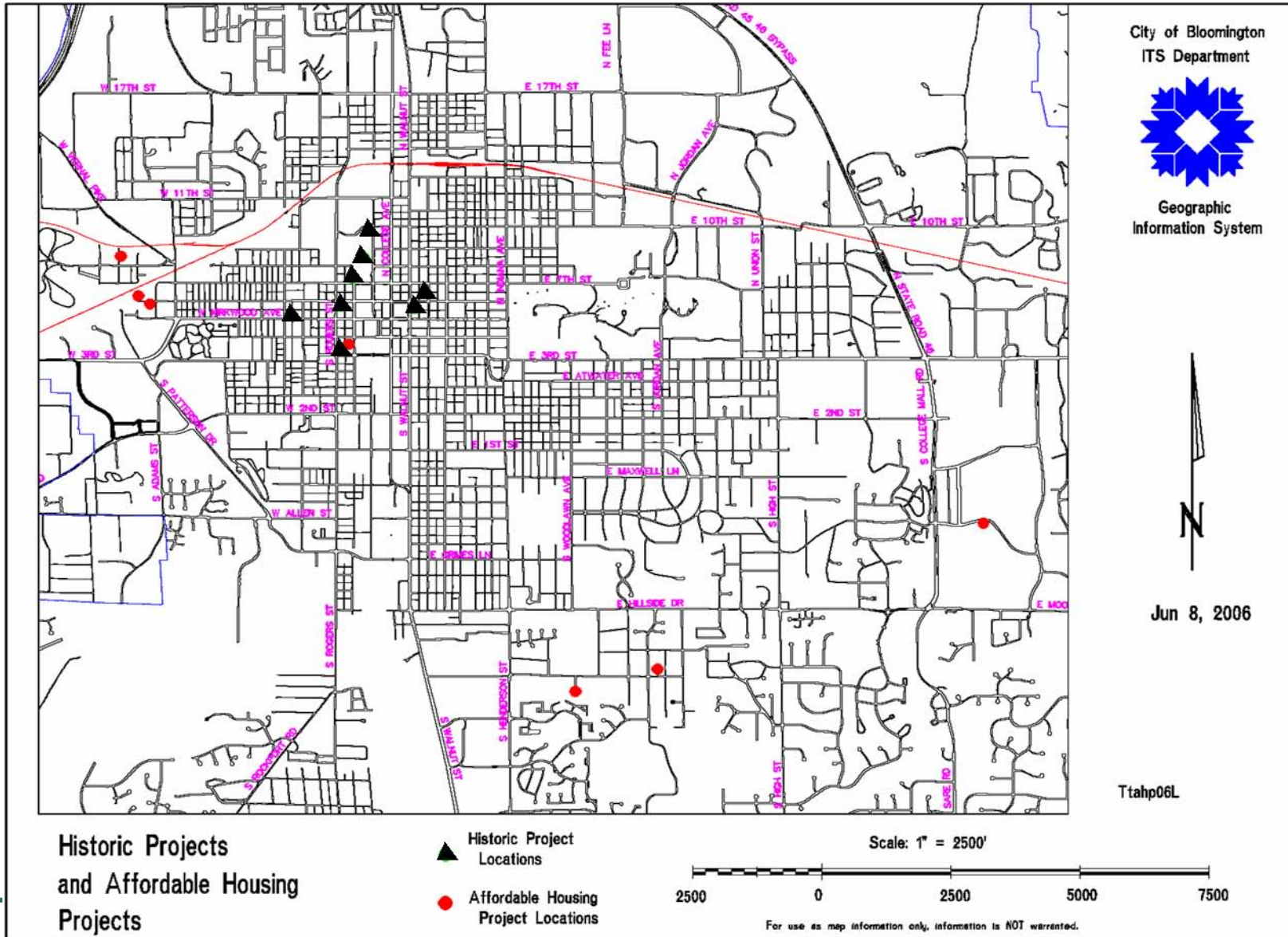
Category	Actual New Investment	Actual Retained Jobs	Actual New Jobs	Actual New Salaries
Residential	28,166,337	0	10	120,000
Commercial	49,066,676	617	284	13,303,990
Mixed-Use	4,819,072	15	2	52,500
Totals	\$82,052,085	632	296	\$13,476,490

Figures exclude temporary jobs and corresponding salaries from construction. Actual new salaries also excludes unknown salary information from business leasing space in mixed-use developments.

Historic Projects



Affordable and Historic



Thank You!

RESOLUTION 06-06

AUTHORIZING THE ALLOCATION OF THE JACK HOPKINS SOCIAL SERVICES PROGRAM FUNDS FOR THE YEAR 2006 AND OTHER RELATED MATTERS

- WHEREAS, the Common Council established the Social Services Funding Committee (Committee) in 1993 to make recommendations to the entire Common Council regarding the allocation of discretionary social services funds and, in 2002, named the program in the honor of Jack Hopkins, who was instrumental as a council member in the establishment of this funding program; and
- WHEREAS, according to Resolution 02-16, the Committee serves as a standing committee of the Council with five members from within the Council appointed by the President of the Council and with as many as two members added by the Committee from other city entities; and
- WHEREAS, this year the Committee includes council members Chris Gaal (Chair), Tim Mayer, Dave Rollo, Andy Ruff, and David Sabbagh, along with Community Development Block Grant Citizen Advisory Committee member, Tony Pizzo and Community and Family Resource Commission member Shaunica Pridgen; and
- WHEREAS, this year the City increased the funding from \$125,000 to \$135,000; and
- WHEREAS, the Committee held a preliminary meeting on March 9, 2006 to establish the program procedures for the year; and
- WHEREAS, at that time, the Committee clarified and approved a Policy Statement, which set forth and elaborated upon the following criteria for making their recommendations:
1. The program should address a previously identified priority for social services funds (as indicated in the *Service Community Assessment of Needs (SCAN)*, the City of Bloomington Housing and Neighborhood Development Department's *2005-2010 Consolidated Plan* or any other community-wide survey of social service needs); and
 2. The funds should provide a one-time investment that, through matching funds or other fiscal leveraging, makes a significant contribution to the program; and
 3. This investment in the program should lead to broad and long lasting benefits to the community; and
- WHEREAS, by the deadline at 4:00 p.m. on April 10, 2006, 35 agencies had submitted applications seeking approximately \$268,000 in funds; and
- WHEREAS, on April 27, 2006, the Committee met to discuss and eliminate applications from further consideration and on May 11, 2006, the Committee heard presentations from 27 agencies; and
- WHEREAS, in the days following the presentations, the members of the Committee rated those proposals on a scale of 0 to 5; and
- WHEREAS, on May 22, 2006, the Committee recommended funding 23 agency programs with ratings of 2.57 or higher; and
- WHEREAS, the 23 agencies receiving funds understand the funding agreements, which have been prepared for each grant and agree to abide by the terms of those agreements; and
- WHEREAS, the staff of the HAND department will arrange for the disbursement of the grant funds pursuant to the funding agreements, which will be interpreted by the Chair of the Committee; and

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

SECTION 1. The Common Council now allocates one hundred and thirty-five thousand dollars (\$135,000) set aside for the Jack Hopkins Social Services Funding program in 2006 to the following agencies for the following amounts and in accordance with the funding agreements approved in Section 2:

<u>Agency</u>	<u>Grant Amount</u>	<u>Purpose of the Grant</u>
Amethyst House	\$8,000.00	To pay for property and liability insurance, utilities, food, and salaries needed to operate the Men's House at 215 North Rogers.
The Area 10 Council on Aging of Monroe & Owen Counties, Inc.	\$2,187.33	To purchase IRis online software for the Go Live with 211 Infoline initiative.
Big Brothers Big Sister of South Central Indiana	\$8,109.00	To reconfigure and repair the roof and restore water-damaged areas at 418 South Walnut.
Bloomington Hospital Positive Link	\$1,150.00	To purchase portable hot boxes, portable coolers, and related supplies for the Nutrition Links program.
Boys & Girls Club of Bloomington	\$8,160.00	To pay for staffing, supplies, food, and rent for the Crestmont Youth Camp.
Center for Behavioral Health	\$1,816.67	To pay for car repairs and garage insurance for the Wheels to Work program.
Community Justice and Mediation Center	\$2,170.00	To pay for printing a conflict resolution handbook, purchasing conflict resolution materials, and personnel expenses for outreach and instruction.
Community Kitchen of Monroe County, Inc.	\$8,401.64	To purchase and repair a used van from Girls, Inc.
El Centro Comunal Latino	\$2,468.51	To purchase a portable DLP projector and laptop and provide stipends for speakers for the Informat Series initiative.
First Christian Church	\$1,250.00	To purchase two jumbo storage cabinets, an upright freezer, and supplies for the Gathering Place.
Girls Incorporated of Monroe County	\$1,950.40	To pay for personnel expenses for a half-time Program Specialist and purchase Commit to be Fit support materials.
Hoosier Hills Food Bank, Inc.	\$6,670.00	To install lights, replace door, reinstall floor scale, and purchase safety equipment for two trucks.
Martha's House Inc.	\$8,000.00	To pay for personnel expenses for the Martha's House homeless shelter.
Mental Health Alliance	\$13,532.80	To pay for personnel expenses for a Mental Health Community Coordinator and Office Manager and for the purchase of: resource guides, supplies, telephone expenses, travel costs, audit insurance, equipment leases and items for the Material Support Program (transportation and clothing vouchers, emergency medication, and related material).
Middle Way House, Inc.	\$12,000.00	To pay for the personnel expenses of the Childcare Program Coordinator.
Monroe County United Ministries	\$20,000.00	To pay for personnel expenses of an additional social worker for the Emergency Services program.
Mother Hubbard's Cupboard, Inc.	\$6,670.00	To pay for the purchase and installation of one two-door freezer unit and one two-door refrigeration unit.
Options for Better Living, Inc.	\$4,000.00	To format and rebuild computers and install modems and software as part of the Equalizing with E-cycling program.

Pinnacle School (dePaul Reading & Learning Association, Inc.)	\$4,394.67	To purchase specialized teaching materials.
Planned Parenthood of Indiana	\$2,440.00	To install cabinetry and purchase files and furniture for the front desk renovation.
Shalom Community Center	\$7,809.18	To purchase a communication system and a technology system network that includes both server and software to be installed at 110 South Washington, Bloomington, Indiana.
South Central Community Action Program Head Start	\$2,230.80	To pay for personnel expenses incurred as part of the Children's Door exchange program.
Teachers Warehouse	\$2,000.00	To purchase shelving and help pay for overhead costs.

SECTION 2. The Council approves the funding agreements for these allocations, copies of which are kept in the Council Office and HAND department files, and directs the Office of the Controller to issue checks in the ordinary course of business to the agency once the staff of the Housing and Neighborhood Development Department submit a copy of the signed agreement and the appropriate purchase orders.

SECTION 3. The Council further authorizes the Chair of the Social Services Funding Committee to resolve any questions regarding the implementation of the funding agreements.

SECTION 4. The Council also approves the Report of this Standing Committee of the Common Council, which is comprised of the relevant portions of the packet memo and the related packet materials.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

SYNOPSIS

This resolution brings forward the recommendations of the Jack Hopkins Social Services Funding Program Committee. The principal task of the Committee is to recommend funding for local social services agencies which offer proposals consistent with program criteria. Over the last 13 years (1993 – 2005), the City has expended in excess of \$1 million dollars to local social services programs and, in 2006, decided to increase the annual amount of funds from \$125,000 to \$135,000. The resolution allocates the social services funds to 23 agency programs, approves the funding agreements with these agencies, accepts the report of the Committee, and authorizes the chair of the Committee to resolve any questions regarding the interpretation of the agreements.

JACK HOPKINS SOCIAL SERVICES FUNDING PROGRAM
HISTORY OF FUNDS

Year	Recipient	Purpose	Amount	Classification
1993				
	Public Health Nursing Assn.	New facility construction	\$90,000	
			Total Year Award	\$90,000
1994				
	Middle Way House	Women's and children's transitional facility	\$35,000	
	Rhino's All Ages Club	Larger facility for adolescents' activities	\$5,000	
			Total Year Award	\$40,000
1995				
	Big Brothers / Big Sisters	Office Renovation	\$4,800	
	Community Kitchen	Used vehicle to serve meals	\$9,000	
	Girls, Inc.	Interior Construction	\$21,700	
	Rhino's All Ages Club	Pilot outreach program	\$4,500	
			Total Year Award	\$40,000
1996				
	Boy's and Girl's Club	Central Air Conditioning	\$3,000	
	Dental Care Clinic	Dental Equipment	\$1,450	
	Girls, Inc.	Van Purchase	\$10,000	
	Head Start	Building and Program Materials; insurance	\$4,400	
	Hoosier Hills Food Bank	Refrigerated truck	\$3,800	
	Middle Way House	Child care facility	\$17,350	
	Shelter, Inc.	Housing for homeless	\$10,000	
			Total Year Award	\$50,000
1997				
	Community Kitchen	Transport containers to provide meals to at risk youth in after school programs	\$1,300	

Hoosier Hills Food Bank	Equipment for Food Repackaging Room for meal rescue program	\$9,200
MCUM	Addition and renovation of child care facility	\$51,000
Options for Better Living	Upgrading phone and voice mail system	\$13,500
Stone Belt Center	Primary network server for computer system	\$15,000
Total Year Award		\$90,000

1998

Boy's & Girl's Club	Renovate and equip facility for a teen center and learning center	\$23,000
Community Kitchen	Purchase upright commercial oven, mobile sheet pan rack, and mats for kitchen floor	\$4,675
Evergreen Institute	Predevelopment costs for senior housing facility; any reimbursements to be applied to purchase of the property	\$17,000
Girls, Inc.	Purchase equipment to implement Operation SMART	\$6,500
Housing Authority	Insulate 8 buildings and purchase hand held carbon monoxide detector	\$5,000
MCUM	Renovate existing building to meet new building code	\$9,925
Options for Better Living	Repair 1991 Club Wagon for client purpose	\$3,000
Rhino's Youth Center	Operate Graffiti Clean-Up; salaries, operating costs	\$10,900
Shelter, Inc.	Renovate Campbell House for child care home; toys, furnishings, equipment	\$10,000
Total Year Award		\$90,000

1999

Amethyst House	New Van	\$10,000
Community Kitchen	Ice machine and freezer	\$4,650
Dental Day Care	Dental chairs and equipment	\$17,144
Evergreen Institute	Residence construction for elderly	\$8,208
Housing Authority	Roof replacements	\$9,300
Head Start	Classroom equipment	\$10,125
Hoosier Hills Food Bank	Cooler and condensing unit	\$14,394
MCUM	Equipment for food area	\$11,850
Mother Hubbard's Cupboard	Refrigeration unit	\$1,029

Planned Parenthood	Exam table for handicapped	\$5,000
Shelter, Inc.	Training (conference) for new program	\$4,300
Stone Belt	Industrial sewing machines	\$4,000

Total Year Award \$100,000

2000

June	Abilities Unlimited	Equipment for loan to persons with disabilities	\$3,498
	Center for Behavior Health	Floor covering for facility	\$7,000
	Citizens' Advocacy Coalition	Training and printed materials for a one-to-one advocacy program for persons with disabilities	\$1,500
	Community Kitchen	Eight dining tables	\$2,460
	Housing Authority	Outdoor lighting at two facilities	\$7,045
	Dental Care Clinic	To acquire used equipment	\$7,000
	Family Solutions	To buy audio/visual equipment and software for parenting library	\$714
	Girls', Inc.	For supplies and equipment for summer camp program and two car infant seats	\$2,303
	Hoosier Hills Food Bank	One low-lift pallet truck and three sets of racking	\$4,549
	Middle Way House	To construct addition onto their shelter	\$10,000
	Middle Way House	To buy and install security devices for two facilities	\$2,426
	Options for a Better Living	To buy materials, computer, and furniture for resource library for persons with disabilities	\$5,000
	Stone Belt Arc, Inc.	For equipment and software for "compuplay" facility for children with disabilities	\$11,500

Total Award for June 2000 \$64,995

2000

Oct	Abilities Unlimited	To purchase loaner equipment for persons with disabilities	\$3,000
	American Red Cross	To convert a van to a mobile supply vehicle for disaster relief	\$1,600
	Amethyst House	Rebuild foundation of Womens' facilities	\$7,500
	Bloomington Hospital - Home Health Services	Implement a pilot healthcare program for local inmates after release from jail	\$3,000

Big Brothers / Big Sisters & Boy's and Girl's Club	To expand hours and activities for children at their Crestmont Site	\$9,500
Family Services - CASA	Hire staff for tracking services and measuring outcomes	\$3,200
Girls', Inc.	For the Friendly PEERsuasion Program	\$2,500
Girls', Inc. - Reading Renegades	For books, refreshments, and misc. equipment for after school reading program	\$620
Middle Way House	To buy an Industrial Grade document scanner for Confidential Document Destruction Program	\$3,210.95
Mother Hubbard's Cupboard	To establish a new southside food pantry in concert with the Community Kitchen and the Perry Township Trustees	\$9,000
Rhino's Youth Center	To construct a radio studio at center	\$2,000

Total Awards for October 2000 \$45,130.95

2001

American Red Cross (Monroe County Chapter)	To purchase tables and chairs for community classroom	\$5,100
Big Brothers Big Sisters of Monroe County, Inc.	To purchase and install windows and doors for its facility	\$8,779
Bloomington Housing Authority	To purchase and install outdoor lighting for Walnut Woods complex	\$6,502
Center for Behavioral Health	To purchase counseling software for children	\$1,639
Community Kitchen of Monroe County, Inc.	To purchase equipment for second food preparation and distribution site	\$10,721
Hoosier Hills Food Bank	To purchase food for city residents	\$3,000
Middle Way House, Inc.	To support pilot childcare nutrition program/enterprise by paying salaries of cook	\$23,885
Monroe County United Ministries	To pay rent and utilities for city residents at risk of being dislocated	\$32,884
My Sister's Closet of Monroe County	To purchase display, tagging, and laundry equipment for clothing donation program	\$1,130
Options for Better Living	To purchase CPR training equipment to train staff	\$4,966
Planned Parenthood	To purchase equipment to test for anemia	\$1,394

Total Awards for June, 2001 \$100,000

2002

Amethyst House, Inc.	To help rebuild and expand the men's facility by restoring the historic façade.	\$20,000
Area 10 Agency on Aging	To purchase equipment for the Food Pantry at the Girls, Inc. site	\$1,475
Big Brother Big Sisters of Monroe County	To purchase computer equipment for recruitment and training initiative	\$3,623
Bloomington Area Arts Council/JWAC	To purchase a raku kiln and other equipment for the art education program.	\$2,895
Center for Behavioral Health (Children's Services)	To purchase equipment and fund 4 programs serving children and their parents	\$3,952
Community Kitchen of Monroe County, Inc.	To purchase a copy machine shared with Shelter, Inc. and aprons, and hairnets	\$3,639
Girls Incorporated	To pay for the salary of the director of the after-school and summer youth programs.	\$15,000
Girls Scouts of Tulip Trace Council	To purchase 2 learning modules for the agency's Family Life Education Program.	\$2,148
Indiana Legal Services, Inc.	To pay for the salary of an attorney as well as printing and publication expenses related to the new Housing Law Center.	\$20,000
Mental Health Association in Monroe County	To start-up five new support groups and to publish an updated version of the directory of mental health services.	\$10,192
Mother Hubbard's Cupboard, Inc.	To fund a new nutrition education program	\$5,000
Options for Better Living	To purchase materials for a program between Options and Center for Behavioral Health to address persons with dual diagnosis	\$5,000
Planned Parenthood	To purchase an autoclave for the purpose of sterilizing instruments.	\$1,495
Rhino's Youth Center	To purchase audio and video editing equipment for after-school programming.	\$8,264
Shelter, Inc.	To purchase new appliances for Campbell House	\$2,317
South Central Community Action Program, Inc.	To establish a revolving loan program for auto repairs of clients	\$5,000

Total Awards for June, 2002 \$110,000

2003

Amethyst House, Inc.	To purchase and install a stairway elevator at Men's House facility	\$4,521
Area 10 Agency on Aging	To pay for 50% of the annual wage for the Food Pantry/Emergency Food VISTA	\$4,614
Big Brothers Big Sisters	To pay for Program Manager and program expenses for Girl's Inc.'s Teen Outreach LEAP Program	\$11,904
Bloomington Area Arts Council	To pay for at least 50 scholarships for at-risk low-income city youth to participate in John Waldron Education Program	\$4,250
Boys & Girls Club	Job Development Specialist for TEENS Supreme Career Prep Program	\$25,000
Citizens Advocacy	Preparation and distribution of a quarterly newsletter for Citizens Advocacy Program	\$3,000
Community Kitchen	Replace fire suppression system, loading dock, and 60 chairs for the S. Rogers site	\$10,104
Family Services Association	Purchase laptop computer, LCD projector, and carrying cases to promote activities, train	\$3,000
Middle Way House, Inc.	Purchase thermal carriers; pots, pans, and food trays; and, dishwasher proof dishes and flatware in order to extend program to Area 10 Agency on Aging	\$4,100
MCUM	Subsidize childcare costs for low-income households within the City	\$20,000
Options for Better Living	Pay for materials for its resource library and speaker fees related to the Family Partnership	\$1,725
People & Animal Learning Services, Inc. (PALS)	Purchase and install tow hydraulic mounting lifts to be used for and owned by the PALS therapeutic riding program	\$3,400
Planned Parenthood	Purchase four computers for its 421 South College facility	\$3,600
Shalom Community Center	Pay for six phone sets and install three new phone lines at its 219 East 4 th Street facility	\$1,900
South Central Community Action Program	Pay for the development of computer software	\$6,292
Templeton Elementary School	Pay for food and supplies for its Kinder Camp summer program to serve children entering kindergarten or the first grade	\$2,580

Total Awards for June, 2003 \$110,000

2004

Big Brothers Big Sisters	Purchase a server, related equipment, and software to implement Phase I of its long range service plan	\$4,500
Boys & Girls Club	Pay for salaries, transportation, and other operating costs related to the No Kid Left Behind Program	\$8,000
Citizens Advocacy	Pay to print 4,000 brochures, fact sheets, and handouts, as well as approximately 500 informational guides to help recruit advocates	\$1,180
Community Kitchen	Replacing a door and dishwashing machine, purchase a garbage disposal and kitchen grade metal shelving	\$7,780
El Centro Comunal Latino	Purchase software, office equipment, and furniture for a central office & meeting space	\$1,500
Girls Incorporated	Pay a portion of the cost of one used bus	\$10,000
Hoosier Hills Food Bank	Pay for renovations to the facility	\$13,294
Martha's House	Pay for salaries and operational costs needed to operate 28-bed emergency shelter & facilitate a new self-sufficiency & outreach program	\$17,823
Mental Health Assoc/Family Services Association	Pay for computer equipment and a portion of salaries for a Jail Diversion Specialist – to find other means for handling non-violent, mentally ill offenders	\$10,000
Middle Way House, Inc.	Pay a portion of salary and benefits for a Housing Specialist who will develop a cooperative housing program & facility for low-income women	\$7,500
Monroe County United Ministries	To subsidize child care services for low-income city residents primarily during the summer months	\$15,000
Planned Parenthood	To purchase 6 sets of cervical biopsy equipment	\$2,923
Rhino's Youth Services	To purchase 4 portable 250 GB hard drives, a multi-media PC with monitor, and other equipment	\$5,000
Shalom Community Center	To pay for a part-time Food Service Coordinator to expand its breakfast & lunch program as well as train & provide work experience	\$5,500

Total Awards for June, 2004 \$110,000

2005

<u>Big Brothers Big Sisters of South Central Indiana</u>	Salary of Partnership Coordinator for a multi-year Capacity Building project	<u>\$5,000</u>
<u>Bloomington Hospital/ Community Health Education</u>	Facilitator salary for New Parents Initiative for the third year	<u>\$3,000</u>
<u>Bloomington Housing Authority</u>	Washers, dryers, vacuum cleaners and accessories, for Lice Program	<u>\$5,000</u>
<u>Community Justice & Mediation Center (CJAM)</u>	Personnel, training, and recruitment expenses for constructive conflict resolution program for Black and Multi-racial youth	<u>\$1,400</u>
<u>Community Kitchen of Monroe County, Inc.</u>	Replace produce cooler and purchase food trays for free meal service	<u>\$4,100</u>
<u>Habitat for Humanity of Monroe County</u>	Two heaters and insulation for Habitat ReStore facility	<u>\$4,100</u>
<u>Martha's House, Inc.</u>	Pay salary for Assistant Director and House Managers of the Emergency Shelter program	<u>\$12,500</u>
<u>Middle Way House, Inc.</u>	Steel ramp, tow bar loops, lifts for Confidential Document Destruction	<u>\$10,000</u>
<u>Monroe County United Ministries, Inc.</u>	Caseworker salary for Emergency Services program	<u>\$16,000</u>
<u>Options for Better Living, Inc.</u>	Modify wheelchair accessible van for community participation program	<u>\$7,500</u>
<u>Planned Parenthood of Indiana, Inc. (PPIN)</u>	Security cameras and equipment for the facility at 421 S. College Ave.	<u>\$1,500</u>
<u>Rhino's Youth Center</u>	Construction of bathrooms and upgrade of heating and cooling system for Rhino's Youth Center at 330 South Walnut Street.	<u>\$22,900</u>
<u>Shalom Community Center, Inc.</u>	Vertical lift for Shalom Center annex at 110 S. Washington St.	<u>\$9,000</u>
<u>South Central Community Action Program, Inc. Head Start</u>	Furnishings, equipment and cognitive materials for Head Start classrooms at Templeton and Summit schools	<u>\$8,000</u>
<u>South Central Community Mental Health Centers, Inc.</u>	Training, consultation and licensing for Functional Family Therapy program	<u>\$10,000</u>
<u>Stone Belt Arc.</u>	Salary for a Curriculum Specialist for new Career Advancement program	<u>\$5,000</u>
	Total Year Award	\$125,000



City of Bloomington Office of the Common Council

To: Directors of Social Services Programs Serving City Residents
From: Chris Gaal, Chair of the Jack Hopkins Social Services Funding Committee,
Bloomington Common Council
Re: Invitation to Apply for Social Services Funding
Date: March 10, 2006

The City of Bloomington Common Council's Jack Hopkins Social Services Funding (JHSSF) Committee announces that it is accepting applications for use of \$135,000 in social services funds. This figure includes an added \$10,000 dedicated by the Mayor and Common Council for the 2006 fiscal year. So far, the Committee has allocated more than \$1 million to agencies who provide services to needy residents. In the past, the Committee has funded initiatives such as: construction of a public health facility, acquisition of land for a transitional living facility, fixing a collapsed foundation for a recovery program, equipment for a food bank, and materials for a teen parenting project.

The Committee is composed of five members of the Common Council and two members representing City entities. This year, the Committee's Council representatives are: Chris Gaal (Chair), Tim Mayer, David Rollo, Andy Ruff and David Sabbagh. Dr. Anthony Pizzo from the Community Development Block Grant Citizen Advisory Committee for Social Services and Shaunica Pridgen from the Community and Family Resource Commission and complete the Committee.

The JHSSF program allocates funds based on the criteria described below. It is key that any proposal satisfy these criteria if it wishes to be considered for funding. To be eligible, a program must:

- **Address a previously-identified priority for social services funding** (as indicated in the *Service Community Assessment of Needs (SCAN)*¹, City of Bloomington, Housing and Neighborhood Development Department's *2005-2010 Consolidated Plan*² or any other community-wide survey of social service needs).

Such priorities include funds for basic services (food, shelter or healthcare) or other services to City residents who are: low-moderate income, under 18 years old, elderly, affected with a disability or are otherwise disadvantaged; and

- **Ask for JHSSF funds as a one-time investment in a social service initiative**
This restriction is intended to encourage innovative projects and to allow the funds to address changing community circumstances. Therefore, an agency should not rely on JHSSF from year-to-year to fund on-going costs (e.g., personnel); and
- **Leverage matching funds or other fiscal mechanisms** (e.g., in-kind contributions, collaborative partnerships, etc.) to maximize JHSSF dollars; and
- **Make a broad and long-lasting contribution to our community**
As co-founder of the JHSSF program, Jack Hopkins put it: "[P]riority should be given to projects or programs where investments now will have a positive, long-term spillover effect (such as reduced susceptibility to...diseases, decreased absences from school, reducing lost time from work, [alleviating the effects of poverty]...etc.). Historically, this criterion has excluded funding events or celebrations.

¹ <http://www.bloomington.in.us/~scan/>

² http://www.bloomington.in.gov/hand/block_grants/con_plan_final.pdf

Additionally, any application must also meet the following requirements:

- The program for which funding is sought **must primarily benefit City residents**; and
- The application must request a **minimum of \$1,000** for JHSSF; and
- The applicant must be a **501(c)(3)** (or be sponsored by one). In the event the applicant is not a 501(c)(3) but is sponsored by one, the sponsoring agency must provide a letter acknowledging its fiscal relationship to applicant. (Know that the Committee may request further information about this relationship); and
- **One application per agency**. The Committee encourages cooperative efforts among agencies; however, know that these cooperative applications will be attributed to the lead agency, serving as fiscal agent.

How to apply

If your agency wishes to apply for these funds, please submit the following:

- A **two-page statement** describing the mission of the agency and indicating how much money is being requested, what it would be used for, and how this request meets the above three criteria; and
- The attached **information sheets**; and
- A **simple program budget** detailing the use of these funds; and
- A **year-end financial statement** for the agency providing both fund balances as well as total revenue and expenditures; and
- Signed, **written estimates** should accompany all requests **for the funding of capital improvements**.

Deadline

All applications must be received by the Council Office
401 N. Morton, Suite 110, Bloomington, Indiana 47402

by

Monday, April 10, 2006 at 4:00 pm

► *No late applications will be accepted.*

Helpful Hints

- Consider attending the Voluntary Technical Assistance Meeting on Thursday, March 30, 2006; and
- Read the enclosed 2006 JHSSF Schedule for notable dates such as when applicants will be asked to present their applications to the Committee; and
- Be prepared to enter into a Funding Agreement by June 12, 2006 if recommended for funding; and
- Plan to spend the funds and seek reimbursements in 2006 unless you specifically request more time in the Funding Agreement; and
- Learn more about the Committee's funding criteria by reading the *Elaboration of Criteria and Funding Statement* found at: www.bloomington.in.gov/council/funding.php

2006 JACK HOPKINS SOCIAL SERVICE FUNDING PROGRAM SCHEDULE

Notable Dates for Applicants

WHAT

WHEN & WHERE

Request for Applications issued	Monday, March 13, 2006
Technical Assistance Meeting for Applicants	Thursday, March 30, 2006, 4:00 pm McCloskey Room, City Hall
Deadline for Agencies to Submit Applications	Monday, April 10, 2006 by 4:00 pm Due in the Council Office
Invited Agencies make Presentations to Committee	Thursday, May 11, 2006, 5:00 pm Council Chambers
Committee Recommends Allocation of Funds	Monday, May 22, 2006, 5:00 pm Council Chambers.
Agencies to Confirm Terms of Funding Agreements	(by) Monday, June 12, 2006 Council Office
Common Council Acts on the Recommendations	Wednesday, June 21, 2006, 7:30 pm Council Chambers
HAND Technical Assistance Meeting Re: Claims & Reimbursements	Tuesday, June 27 , 2006, 8:30 am McCloskey Room

Assistance with Applications

The application process is designed to be as simple as possible; however, should you have questions you may call Daniel Sherman or Stacy Jane Rhoads in the Council Office at 349-3409. Marilyn Patterson, Program Manager in the Housing and Neighborhood Development Department is also happy to help prepare applications; Marilyn can be reached at 349-3577. You may also contact any of the Committee members at 349-3409 or council@bloomington.in.gov.

Sincerely,

Chris Gaal, Chair
Jack Hopkins Social Services Funding Committee
City of Bloomington Common Council

Jack Hopkins Social Services Funding Application

Program Funding Sheet

Lead Agency:

Name _____

Is the Lead Agency a 501(c)(3)? Yes No

Address where Project will be facilitated or housed:

Name of Project facilitator: _____

Address _____

Telephone & E-mail _____

Name of other participating agencies, if different from Lead Agency:

Proposed Project:

Title of Project: _____

Total Cost of Project: _____

Requested JHSSF Amount: _____

Other Funds Expected for Project:

Amount	Source	Confirmed or Pending
--------	--------	----------------------

Number of Clients Served by this Project in 2006: _____

Number of City Residents Served by this Project in 2006: _____

Funding Information:

Example:

Tables: 5 tables @ \$12.00 each

Chairs: 20 chairs @ \$8.00 each

Please note: Due to limited funds, the Committee often recommends partial funding for a program. In the interest of helping the Committee best decide how to distribute funds, please provide an itemized list of program elements, ranked by priority and their costs.

ITEM

COST

Requested Funding

July 2006 – September 2006 October 2006 – December 2006

Dates: (please check one)

Other Dates Needed - As Explained in Application

Jack Hopkins Social Services Funding Application

Agency Contact Sheet

Lead Agency:

Name: _____

Address: _____

Phone & E-Mail: _____

Website: _____

President of Board of Directors: _____

Director Information

Director of Lead Agency: _____

Director's Address: _____

Phone & E-Mail: _____

Presenter Information

Name of Person to Present
Application to the Committee _____

Address _____

Phone & E-mail _____

Grant Writer Information

Name of Grant Writer: _____

Address: _____

Phone & E-Mail: _____

Please also include:

- **The Agency's Mission Statement in Two-Page Application Narrative**
 - **A Simple Program Budget for use of requested funds**
- **A year-end financial statement that includes fund balances and total revenue & expenditures**



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

Jack Hopkins Social Services Funding Program

**Elaboration of the
Three Criteria for Evaluating and Awarding Grants
And
Other Policies**

Elaboration of Three Funding Criteria

In 1993 Jack Hopkins wrote a letter to the Committee outlining a set of criteria for the use of these social services funds. Aside from referring to a more recent community-wide survey, those criteria have served as the basis for allocating the funds ever since. The following is an elaboration of that policy approved by the Committee.

- 1. The program should address a previously identified priority for social services funds (as indicated in the *Service Community Assessment of Needs (SCAN)*, the *City of Bloomington Housing and Neighborhood Development Department's 2005-2010 Consolidated Plan* or any other community-wide survey of social service needs);**

“priority for social services funds”

The Common Council has used these funds for programs that provide food, housing, healthcare, or other services to city residents who are of low or moderate income, under 18-years of age, elderly, affected with a disability, or otherwise disadvantaged.

City Residency - Programs must primarily serve City residents. Individual programs have occasionally been located outside of the City but, in that case, social services funds have never been used for capital projects (e.g. construction, renovation, or improvement of buildings).

Low income - Programs primarily serving low-income populations are given a high priority.

Emergency Services – Programs primarily providing emergency services (e.g. food, housing, and medical services) will be given a high priority.

2. The funds should provide a one-time investment that, through matching funds or other fiscal leveraging, make a significant contribution to the program; and

a. “one-time Investment”

This restriction is intended to encourage innovative projects and to allow the funds to address changing circumstances. For those reasons, it discourages agencies from relying on these funds from year to year and from using these funds to cover on-going costs, particularly those relating to personnel.

Operational Costs

Such costs are not generally considered a “one time investment,” but will be eligible for funding in two circumstances: first, when an agency is proposing a pilot project and demonstrates a well developed plan for funding in future years which is independent of this funding source; or second, when an agency demonstrates that an existing program has suffered a significant loss of funding and requires “bridge” funds in order to continue for the current year.

Renovation versus Maintenance

Costs associated with the renovation of a facility are an appropriate use of these funds, while the costs associated with the maintenance of a facility are considered part of the operational costs of the program and, when eligible, will be given low priority. When distinguishing between these two concepts the Committee will consider such factors as whether this use of funds will result in an expansion of services or whether the need was the result unforeseen circumstances.

Conferences and Travel

Costs associated with travel or attending a conference will generally be considered as an operating cost which, when eligible, will be given low priority.

Computer Equipment

Generally the costs associated with the purchase, installation, and maintenance of personal computers and related equipment will be considered an operational cost and, when eligible, be given low priority. However, the costs associated with system-wide improvements for information and communication technologies, or for specialized equipment may be considered a one-time investment.

b. “through matching funds or other fiscal leveraging, make a significant contribution to the program”

In the words of Jack Hopkins, who originally proposed these criteria, investments “should be leveraged wherever possible by matching from other sources.” Agencies may demonstrate such leveraging by using matching funds, working in partnership with other agencies, or other means.

Applications from City Agencies and Other Property Tax Based Entities

Over the years the Council has not funded applications submitted by city departments. This appears to be based on the theory that the departments have other, more appropriate avenues for requesting funds and should not compete against other agencies, which do not have the benefit city resources at their disposal. And, while never clearly stating they were ineligible, the Council has also not generally funded applications from agencies whose primary revenues derive from property taxes.

3. This investment in the program should lead to broad and long lasting benefits to the community.

“broad and long lasting benefits to the community”

Again, in the words of Jack Hopkins, “priority should be given to projects or programs where investments now will have a positive, long-term spillover effect (such as reduced susceptibility to ...diseases, decreased absences from school, reducing lost time (from work) ..., etc).

Funding of Events and Celebrations Discouraged

Historically the Council has not funded applications that promote or implement events or celebrations. It appears that this is based upon the conclusion that these occasions do not engender the broad and long-lasting effects required by this third criterion.

Other Policies and the Reasons for Them

Agency acting as fiscal agent must have 501(c) (3) status

The agency which acts as the fiscal agent for the grant must be incorporated as a 501(c)(3) corporation. This policy is intended to assure that grant funds go to organizations: 1) with boards who are legally accountable for implementing the funding agreements; and 2) with the capability of raising matching funds which is an indicator of the long-term viability of the agency.

One application per agency

Each agency is limited to one application. This policy is intended to: 1) spread these funds among more agencies; 2) assure the suitability and quality of applications by having the agency focus and risk their efforts on one application at a time; and 3) lower the administrative burden by reducing the number of applications of marginal value. Given the benefits flowing from cooperative efforts among agencies, applications that are the product of the efforts of more than one agency will be attributed only to the agency acting as the fiscal agent.

\$1,000 Minimum Dollar Amount for Request

This is a competitive funding program involving many hours on the part of staff and the committee members deliberating upon and monitoring proposals. The \$1,000 minimum amount was chosen as a good balance between the work expended and the benefits gained from awarding these small grants.

Funding Agreement – Reimbursement of Funds –Expenditure Before End-of-the-Year

The Housing and Neighborhood Development (HAND) Department has been monitoring the funding agreements since 2001. In order to be consistent with the practices it employs in monitoring CDBG and other funding programs, the funding agreements provide for a reimbursement of funds. Rather than receiving the funds before performing the work, agencies either perform the work and seek reimbursement, or enter into the obligation and submit a request for the city to pay for it.

And, in order to avoid having the City unnecessarily encumber funds, agencies should plan to expend and verify these grants before December of the year the grants were awarded, unless specifically approved in the funding agreement. Please note that funds encumbered from one calendar year to the next cannot be reimbursed by use of the City's credit cards.

AGENCY	REQUEST	RATING	FINAL ALLOCATION
Mother Hubbard's Cupboard	\$6,670.00	4.86	\$6,670.00
Community Kitchen of Monroe County, Inc.	\$8,401.64	4.71	\$8,401.64
Monroe County United Ministries	\$20,000.00	4.29	\$20,000.00
Bloomington Hospital Positive Link	\$1,150.00	4.29	\$1,150.00
Hoosier Hills Food Bank, Inc.	\$6,670.00	4.29	\$6,670.00
Boys & Girls Club of Bloomington	\$8,160.00	4.14	\$8,160.00
Shalom Community Center	\$7,809.18	4.14	\$7,809.18
Middle Way House, Inc.	\$15,000.00	3.86	\$12,000.00
Options for Better Living, Inc.	\$5,000.00	3.86	\$4,000.00
Big Brothers Big Sister of South Central Indiana	\$10,137.00	3.57	\$8,109.00
SCCAP Head Start	\$2,788.50	3.57	\$2,230.80
Mental Health Alliance	\$16,916.00	3.5	\$13,532.80
Girls Incorporated of Monroe County	\$2,438.00	3.43	\$1,950.40
Martha's House Inc.	\$10,000.00	3.14	\$8,000.00
Planned Parenthood of Indiana	\$3,050.00	3	\$2,440.00
Teacher's Warehouse	\$2,500.00	3	\$2,000.00
Amethyst House	\$20,000.00	2.86	\$8,000.00
Center for Behavioral Health	\$2,500.00	2.86	\$1,816.67
Pinnacle School (dePaul Reading & Learning	\$8,919.00	2.86	\$4,394.67
The Area 10 Council on Aging of Monroe & Owen	\$3,408.00	2.86	\$2,187.33
El Centro Comunal Latino	\$3,900.00	2.71	\$2,468.51
Community Justice and Mediation Center	\$4,920.00	2.57	\$2,170.00
First Christian Church	\$3,244.00	2.57	\$1,250.00
Girls Scouts of Tulip Trace Council, Inc. and Monroe County Chapter American Red Cross	\$4,071.00	2.29	
First United Church	\$10,020.00	2.14	
Bloomington Day Care Corp. (DBA) Penny Lane	\$19,760.00	2	
New Leaf-New Life, Inc.	\$23,000.00	2	
Total	\$230,432.32		\$135,411.00

Project Disaster: Food, Shelter & Clothing

City Residents Served. 15 (of 30).

Mission

The American Red Cross (ARC) is a volunteer, international, humanitarian organization, which helps people prevent, prepare for and respond to emergencies. It is the only non-governmental agency given responsibility under federal, state, and local emergency plans to respond to emergencies and natural disasters. The local chapter has worked continuously since 1917 and provides services such as food, shelter, and clothing for families involved in fires, floods, storms and tornadoes. Through these services ARC offers hope in time of desperate need.

Project

ARC requests \$5,000 in bridge-funding to provide vouchers to purchase new clothing, groceries, lodging, essential medications, bedding, furnishings, and other items to households faced with fires, natural disasters, and other emergencies. This amount would provide a week’s worth of necessities for 30 individuals (@ \$166 per person) or for five families of four persons (@ \$950 per family). (See Program Budget for the kind, price, and guidelines for use of these items.) ARC requests this bridge-funding because their regular donors have redirected their usual local contributions to help with a series of well-known disasters handled by the national and international divisions. This diversion of anticipated revenues led to a shortfall of \$25,000 in 2005, which should be recovered in future years when donations return to prior levels.

Criteria

Need. The SCAN identifies the need for providing shelter, food and clothing in the event of a fire or natural disaster and acknowledges the services provided by ARC at those times.

One-Time Investment. This is a request for bridge-funding, which is explained above. (See Project)

Fiscal Leveraging. This organization is largely funded through donations and operates with the help of many volunteers.

Broad and Long-Lasting Benefits. ARC provides immediate assistance to victims of disasters which alleviates the initial trauma and makes it easier for them to restore their disrupted lives.

Cost

Total Project Cost \$5,000

Amount Requested

Standardized Emergency Assistance Package \$5,000

includes food/groceries, clothing and shoes, cleaning and laundry supplies, toiletries, minor building repairs and lodging

This investment would serve 30 individual clients @ \$166 / client or approximately 5 families for a week @ \$950/family

TOTAL AMOUNT REQUESTED \$5,000

SSF Funding History

1996	Denied	1 Day Intensive CPR Training	
1996	Denied	Station Wagon	
2000-Oct.	Granted	To convert a van to a mobile supply vehicle for disaster relief	\$1,600
2001	Granted	To purchase tables and chairs for community classroom	\$5,100
2004	Denied	Cabinet, health and safety equipment	
2005	Denied	Lighting and electrical renovation	

Project Amethyst House (Men’s Program)

City Residents Served. 48 (of 80).

Mission

Amethyst House, Inc., provides high-quality, structured living environments, treatment, education and recovery services to individuals with addictions and substance abuse issues. It has three transitional residential houses in Bloomington that serve men as well as women and their dependent children. The men's program includes supportive services and life skills training, can house up to 19 individuals at one time, and usually has a waiting list of 20 people.

Project

Amethyst House requests \$20,000 in bridge-funding to help operate its men’s program (which has a budget of about \$153,000) by paying for insurance, utilities, food, salaries, and benefits. This request would help offset \$40,000 in anticipated revenues it did not receive this year. Those lost revenues included \$32,000 from the Division of Addiction Services (or about 8% of the usual funding), which imposed across-the-board funding cuts well into the 3rd quarter of the fiscal year and \$7,680 in CDBG funds it did not get this year. Those reductions are coming at a time when costs like insurance and utilities are going up. While the women’s program has received the same level of funding over the last 10 years and the outpatient and ¾ houses are seeing slight increases, the men’s program has lost revenues and needs funds to keep going. Amethyst House is addressing the problem in the short term by not filling vacancies in staff positions and in the long term by seeking new revenues by collecting more in fees, entering into “emergency” contracts with the Department of Corrections to place clients, and joining several insurance networks.

Criteria

Need. The application in 2003 stated that the SPAN/MC ranked drug and alcohol abuse and affordable housing among the five highest priorities for social services in this community. It cited other local studies (by the CARES board and in City's Consolidated Plan) for the need to increase the beds for men seeking treatment for substance abuse. The 1991 COMPASS report also recommended use of the men’s facility to reduce the jail population.

One-Time Investment. This is a request for bridge-funding, which is explained above. (See Project)

Fiscal Leveraging. Amethyst House is a non-profit that garners \$208,000 in funds from other sources to run all of its programs.

Broad and Long-Lasting Benefits. The proposal will have a broad and long-lasting benefits by allowing the men’s facility to continue providing transitional and counseling services to persons who are facing their addictions and attempting to better their lives and the lives of those around them.

Cost

<i>Total Project Cost (for All Services and Facilities)</i>	\$228,000
<i>Amount Requested</i>	
Insurance (property and liability)	\$5,000
Utilities (gas, water, electricity)	\$8,000
Food	\$3,000
Salaries	\$3,000
Benefits	\$1,000
 <i>Other Funds</i>	 -\$208,000
TOTAL AMOUNT REQUESTED	\$20,000

SSF Funding History

1995	Denied	Start-up funds, office equipment and furnishings	
1997	Denied	Transitional Housing for men and women	
1999	Granted	New Van	\$10,000
2000-Oct.	Granted	Rebuild foundation of Womens' facilities	\$7,500
2001	Denied	Phone, Voicemail, Computer networking	
2002	Granted	To help rebuild and expand the men's facility by restoring the historic façade.	\$20,000
2003	Granted	To purchase and install a stairway elevator at Men’s House facility	\$4,521

Project **Go Live with 221 Infoline**

City Residents Served. 69,291 (of 142,349)

Mission Area 10 Agency on Aging, is a private, not-for-profit corporation serving elderly persons in Monroe & Owen Counties. It is one of 16 Area Agencies on Aging in Indiana. Their mission is to improve the quality of life and celebrate the independence, health, & dignity of all senior citizens 50-years of age & older in this area. One of their key functions is to provide information about services that benefit the elderly and disabled.

Project This request is for \$3,408 in one-time funding for Area 10 to upgrade their recently purchased IRis software in order to provide Information and Referral services on the web in connection with their 2-1-1 initiative that will serve the Bloomington and Owen County area. The 2-1-1 program is a national network led by United Way of America and the Alliance of Information & Referral Systems, and would perform like a 4-1-1 / 9-1-1 for social services, where persons call about problems and are connected with agencies that can help them. Over the last five years Area 10 has worked with other agencies and steadily put together a program that: 1) includes a data base of 337 agencies and 674 programs; 2) provides referrals over the phone from 9:00 a.m. – 5:00 p.m. Monday through Friday; 3) will determine whether referrals are appropriate by making follow-up calls; 4) will work with agencies to improve referral services; and 5) will track of the nature and consequence of the referrals. This request will acquire software for putting the database online in a manner that will: provide multiple search modes; be multilingual; be updatable by agencies; and, provide reporting options as well as many other features.

Criteria

Need. The application notes many references in the SCAN Report which indicate the need for better communication and education about services provided within the community. The SCAN Report also recommends that agencies work together to be more efficient and effective.

One-Time Investment. This is one-time request for IRis software that will make an Information and Referral database available on the web.

Fiscal Leveraging. The cost of this project is listed at \$12,600, but does not include the \$17,000 contributed by the Monroe County Council to develop the program. It is important to note that the United Way of Monroe County foresees that the 2-1-1 program will replace their First Call for Help service. The remaining funds are being contributed by the United Way of Monroe County and the Community Foundations of Monroe and Owen County, and will be used for accrediting the program and training the staff, volunteers, and agencies. Please see the numerous letters of support.

Broad and Long-Lasting Benefits. This project would make it easier for persons to get the help they need and would also give the community a means to track referrals, evaluate the performance of agencies, and identify unmet needs for services.

Cost

<i>Total Project Cost</i>	\$12,600
<i>Amount Requested</i>	
IRis for the Web Software - \$3,500	\$3,408
<i>Other Funding</i>	
Alliance of Information & Referral Systems (AIRS) Accreditation Fee and Visit - Community Foundations of Monroe County (\$4,200) and Owen County (\$800)	-\$5,000
AIRS Training and Travel - United Way of Monroe County	-\$1,400
Additional funds for purchase, installation and tech support - Community Foundation of Owen County	-\$292
Training 2-1-1 volunteers and local agencies - United Way of Monroe County (\$1,500) and Community Foundation of Owen County (\$1,000)	-\$2,500
TOTAL AMOUNT REQUESTED	\$3,408

SSF Funding History

1995	Denied	Handyman Program	
1997	Denied	Senior nutrition services - freezer, fridge, range	
1999	Denied	Laptops	
2002	Granted	To purchase equipment for the Food Pantry at the Girls, Inc. site	\$1,475
2003	Granted	To pay for 50% of the annual wage for the Food Pantry/Emergency Food VISTA	\$4,614
2004	Denied	2-1-1 Call Center	

Project BBBS Building Roof Repair and Reconfiguration Project

City Residents Served. 455 (of 700)

Mission BBBS is a youth development organization with a 31-year history in Bloomington, whose mission is to empower local school-age youth by matching them with an adult who will support their social, emotional and educational development. In 2005, they served over 600 at-risk youth in this county through their community based 1-1, in-school 1-1, Club Bigs (with Boys and Girls Club), and First Friends (which provides group mentoring for youth on the waiting list).

Project

BBBS is requesting \$10,137 in one-time funding to reconstruct a leaky roof and replace some damaged fiberboard at its office building located at 418 South Walnut. Apparently, work done by the previous owners to improve water flow off the roof was not done properly and allows water to pool on the roof and leak into the second floor after heavy rains. Weddle Brothers has provided a written estimate (without overhead or profit) to build a new parapet (sidewall), install EPDM flashing, and replace about 90 s.f. of damaged fiberboard on the second floor.

Criteria

Need. The SCAN identified positive youth development as one of its top ten priorities, especially the lack of appropriate consistent role models. It also recommends targeting low-income families and other children at-risk and removing barriers to their success. The Bloomington Consolidated Plan recognizes the effect of caring adult role models and mentors on improving the lives and prospects of at-risks youth.

One-Time Investment. This is a one-time investment to repair a leaky roof and replace damaged interior surfaces and insulation.

Fiscal Leveraging. BBBS used expertise from its national organization, funds from local donors, and volunteer mentors to provide individual mentoring and family casework for 600 youth in 2005.

Weddle Brothers is waiving its overhead and profit for this construction project.

Broad and Long-Lasting Benefits. The repair of the roof and drywall will allow the agency to be more productive and continue a program that is highly effective at reducing negative behaviors of at-risk youth.

Cost

Total Project Cost \$11,937

Amount Requested

Estimate from Weddle Brothers to rebuild roof and replace damaged fiberboard \$10,137

Other Funds

Weddle Brothers will waive overhead and profit -\$1,800

TOTAL AMOUNT REQUESTED \$10,137

SSF Funding History

1995	Granted	Office Renovation	\$4,800
1999	Denied	Capital Grant	
2000- June	Denied	Long Range Business and Growth Plan	
2000-Oct.	Granted	To expand hours and activities for children at their Crestmont Site	\$9,500
2001	Granted	To purchase and install windows and doors for its facility	\$8,779
2002	Granted	To purchase computer equipment for recruitment and training initiative	\$3,623
2003	Granted	To pay for Program Manager and program expenses for Girl's Inc.'s Teen Outreach LEAP Program	\$11,904
2004	Granted	Purchase a server, related equipment, and software to implement Phase I of its long range service plan	\$4,500
2005	Granted	Salary of Partnership Coordinator for a multi-year Capacity Building project	\$5,000

Project Nutrition Links: An Alliance of Caring Agencies

Participating Agencies. Community Kitchen of Monroe County and Bloomington Meals on Wheels

City Residents Served. 6 (of 6)

Mission

Positive Link began in 1993 and its mission is to coordinate comprehensive health and human services for people living with HIV/AIDS and provide HIV prevention and early intervention services, which includes HIV counseling and testing to the public in a six county area in South Central Indiana. Positive Link coordinates services including - assistance in securing housing, medical, legal & food/nutritional assistance for this population. It serves 179 unduplicated cases and has an active caseload of 147 clients, with about 57% living in within the City. Approximately 75% of its clients live on less than \$12,000 a year.

Project

Positive Link is requesting \$1,150 in one-time funding to purchase two hot boxes (@ \$525) and two cold boxes (@ \$50) to transport a hot and cold meal five days a week to six homebound persons living with HI/AIDS. This is a pilot project and is being done in partnership with Community Kitchen, which will prepare the meals, and Meals on Wheels, which will deliver them. It will augment an existing service that provides packaged and canned food through the Hoosier Hills Food Bank to some of those clients.

Criteria

Need. The application cites the SCAN report for the following propositions: nutrition is an integral part of a person’s health care; homebound persons need more services, which should be done efficiently; and, many low-income persons do not have enough money for food.

One-Time Investment. This is a one-time request to purchase boxes to transport hot and cold meals to homebound persons living with HIV/AIDS.

Fiscal Leveraging. This pilot project entails a partnership with Community Kitchen and Meals on Wheels.

Broad and Long-Lasting Benefits. The application suggests that this project will be a model for coordination between agencies and that the provision of food will nurture these six clients’ and, thereby, improve the quality of their lives and lower subsequent medical expenses.

Cost

<i>Total Project Cost</i>		\$7,988
<i>Amount Requested</i>		
2 Hot Boxes (@ \$525 x 2)		\$1,050
2 Cold Boxes (@ \$50 x 2)		\$100
<i>Other Funds</i>		
<i>Meals on Wheels - Volunteer Delivery of Meals (\$10/hr x 4 vol x 52 wks)</i>		\$2,600
<i>Positive Link Case Management - Personnel and Fringe (\$29.5/hr x 2 hr/wk x 52 wks)</i>		\$3,068
<i>Community Kitchen – Meal Preparation (\$2.25/meal x 10 meals/wk x 52 wks)</i>		\$1,170
TOTAL AMOUNT REQUESTED		\$1,150

SSF Funding History

<i>Home Health Services</i>	2000- Oct.	Granted	Implement a pilot healthcare program for local inmates after release from jail	\$3,000
	2002	Denied	Part-time Bilingual Therapist	
<i>Community Health Education</i>	2005	Granted	Facilitator salary for New Parents Initiative for the third year	\$3,000
<i>Positive Link</i>	2004	Denied	Personnel and materials for a social assets bargaining program	

Project Crestmont Youth Summer Camp

Participating Agencies. Big Brothers Big Sisters; Bloomington Housing Authority & John Waldron Arts Center

City Residents Served. 115 (of 115).

Mission

The Boys and Girls Club of Bloomington is a part of national organization which fosters the physical, intellectual, emotional and social growth of boys and girls ages six to eighteen with a special concern for those most in need of service. All the Boys and Girls Club programs are designed to help youth develop valuable skills needed to make wise life decisions. The Club strives to instill a sense of belonging, competence, usefulness and power so members feel they are part of something worthwhile. There is a main facility 311 South Lincoln, a satellite facility at 1108 W. 14th Street in the Crestmont Center, and a camp site at Lake Lemon. Programs are staffed by trained youth development professionals, Indiana University students, and community volunteers. Last year it served over 650 members and over 200 other youth at its three facilities. This includes over 170 children who are transported to these facilities daily during the school year.

Project

The Boys and Girls Club is requesting \$8,160 to help staff a pilot Summer Camp program for youth living in subsidized housing. This summer camp is in addition to the summer hours at the Crestmont Center, which will be reduced from all day to half a day (afternoons). It will allow about 30-40 youths a new opportunity to join the other Boys and Girls Club participants for 12 weeks of camp at Lake Lemon. The camp will have programs in areas of: education and career development; character and leadership development; health and life skills; the arts (in concert with the John Waldron Arts Center); sports, fitness & recreation; and, Technology. The partnership with Girls, Inc. largely refers to their transportation services during the school year, but will involve at least one special event in the summer. Approximately 93% of the youth at the Crestmont Center site pay no fee for services.

Criteria

Need. Citing the City’s Consolidated Plan, the application lists services needed in the Crestmont area, which include programs for at-risk youth, affordable child care, and non-sport themed summer programs.

One-Time Investment. This request is to fund salaries for staff, who will expand the Boys and Girls Club Summer camp to include 30 -40 youth from subsidized housing.

Fiscal Leveraging. This request will leverage Boys and Girls Club money to help fund more camp opportunities for at-risk youth. Bloomington Housing Authority offers space year round for the satellite center and Girls, Inc. provides transportation during the year. The John Waldron Arts Center provides classes for the youth at their facility.

Broad and Long-Lasting Benefits. Programs that positively engage at-risk youth can reduce the prospect of negative behaviors and put them on the path to more fulfilling lives.

Cost

<i>Total Project Cost (Different from application, but confirmed with Joe Stebbins)</i>	\$21,350
<i>Amount Requested</i>	
Summer Director Salary - \$10/hr x 40 hrs/wk x 12 weeks	\$4,800
1 Summer Staff – 1 x \$7/hr x 40hrs/wk x 12 weeks	\$3,360
<i>Other Funds</i>	
<i>Boys & Girls Club Auxillary (\$1,350) and Board of Directors (\$780) – supplies (\$750), food (\$500) & rent (\$780)</i>	\$2,030
<i>Other donations – 3 summer staff – 3 x \$7/hr x 40 hrs/wk x 12 wks</i>	\$10,080
TOTAL AMOUNT REQUESTED	\$8,160

SSF Funding History

1996	Granted	Central Air Conditioning	\$3,000
1997	Denied	Van	
1998	Granted	Renovate and equip facility for a teen center and learning center	\$23,000
2003	Granted	Job Development Specialist for TEENS supreme Career Prep Program	\$25,000
2004	Granted	Pay for salaries, transportation, and other operating costs related to the No Kid Left Behind Program	\$8,000

Project Prisoner/Community Reading Project

City Residents Served. Unknown (of 150).

Mission

Box Care Books and Community Center, Inc., is a local bookstore and gathering place which operates the Midwest Pages to Prisoners Project (MMPPP). The MMPPP is an all-volunteer program that encourages self-education of prisoners across the United States by providing free reading materials to them upon request. In addition, MMPPP offers an opportunity for members of the community to converse with prisoners and consider on a personal level the reality and human implications of our prison system. It exists “because prisoners are not strangers: they are brothers, sisters, friends, cousins, mothers, and children.”

Project

The MMPPP is requesting a one-time investment of \$1,937.90 to purchase and mail one or more of three books to prisoners that will also be read by community members in order in order to create a community dialogue on prison issues. These books are highly requested by prisoners and include *The Autobiography of Malcom X, The Wretched of the Earth, and Life in Prison..* Books will also be provided for community members who want to join the dialogue, but cannot afford them.

Criteria

Need. The application does not cite any survey, but asserts that bringing local citizens and prisoners from around the nation together to read these books and discuss them will raise awareness about our prison system and give prisoners an opportunity to educate themselves.

One-Time Investment. This is a one-time request for purchasing books, postage, and promotion for this prison / community reading project.

Fiscal Leveraging. The MMPPP will raise \$14,000 this year for its overall program. This project leverages approximately a \$558 discount on books, the hours of the staff, and volunteer participants in this dialogue.

Broad and Long-Lasting Benefits. The application asserts that effort will lead to long-term benefits by increasing cultural literacy and awareness of local citizens as well as encouraging and fostering an ongoing dialogue about such issues.

Cost

<i>Total Project Cost</i>	\$2496.50
<i>Amount Requested</i>	
Books purchased for prisoners – (50 copies three books @ 27.93 per set)	\$837.90
Books purchased for members of the community unable to pay for them – (approximately 18 sets of the three books @ 27.93 per set)	\$500.00
Postage for mailing books to prisoners	\$300.00
Promotion	\$300.00
<i>Other Funds</i>	
<i>Box Car Books – Discount on books (\$1,396.50 x 40%)</i>	\$558.60
TOTAL AMOUNT REQUESTED	\$1,937.90

SSF Funding History

None

Project Latino Outreach

Participating Agencies. Mujeres en Conexion (women in Connection) and St. Paul Catholic Center

City Residents Served. 200 (of 200).

Mission

Catholic Charities Bloomington (CCB) is one of six Catholic charities under the Catholic Archdiocese of Indianapolis and has been operating in Bloomington since 1982. It is a member agency of the United Way and has the mission of enhancing human dignity and functioning for the community at large through education, social service delivery, and advocacy. It is a faith-based agency committed to providing quality therapeutic counseling and case management services without regard to religious affiliation, gender, disability, race, sexual orientation, age, or ability to pay for services. It serves a six county area but approximately 75% of its clients are from Monroe County. The fee for mental health counseling ranges from \$0 - \$75/hr depending on the household income.

Project

CCB is requesting \$4,800 for personnel costs for a three-part pilot project serving the Spanish-speaking Hispanic population. It would be co-sponsored by *Mujeres en Conexion*, a local organization which has been supporting Spanish-speaking women for the last six years. The first part is a request for \$1,200 to conduct eight sessions on Latino Culture for social service providers. The sessions would last for about 90 minutes and have a maximum of 25 participants. The second part is a request for \$3,000 to fund a Spanish-speaking therapist to provide 100 hrs of mental health counseling at \$30/hr. In June, this therapist will begin offering counseling for individuals, couples and families with a fee ranging from \$0 - \$75/hr depending upon the household income. The third part is a request for \$600 to fund 20 hours of outreach services (@\$30/hr) which, in all likelihood, would be carried out by the aforementioned therapist in her effort to reach clients.

Criteria

Need. The SCAN report recognized that the Spanish-speaking Hispanic population faces language and other barriers to needed social services which include mental health services. It also called for more education on health services and program regulations presented in a culturally-appropriate format.

One-Time Investment. This is a request to fund personnel costs for a three-part outreach and counseling project serving the Spanish-speaking Hispanic population. The application does not address how this project will be funded in the future, but a call to the grant writer indicated that CCB and Archdiocese understood the need to provide ongoing support for the program and intended to obtain donations and grants for that purpose.

Fiscal Leveraging. The \$4,800 from JHSSF would be leveraged by staff time, administrative support, in-kind and copying amounting to \$1,900 provided by CCB.

Broad and Long-Lasting Benefits. The application does not directly address the long-term benefits of this project. However, a call to the grant writer indicated that this program would reach a growing and unserved population in the community.

Cost

<i>Total Project Cost</i>	\$6,700
<i>Amount Requested</i>	
Salary for conducting programs on Latino Culture (8 programs of 90 minutes targeted to no more than 25 students at time @ \$150 per program)	\$1,200
Salary for Spanish speaking therapist (100 hrs x \$30/hr)	\$3,000
Salary for outreach services (20 hrs x \$30/hr)	\$600
<hr/>	
<i>Other Funds from Catholic Charities of Bloomington:</i>	
<i>Staff time of Director</i>	- \$1,200
<i>Administrative support</i>	- \$300
<i>In-kind and copying</i>	- \$400
<hr/>	
TOTAL AMOUNT REQUESTED	\$4,800

SSF Funding History

None

Project Wheels to Work
Applicant Agency. Monroe County Wrap Around House
City Residents Served. 25 (of 40 families)

Mission

Monroe County Wrap Around (Wrap Around) began in 1997 as a community based, planning process for children and families who have complex needs that can not be met by traditional categorical services. The planning is done by a team of providers, public officials, parents and other concerned citizens who address children at-risk of intense services by focusing on the strengths and weaknesses of the family and not just the child. Over 95% of the families involved in Wrap Around are eligible for Medicaid (and, therefore, are low-income).

Project

Wrap Around requests \$2,500 to help start a revolving loan fund to support a Wheels to Work program. It will be based on a successful program in Bartholomew County by the same name and entails: 1) taking cars that have been donated; 2) reviewing them for safety and drivability; 3) having them repaired by Hoosier Hills Vocational School; 4) selling them to their clients at a reasonable cost (with payments if need be); and 5) using the payments for future cars and repairs. It hopes to process six cars in the first year and is seeking a financial institution to provide a payment book and a place to make payments. The JHSS funds, in particular, would be used to pay repairs and garage insurance.

Criteria

Need. The SCAN Report notes the problem low-income households face merely getting to and from jobs, childcare and other appointments. Low-income households often cannot get loans or simply pay too much for them and often end up purchasing cars that are unreasonably expensive, unreliable, and unsafe. Wrap Around sees this problem affecting its clients and has paid for car repairs in the past.

One-Time Investment. This is a one-time request to start a revolving loan fund for a Wheels to Work program. The money would fund repairs and garage insurance. Unlike a previous request for such a revolving loan fund, this one is based upon a successful program in Columbus, Indiana, which is offering advice.

Fiscal Leveraging. The \$2,500 request will be leveraged in a number of ways: donated cars, subsidized repairs, Wrap Around Flex contribution of \$505, and a Sutpin Foundation grant for \$2,295.

Broad and Long-Lasting Benefits. This program offers numerous long-term benefits including: a positive change in the lives of these families; payments that will extend the benefits to future households; and the skills gained by vocation students who are making the repairs.

Note: The application requests funding into March of 2007 because it may not have acquired enough donated cars by the end of the year.

Cost

<i>Total Project Cost</i>	\$5,300
<i>Amount Requested</i>	
Car Repairs	\$1,500
Garage insurance	\$1,000
<i>Other Funds</i>	
<i>Monroe County Wrap-Around Flex Fund</i>	\$505
<i>Sutpin Foundation</i>	\$2,295
TOTAL AMOUNT REQUESTED	\$2,500

SSF Funding History

Center for Behavioral Health	2000-June	Granted	Floor covering for facility	\$7,000
	2001	Granted	To purchase counseling software for children	\$1,639
<i>(Children's Services)</i>	2002	Granted	To purchase equipment and fund 4 programs serving children and their parents	\$3,952
	2003	Denied	15 Passenger Van	

Project Restorative Discipline Resources for Students and Teachers

City Residents Served. 2,000 (of 3,450)

Mission

The Community Justice & Mediation Center’s (CJAM) mission is to promote a civil and just community through mediation, education, and restorative justice. It serves as a central organizational hub for conflict resolution activities in Bloomington and Monroe County. Programs include the Victim-Offender Reconciliation Program (VORP) and Shoplifter’s Alternative, as well as comprehensive community mediation and conflict resolution services for all sectors of the community. CJAM also provides education and training on a variety of conflict resolution and mediation-related topics to organizations and individuals, including volunteer mediators.

Project

CJAM is seeking \$4,920 in funds to print 3,400 copies of a conflict resolution manual to be given to all the students in six high schools and middle schools (\$3,300), purchase six sets of four books and a video on Restorative Justice to be placed in the professional libraries of those schools (\$600), and personnel expenses for the CJAM staff to reach students and teachers in these schools and instruct them on this form of conflict resolution (\$900). Restorative Justice (or Action or Discipline) encourages schools and communities to work out conflicts respectfully and effectively without calling upon external authorities. The manual to be distributed was created by local teens as part of a CAPE grant and is entitled *Fight Without Fighting: A Conflict Resolution Handbook for Youth*. The outreach and instruction will continue efforts to introduce these techniques to schools that began two years ago.

Criteria

Need. The SCAN Report notes the importance of keeping youth in school and helping them succeed academically in order to improve their chances for more productive and fulfilling lives. Restorative Justice addresses bullying in the schools, the inordinate rate of suspensions and expulsions of minority youth from schools, and the increasing dropout rates.

One-Time Investment. Except for the set of books and videos headed for the libraries in the six schools, this request appears to be for on-going expenses. However, Amy Dowell likened it to a marketing effort that required expertise and would expand services by training more student volunteers and not require the same effort in future years.

Fiscal Leveraging. The request would be leveraged by approximately \$2,100 in volunteer time (\$900), staff time (\$450), supervision (\$500), training expenses (\$100), and office space (\$150).

Broad and Long-Lasting Benefits. This project should broaden access to conflict resolution services in schools, help create safer school environments, and, thereby, improve opportunities to achieve their academic potential.

Cost

<i>Total Project Cost</i>	\$7,020
<i>Amount Requested</i>	
3,400 copies of Fight without Fighting to be distributed to students in six schools	\$3,300
Six sets of conflict resolution materials for teachers’ libraries that include four books and one video (\$100 x 6 schools)	\$600
Personnel expenses for outreach (a portion of 60 hrs or 10hrs/school @ \$15/hr)	\$450
Personnel expenses for instruction (a portion of 30 hrs or 5 hrs/school @ \$15/hr)	\$450
<i>Other Funding</i>	
<i>Remaining Personnel expenses and value of volunteers for above mentioned outreach and instruction</i>	\$900
<i>Training expenses (refreshments and copied materials)</i>	\$100
<i>Administrative and Facility expenses (5% of CJAM office costs)</i>	\$150
TOTAL AMOUNT REQUESTED	\$4,920

SSF Funding History

Citizens for Community Justice	2002	Denied	Pamphlets, mediation training and staff	
	2004	Denied	Copier	
Community Justice & Mediation Center (CJAM)	2005	Granted	Personnel, training, and recruitment expenses for constructive conflict resolution program for Black and Multi-racial youth	\$1,400

Project Vehicle Purchase and Repair

City Residents Served. 731 (of 850)

Mission

The Community Kitchen (CK) has been working in this community since 1983 with the mission of eliminating hunger through direct service, education, and advocacy. They provide hot food everyday except Sunday at two locations (South Rogers and West 11th Street – CK Express), prepare meals for agencies serving at-risk youth, and deliver food to children in certain housing complexes. CK served 132,018 meals in 2005, which represented an increase of almost 12% over the prior year. Approximately 36 % of the meals go to children under 18 and another 20% go to senior citizens. Please note that they do not impose an eligibility requirement on those seeking food.

Project

The CK is requesting a one-time grant of \$8,401.64 to purchase a used, 1997 GMC Savanna Van from Girls, Inc. and make minor repairs in order for it to be suitable for the transport and deliver of food. This van is no longer in compliance with regulations for transporting children, but was inspected and found to be in good condition. It would replace a 1986 van that is in poor condition and is likely to require expensive repairs in the next few years.

Criteria

Need. Hunger has been identified as a significant issue by both SCAN Report and the City of Bloomington Consolidated Plan. This agency is the primary source of free meals in the community.

One-Time Investment. This is a one-time investment of \$8,401.64 to purchase a used van to transport food.

Fiscal Leveraging. The CK receives all its revenues in the form of donations and grants, and this investment will offset rising costs due to the cost of higher wages (they are phasing increases to comply with the Living Wage requirements), higher costs for warehouse space (which previously been donated), and the higher cost of utilities at the CK Express location (which also had previously been donated).

Broad and Long-Lasting Benefits. This investments will help the CK continue to provide meals by providing dependable equipment that will expand capacity and improve the quality of services.

Cost

<i>Total Project Cost</i>	\$8,401.54
<i>Amount Requested</i>	
Purchase used van from Girls, Inc.	\$8,000
To repair gas gauge and door locks and remove seats	\$401.64

TOTAL AMOUNT REQUESTED **\$8,401.64**

SSF Funding History

1995	Granted	Used vehicle to serve meals	\$9,000
1997	Granted	Transport containers to provide meals to at risk youth in after school programs	\$1,300
1998	Granted	Purchase upright commercial oven, mobile sheet pan rack, and mats for kitchen floor	\$4,675
1999	Granted	Ice machine and freezer	\$4,650
2000- June	Granted	Eight dining tables	\$2,460
2001	Granted	To purchase equipment for second food preparation and distribution site	\$10,721
2002	Granted	To purchase a copy machine shared with Shelter, Inc. and aprons, and hairnets	\$3,639
2003	Granted	Replace fire suppression system, loading dock, and 60 chairs for the S. Rogers site	\$10,104
2004	Granted	Replacing a door and dishwashing machine, purchase a garbage disposal and kitchen grade metal shelving	\$7,780
2005	Granted	Replace produce cooler and purchase food trays for free meal service	\$4,100

Project **Informato (Inform Yourself) Series**

Applicant Agency. St. Paul Catholic Center

City Residents Served. Unknown (of unknown)

Mission

El Centro Comunal (el Centro) is a grassroots, community-based organization that began in 2000 in response to problems the emerging Latino population was having integrating into the community. Its primary goals are to facilitate access to resources; offer reliable information regarding health, safety, education, and work-related issues; and, to serve as a liaison between Latinos and the greater Bloomington Community. It is currently located within the United Way offices and served 430 clients in 2004.

Project

This one-time request of \$3,900 is for a pilot, Informato (Inform Yourself) series, educational program for Spanish-speaking Hispanic population and includes the cost of a projector (\$1,000), laptop (\$800), stipends for speakers (24 presentations @ \$50), printing brochures (\$500), and evaluating the program (\$400). This program will inform the Spanish-speaking population about health care, legal services, immigration, worker rights, adult education, mental health, domestic violence, home buying and predatory lending by finding knowledgeable representatives to give presentations in Spanish on these topics once a month with the newly acquired equipment. This program will also use this equipment for speakers who will help service providers understand and serve this population.

Criteria

Need. The SCAN Report classifies Latinos as a “vulnerable population” who: suffer from language and cultural barriers; are uninformed about services, laws, and rights; become caught up in legal problems, miss opportunities for employment; and, don’t use needed social services. The Stage 1 Report on the state of the Latino population from the Monroe County Latino Needs Assessment Task Force also found that many sectors of the community lack the means to inform the Spanish-speaking population of their services.

One-Time Investment. This is a one-time request for audio-visual equipment, stipends, brochures and program evaluations tied to a pilot project.

Fiscal Leveraging. The \$5,000 grant would leverage about \$1,000 in publicity, printing, and reimbursement for mileage provided by El Centro Comunal.

Broad and Long-Lasting Benefits. This grant would address problems in the growing Spanish-speaking population by facilitating their entry into the community, maximizing the delivery of services, and making Bloomington a more welcoming and enriched place to live.

Cost

<i>Total Project Cost - Corrected</i>	\$5,000
<i>Amount Requested</i>	
Optoma DLP portable projector	\$1,000
Laptop computer	\$800
Stipends for presenters of series (24 presentations @ \$50)	\$1,200
Print Brochures	\$500
Evaluation of Program by United Way or another entity	\$400
<hr/>	
<i>Other Funds</i>	
<hr/>	
<i>Publicity</i>	\$200
<i>Printer supplies and photocopies</i>	\$500
<i>Reimbursement for mileage</i>	\$400
TOTAL AMOUNT REQUESTED	\$5,000

SSF Funding History

2004	Granted	Purchase software, office equipment, and furniture for a central office & meeting space	\$1,500
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Project The Gathering Place

City Residents Served. 2,080 (of 2,080)

Mission

The First Christian Church strives to be a faithful, growing church that manifests true community, a deep Christian spirituality, and a passion for justice. Last December its leaders decided to begin a Sunday morning breakfast in its upstairs gathering room at the corner of Kirkwood and Washington Street and called it “The Gathering Place.” It is open to all, regardless of race, color, creed, national origin, religious affiliation, sex, sexual orientation, age, or disability, and does not involve religious indoctrination. Every Sunday since February of 2006, meals have been served to about 40 residents (10 unduplicated) who are either homeless or are experiencing financial hardships. These meals include eggs, pancakes, fruit, cold cereal, juice, milk, and coffee and a sack lunch for eating later in the day, and are the only free meals offered in the downtown that day.

Project

The First Christian Church is requesting a one-time grant of \$3,244 to make repairs and purchase appliances and items needed to operate the free, Sunday hot meal program mentioned above. The grant would upgrade plumbing for the dishwasher (\$1,135), repair the dishwasher (\$531), and purchase two storage cabinets (@\$333), an upright freezer (\$462), fire extinguisher (\$250), and incidentals (\$200).

Criteria

Need. The application notes that it is the only free meal program in the downtown on Sunday, but does not refer to any survey to support the need for this project. However, other applications note that hunger has been identified as a significant issue by both SCAN Report and the City of Bloomington Consolidated Plan.

One-Time Investment. This request is for a one-time investment in a pilot, free, Sunday meal program.

Fiscal Leveraging. This \$3,244 request would be leveraged by a \$2,000 budget line, \$1,000 donation, and 22 hours of volunteer time each week.

Broad and Long-Lasting Benefits. The application does not indicate the broad and long-lasting effect of the program, but indicates that it serves 40 persons each week and will continue into the future.

Cost

<i>Total Project Cost (based upon this table and not application which listed \$6,416)</i>	\$6,244
<i>Amount Requested</i>	
Upgrade plumbing to improve water flow and heat for dishwasher (per estimate)	\$1,135
Repair dishwasher	\$531
Purchase 2 jumbo storage cabinets (@333)	\$666
Purchase upright frost-free freezer	\$462
Purchase silver grade fire extinguisher	\$250
Purchase incidentals including detergent, paper bags, baggies, dish towels, napkins, etc	\$200
<i>Other Funds</i>	
<i>Line Item in church budget for food</i>	<i>\$2,000</i>
<i>Donation for food</i>	<i>\$1,000</i>
TOTAL AMOUNT REQUESTED	\$3,244

SSF Funding History

None

Project PARTNERS

City Residents Served. 27 to 45 (of 30 to 50).
Note: These ranges include 15-25 participants and 15 – 20 caregivers)

Mission The First United Church (church) has the outreach mission to minister to its neighbors and care for creation, to respond to the needs of the community and the troubles of the world, to advocate for peace, social justice and environmental responsibility, and to provide members of the Church with opportunities to make a difference in the world. It helped develop the PARTNERS program last summer, which offers a setting for persons with memory loss to engage in familiar roles, explore possibilities for growth, feel respected and valued, and be appreciated as whole people with a unique biography that connects us with our collective history. It also provides caregivers with occasional respite, which preserves the vitality of family support networks. The program is small - it started with four adults – but will grow to a moderate size – it now has ten. The church commits to separating its religious mission from the public nature of this program and will not require religious instruction, limit participation or employ staff based upon religious affiliation.

Project The church requests \$10,020 in one-time funding for the pilot PARTNERS program mentioned above and will would use the money to pay a case manager (\$4,000), artist-in-residence (\$2,520), equipment and supplies for a “memory station” (\$1,908) and an arts component (\$1,592). The case manager: recruits, assesses, and admits clients; monitors the services to both clients and their families; and, develops institutional partners, trainees, and volunteers who play an important one-to-one role with participants.

Criteria

Need. One of the seven primary goals of the United Way is the supporting of seniors in their efforts to be independent. The SCAN Report also identifies the need to expand adult day care and respite care and geriatric case management and services to help elders remain independent. While there are adult day care programs being operated in long-term care facilities, only PARTNERS and a weekly bingo game at the McDonalds in Ellettsville are held in the community. Programs operated outside nursing homes are more suitable for persons with temporary or the early stages of memory loss.

One-Time Investment. This is a one-time request to fund a pilot project for persons with memory loss that is not housed in a long-term facility. It will receive over half of its funding from tuition fees. The application does not mention how it will obtain future funding.

Fiscal Leveraging. This \$10,020 grant would be leveraged by \$14,480 in tuition, \$3,600 in donated space, contributions of supplies from local businesses, and the hours put in by volunteers from the BAAC, the IU Speech Therapy students, and other places.

Broad and Long-Lasting Benefits. The request for case management services will put this pilot project on more sound footing and the request for supplies and equipment that will enrich the lives of the participants. The request for an artist-in-residence will bring partnerships with the art community. The provision of respite care will help keep families and support systems in place.

Cost

<i>Total Project Cost</i>	\$28,100
<i>Amount Requested</i>	
Personnel costs to coordinate the program	\$4,000
Personnel costs for artist-in-residence	\$2,520
Supplies and equipment for a “ memory station ” which includes laptop computer (\$1164), photo scanner (\$260), 84” projector screen (\$129), digital audio recorder (\$245), and microphone (\$110)	\$1,908
Supplies and equipment for the arts components which include silk screen equipment (\$710), portable sound system for dance (\$399), paper press (\$218), and disposable cameras (\$95).	\$1,592
<hr/>	
<i>Other Funds</i>	
<i>Program income from fees</i>	\$14,480
<i>In-kind contribution from church based upon space given this program</i>	\$3,600
<hr/>	
TOTAL AMOUNT REQUESTED	\$10,020

SSF Funding History

None

Project Healthy Choice Curriculum
City Residents Served. 180 (of 180)

Mission Girls, Inc. has been in Bloomington for 31 years with the mission of inspiring all girls to be strong, smart, and bold. It serves girls age 6 – 18 with quality, research-based programs that fall into six core areas: career choice & life planning, self-reliance & life skills, health & sexuality, sports & adventure, leaders & community action, and culture & heritage appreciation. It serves about 600 participants from a variety of backgrounds with over 25% coming from low-income or single-parent households and approximately 78% residing in the City.

Project Girls, Inc. is requesting \$2,438 to pay for the salary and benefits of a part-time Program Specialist to organize, implement, and evaluate the Healthy Choice program (\$2,000), materials for the Friendly PEERsuasion program (\$225), and healthy snacks (\$13). The 11-month Healthy Choice program will serve 180 girls and addresses sedentary lifestyles, inadequate nutrition, and poor behavior choices of girls by offering a four-part curriculum including: 1) Friendly PEERsuasion, which helps girls resist pressure to use harmful substances; 2) Project BOLD, which provides age-appropriate violence prevention programs; 3) My Girlfriend Zelda, which provides an introductory health and anatomy program; and 4) Commit to be Fit, which provides health and nutrition classes and fitness activities.

Criteria

Need. The SCAN Report identifies the lack of affordable health-related services and the need to provide more health and wellness programs. It also notes that low-income youth are susceptible to unhealthy behaviors and choices.

One-Time Investment. This \$2,438 request covers salaries, program materials, and snacks (minor) for a 11-month Health Choice curriculum. The application does not indicate whether this fits under the pilot project or bridge-funding exception to use of funds for operational costs, nor how the program will be funded in the future. However, Dorothy Granger said that she will be meeting with the Wiley Foundation next month and her board is committed to ongoing funding.

Fiscal Leveraging. This request will be leveraged by a program with a \$31,730 budget which is made up of contributions from numerous sources (see chart below).

Broad and Long-Lasting Benefits. This request would fund a program that encourages girls to take charge of maintaining fit, healthy bodies and becoming responsible for making smart life-choices and will result in a healthier population.

Cost

Total Project Cost	\$31,730
Amount Requested	
Personnel costs for half-time Program Specialist including salary (\$2,000) and benefits (\$200)	\$2,200
Purchase of healthy snacks	\$13
Purchase of Friendly PEERsuasion support materials	\$225
Other Funds	
<i>Girls Inc. for 8.5 PT staff, program materials, supplies, transportation, and scholarships</i>	<i>\$11,686</i>
<i>Alliance Indiana for staff and transportation</i>	<i>\$4,002</i>
<i>Precision Health for staff, program materials, postage and scholarships</i>	<i>\$3,853</i>
<i>Annie E. Casey Foundation for staff, program materials, and transportation</i>	<i>\$5,751</i>
<i>Wylie foundation for scholarships</i>	<i>\$4,000</i>
TOTAL AMOUNT REQUESTED	\$2,438

SSF Funding History

1996	Granted	Van Purchase	\$10,000
1998	Granted	Purchase equipment to implement Operation SMART	\$6,500
1999	Denied	Automatic Doors	
2000-June	Granted	For supplies and equipment for summer camp program and two car infant seats	\$2,303
2000-Oct.	Granted	For the Friendly PEERsuasion Program	\$2,500
2000-Oct.	Granted	For books, refreshments, and misc. equipment for after school reading (Reading Renegades) program	\$620
2002	Granted	To pay for the salary of the director of the after-school and summer youth programs.	\$15,000
2004	Granted	Pay a portion of the cost of one used bus	\$10,000

Project First Aid / CPR / AED Training Program

Participant Agency. American Red Cross – Monroe County Chapter (ARC)

City Residents Served. 1,300 (of unknown number of total clients served)

Mission The mission of the Girl Scouts of Tulip Trace Council (GSTTC) is to build girls of character, confidence and courage who will make the world a better place. It serves 947 girls with 346 adult volunteers who all reside in the City and many more who live elsewhere.

Project The GSTTC and the ARC are requesting a one-time grant of \$4,071 to purchase First Aid, CPR & Automatic External Defibrillator (AED) instruction manuals and equipment (see chart below) to train 1,300 city residents. ARC certified trainers will train and certify Girl Scout Volunteer Trainers who, in turn, will provide age-appropriate training for the others. ARC is uniquely qualified to provide the training, training materials and equipment and certifications. The GSTTC desires this training not only to offer life saving skills, but also to provide opportunities for girls to expand their knowledge, find jobs (babysitting and camp counseling, for example), explore careers in health and safety, and encourage greater responsibility and leadership.

Criteria

Need. The application does not cite any community-wide survey to support this initiative, but does say that it will train city children ages 9 -17, adult volunteers, and staff to respond quickly and appropriately to emergencies befalling anyone in the community whether the person be of low income, elderly, disabled or otherwise disadvantaged.

One-Time Investment. This is a one-time request of \$4,071 for materials and equipment to provide FA/CPR/AED training to at least 1,300 city residents.

Fiscal Leveraging. The grant will be leveraged by approximately \$3,000 in operating funds to cover the overhead cost of the program and by volunteer trainers who will train others.

Broad and Long-Lasting Benefits. The program will train at least 1,300 city residents in First Aid, CPR, AED, who will be available throughout the community to provide these life-saving procedures whenever they arise. It will also introduce girls to new skills that may help with employment and spark an interest in a career in health and safety.

Cost

Total Project Cost \$7,080

Amount Requested –Program Material

First Aid (FA), Cardio-Pulmonary Resuscitation (CPR), Automatic External Defibrillator (AED) for the Workplace, Schools, and the Community – Instructor’s Manual – 50 copies x \$12/copy \$600

FA/CPR/AED Participants Workbook – 10 copies x \$10/copy \$100

FA/CPR/AED Participant Manual – 30 copies x \$8/copy \$240

FA/CPR.AED work place DVD – 5 copies x \$105/copy \$525

FA/CPR/AED Schools and the community DVD – 3 copies x \$105/copy \$315

Adult CPR.AED Skill cards – 100 sets x \$3.50/set \$350

Infant and Children Skill cards – 100 sets x \$3.50/set \$350

FA Skill cards – 100 sets x \$3.25/set \$325

Amount Requested – AED Trainer and Equipment

AED Trainer – 3 units x \$325/trainer \$975

AED Remote Control – 3 units x \$31/unit \$93

Programming Kit – 3 units x \$21/unit \$63

Pediatric Pads – 3 units x \$45/unit \$135

Other Funds

Girls Scouts Operating Funds will cover overhead costs for implementing the program \$3,009

TOTAL AMOUNT REQUESTED **\$4,071**

SSF Funding History

2000- June	Denied	Construction of new facility	
2001	Denied	Science Materials	
2002	Granted	To purchase 2 learning modules for the agency's Family Life Education Program.	\$2,148
2005	Denied	Construction of new building	

Warehouse & Vehicle Safety Improvement Project

City residents served: 10,070 (of 24,338)

Mission

Hoosier Hills Food Bank, Inc.’s mission is to “collect, store and distribute surplus and donated food product to non-profit organizations with feeding programs that serve ill, needy and infant individuals and work to educate the community on hunger issues.” In 2005, Hoosier Hills Food Bank (HHFB) distributed 1,679,915 pounds of food to 86 member agencies in Brown, Lawrence, Orange, Owen, Martin, and Monroe counties.

Project HHFB requests funds for the listed safety improvements to its warehouse & transport vehicles.

- *Installation of “Exit” lights at six doorways and emergency flood lights at four locations in the warehouse and the office of the HHFB facility.* These lights would provide significant safety improvements in the event of an emergency or power outage. HHFB writes that the warehouse is crowded with pallets and equipment; without proper lighting injury could ensue.
- *Replacement of existing wooded west door with panic hardware and self-closing hinges.* The current door opens inward, but safety requires it open outward and include a “panic bar” which allows for quick exit in the event of an emergency. A steel door provides greater safety.
- *Removal and Reinstallation of existing scale recessed into the floor.* HHFB weighs all incoming and outgoing food and the scale is therefore, located at the primary entrance. The scale sits on the floor and is elevated 3 inches, requiring ramps. Due to its location, the scale must be crossed by anyone who comes to the HHFB. Many people trip on this scale, although no one has yet been injured. HHFB wants to manage this risk by recessing the scale into the floor to allow for a flat surface.
- *Purchase of 2 “E-Z” steps with “Sure Grip” surface for traction, one grab handle and one adjustable “mod pod” mirror for the HHFB’s two largest trucks.* The adjustable mirror will allow HHFB drivers better vision in making lane changes. The steps and grab handle will provide safe access to the back of the tracks for drivers and staff from other agencies when loading or unloading food.
- *Purchase of one OSHA-compliant ten-step rolling safety ladder for warehouse staff.* Staff currently us straight ladders. A rolling safety ladder can be locked into place and has a platform.

Criteria

Need. SCAN points out that “food is a fundamental human need” and that 17% of all households and 50% of low-income households reported problems having enough money for food. 7% of all households and 31% of low-income households reported needing emergency or supplemental food assistance. “By providing over 1.6 million pounds of food to agencies serving the hungry, HHFB plays an important role in addressing this priority.” 50% of the agencies considered managing their organization’s facility a challenge. HHFB writes that these safety improvements will reduce that challenge for the food bank.

One-Time Investment. The items requested are on-time purchases that are not provided for in the agency’s current budget. While some smaller items could be included in future budgets, HHFB writes that it operated a substantial deficit in 2005 for the first time in memory due to staff turnover and loss of a major grant. HHFB is still in healthy financial condition and able to meet reserve requirements, but not able to fund substantial investments beyond normal operating expenses in the near future.

Fiscal Leveraging. HHFB has secured electrical contractor services at a reduced cost. HHFB will install vehicle equipment itself in the interest of reducing service costs.

Broad & Long-Lasting Benefits. HHFB writes that this project will benefit more than 80 agencies utilizing its facility and will improve safety for their staff and volunteers. “HHFB member agencies include food pantries, day cares, youth programs, soup kitchens, senior feeding programs and programs for those ill with AIDS. Ensuring that seniors have access to food enables them to remain independent longer; providing proper nutrition to children enables them to learn and play and remain healthy; supporting the work of day care programs enables parents to work while their children receive quality care and food; and assisting with the food needs of the homeless, the ill, and victims of domestic violence helps allow these individuals to reclaim their lives.” The work of HHFB reaches over 20,000 each year and assists “in building a healthy and productive community.”

Cost

<i>Total Project Cost</i>	\$6,870.24
<i>Amount Requested</i>	\$6,670.00
Install exit and emergency flood lights	\$1,055.24 (\$0.24 from HHFB)
Replace door to open outward, panic bar	\$1,750.00
Reinstall scale recessed in floor	\$2,700 (\$200 from HHFB)
Truck Steps (2@\$177.50); handle, mirror (\$202)	\$ 708

TOTAL AMOUNT REOUESTED	\$ 6.670
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SSF Funding History

1994	Denied	Warehouse addition, freezer, cooler, capital expenses	
1996	Granted	Refrigerated truck	\$3,800
1997	Granted	Equipment for Food Repackaging Room for meal rescue program	\$9,200
1999	Granted	Cooler and condensing unit	\$14,394
2000-June	Granted	One low-lift pallet truck and three sets of racking	\$4,549
2001	Granted	To purchase food for city residents	\$3,000
2004	Granted	Pay for renovations to the facility	\$13,294

Operational Costs – Salaries, taxes & supplies

City residents served: 123 (of 350)

BRIDGE FUNDING

Mission

The mission of Martha’s House is to provide safe shelter while working to end homelessness. As the only emergency shelter in the area, Martha’s House serves all populations of the homeless and provides a safe place to stay and a continuum of services to foster long-term self-sufficiency. Residents of Martha’s House are assigned a caseworker to develop a self-sufficiency plan specific to the needs of the individual client. Martha’s House works with other community organizations to offer on-site classes in job search/interviewing, money management, housing search skills, smoking cessation and sexual health/HIV testing. When residents move from the shelter, they are offered the *Graduate Program* – follow-up case management and support to ensure the long-term ability of residents to maintain their housing.

Length of a resident’s stay is determined by county of last residence. Residents who last lived in Monroe, Owen or Lawrence County can stay for 30 days. If these residents follow their case plans, they are eligible to stay for a maximum of 90 days. Individuals who last lived in a county other than Monroe, Owen or Lawrence are limited to a maximum stay of ten days. Over 54% of clients served in the last two years were from Perry or Bloomington Township and almost 25% were residents of other Monroe County townships.

In 2004, Martha’s House served 257 unduplicated individuals and in 2005, it served 344% -- an increase of approximately 75%. As part of its strategic plan, Martha’s House intends to expand its services to include an emergency family shelter and to increase programming options for both families and individuals. Currently, none of the area homeless shelters permits fathers to stay with their children in the shelters.

Project

Martha’s House requests \$10,000 in bridge funding for operating expenses so funds from other sources can be dedicated to an operating reserve. Martha’s House hopes to establish an operating reserve due to the seasonal nature of its funding cycle. In addition to the Homeward Bound walk in April and a golf scramble in May, the shelter’s annual solicitation is most successful in the winter, when the weather turns cold. The shelter also applies for State and federal funds, some of which have a wait time of six months to a year between the submission of the grant application and the notice of award. Between fundraisers and grant awards, the shelter falls short of funds during certain periods of the year. The goal of an operating reserve is to provide stability during these lean times.

Criteria

Need. Homelessness facilities are ranked as a high-priority need in HAND’s 2005-2010 *Consolidated Plan*. The *Plan* calls for providing “funding to non-profit organizations that serve low-income individuals/families with their basic emergency needs: food, shelter and health care.” (p.74).

One-Time Investment. This is a request for bridge funding. See above description of *Project*.

Fiscal Leveraging. Martha’s House receives \$53,687.92 in in-kind donations to cover expenses for its Emergency Shelter; \$10,000 for its Family Shelter and \$13,709.50 for its Supportive Housing. Additionally, the shelter has been awarded a HUD Supportive Housing Program grant to offer supportive services (including rent and utility assistance) to eleven chronically homeless individuals with disabilities and four families experiencing homelessness. Additionally, the shelter has several grants pending, including an Emergency Shelter Grant (a two-year government grant to help fund operating expenses) and the Neighborhood Assistance Program tax credits. Over the last two years, Martha’s House has worked to build its reputation; as a result, both the number of donations and the amount of the donations has increased in that time.

Broad & Long-Lasting Benefits. As made clear in its mission statement, the goal of this bridge funding request is to allow the shelter to continue to provide services in the interest of helping clients achieve self-sufficiency and working to end homelessness in the community.

Cost

<i>Total Project Cost</i>	\$243,94.93
<i>Amount Requested</i>	\$10,000
Salaries & payroll taxes	\$9,000
Supplies	\$1,000
TOTAL AMOUNT REQUESTED	\$10,000

SSF Funding History

2004	Granted	Salaries and operational costs needed to operate 28-bed emergency shelter & facilitate a new self-sufficiency & outreach program	\$17,823
2005	Granted	Salary for Assistant Director and House Managers of the Emergency Shelter program	\$12,500

**Jail Diversion Program, Mental Health Community Coordinator & Associated Resources
City residents served: 49-53 (of 70)**

Mission

The mission of the Mental Health Alliance (MHA) is to promote awareness, acceptance, and treatment in the prevention of mental illness through advocacy, education, support and delivery of the most effective and appropriate services to all person affected by mental health issues.

Project

The Jail Diversion Program (JDP) transitions non-violent incarcerated persons with mental illness or mental illness in combination with substance abuse and/or developmental disability into appropriate treatment settings. In the first 15 months of the program, it provided services to 84 incarcerated individuals, at an estimated savings of \$180,000 for the criminal justice system. The MHA points out that while the JDP has been highly effective in identifying alternatives to incarcerations for mentally ill offenders and reducing the amount of time spent in jail prior case disposition, after release, mentally-ill inmates are faced with inadequate resources, transportation, housing and linkages to community supports. Without such supports, recidivism is likely.

MHA proposes to reach out to inmates after release by providing inmates with providing inmates extensive transition services and case management which are beyond the scope of the JDP. These services include: meeting with the inmate upon release, identifying client needs and available resources and working individually with the mentally-ill offenders to coordinate his/her needs. Toward this end, MHA asks for funds for a Community Coordinator. In addition to direct case management, the Coordinator would also participate in the Mental Health Treatment Review Team whose goal is to speed up the disposition of cases of mentally ill defendants. In addition to requesting 12 months salary for the Coordinator, the MHA also requests the following resources in support of the post-release program: a community resource guide/planner to be filled out and provided to the inmate at the time of release with upcoming appointments and suggested contacts; resource vouchers will be provided as needed to each inmate upon release for items such as clothing, transportation and emergency medication; and a cell phone for the Coordinator to facilitate communication.

Criteria

Need. The SCAN Report states that mental health services are in a state of crisis. Due to privatization, centralized resources and expertise have lagged. Downsizing of hospitals put people back into the community without a support network. “Providers do not see Monroe County responding in a coordinated manner as a community...many untreated people with mental illness eventually wind up in jail. SCAN points out that one of the community’s unmet needs is providers to work with people incarcerated and transportation to services.

One-Time Investment. This request is for the first 12 months of the Coordinator’s salary and supporting program resources. The MHA cites its previous JHSSF funds as evidence that they are skilled at using seed money to develop a needed service and to sustain that service.

Fiscal Leveraging. The JDP has become a permanent line in the Monroe County Jail budget. Monroe County CARES provided funds for the JDP and the MHA will solicit funding from this source for this expanded program also.

Broad & Long-Lasting Benefits. As described above, post-release services would address the social problems associated with release of a mentally-ill offender. “Stopping the cycle of incarceration will impact the community’s crime rate, save the resources of our community justice system, reduce the level of one of the most intractable homeless populations and improve the quality of life from these mentally ill community residents and their families.”

Cost

<i>Total Project Cost</i>	\$36,607
Community Coordinator (\$15/hr x 52 wks)	\$11,700
Office Manager	\$ 728
Fringe (15%)	\$ 1,864
Material Support Program/Resource Guide	\$ 1,300
Supplies	\$ 200
Telephone	\$ 360
Travel	\$ 264
Other (Audit, insurance, equipment lease)	\$ 500

TOTAL AMOUNT REQUESTED	\$16,916
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SSF Funding History

2004	Granted	Pay for computer equipment and a portion of salaries for a Jail Diversion Specialist – to find other means for handling non-violent, mentally ill offenders	\$10,000
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Operational Costs – Childcare Program

City residents served: 110 (of 110)

BRIDGE FUNDING

Mission

The mission of Middle Way House, Inc. is to end violence in the lives of women and children by implementing or sponsoring activities and programs aimed at achieving individual and social change.

Project

Middle Way House, Inc. (MWH) requests a grant to help fund the position of Childcare Program Coordinator. The childcare program serves pre-school children whose parents are working, participating in MWH programs designed to bring them closer to self-sufficiency standards, attending school, or fulfilling mandated obligations. The Coordinator is a teacher licensed in Early Childhood Education and certified in Special Education and performs individual assessments and designs individualized learning programs for the children aimed at helping them meet the challenges of school, family, social and community life. This program provides early developmental and school readiness activities, music, recreation, cooking and craft activities in a setting where the adult-child ratio is never less favorable than 1:3. Every week, supervised interns from IU Speech and Hearing Program come to the shelter and test children and encourage the development of effective communication skills.

Most children participating in this program are in need of special services as a consequence of witnessing domestic violence. In some cases, these children have been the victims of abuse. The survival skills learned in these abuse environments do not serve them well in the wider community. At school, these children are behind in their skills and are likely to get in trouble for a variety of inappropriate or violent behavior. This program is designed to help children overcome early deficits that lead to school failure, encouraging literacy and numeracy, the development of appropriate social skills and a love of learning. The children participating in this program are most likely to engage in self-defeating/self-destructive and anti-social behaviors as they enter the tween and teen years. This program promotes self-respect, teamwork, the value of community, and nonviolent conflict resolution.

Criteria

Need The SCAN points out that women who are single parents have fewer resources. “It is critical for parents with young children who are trying to improve their education or re-enter the workforce to have access to quality, affordable child care. Accessing reliable, quality, affordable child care is one of the greatest barriers to women obtaining and keeping a job, or furthering their education.” (pp.52-53)

One-Time Investment. This is a request for bridge funding. Decreases in government funds and changes in State and federal funding priorities have left the program in shortfall. MWH is applying for government and private foundation grants and is looking for its work-study positions to be restored.

Fiscal Leveraging. MWH has secured \$94,296 from HUD and \$30,000 from the State Office of Family and Children. \$23,574 in NAP money is pending.

Broad & Long-Lasting Benefits. As explained above, the children participating in this program are most likely to engage in self-defeating/self-destructive and anti-social behaviors as they enter the tween and teen years. This program promotes self-respect, teamwork and the value of community, and nonviolent conflict resolution.

Cost

<i>Total Project Cost</i>	\$168,058
<i>Amount Requested</i>	\$ 15,000
Children’s Advocate Salary	\$ 14,000
Taxes/Benefits	\$ 1,000
Other Funds for Project	
HUD (confirmed)	-\$ 94,296
OFC (confirmed)	-\$ 30,000
NAP (pending)	-\$ 23,574

TOTAL AMOUNT REQUESTED	\$ 15,000
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SSF Funding History

1993	Denied	Transitional housing project and day care center	
1994	Granted	Women's and children's transitional facility	\$35,000
1996	Granted	Child care facility	\$17,350
1997	Denied	Construction Fees	
1999	Denied	Interim Salary for Coordinator	
2000-June	Granted	To construct addition onto their shelter	\$10,000
2000-June	Granted	To buy and install security devices for two facilities	\$2,426
2000-June	Denied	Travel and Conference	
2000-Oct.	Granted	To buy an Industrial Grade document scanner for Confidential Document Destruction Program	\$3,211
2001	Granted	To support pilot childcare nutrition program/enterprise by paying salaries of cook	\$23,885
2003	Granted	Purchase thermal carriers; pots, pans, and food trays; and, dishwasher proof dishes and flatware in order to extend program to Area 10 Agency on Aging	\$4,100
2004	Granted	Pay a portion of salary and benefits for a Housing Specialist who will develop a cooperative housing program & facility for low-income women	\$7,500
2005	Granted	Steel ramp, tow bar lifts, lifts for Confidential Document Destruction	\$10,000

Evans-Porter Library Collection at the Banneker Community Center

City residents served: (unavailable; Banneker receives 80,000 visitors annually)

Project Partner: City of Bloomington Parks and Recreation

Mission

The goal of the Monroe County Public Library is to offer equitable access to information, a place to gather, and opportunities for lifelong learning, enrichment and enjoyment.

Project

Funds will be used to bring Internet access to the Evans-Porter Library Collection (EPC) at the Banneker Center and to provide easier and more immediate access to educational and cultural materials to serve all ages in the west side of Bloomington.

Criteria

Need SCAN identifies educational attainment and youth development as priorities. MCPL points out that “this project serves to strengthen the ‘informational education resource’ for educational attainment in a City neighborhood where many residents face difficult economic challenges.” The EPC will feature resources for GED, SAT and career preparation, as well as learning resources for school-age children through adults. It also will include materials on diversity and cultural heritage and pride. The Center houses a CAPE-funded Family Resource Center which brings in families from all over the community. The EPC will provide these families with more educational resources within the Banneker Center.

MCPL also points out that the project enhances the SCAN-identified efforts to serve “youth from families experiencing poverty.” Children in the Banneker neighborhood attend the lowest-achieving elementary school in the MCCSC. Over 80% of Fairview students qualify for free or reduced lunches (the highest percentage in MCCSC). Many children and families from the Crestmont area are served by Banneker programs. Banneker staff reports that many students visiting the Center lack reading skills and interest in reading for pleasure.

SCAN calls for work “to strengthen efforts and fund programs and organizations that are already working instead of creating new programs.” The Evans-Porter Collection will be operated in partnership with the City’s Parks and Recreation Department. The Center is already heavily-used for a variety of recreational activities for all ages, daily activities, seasonal events, and ongoing programs for all age groups.

One-Time Investment.

Funds will be used to jump-start the Evans-Porter Collection at the Banneker Community Center in the interest of meeting the information, educational, and recreational needs of the Banneker clients and individuals and families of the west side.

Fiscal Leveraging. MCPL is providing the following in-kind contributions: 1 library worktable; 2 spinner racks for paperback display; 30 linear feet of library shelving; 2 upholstered chairs; 1 table and lamp; 30 boxes of gently-used library books. Parks and Recreation is providing space and staffing at the Banneker Center. MCPL will provide selection expertise to maintain a quality collection that is up-to date and relevant to the community’s needs.

Broad & Long-Lasting Benefits.

The EPC honors former Banneker teachers, Alice Evans and Georgia Porter – women who taught at Banneker for over 20 years and influenced many youth. The EPC aims to preserve this aspect of the City’s history and to transit an increased awareness of these and other positive role models to youth in this neighborhood. Through partnerships, the MCPL expects the EPC to expand to include more library services and connections to resources for learning and self-development. This project strengthens equal access to information, resources for learning, and library services for all ages.

Cost

<i>Total Project Cost</i>	\$ 12,000
<i>Amount Requested</i>	\$ 5,000
Computer Access & Setup	\$ 2,500
Approximately 166 books	\$ 2,500
Other funds for project	
MCPL – 30 boxes of materials	-\$ 2,000
MCPL – furniture & shelving	-\$ 5,000
TOTAL AMOUNT REQUESTED	\$ 5,000

SSF Funding History -- none

Expansion of Emergency Services – Increasing Caseworker Hours

City residents served: 1,954 (of 2,960)

Mission

“Monroe County United Ministries is a nurturing organization service working families and those in distress by assisting with emergency needs and subsidized childcare. We provide quality education and a safe place for children, basic needs assistance for the poor and community service opportunities.”

Project

Monroe County United Ministries (MCUM) requests funding for the expansion of its Emergency Services Program (ESP). MCUM’s ESP provides basic needs assistance to low-income families in our community who are experiencing financial crisis. By providing food assistance, housing or utility payment, cleaning or hygiene supplies, and access to clothing and household items, the ESP “works to provide the basic needs that can prevent a short-term crisis from becoming a long-term problem.”

In 2005, the ESP saw a 25% increase in the number of requests for assistance, in addition to the 40% increase experienced in 2004. In 2005, this program distributed food to 4,096 people, a 22% increase over the previous year. The demand for cleaning supplies and hygiene products increased 80% in 2005 and the program provided financial assistance to 32% more people, keeping 115 people in their homes and utilities turned on. In 2005, the program’s caseworker (MCUM’s only caseworker) processed 8,878 requests for various forms of assistance. This caseworker averaged a 60-hour work week in 2005, receiving no compensation for additional hours worked. Despite these long hours, many potential clients were still turned away and time spent with existing clients was limited. In March 2006, MCUM hired another social worker at 20 hours/week. While this addition has improved services, MCUM finds that it needs to increase this position to 30 hours/week. And provide employee benefits. MCUM writes that “increased hours will stabilize this position by reducing turnover and allow us to provide the level of service we feel is necessary to meet the basic needs of our clients.”

Criteria

Need

Of all the families assisted, 60% included children are 18 or younger, 30% included a disabled family member and 100% were low-or moderate income. According to SCAN, 50% of low-income households report having a problem finding enough money to buy food. 31% reported that they had needed food assistance at least once in the previous twelve months. 50% of low-income households reported having a problem finding enough money to purchase needed clothing. 47% of households with incomes of 25% or less reported trouble finding enough money to pay the rent or mortgage. 46% of these same households reported the same concern with utility bills. Both SCAN and HAND’s *Consolidated Report* cite the need for basic needs assistance to help people move beyond a state of crisis and begin to address longer-term solutions such as education and employment.

One-Time Investment. MCUM points out that research by America’s Second Harvest finds that communities across the country are experiencing an increase in demand for basic needs assistance and that our community mirrors that trend.

Fiscal Leveraging. In 2005, MCUM received more than 75,000 pounds of donated food. Donors also provided cleaning and hygiene products. MCUM receives funding from local churches and the Emergency Food and Shelter Program to provide rent/mortgage and utilities assistance.

Broad & Long-Lasting Benefits.

By providing short-term financial assistance, MCUM writes that it “can prevent homelessness, reduce the need to access other social services in the community, increase family stability, help children stay in school and be better prepared to learn due to improved nutrition and reduced stress, help adults become or stay employed and have a variety of other positive impacts.”

Cost

Total Project Cost \$20,000

TOTAL AMOUNT REQUESTED	\$20,000
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SSF Funding History

1996	Denied	Facility Addition - Daycare	
1997	Granted	Addition and renovation of child care facility	\$51,000
1998	Granted	Renovate existing building to meet new building code	\$9,925
1999	Granted	Equipment for food area	\$11,850
2001	Granted	To pay rent and utilities for city residents at risk of being dislocated	\$32,884
2003	Granted	Subsidize childcare costs for low-income households within the City	\$20,000
2004	Granted	To subsidize child care services for low-income city residents primarily during the summer months	\$15,000
2005	Granted	Caseworker salary for Emergency Services program	\$16,000

Food Pantry Program: Refrigeration Equipment

City residents served: 40,040 (of 57,200)

Mission

“Mother Hubbard’s Cupboard is a community food pantry whose mission is to provide wholesome, healthful food to people in need as well as nutrition and gardening education and to provide services in ways that build community while enhancing the dignity, respect and self-care of all involved.”

Operating in Bloomington since 1998, the Cupboard is the largest food pantry in Monroe County. Each week, the Cupboard serves an average of 1,100 clients and distributes over 7,000 pounds of food. The Cupboard is staffed by two paid employees and more than 70 volunteers who collectively contribute over 50 hours of work week. Over 80% of volunteers are also Cupboard patrons.

Project

The Cupboard is requesting \$6,670 from JHSSF to pay for the purchase and installation of one two-door freezer unit and one two-door refrigeration unit. For the past seven years, the Cupboard has used recycled household refrigerators in our food pantry. These units are too small to accommodate the volume of food the Cupboard distributes on a daily basis. In the fall of 2005, the Cupboard acquired a large in-kind donation of 3 glass-doored coolers from Osco Drug. This request for two additional cooling units will increase the Cupboards’ ability to store and stock perishable foods to be distributed to its clients.

Criteria

Need. As spelled out in both the *SCAN Report* and the HAND Department’s recent, *Consolidated Plan*, emergency food services are one of the community’s urgent social service needs. Among Monroe County households with incomes less than \$25,000, 23% needed emergency or supplemental food assistance and 39% had trouble paying for food. (*SCAN 57-58*). As a response to this need, HAND’s *Consolidated Plan* encourages, “the Citizen Advisory Council [of the CDBG Program] to continue to set aside at least 50% of the social service funding for emergency services, which are classified as food, shelter and medical care.” (p. 116).

The Cupboard operates the largest food pantry in Monroe County and serves an average of 1,100 clients/week. Since 2003, the Cupboard has seen an almost 100% increase in demand for services. The Cupboard is the largest agency partner of Hoosier Hills Food Bank, distributing 20-30% the Food Bank’s food per year. 100% of the Cupboard clients meet CDBG income eligibility guidelines; 70% are City residents; one-third of individuals served are children under 18; over 10% of Cupboard clients are ill or disabled, while 43% consider themselves temporarily, or permanently, unemployed.

One-Time Investment. The Cupboard’s request is a one-time investment for refrigeration equipment; the Cupboard will assume all responsibility for maintenance and repair of this equipment.

Fiscal Leveraging. The Cupboard will maximize JHSSF by leveraging other fiscal mechanisms. The Cupboard estimates that it will receive \$40,000 worth of donated food from the Hoosier Hills Food Bank. The Cupboard’s pantry facility is donated by the Perry Township Trustee and has an estimated market value of \$15,640.

Broad & long-Lasting Benefits. Investment in refrigeration equipment will make a broad and long-lasting contribution to the community by 1) decreasing the food insecurity of the community and 2) increasing the quantity and quality of food available to low-income residents, thereby fostering the long-term health of this population.

Cost

<i>Total Project Cost</i>	\$6,670
<i>Amount Requested</i>	\$6,670
2 solid door commercial freezer	\$3,550
2 solid door commercial refrigerator	\$2,750
Installation of units @ \$60/hour	\$120
Freight charges for 2 units @ \$125 per unit	\$250
TOTAL AMOUNT REQUESTED	\$6,670

SSF Funding History

1999	Granted	Refrigeration unit	\$1,029
2000-Oct.	Granted	To establish a new Southside food pantry in concert with the Community Kitchen and the Perry Township Trustees	\$9,000
2002	Granted	To fund a new nutrition education program	\$5,000

Inmate Transition Program – Partial Funding for Full-time Director & Part-Time Coordinator

City residents served: 75 (of 75, Jan-April 2006)

Participating Agencies: Monroe County Correctional Center & WorkOne

BRIDGE FUNDING

Mission

The mission of New Leaf-New Life (NL-NL) is to develop a comprehensive approach to providing for the needs of inmates and their families during and after incarceration. The goal of NL-NL is to establish programs and support systems for offenders in and out of jail that reduce recidivism by fostering responsible behavior, self-determination and successful reentry into the community.

Project

Since its inception the Transition Program has been staffed part-time by the Disabilities Program Navigator at WorkOne. This position is grant funded. In January, NL-NL received a grant from the Sparkplug Foundation for a part-time program coordinator. Both grants supporting both positions will end in June 2006. NL-NL requests funding to pay for part of the salary for a full-time director and for a part-time coordinator.

Criteria

Need

SCAN cites that one of the largest gaps in mental health services are advocates to work with clients who are incarcerated. Inmates involved in the Transition Program have an advocate who works to assess an inmate’s needs and insure that medication or treatment needs are being met during the gap between release from jail and application and availability of health care.

SCAN also points out that incarceration is identified as one of the “triggering” events that can result in homelessness and hunger. Transition program navigators prepare inmates before release by locating employment opportunities, available housing or shelter, public assistance, and other resources and continue to work with the inmate after release to provide support and assistance.

According to the Substance Abuse and Mental Health Services Administration (SAMHSA) there is a need for continuity of care as offenders with substance abuse disorders move from incarceration to the community. Many offenders are released with no job, no home, and no positive social support.

NLNL’s application refers to the Mayors “City Vision 2006” address wherein he stated the need to break the cycle of recidivism to increase the safety of citizens and to control and reduce the costs of corrections. The application quotes the Mayor as saying, “I fully support the goals and plans of New Leaf-New Life, Inc.”

One-Time Investment. Bridge funding. Applicant indicates that it is pursuing a number grants and suggests it has the endorsement of INDOC.

Fiscal Leveraging. WorkOne will provide the Program with space, a computer and a telephone. NL-NL has garnered private donations to cover the costs of birth certificates, school transcripts, and other incidentals.

Broad & Long-Lasting Benefits.

The application states that, “[p]eople being released from jail and prison face many challenges that can easily lead to a return to the lifestyle that led to incarceration. Incarceration does not only affect the offenders but their partners and most tragically their children who have to experience the absence of a parent. An investment in the Transition Program will have a positive effect on the community and lowering recidivism.”

Cost

Total Project Cost – salaries \$ 46,800

Amount Requested \$ 23,000*

* Note: exact distribution of these funds is contingent upon pending grants.

TOTAL AMOUNT REQUESTED	\$23,000
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SSF Funding History

2005

Denied

Personnel, office, office supplies

Equalizing with E-Cycling Program
City residents served: 19 (of 19)

Mission

Options for Better Living, Inc. partners with people with disabilities and their communities to bring about self-directed and fulfilled lives.

Project

Options recently retired 19 office computers and 22 monitors to make way for hardware that can handle certain software. It wishes to recycle this hardware through the *Equalizing with E-cycling* program whereby these machines are reconditioned and made available to Options customers.

Funding for this e-cycling program would help Options hire a computer technician to clean each computer, reinstall programs pertinent to the agency’s customers’ individual needs, install modems, and prepare the computers’ accessories. The computers will then be given to Options’ customers who currently do not have access to a computer. Options intends to evaluate the program to assess the impact of the e-cycled computers.

Criteria

Need. According to the Institute for Health and Aging (IHA), only one-fourth of Americans with disabilities own computers and only one-tenth ever make use of the Internet. This means that of the 10,648 people with disabilities in Monroe County, 7,986 people do not own a computer, and 9,583 individuals have not or cannot access the Internet. Options’ 2003-2006 Strategic Plan calls for developing computer resources and enhancing the access of computers and other technology for its customers. The IHA reports, “[t]o a population that is often physically as well as socially isolated, [computers] can offer access to information, social interaction, cultural activities, employment opportunities, and consumer goods.” As *SCAN* points out, 70% of people interviewed at service provider locations reported an income below \$15,000, many of whom are dependent on Social Security and/or disability payments as their primary income. This segment of the community does not have income to purchase a computer. The *SCAN* also points to the need to reach out to households with lower incomes to improve education. Further, the IHA reports that, even when people with disabilities are employed, only 42.6% use a computer at work, and only 26.4% of those had access to a computer.

This program complements Options’ *Life Enrichment Activities Participation* program which offers customers the opportunity to receive computer training. This training provides a foundation for further study of word processing programs, skill training websites and learning how to search for jobs.

One-Time Investment & Leveraged Funds. This one-time investment will help Options leverage donations for used computer software such as word processing programs, educational games, interactive encyclopedia programs, and other programs that allow customers to learn and enforce quality life skills. Options has already raised \$2,424.00 and expects another \$1,000 for the project.

Broad & Long-Lasting Benefits. Options writes that these computers will increase customers’ self-esteem, boost their confidence, and provide valuable training that can be used in the workplace. “Bloomington will benefit from the computers, as 19 more individuals will be able to become further educated, learn life skills, enhance their ability and potential in the workforce, and have a higher level of independence, connect and communicate with others, and socially become part of the electronic community. These people will give back to Bloomington time and time again – through jobs, attending more events and community celebration, and by obtaining new skills to give back to the area, making Bloomington an even better place to live.”

Cost

<i>Total Project Cost</i>	\$ 8,000
<i>Amount Requested</i>	\$ 5,000
Computer formatting and rebuilding	\$ 1,330 (#1 rank)
Installing modems and software	\$ 2,530 (#2 rank)
Internet Connection Fee	\$ 1,140 (#3 rank)
Other funds	
In-kind – pending	-\$ 1,000
Options funds – confirmed	-\$ 144.50
Kiva’s Reduced-Rate Internet	
Contribution – confirmed	-\$ 2,280

TOTAL AMOUNT REQUESTED	\$ 5,000
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SSF Funding History

1997	Granted	Upgrading phone and voice mail system	\$13,500
1998	Granted	Repair 1991 Club Wagon for client purpose	\$3,000
2000-June	Granted	Materials, computer, and furniture for resource library	\$5,000
2001	Granted	To purchase CPR training equipment to train staff	\$4,966
2002	Granted	Materials for a program between Options and Center for Behavioral Health to address persons with dual diagnosis	\$5,000
2003	Granted	Materials for resource library & speaker fees. Family Partnership	\$1,725
2004	Denied	Career Exploration Day Transportation and Costs	
2005	Granted	Modify wheelchair accessible van for community participation program	\$7,500

**Penny Lane, East – Subsidized Care for Families in Need – Full Scholarships for 4 Children
City residents served: 74 (of 86)
BRIDGE FUNDING**

Mission

“Penny Lane exists to provide the community with a service of a preschool and licensed child care facility combined into one. All children...are given the best possible care that we can provide for them. Every child is an individual with lots of capabilities not yet explored. Penny Lane uses all the developmental areas – physical, cognitive, social-emotional and language -- to help children and families experience their needs in a natural environment that is safe, healthy and developmentally appropriate.”

Project

Penny Lane is a licensed child care facility that serves children age 6 weeks to 10 years. Penny Lane has locations on both the west and east sides of Bloomington. As more City residents patronize the eastside location, this application requests funds to subsidize care for four additional children at the Penny Lane East location.

Currently, Penny Lane has contract with the Child & Adult Care Food Program and the Child Care Development Fund (CCDF) and receives CCDF vouchers. Since 2000, CCDF funds have been cut by \$33,990 (27%). At the same time, cuts have been made in the City voucher program. As a result, many families in need of childcare vouchers are put on a wait list. Currently, the wait is approximately four months. 83 families are on the waitlist. Penny Lane has a capacity of 103, but currently only serves 86 children because of the voucher scarcity. Penny Lane requests funds to provide care for four City children whose families are currently unable to afford care and do not have vouchers. All children served by this project will be at 100% of the poverty level, or greater. Please note that the charge of \$103/child/week is comports with market rates (*see rates attached to application*).

Criteria

Need

The SCAN Report documents the need for more subsidized childcare in our community. According to SCAN, in 2002, there were 2438 slots available for children in licensed day care, yet the number of children receiving child care vouchers was only 1248. SCAN also reports that many childcare providers follow the MCCSC calendar. Penny Lane provides services all year, except for six holidays.

One-Time Investment. This is a request for bridge funding. Penny Lane is currently in the process of accreditation, once accredited, it will receive a greater rate of reimbursement from CCDF and be able to reach out to more families in need in the future.

Fiscal Leveraging. Penny Lane receives funds for subsidized care from Child & Adult Care Food Program and the Child Care Development Fund.

Broad & Long-Lasting Benefits. By providing care to children and families otherwise unable to afford it, this program will provide children with good nutrition, a positive learning experience and a safe and stable environment. This program also allows parents trying to improve their education or re-enter the workforce to have access to quality, affordable child care.

*** Note: Applicant is requesting funds into March of 2007 in the interest of fostering the greatest stability for families already experiencing great instability.**

Cost

<i>Total Project Cost</i>	\$20,800
<i>Amount Requested</i>	\$17,680
Weekly charge (\$130/child x 4 children)	(\$ 520)
Weekly cost x 40 weeks	\$20,800
Holidays & Vacation (2 weeks)	- \$ 1,040

TOTAL AMOUNT REQUESTED \$19,760

SSF Funding History -- none

Therapeutic Arena Props and Special Horse Tack

City residents served: 84 (of 150)

Mission

People and Animal Learning Services, Inc. (PALS) is dedicated to providing high-quality, safe, educational, fun and therapeutic animal assisted activities such as therapeutic horseback riding, hippotherapy, animal care and pet encounter therapy to children and adults with physical, learning, cognitive or emotional disabilities. It was established in 2000 and is accredited as an operating center by the North American Riding for Handicapped Association (NARHA).

Project

PALS requests JHSSF monies to pay for arena props and new tack equipment for the program. Arena props include: foam dice, bean bags with colored numbers, a colored cone set, colored bean bags, and textured rubber rings. These props will help the rider with their balance, agility, improved motor skills, reading, and assist them with stretching and strengthening muscles. The tack equipment requested includes: rainbow reins for special riders (color-coded reins that make it easier for a rider to grip) and riding pads (held to hold the rider in the saddle and help make the horses more comfortable).

Criteria

Need

“PALS therapeutic riding program serves a 100% special needs population that includes children and adults with disabilities. PALS addresses the recreational needs of children and adults with disabilities by providing therapeutic riding and hippotherapy lessons. All of the PALS rider have at least one of the following disabilities: amputations, autism, brain injuries, cerebral palsy, down syndrome, emotional disabilities, learning disabilities, developmental delay, learning impairments, multiple sclerosis, muscular dystrophy, pos polio, speech impairments, spina bifida, spinal cord injuries, visual impairments, cardiovascular accident, stroke, ADD, ADHD, at-risk youth and others.” The application points out that therapeutic riding improves learning and memory skills in cognitively-impaired clients. It improves self-confidence and provides a sense of independence and normalcy. For rides with mobility impairments, riding on a horse gives a sense of freedom of movement and control that is difficult to attain any other way. Over 50% of its riders are low-income and use PALS scholarship money to pay for riding lessons.

One-Time Investment. The application does not address this.

Fiscal Leveraging. The application does not address this.

Broad & Long-Lasting Benefits. See above.

Cost

<i>Total Project Cost</i>	\$1,435
<i>Amount Requested</i>	\$1,435
1 set - colored shapes	54.99
Teaching book	29.99
1 set – colored cone set	59.99
1 set – ring sampler	39.99
2 sets – foam die	37.98
1 set – bean bag with colored #s	24.99
11 – rainbow reins	384.89
2 – black & white reins	69.98
1 – Cashel SoftSaddle	224.99
3 – Walker Belt	59.97
1 – Therapeutic Riding Pad	334.99
1 set – colored bean bags	19.99
1 – Wintec Western Cinch	31.99
1 set – adjustable handle reins	<u>59.99</u>
	\$1,435

TOTAL AMOUNT REQUESTED \$ 1,435
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SSF Funding History

2000-Oct.	Denied	Equipment, computer programs and operating costs	
2003	Granted	Purchase and install tow hydraulic mounting lifts to be used for and owned by the PALS therapeutic riding program	\$3,400
2005	Denied	Leadership camp, copier	

Summer School Program for At-Risk Dyslexic Youth

City residents served: 21 (of 24)

Mission

“Pinnacle School is an independent, nonprofit school that teaches students with dyslexia, dysgraphia (“math dyslexia”) and similar learning disabilities how to read, spell, write, do math and learn successfully in all subject areas. First established 24 years ago as the Bloomington DePaul School, Pinnacle now works with student in grades 1 to 10. We are one of only two such schools in Indiana. Our proven techniques, approved by the International Dyslexia Association, build on each student’s individual strengths. Pinnacle offers specialized after-school tutoring and summer school programs, open to students in the Bloomington community.”

Project

The Pinnacle School (PS) requests funding to: 1) expand the capacity of its summer school program to allow 3 at-risk Bloomington children to attend the 8-week Summer School program (50% scholarships), and 2) the replacement of specialized permanent teaching materials that were destroyed last year.

The Summer School started last year and began as a response to the need for students to maintain new skills learned the previous year and to have time for more intensive remediation. Many of the Summer School students qualified for free or reduced lunch at their home-district school. PS offered four 50% scholarships and two full scholarships. Last year, the Summer Program served 16 students; PS hopes to expand the program this year to meet a growing need. PS currently has 8 students on a waiting list for Summer School scholarship.

Criteria

Need

SCAN identifies educational attainment and youth development as priority community needs. The NIH reports that 1 of every 5-7 students has some degree of dyslexia. Students with dyslexia have a learning disability and are underserved by traditional education. PS provides appropriate interventions to help them learn reading, writing, spelling and critical math skills.

One-Time Investment. This request is for a one-time investment.

Fiscal Leveraging. Families of PS students commit to volunteer 20 hours of service each year. Additionally, the school anticipates receiving other funding to provide five Summer School scholarships. Note: PS points out that its ability to offer scholarships and purchase needed specialized material is severely constrained by \$50,000 in unrecovered damages the school suffered from a wastewater flood last year caused by damage to a sewer main on the neighboring U.S. Army Reserve property.

Broad & Long-Lasting Benefits.

“PS will be able to expand the capacity of its program and have the necessary instructional materials to allow additional at-risk students with dyslexia to attend Summer School to develop critical reading, writing, spelling and math skills. These are vital, life-long skills needed to be able to continue in school successfully. The long-term impact of academic attainment is a higher quality of life and future earnings potential.”

Cost

<i>Total Project Cost</i>	\$27,189
<i>Amount Requested</i>	\$ 8,919
Teaching Materials – manipulatives	\$ 4,549
Teaching Materials – dyslexia readers	\$ 1,400
Scholarship support to expand capacity	\$ <u>2,970</u>

TOTAL AMOUNT REQUESTED	\$ 8,919
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SSF Funding History -- none

Bloomington Health Center Renovation

City residents served: 4,442 (of 7,100)

Mission

The mission of Planned Parenthood of Indiana is to protect, provide and promote reproductive health.

Project

Planned Parenthood of Indiana (PPIN) requests funds from the JHSSF to help fund the renovation of the patient waiting room and front desk of the Bloomington Health Center. JHSSF monies will be used in conjunction with \$21,000 pledged by an individual donor and \$5,000 pending from the Community Foundation. The Bloomington Health Center is one of the busiest of PPIN’s 38 health centers. However, due to poor structural planning, it is not currently meeting the needs for patient flow and volume.

Criteria

Need

Sixty-eight percent of the Bloomington residents visiting the Health Center had incomes at or below the federal poverty level and seventy-eight percent were at or below 150 percent of poverty. Most of these patients either lacked health insurance or had inadequate coverage for their health care needs. For the nearly eighty percent of patients served here who fall at or below 150 percent of poverty, PPIN is often their primary health care provider.

With the recent closing of the family planning services offered through the CHAP clinic, the Health Center has seen an increase in the number of local patients served. The proposed renovation is necessary to manage patient volume and protect patient privacy. The current configuration of the door and counter form an “L” shape – that means that there is no entry and exist flow and that patient privacy is compromised – patients entering or existing the front door can overhear what is being said to patients checking in and checking out. A consultant from the Planned Parenthood Federation of America confirmed that the placement of the front desk (and medical records) were detrimental to patient privacy and efficient work flow. The space is also heavily worn and showing signs of age.

One-Time Investment. This is a request for one-time funding.

Fiscal Leveraging. All but the JHSSF element are funded through private donations and a community foundation grant. *See* below.

Broad & Long-Lasting Benefits.

PPIN provides comprehensive reproductive health care for women and men. The Support of the JHSSF will allow PPIN to continue providing outstanding service to area residents. PPIN’s focus is on providing affordable, preventative care such as annual gynecological exams, follow-up and treatment of abnormal Pap results, STI screening and treatment, and family planning, without which many Bloomington residents would find themselves at greater risk for serious health conditions or unplanned pregnancies.

Cost

<i>Total Project Cost</i>	\$29,050
<i>Amount Requested</i>	\$ 3,050
Front desk furniture	\$ 3,500
	- \$ 450 (private donation)
	\$ 3,050
Construction	-\$10,000 (private donation)
Filing System	- \$ 5,000 (Community Foundation -- pending)
Flooring	-\$ 3,500 (private donation)
Move computers/phones	-\$ 2,000 (private donation)
50 Waiting Room Chairs @\$85/ea	-\$ 4,250 (private donation)
8 Waiting Room Tables @ 100/ea	-\$ 800 (private donation)
	\$ 3,050

TOTAL AMOUNT REQUESTED	\$ 3,050
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SSF Funding History

1997	Denied	ADA Approved restrooms and waiting room expansion	
1999	Granted	Exam table for handicapped	\$5,000
2000-Oct.	Denied	Offset \$34,000 needed for program	
2001	Granted	To purchase equipment to test for anemia	\$1,394
2002	Granted	To purchase an autoclave for the purpose of sterilizing instruments.	\$1,495
2003	Granted	Purchase four computers for its 421 South College facility	\$3,600
2004	Granted	To purchase 6 sets of cervical biopsy equipment	\$2,923
2005	Granted	Security cameras and equipment for the facility at 421 S. College Ave.	\$1,500

Food Pantry Expansion – To Distribute More Food & More Nutritious Food
City residents served: unknown; described as a “large majority”(of 2,400-5,000)

Mission

The mission of the Salvation Army is “to preach the gospel of Jesus Christ and to meet human needs in His name without discrimination.” Religious instruction is not a compulsory element of service provision. As stated in the application, “[a]lthough the Salvation Army is a ministry, we do not [proselytize] or base any provision of assistance on an individual’s religious beliefs. The Salvation Army does not hire according to faith system affiliation, but requires each employee to be comfortable working under the stated mission.”

Project

The Salvation Army (SA) requests funds for the expansion of its food pantry program. Located at 111 N. Rogers, the SA food pantry currently serves approximately 200-500 people/month. The pantry is located convenient to Shalom Community Center, Middleway House, Martha’s House and the Community Kitchen. Clients who patronize other food pantries which provide nutritious food, often come to the SA food pantry when the other pantries are closed. The pantry also provides a convenience for patrons in that patrons can receive other forms of emergency assistance, such a assistance for rent, utilities, prescriptions, transportation, and vouchers to purchase clothing and household items. Currently, the pantry is mostly stocked with government commodities. When the pantry receives the commodities every three months, it does not have the storage space to stock other food. As spelled out in the application, government commodities are not as nutritious as food provided by food pantries. SA wishes to expand its pantry to include sufficient space to stock healthier food.

Toward that end, SA requests funds for: a scale to weigh the food, shelving, food, labor for expansion work and a refrigerator. An industrial-sized scale will help the pantry keep better statistics on consumption and plan better. More accurate statistics will also help the SA leverage more grant money. JHSSF money will also be used to purchase more healthful food; currently, if the pantry is low on commodities, it will purchase about \$50 worth of food from HH Food Bank. This provides some variety to patrons, but does not provide patrons with consistent, well-balanced foods. An expanded pantry will move the storage space into other office areas at the SA building. To maximize this space, SA asks for funds to remove a wall, thereby increasing the area of the storage space by 25%.

Criteria

Need. SCAN points out that there is a need for more food pantries in the community and that the food the State requires clients to choose from is higher in calories and not as nutritious as food generally available at food pantries. Furthermore, a National Institute of Health study demonstrates that poverty and obesity are often linked.

One-Time Investment. “With the use of the scale and programming developed from the class at [IU], we will be able to purchase food in future years without Jack Hopkins grants.”

Fiscal Leveraging. As stated above, more accurate statistics will help the pantry document distribution. Such documentation is necessary to secure many grants, such as the Feinstein Foundation grant, which requires agencies to give record of the amount of food donated in pounds. This foundation contributes matching funds based on pounds of food distributed. The SA would use such matching funds to purchase nutritious food from the Hoosier Hills Food Bank. SA is partnering with a nutrition class at IU to: establish food drives, increase the pantry visibility, develop an inventory guideline to ensure each household receives well-balanced foods, prepare a guide for clients that explains healthy eating and budgeting, establish a volunteer recruitment and maintenance program, and develop a logistical plan for moving the pantry into its new space.

Broad & Long-Lasting Benefits. The application states that this expanded pantry creates another sustainable pantry in Bloomington. By providing a healthier, well-balanced, consistent supply of food, SA writes that it will be able to better meet human needs without discrimination by bridging the gap of economic disparity.

Cost

<i>Total Project Cost</i>	\$7,824
<i>Amount Requested</i>	\$7,824
Scale	\$200
Shelving	\$140
Food	\$2,600
Expansion Work	\$2,839
Refrigerator	\$1,895+\$160 ship

TOTAL AMOUNT REQUESTED	\$7,824
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SSF Funding History

2002	Denied	Renovation for childcare facility
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Facility Expansion at 110 South Washington – Installation of Communications System & Upgraded Technology System

City residents served: 100 (of 800)

Mission

Shalom is a daytime respite and resource center for residents of Bloomington experiencing poverty – hunger, homelessness, lack of access to health care and basic life necessities. Its principal purpose is to serve as a front door to the larger community and institutions which can help those in need. Shalom employs a low-barrier outreach model. Nationally recognized, the model includes the delivery of a continuum of onsite social services by area agencies, the provision of basic life supports and the utilization of an asset-based, client-centered approach to empowerment. Shalom’s overriding goal is to maximize opportunities for all people to develop their assets and talents to the fullest extent possible, and to take responsibility for their own lives.

Project

Shalom requests funds to 1) install a communications system and 2) obtain a new technology network with a server and software to integrate Shalom’s data collection and reporting functions. Since the move to 110 S. Washington, Shalom can no longer effectively use the communications systems in the First United Methodist Church building on which it relies since its inception. The church will now be devoted entirely to the Center’s feeding programs. The 110 S. Washington location will be used to site all social services, employment programs, computer lab and office staff.

The communication system consists of a Toshiba 16e Digital key system, refurbished strategy 4-port voice processing system @ 8 lines and 16 stations. The technology system consists of both hardware and Filemaker Pro software.

Criteria

Need

SCAN reports that 25% of Monroe County residents live in poverty or serious economic risk. The Shalom Community Center is at the heart of anti-poverty efforts in Bloomington, serving primarily our most vulnerable citizens who are experiencing hunger and homelessness.”

One-Time Investment. Shalom asks for 13% of the projected cost of total expansion. The project has already leverage “significant cash and in-kind contributions. Negotiations are in progress for contributions for additional project resources.”

Fiscal Leveraging. JHSSF funds will be multiplied by more than seven times by funds and in-kind donations from other Bloomington community supporters of the Shalom Center.

Broad & Long-Lasting Benefits. “This investment will meet the Shalom Center’s communication and information technology needs for the foreseeable future as well as provide adequate physical space for the Center to better meet the growing demand for its services.”

Cost

<i>Total Project Cost</i>	\$ 7,809.18
<i>Amount Requested</i>	\$ 7,809.18
Communication System	\$ 3,677.50
Technology System Network (Server)	\$ 2,900
Technology System Network (Software)	\$ 1,231.68

TOTAL AMOUNT REQUESTED	\$ 7,809.18
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SSF Funding History

2003	Granted	Pay for six phone sets and install three new phone lines at its 219 East 4th Street facility	\$1,900
2004	Granted	To pay for a part-time Food Service Coordinator to expand its breakfast & lunch program as well as train & provide work experience	\$5,500
2005	Granted	Vertical lift for Shalom Center annex at 110 S. Washington St.	\$9,000

Incentive Project

City residents served: 6 (of 6)

Mission

Stepping Stones, Inc. provides transitional housing and supportive services to disadvantaged youth aged 16-20 who are experiencing homelessness. Incorporated in July 2004, Stepping Stones’ mission is to provide a supportive community that encourages youth to make decisions that positively affect their lives.

Project

Stepping Stones requests funding for an Incentive Project that includes: a Community Service Component, an Incentive Component, a kick-off of the program & final celebration, bus passes for residents over a three-month period, and salaries for administering the program.

The Community Service Component requires residents to commit to 15 hours of community service over a 2-3 month period. In collaboration with the Bloomington Volunteer Network, residents will identify a particular area of interest in which they can volunteer their time. In exchange, they will choose from a pool of activities geared to promote independence, e.g., drivers’ ed classes, a class at Ivy Tech, a bicycle, etc. for a maximum of \$250. The goal of this objective is to broaden residents’ experiences and foster a sense of community commitment.

The Incentive Component is intended to help residents save money and build assets. Stepping Stone’s goal is for each resident to have at least \$1,000 in their investment account prior to moving out. As soon as residents start working, they start contributing to this account with the first \$250 earmarked as their security deposit. To encourage residents to contribute more money to this account, Stepping Stones wants to offer matching contributions. Under this component, residents contribute \$150 into their investment account over three months and a JHSSF grant would match it with \$150. As explained by the Corporation for Enterprise Development, “Individual Development Accounts are matched savings accounts proven to help the working poor save and build assets. They are built upon the theory that given the right savings incentives, lower-income people can and will save to accumulate assets. They enable low-income families to save...and work toward purchasing an asset – most commonly buying their first home, paying for post-secondary education, or starting a small business.”

Criteria

Need

HAND’s *Consolidated Plan* cites the development of Stepping Stones as one of the key strategies in addressing homelessness in Bloomington. The report state this “this organization addresses the critical problems with adolescent homelessness or ‘couch surfing’ in the Bloomington community.”

Similarly, SCAN points out that youth participating in productive opportunities “can help develop valuable competencies and social skills while contributing to self-esteem and a sense of purpose.

Research shows that youth who are involved in a activities with caring adult role models and mentors are more likely to complete school, do better academically, make healthier life choices, and engage in fewer destructive activities.” One of the stated goals in the *SCAN* report is to “[e]xpand the current capacity of high-quality mentoring and youth leadership programs, including a focus on low-income youth, and promote areas of professional interest. These programs should include opportunities for youth to be involved in planning and implementation.”

One-Time Investment. The application states the “[t]his grant request is a one-time investment because our plan is to find individuals or organizations that will partner with us on continuing these projects.”

Fiscal Leveraging. Stepping Stones is contributing some of its own funds for office supplies, interns and providing a match for JHSSF funds.

Broad & Long-Lasting Benefits. The goal of this program is to teach residents how to become self-sustaining adults. A key component in achieving this goal is to empower them. Activities build on residents’ strengths and give them the chance to participate in a democratic setting. Residents are encouraged to learn how to make healthy life choices including postponing parenthood, being responsible, and developing sound values.

Cost

<i>Total Project Cost</i>	\$ 6,008
<i>Amount Requested</i>	\$ 4,598
Community Service Component	\$ 1,500
Investment Component	\$ 900
Kick-off & Celebration	\$ 500
Exec. <u>Dir.</u> @7.5% of time over 3 mos.+25% fringe	\$ 798
Travel – Mileage @.40/mi & bus passes	\$ 900
Volunteer/Intern@3 hours/week	-\$ 360 (funded by Stepping Stones)
Office Expenses (copying, mailing)	\$ 150 (funded by SS)
Investment Component	-\$ <u>900</u> (SS to match JHSSF)

TOTAL AMOUNT REQUESTED	\$ 4,598
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Children’s Door – Expansion of Program to Operate on Saturdays

Project Partner: IU, Department of Applied Health Science

City residents served: 75 (of 100)

Mission

“We exist to provide opportunities for low-income citizens to move toward personal and economic independence.”

Project

Working in cooperation with child development experts in IU’s Department of Applied Health, SCCAP launched the Children’s Door (CD) in December in 2005. CD offers a safe place for volatile parenting time exchanges at SCCAP, Head Start, 102 W. Fifteenth Street. During exchanges, trained volunteers supervise a child’s movement between his or her parents and document each exchange to indicate that the parties were on time and exchanged their child/ren without conflict. Professional security personnel are on site and readily available during exchange times. Special arrangements are in place in cases that involve restraining or no contact orders. CD is in close communication with the County Family Court program, law enforcement and Middle Way House, among other community agencies and resources, in the interest of meeting the comprehensive needs of each child.

CD is currently opened 5 hours per week – on Friday, Sunday and Wednesday. The Friday/Sunday schedule allows CD to monitor exchanges for two-night weekend parenting time, but not one-night parenting time as indicated for children under three as indicated by the Indiana Parenting Time Guidelines. At the request of the Family Court program and domestic violence providers, CD asks for funding to expand its services to include Saturday exchanges. This will allow Friday night-only or Saturday night-only exchanges. The service is free in the interest of removing all cost-related barriers to involvement. The program currently serves 8 children. Based on need and feedback from courts and service providers, it expects the program to serve 100 children by the end of the year, 75 of whom are expected to be City residents. CD firsts accepts those families who are Court-referred and then those who are referred by attorneys.

See attached letters of endorsement from: Professor Billingham of the Department Applied Health Science, The Children’s Rights Council, Monroe County Family Court and Atty. Catherine Stafford.

Criteria

Need. As identified in SCAN, CD addresses personal safety by proving an intervention for dysfunctional families going through the stress of family breakup and offers safe haven from the threat of conflict and abuse surrounding parenting time exchanges and provides a forum for educating parents about healthy, effective co-parenting practices after divorce or separation. CD allows divorced, separated and never-married parents with high levels of ongoing conflict and/or histories of abuse the opportunity to exchange their children in a safe, neutral, supervised environment.

One-Time Investment. This is a request for one-time funding. Once CD is expanded to include Saturdays and to serve more families, SCCAP anticipates future funds at greater levels of support from government, private and individual funding sources.

Fiscal Leveraging. The Department of Applied Health Science has allocates start-up funding and has pledged to match a JHSSF grant, if awarded. CD and the Department have set up a special fund through the IU Foundation to receive donations.

Broad & Long-Lasting Benefits.

As spelled out in its application, CD’s goals are to:

1. Eliminate the potential for conflict surrounding parenting time (visitation) exchanges;
2. Provide opportunities for children to have contact with both parents without witnessing parental conflicts;
3. Protect victims of domestic abuse from further assault; and
4. Present a model for conflict-free exchanges that divorced and separated families can learn to practice on their own.

Cost

<i>Total Project Cost</i>	\$26,100.00
<i>Amount Requested</i>	\$ 2,780.50
6.5 staff hrs/wk x \$16.50/hr x 26 weeks	\$ 2, 780.50 (+ Match, IU Dept. of Applied Health \$ 2,780.50)
Private donation	\$ <u>11.50</u>

TOTAL AMOUNT REQUESTED	\$ 2,780.50
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SSF Funding History

1997	Denied	Renovation, cribs, cots, strollers and refrigerators	
2002	Granted	To establish a revolving loan program for auto repairs of clients	\$5,000
2003	Granted	Pay for the development of computer software	\$6,292
2005	Granted	Furnishings, equipment and cognitive materials for Head Start classrooms at Templeton and Summit schools	\$8,000

Teachers Warehouse at 1365 W. Second Street, Bloomington

Partnerships. Sponsored by the three Bloomington Rotary Clubs

Residency/Client Population. 1,600 city students out of 2,000 students

Mission

Teachers' Warehouse, Inc (Warehouse) was incorporated as a not-for-profit in July of 2003 with the mission of enhancing the learning opportunities of disadvantaged children in the area served by the three Bloomington Rotary Clubs. It uses volunteers to gather surplus and obsolete education supplies and equipment – pencils, crayons, scissors, notepads, paper, cabinets, and similar items - that businesses and individuals would otherwise discard and began making them available in August of 2004 to area school teachers at no charge for distribution to needy children in their classrooms. It rents 5,100 s.f. of space on West Second street and sets aside 1,100 s.f. for teachers to pick up needed supplies. The application indicates that teachers visited the Warehouse 200 times and picked up supplies that served 2,000 elementary school children so far this year.

Project

The Warehouse is requesting \$1,500 to purchase 20 shelving units (at \$75.00 per unit) and \$1,000 to help cover the cost of utilities for a total of \$2,500.

Criteria

Need. The application says this program will serve about 2,000 school children in 2006 about 80% of which reside in the City. It directly affects the educational opportunities of the nearly 30% of school children in the Monroe County School Corporation (MCCSC) whose family income qualify them for free or reduced-cost lunches. These families are often unable to provide school supplies for the children. Neither are the teachers (who typically contribute from \$500 - \$1,000 of their own money each year to stock their classrooms); nor is the MCCSC which is under statewide budget constraints.

One-Time Investment. While the \$1,500 request for shelving is clearly a one-time investment, the request \$1,000 for utilities would be for an on-going expense.

Fiscal Leveraging. The program raised \$57,000 in 2005 (not counting approximately \$23,000 of in-kind donations) and is anticipating \$61,000 in 2006 from corporations, foundations, rotary clubs and their members, and various grants. These grants and donations cover rent (\$32,000), personnel (\$9,370), utilities (\$2,473) along with the other costs.

Broad and Long Lasting Benefits. The \$2,500 for shelving and utilities will provide broad and long-lasting effects by giving children the tools to learn and by recycling otherwise recycled solid waste.

Cost

Total Project Cost \$63,500

Amount Requested

Shelving – 20 units @ \$75/unit	\$1,500
Utilities – Cost \$2,500 in 2005	\$1,000

Other Funds for Project

Corporations and Foundations - \$35,000

Applications for Grants (O'Bannon Fund, CICF *(Pending)*) - \$10,000

Rotary Clubs and Individual Rotarians - \$16,000

TOTAL AMOUNT REQUESTED	\$2,500
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SSF Funding History

None

FUNDING AGREEMENT
CITY OF BLOOMINGTON - JACK HOPKINS
SOCIAL SERVICES PROGRAM

«Agency_Name»

This agreement entered into on _____, 2006, at Bloomington, Indiana, between the Common Council of the City of Bloomington, Indiana, hereinafter referred to as the "City," and «Agency_Name», hereinafter referred to as the "Agency," provides for the following:

Whereas, the Jack Hopkins Social Services Program Funding Committee (Committee) reviewed agency applications, heard their presentations, and made funding recommendations to the Common Council; and

Whereas, the Common Council adopted Resolution 06-XX which provided funding to this agency in the amount and the purposes set forth in Section 1 of this agreement; and

Whereas, the resolution also delegated the duty of interpreting the funding agreement for the City to the Chair of the Committee; and

Whereas, in interpreting the agreement, the Chair may consider the purposes of the program, the application and comments by agency representatives, and statements made by decision-makers during deliberations;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

I. USE OF FUNDS

Agency agrees to use Agreement funds as follows:

«ProjectDescription»

«Other_Provisions»

II. TIME OF PERFORMANCE

The last claim for expenses under this agreement must be filed before «Deadline». The deadline may be extended by the Housing and Neighborhood Development Director of the City for good cause upon receipt of a written request from the Agency. Said request must be submitted two weeks prior to the deadline listed above.

III. PAYMENT PROCEDURES

It is expressly agreed and understood that the total amount to be paid by the City under this contract shall not exceed \$«Received». Claims for the payment of eligible expenses shall be made against

the items specified in Section I, Use of Funds.

«Salaries»

The Agency will submit to the City a claim voucher pursuant to City's claim procedures and deadlines for the expenditures corresponding to the agreed upon use of funds outlined above. Along with the claim voucher, the Agency will submit documentation satisfactory to the City, at its sole discretion, showing the Agency's expenditures.

The Agency agrees to make its best efforts to submit claims on a monthly basis and also agrees to submit claims for its June, July, and August expenditures no later than the end of September and to submit claims for its September, October, and November expenditures no later than December 1, 2006.

IV. ADMINISTRATIVE REQUIREMENTS

A. Accounting Procedures

The Agency agrees to use generally accepted accounting procedures and to provide for:

- (1) Accurate, current, and complete disclosure of the financial component of its activities;
- (2) Records which identify adequately the source and application of funds for City supported activities;
- (3) Effective control over and accountability for all funds, property, and other assets.
- (4) Adequate safeguarding all such assets and shall assure that they are used solely for authorized purposes;
- (5) The City to conduct monitoring activities as it deems reasonably necessary to insure compliance with this Agreement; and
- (6) Return of the funds received under this Agreement that the City determines were not expended in compliance with its terms.

B. Access to Records

The Agency agrees that it will give the City, through any authorized representative, access to, and the right to examine, all records, books, papers or documents related to the funding provided by this Agreement, for the purpose of making surveys, audits, examinations, excerpts, and transcripts.

C. Retention of Records

The Agency agrees that it will retain for a period of three years from the date of this Agreement financial records, supporting documents, statistical records, and all other records pertinent to the funding provided by this Agreement.

V. GENERAL CONDITIONS

A. Independent Contractor

Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The Agency shall at all times remain an "independent contractor" with respect to the services to be performed under this Agreement. The City shall be exempt from payment of all Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance as the Agency is an independent Agency.

B. Hold Harmless

The Agency shall hold harmless, defend and indemnify the City from any and all claims, actions, suits, charges and judgments whatsoever that arise out of the Subrecipient's performance or nonperformance of the services or subject matter called for in this Agreement.

C. Nondiscrimination (for agencies receiving grants in excess of \$10,000)

Agencies receiving grants in excess of Ten Thousand Dollars (\$10,000) shall be subject to the following provision in accordance with Section 2.21.070 of the Bloomington Municipal Code. The agency will not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, disability or other handicap, age, marital/familial status, or status with regard to public assistance. The Agency will take affirmative action to insure that all employment practices are free from such discrimination. Such employment practices include but are not limited to the following: hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Agency agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City setting forth the provisions of this nondiscrimination clause.

VI. NOTICES

Communication and details concerning this contract shall be directed to the following contract representatives:

City: Marilyn Patterson, Program Manager Housing and Neighborhood Development City of Bloomington P.O. Box 100 Bloomington, IN 47402 Tel: (812) 349-3577 Fax: (812) 349-3582 E-mail: pattersm@bloomington.in.gov	Agency: «Director_ofAgency» «Agency_Name» «Address» «Address_1» «Address_2» Tel: «Phone_Number» E-mail: «Email_Address»
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VII. TERMINATION OF AGREEMENT

The Agency agrees that this Agreement is subject to the availability of funds and that if funds become unavailable for the performance of this Agreement, the City may terminate the Agreement. If funds become unavailable, the City shall promptly notify the Agency in writing of the termination and the effective date thereof.

It is further agreed that the City may terminate this Agreement in whole or in part if it determines that Agency has failed to comply with the Agreement or with other conditions imposed by applicable laws, rules and regulations. The City shall promptly notify the Agency in writing of the determination and the reasons for the determination, together with the effective date. The Agency agrees that if the City terminates the Agreement for cause it will refund to the City that portion of the funds that the City determines was not expended in compliance with the Agreement. The Agency shall be responsible for paying any costs incurred by the City to collect the refund, including court costs and reasonable attorneys' fees.

If any provisions of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.

VIII. TERM OF AGREEMENT

Unless terminated as provided in Section VII herein, this Agreement shall terminate upon the City's determination that the provisions of this Agreement regarding use of the Agreement funds have been met by the Agency.

CITY OF BLOOMINGTON, INDIANA

«Agency_Name»

By: _____
Chris Sturbaum
President, Common Council

By: _____
«Pres_BoD»
President
Board of Directors

By: _____
Lisa Abbott
Housing and Neighborhood
Development Director

By: _____
«Director_ofAgency»
Executive Director

Date

Date

Funded Agency Guide

Amethyst House	\$8,000.00	-To pay for property and liability insurance, utilities, food, and salaries needed to operate the Men's House at 215 North Rogers.	Friday, September 22, 2006
The Area 10 Council on Aging of Monroe & Owen Counties, Inc.	\$2,187.33	-To purchase IRis online software for the Go Live with 211 Infoline initiative.	Friday, September 22, 2006
Big Brothers Big Sister of South Central Indiana	\$8,109.00	-To reconfigure and repair the roof and restore water-damaged areas at 418 South Walnut.	Friday, September 22, 2006.
Bloomington Hospital Positive Link	\$1,150.00	-To purchase portable hot boxes, portable coolers, and related supplies for the Nutrition Links program.	Friday, September 22, 2006.
Boys & Girls Club of Bloomington	\$8,160.00	-To pay for staffing, supplies, food, and rent for the Crestmont Youth Camp.	Friday, September 22, 2006.
Center for Behavioral Health	\$1,816.67	-To pay for car repairs and garage insurance for the Wheels to Work program.	Friday, December 1, 2006.
Community Justice and Mediation Center	\$2,170.00	-To pay for printing a conflict resolution handbook, purchasing conflict resolution materials, and personnel expenses for outreach and instruction.	Friday, December 1, 2006.
Community Kitchen of Monroe County, Inc.	\$8,401.64	-To purchase and repair a used van from Girls, Inc.	Friday, September 22, 2006
El Centro Comunal Latino	\$2,468.51	-To purchase a portable DLP projector and laptop and provide stipends for speakers for the Informat Series initiative.	Friday, December 1, 2006.
First Christian Church	\$1,250.00	-To purchase two jumbo storage cabinets, an upright freezer, and supplies for the Gathering Place.	Friday, September 22, 2006
Girls Incorporated of Monroe County	\$1,950.40	-To pay for personnel expenses for a half-time Program Specialist and purchase Commit to be Fit support materials.	Friday, January 12, 2007
Hoosier Hills Food Bank, Inc.	\$6,670.00	-To install lights, replace door, reinstall floor scale, and purchase safety equipment for two trucks.	Friday, September 22, 2006
Martha's House Inc.	\$8,000.00	-To pay for personnel expenses for the Martha's House homeless shelter.	Friday, September 22, 2006

Mental Health Alliance	\$13,532.80	-To pay for personnel expenses for a Mental Health Community Coordinator and Office Manager and for the purchase of: resource guides, supplies, telephone expenses, travel costs, audit insurance, equipment leases and items for the Material Support Program	Friday, April 6, 2007
Middle Way House, Inc.	\$12,000.00	-To pay for the personnel expenses of the Childcare Program Coordinator.	Friday, January 12, 2007
Monroe County United Ministries	\$20,000.00	-To pay for personnel expenses of an additional social worker for the Emergency Services program.	Friday, March 9, 2007
Mother Hubbard's Cupboard, Inc.	\$6,670.00	-To pay for the purchase and installation of one two-door freezer unit and one two-door refrigeration unit.	Friday, September 22, 2006
Options for Better Living, Inc.	\$4,000.00	-To format and rebuild computers and install modems and software as part of the Equalizing with E-cycling program.	Friday, September 22, 2006
Pinnacle School (dePaul Reading & Learning Association, Inc.)	\$4,394.67	-To purchase specialized teaching materials.	Friday, September 22, 2006
Planned Parenthood of Indiana	\$2,440.00	-To install cabinetry and purchase files and furniture for the front desk renovation.	Friday, September 22, 2006
Shalom Community Center	\$7,809.18	-To purchase a communication system and a technology system network that includes both server and software to be installed at 110 South Washington, Bloomington, Indiana.	Friday, September 22, 2006
South Central Community Action Program Head Start	\$2,230.80	-To pay for personnel expenses incurred as part of the Children's Door exchange program.	Friday, December 1, 2006
Teachers Warehouse	\$2,000.00	-To purchase shelving and help pay for overhead costs.	Friday, September 22, 2006

Common Council
Jack Hopkins Social Services Funding Committee
March 9, 2006, 12:00 pm
Council Library
401 N. Morton

Meeting Summary

In attendance: Chris Gaal, Tim Mayer, Marilyn Patterson, Dr. Anthony Pizzo, Shaunica Pridgen, Dave Rollo, Andy Ruff and David Sabbagh. (Council Office: Dan Sherman and Stacy Jane Rhoads).
[Absent: Pete Giordano].

I. Organizational Issues

Dan reminded all that this was the first meeting of the 2006 JHSSF Committee and that the Committee is a subcommittee of the Common Council. He distributed an *Agenda*, schedule for 2006 & JHSSF *Initial Meeting Packet*.

II. Election of Chair and Committee Members

The Committee re-affirmed the Committee configuration as consisting of five Councilmembers, one representative from Community and Family Resources Commission (CFRC) and one representative from Community Development Block Grant program (CDBG). Dr. Anthony Pizzo represents CDBG while Shaunica Pridgin represents CFRC.

The Committee unanimously elected Chris Gaal as Chair of the 2006 JHSSF Committee.

III. 2006 Available Monies

This year, the JHSSF Committee has \$135,000 available for distribution. Last year it had \$125,000. Dan noted that, for the first time ever, JHSSF is allocating more money to social service agencies than CDBG.

IV. Reviewing the 2005 JHSSF Program

A. Report from Marilyn Patterson, HAND

- Marilyn distributed a report of the 2005 JHSSF program. She has visited all recipients and reports that all are doing good work with their funds.
- Two agencies requested funding into 2006 and three more requested extensions beyond the time frame outlined in the *Funding Agreement*.
- To date, the unspent balance is \$2,622.32. \$2,212 of this is due to Bloomington Hospital's award for the Teen Parenting Project. Funds for this project are expected to be spent by May 19, 2006. The balance --- \$410.32 -- represents money that agencies did not use. This will revert back into the General Fund.
- Mayer reminded the Committee that former Mayor Fernandez used to put unspent back into JHSSF. Sabbagh agreed that the money could certainly be used by agencies. Rollo agreed. To re-appropriate this money, Dan reminded all that it would require quick action on the part of the Administration. Mayer pointed out that, in light of what happened with CDBG, the symbolic value of re-appropriation is powerful.
- The Committee unanimously agreed to request the re-appropriation of \$410.32 into the 2006 JHSSF program. The Committee also unanimously approved the HAND Report.
- All commended Marilyn for a very professional and informative report.

B. Interpretations of Funding Agreements

Dan alerted the Committee to two interpretations of funding agreements, noting that an interpretation is required when an agency comes forward with a request for money where staff is not sure if the request is consistent with the *Funding Agreement*. In the first instance, MCUM sought reimbursements for expenditures prior to the award of the grant. Both Chair and staff were reluctant to set precedent, without the opportunity for the Committee to review the wisdom and necessity of such request. Tim recommended that MCUM seek an extension into 2006. The second interpretation involved Habitat for Humanity ReStore's move from its original site to 11th Street. Ruff asked if the Committee discussed the wisdom in investing in a leased property? Dan, yes, came up in this case, but Habitat was able to move before it spent the money.

C. Survey

Dan pointed the Committee to the June 2005 "debriefing" meeting and the survey responses. Eight of 29 applicants responded; five of the respondents received funding, three did not.

Ruff asked if this was a good response rate and what the Committee might do to encourage greater participation. Dan mentioned that he will bring the survey up at the Technical Assistance meeting. Stacy Jane suggested that the Committee request at the allocation hearing that agencies fill out a survey; we could have surveys available at the hearing and request folks fill it out then. We could supplement with an e-mail request.

Ruff stated that if the survey is valuable, let's emphasize the need for feedback. If not, let's dispense with the surveys.

Gaal pointed out that an interesting point raised by the survey is that folks did not find the presentation to be a benefit to them.

Mayer pointed out that requiring an agency who is not likely to receive funding to both make a presentation and attend the Allocation Hearing might have the unintended consequence of attaching a stigma to the agency, because the JHSSF Committee is exacting a level of review that might not otherwise be exacted upon the agency.

Sabbagh suggested that if an agency's chances of being funded are slim, then it could be that their time is better spent otherwise.

Dan pointed out that respondents felt that the criteria are clear, but did not feel that the Committee applies them consistently, especially the one-time funding rule and the rule about low-income residents.

V. **Criteria**

Dan suggested changes to the *Elaboration of Criteria* to make the criteria clearer to applicants.

A. Residency Requirement.

The following language was suggested re: the City residency requirement:

The Common Council has used these funds for programs that provide food, housing, healthcare, or other services to city residents who are of low or moderate income, under 18-years of age, elderly, affected with a disability, or otherwise disadvantaged.

City Residency - Programs must primarily serve City residents. Individual programs have occasionally been located outside of the City but, in that case, social services funds have never been used for capital projects (e.g. construction, renovation, or improvement of buildings).

This change does not preclude the possibility of funding capital improvements outside of corporate boundaries, but points to past as an indicator of any such proposal's likely success.

Rollo pointed out that one of the primary needs of the future will be energy assistance to low-income residents, emphasizing that many low-income people outside of corporate boundaries need/will need help too. Mayer acknowledged the need, but stated that the Committee is charged with allocating tax dollars and programs should really be focused on helping City residents. Rollo agreed. Dr. Pizzo emphasized that JHSSF monies should be devoted to City need, but that the Committee might work with other agencies to address County needs. Gaal said that adding the language makes sense, since that is the way the Committee has been applying the criteria; the criteria should be made clear to applicants.

The committee approved the above language re: primary service to City residents.

B. Service to low-income populations

Similarly, the following addition was suggested re: low-income populations:

The Common Council has used these funds for programs that provide food, housing, healthcare, or other services to city residents who are of low or moderate income, under 18-years of age, elderly, affected with a disability, or otherwise disadvantaged.

Low income - Programs primarily serving low-income populations are given a high priority.

Sabbagh asked if this requirement would weaken an application submitted by Stone Belt and/or Options? While these populations are clearly vulnerable, they are not always necessarily low-income populations. Gaal pointed out that this change adds low-income to a list of vulnerable populations that includes youth, elderly, disabled, etc.

The Committee approved this change in language.

C. Emergency Services

Dan pointed out that some Committee members have stated that JHSSF monies should be used for emergency services and encouraged the Committee to think about how the money has been allocated in the past -- Rhinos is clearly not an emergency services agency; yet, last year they got the lion's share of the money.

Dr. Pizzo emphasized that funds should be used primarily for emergency services. Rollo stated that he would like the Committee to anticipate emergency energy costs; if this is considered under "emergency services" then he is satisfied.

Gaal said that emergency services has been an informal priority for years. It makes sense to make this priority clear.

Pridgen stated that the explicit language would make the requirements clear to agencies and would also guarantee that the Committee stays on track. She suggested that the requirement be prefaced with "primarily" language.

The Committee approved the following language for inclusion under the "previously-identified priority for social services funding" criterion :

Emergency Services – Programs primarily providing emergency services (e.g. food, housing, and medical services) will be given a high priority.

D. One-Time Funding Rule

Dan proposed no changes to the one-time funding rule.

Sabbagh said that he would like to see JHSSF monies go to established agencies. He stated that he does not see JHSSF money as seed money; a start-up agency could go out of business. He would like to see a new agency to grow up in an existing agency.

Mayer pointed out that Mother Hubbard's Cupboard worked closely with Julio Alonso when he was director of the Community Kitchen.

Dr. Pizzo provided some historical context by offering that the Rule was developed with the premise that needs are not being met. Originally, *only* new programs were funded.

Dan suggested that this concern might be more appropriately captured under the "broad and long-lasting effects" criteria.

E. Agencies Housed on City Property

Dan suggested that the Committee to consider language that suggests if an agency is housed on City property, it should seek funding *via* the appropriation process rather than by of the JHSSF.

Sabbagh endorsed the change.

Mayer asked what would happen if someone came to JHSSF for funding from the Senior Center? Dan responded that the agency should seek funding as part of the appropriation process.

Gaal pointed out that the language does not preclude funding of such agencies, but, instead, reads that the City “generally does not fund such agencies.”

Mayer said that he worried such a change might have unintended consequences.

Sabbagh said that he is not worried if an agency does not get JHSSF funding; the agency can go through the budget process.

Gaal asked, “What if Banneker hosted a program for low-income City resident kids? This change may discourage some City departments from collaborating, like the Latino initiative. What if the City wants to act as an incubator? CFR used to do more of that.”

Mayer voted to reject the language change.

Gaal stated that he agreed with Sabbagh that the BPD should not come forward and ask for a thermal imager, for example. However, the Committee should be aware of special cases it may not wish to preclude. We do not want to discourage collaborations, to wit: the previous City/agency collaborations of El Centro Communal Latino and Rhinos. The measure was defeated 4-2. Gaal stated: “Let record reflect at 1:33pm, we had a good discussion.”

F. Fiscal Agent & Lead Agency

Dan stated that it has always been the rule that the lead agency must be incorporated, yet this has not been explicated that in the policies. The lead agency is the fiscal agent. An unincorporated agency may work with an incorporated one in soliciting JHSSF monies. For example, last year the Community Bike Project (unincorporated) asked the Center for Sustainable Living to act as its fiscal agent. The application Contact Sheet has been changed to capture whether an agency is a 501(c)(3).

Gaal advised that, in situations where an applicant agency asks a 501(c)(3) to act as fiscal agent, the Committee should require a written agreement between the fiscal agency and the unincorporated agency. A simple, one-page document is all that is required to contract for fiscal agency.

Dan pointed out that we already have a funding agreement between the City and the fiscal agency that accounts for use of funds. At present, we do not require any written agreement between applicant and lead agency.

Mayer asked, “What if the lead agency doesn’t really understand what applicant agency is doing? It puts the lead agency in a really precarious position.”

Gaal stated that the Committee should require an agreement so expectations are clear.

Sabbagh stated that he is not convinced that 501(c)(3) is that burdensome.

Gaal countered that securing 501(c)(3) status is indeed burdensome; however, fiscal agency agreements are really simple. Gaal offered to provide a sample fiscal agency agreement and that we will continue the fiscal agency discussion later.

All agreed to accept a language change in the policies that makes the 501(c)(3) requirement clear. (Note: after the meeting, Gaal and the Council Office discussed Gaal's proposed fiscal agency agreement and decided that requiring such a document would exact an undue burden on applicant and lead agency.)

G. City Residency Information

Last year, City residency was a question asked of each applicant during presentations, although not explicated in the application. The Committee has a choice: either ask about the projected number of residents served in the application material and use this information to make funding decisions or tie reimbursement to the actual number of residents served. Marilyn explained that to predicate funding on a back-end analysis of residents served might make it difficult for agencies to plan, especially if the actual number of residents served falls short of what the agencies anticipated. The Committee agreed that they should ask for the residency data on the front end, not to require data at time of reimbursement. The Committee will ask agencies to estimate at time of application and predicate funds on that basis.

Ruff and Gaal stated that the Committee should aim to reduce the administrative burden for both the City and the agencies. Should an applicant somehow misrepresent number of residents served, it is likely that Marilyn will catch that in her follow-up and the Committee will then take such "violation" into consideration with the next funding cycle.

H. One Application/Agency

Dan shared that MCUM submitted a letter to the CDBG Social Services Committee questioning the one application/agency rule. MCUM suggests that spreading money among agencies is not a good idea; if an agency is big enough, then a City funder can allocate sufficient dollars and do more good. Dan noted that the JHSSF program has a similar one application/agency similar rule and reviewed the policy behind the rule.

The policy is intended to: "1) spread these funds among more agencies; 2) assure the suitability and quality of applications by having the agency focus and risk their efforts on one application at a time; and 3) lower the administrative burden by reducing the number of applications of marginal value. Given the benefits flowing from cooperative efforts among agencies, applications that are the product of the efforts of more than one agency will be attributed only to the agency acting as the fiscal agent."

Sabbagh stated that he feels strongly on both sides – he has some sympathy for MCUM's position, especially as they provide both valuable childcare and emergency services.

Dr. Pizzo stated that the Committee should keep the one application/agency rule. If the Committee had unlimited funds, then it could be more flexible.

Mayer agreed with Sabbagh that he sees both the pros and the cons of the rule. MCUM serves many people and serves diverse populations -- other agencies not as big and are just not able to serve as many residents.

Dan asked if spreading money around to many agencies was a good idea.

Sabbagh responded, “Not automatically ‘yes’.” The role of the Committee should be to devote funds to the greatest community need and to those agencies that will be able to actualize the greatest benefit for the funds.

Marilyn advised that CDBG tends to fund fewer agencies at a greater rate.

Sabbagh stated that he likes the idea of making bigger grants.

Gaal stated that, “Unfortunately, I think the rule works.”

Dr. Pizzo pointed out that the most successful agencies have more than one funding source. MCUM has at least eight other sources in addition to NAP credits and State support.

The Committee agreed to retain the one application/agency rule.

Dan pointed out that in the above-cited “one agency/application” rule that he proposed to use “focus the risk” in place of the word “gamble” so that the second rationale in the list reads, “(2) assure the suitability and quality of applications by having the agency focus and risk their efforts on one application at a time”. He also requested a change the last sentence in the rule to clarify that the cooperative program efforts will be attributed to the lead agency. Previously, this sentence read that such efforts will be attributed to the agency making the presentation. In whole, the proposed change should read: “ Given the benefits flowing from cooperative efforts among agencies, applications that are the product of the efforts of more than one agency will be attributed only to the agency acting as the fiscal agent.”

VI. 2006 JHSSF Funding Timeline

The Committee reviewed two proposed tracks for the 2006 JHSSF funding year and decided on the track that located Council action on the Resolution on June 21, 2006. This following schedule shall obtain: the Council Office will issue applications by March 13 and will hold Technical Assistance meeting on March 30; applications are due April 10; Committee will hold its initial discussion on April 27; agencies will present to the Council on May 11; Committee members will rank applications by May 17, make recommendations on May 22, and evaluate the program on June 7. The Common Council will act on the recommendations on June 21.

VII. Solicitation & Deliberative Matters

Dan stated that Stacy Jane rewrote the solicitation letter and accompanying material, putting all requirements up front, providing helpful hints and providing a link to a statement of policy.

The Committee agreed to adopt the changed solicitation packet.

VIII. The 2006 Approach to Narrowing the Applicant Pool

Dan reviewed that 6 of 8 respondents to the 2005 survey stated that if an agency is not likely to be considered for funding, then the Committee should not ask it to make a presentation. Agencies did not feel that the Presentation Hearings were really a forum for the agency to broadcast its need for funding to the community. Similarly, some respondents stated that if they received a low ranking and were not likely to be funded, they should not be required to attend the Allocation Hearing. Some agencies relayed that they felt humiliated that they were asked to attend with a very slim likelihood of funding.

Dr. Pizzo suggested that the Committee decide on an approach once it reviews all the applications.

Pridgen asked if the Committee might render a preliminary ranking and eliminate agencies from the running based on a preliminary ranking. Each Committee member could come to the First Review of Applications meeting with his/her own preliminary ranking in mind.

Mayer suggested that, unlike CDBG, JHSSF Committee should keep any preliminary ranking informal.

Dr. Pizzo stated that it may help to use half numbers in the rankings.

Dan encouraged the Committee to write down questions about each agency as each Committee member reviews the applications and come to the meeting with these questions handy.

Mayer pointed out that Council staff can also pre-empt some questions as they emerge, such as the Establishment Clause questions posed by the Cherry Hill Daycare application in 2005.

Dan asked if the Committee wants to ask applicants to make a four or five minute presentation.

Mayer responded that the length of presentation will hinge on the initial review of all applications and the number of applications cut before the Presentation Hearing.

Dan reminded the Committee that the Council Office will render a form before the Allocation Hearing that averages all rankings and recommended funding amounts.

At the end of last year's funding cycle, Councilmember Ruff asked that the Council Office devise some sort of standardized ranking system so that Committee members do not skew the average rankings by, for example, rating all their favorites "5" and all else, "0."

Councilmember Rollo echoed the need for a standardized rating system this year.

Toward, that end, the Council Office offered the below guide to rankings:

Standardized Rankings – A Working Guide

- "0" Does not meet any criteria and/or does not primarily serve City residents.
- "1" Minimally meets only one criterion and primarily serves City residents.
- "2" Minimally meets only two criteria and primarily serves City residents.
- "3" Minimally meets all three criteria and primarily serves City residents.
- "4" Fully meets all three criteria, primarily serves City residents and addresses one of the Committee's elaborated priorities (service to low-income residents or the provision of basic human needs).
- "5" Fully meets all three criteria, primarily serves City residents and both targets a low-income population and provides a service addressing basic human needs.

Gaal stated that such a system provides helpful guidance and would provide some internal consistency, but there is no mathematical formula for attaching a rank number to an application – in rating, there is no way to eliminate the human element, subjectivity.

Ruff offered that, at the very least, this system will help guide Committee members in attaching meaning to numbers.

Mayer stated that the Committee also must look at competing needs and other funding opportunities the agency has had.

Dan pointed out that, under this scheme, Options for Better Living would not get a “5.”

Ruff pointed out that in some instances, more money might be granted to a “4,” than a “5.”

Sabbagh stated that when he ranks applications, he does so in terms of target populations: food, shelter, children/youth and the disabled community; he does not think so much in terms of the three criteria.

Ruff pointed out that the agencies draft their applicants with an eye to the criteria and assume that the Committee ranks/allocates based on an agency’s fit with the criteria.

Dr. Pizzo stated that he ranks based on residency – if an application’s target population is less than 50% City residents, he ranks the application a “0.” Similarly, he give applicants that provide services to low income populations a high ranking. If the application addresses an emergency need, he also gives the application a high score.

Marilyn pointed out that the Housing and Neighborhood Development Department has recently issued its *2005-2010 Consolidated Plan* and asked that the Committee point out in application material that applicants may cite to this document, as well as the *Service Community Assessment of Needs (SCAN)*, in illustrating community need.

IX. Adjournment

The Committee adjourned at approximately 2:30 pm.

Common Council
Jack Hopkins Social Services Funding Committee
April 27, 2006, 5:00 pm
McCloskey Room
401 N. Morton

Meeting Summary

In attendance

Committee Members: Chris Gaal(Chair), Shaunica Pridgen, Dr. Anthony Pizzo, Dave Rollo. [Absent: Tim Mayer & Andy Ruff]

Staff: Marilyn Patterson (HAND), Dan Sherman and Stacy Jane Rhoads (Council Office)

I. Purpose

The purpose of this meeting was to review and discuss all applications for their adherence to funding criteria, to outline questions for agencies to answer during public presentations and to disclose any conflicts of interest.

II. Conflicts of Interest

The below Committee members noted the following conflicts of interest. Where a conflict is noted, a Committee member may nevertheless participate if s/he can do so fairly, objectively, and in the public interest. Dave Rollo and Chris Gaal stated that they do not have any conflicts. All below-listed members signed statements indicating that the conflicts would not impair their ability to act fairly, objectively and in the public interest.

- Shaunica Pridgen stated that she is on the volunteer list for the Community Kitchen.
- David Sabbagh stated that his wife's (Linda Simon's) accounting firm provides accounting services for a number of applicant agencies; however, the accounting for these agencies comprises a very minor element of her firm's revenue. Sabbagh stated that he can be fair, impartial and act in the public interest. does not pointed out that he is a Rotarian, an organization that helped launch Teachers' Warehouse.
- Dr. Pizzo pointed out that he and/or his wife have been involved with most social services agencies in town, but this involvement will not impair his ability to make fair assessments of each application.
- Rollo stated that he does not have any conflicts.
- Gaal stated that he does not have any conflicts.
- Andy Ruff communicated in advance of the meeting that his wife is on the board of *Options for Better Living*, but that he can be fair and impartial in reviewing applications. Similarly, Tim Mayer's wife, Sue, is recently retired from the Aurora School. Also, Tim has provided *pro bono* design services for the Community Kitchen's newsletter. However, he will be able to act fair and impartially in reviewing all applicants.

III. Initial Cut

The Committee reviewed all applications for adherence to its funding priorities. The Committee voted to remove eight (08) agencies from consideration: the American Red Cross, Aurora Alternative High School, Boxcar Books & Community Center, Catholic Charities Bloomington, Monroe County Public Library, People & Animals Learning Services, Inc., the Salvation Army & Stepping Stones.

IV. Review of Agency Applications

The below table documents questions the Committee had for each applicant. Applicants are requested to respond to these questions during their presentations before the Committee on May 11, 2006. Dan and Stacy Jane will communicate these questions to agencies over the next few days.

<u>AGENCY</u>	<u>PROJECT</u>	<u>QUESTIONS</u>
American Red Cross -- Monroe County Chapter	Disaster: Food, Shelter & Clothing	Rollo voted to cut. Unanimous agreement.
Amethyst House	Amethyst House	1. What is the rationale behind each itemized request? raise future funding to address the bridge funding crisis?
The Area 10 Council on Aging of Monroe & Owen Counties, Inc.	Go Live with 211 Infoline	1. Is this a duplication of services? 2. Expect the software to become obsolete soon? Any plan for acquiring future software?
Aurora Alternative High School	Technology for the Twenty-first Century Classroom Project	Unanimous vote to eliminate. School receives tax-based revenue.
Big Brothers Big Sister of South Central Indiana	BBBS Building roof repair and reconfiguration project	1. Could the cost of recovering be paid under insurance, previous owners or other third party?
Bloomington Hospital Positive Link	Nutrition Links: An Alliance of Caring Agencies	No questions.
Boys & Girls Club of Bloomington	Crestmont Youth Summer Camp	1. What are the ages of the kids participating in Summer Camp? funding?
Boxcar Books and Community Center Inc.	Prisoner/Community Reading Project	Unanimous vote to eliminate. Not service to City residents
Catholic Charities Bloomington	Latino Outreach	Eliminate. Rationale: Duplicative; other applications have a wider scope.
Center for Behavioral Health	Wheels to Work	1. Generally, revolving fund programs don't work very well. What makes this different? 2. What about insurance? Will drivers be able to afford it? 3. What does the \$1,000 garage insurance cover? 4. Is there enough money to make it work?
Community Justice and Mediation Center	Restorative Discipline Resources for Students and Teachers	1. Efficacy of manual -- Do manuals work? 2. How will fund in future?
Community Kitchen of Monroe County, Inc.	Vehicle Purchase	No questions.
El Centro Comunal Latino	Informate Series	1. Does ECCL have stipend speakers in mind? Lined up? Will speakers be just Spanish speakers or will they also be experts in a subject matter (e.g, predatory lending, etc.) 2. Why City residents unknown? 3. How will ECCL fund this in future years?
First Christian Church	The Gathering Place	1. Is this a duplication of services? 2. How does the Church advertise this service? It is not posted in Shalom.
First United Church	Partners	1. Plan for future funding? 2. Efficacy of memory stations? 3. Couldn't the Church cover program budget with scholarships?
Girls Incorporated of Monroe County	"Healthy Choice" Curriculum	1. Only one part of the four parts of program (fitness) is new. operating expenses?
Girls Scouts of Tulip Trace Council, Inc. and Monroe County Chapter American Red Cross	First Aid/CPR/AED Training Program	1. Please speak to residency.

Hoosier Hills Food Bank, Inc.	Warehouse & Vehicle Safety Improvement Project	No questions.
Martha's House Inc.	Homeless Shelter	<ol style="list-style-type: none"> 1. Would like to learn more about financials. Would like to see an independent audit-not internal books 2. Why do not use volunteers? 3. Why are beds not filled up? 4. What is MH's plan for getting solid financial footing in the future?
Mental Health Alliance	Jail Diversion Program, Mental Health Community Coordinator	<ol style="list-style-type: none"> 1. Is this a duplication of services? workers have? 3. What is the plan for long-term funding?
Middle Way House, Inc.	Childcare Program	<ol style="list-style-type: none"> 1. Please confirm City residency. 2. What is the plan for long-term funding?
Monroe County Public Library MCPL	Evan-Porter Library Collection at the Baneker Community Center	Unanimous vote to eliminate. Receives funding from two tax-based entities.
Monroe County United Ministries	Expansion of Emergency Services	<ol style="list-style-type: none"> 1. What is the plan for future funding? 2. Most all social services agencies are out of funds. How is MCUM handling this – are social workers seeing more people and are able to help people or are they just seeing more people and turning them away?
Mother Hubbard's Cupboard	Food Pantry Program: Refrigeration Equipment	No questions.
New Leaf-New Life, Inc.	Inmate Transition Program	<ol style="list-style-type: none"> 1. Credentials of social workers? 2. What is the plan for long-term funding? 3. Is this a duplication of services? 4. Any further financial information? 5. Chair Gaal to speak to the Mayor re: his public endorsement of this organization.
Options for Better Living, Inc.	Equalizing E-Cycling Program	No questions.
Bloomington Day Care Corp. (DBA) Penny Lane	Subsidized Care For Families in Need	1. Plan for future funding?
People and Animal Learning Services, Inc. (PALS)	Therapeutic Arena Props and Special Horse Tack	Unanimous vote to eliminate.
Pinnacle School (dePaul Reading & Learning Association, Inc.)	Summer School Program for At-Risk Dyslexic Youth	1. What is the plan for future funding for scholarships?
Planned Parenthood of Indiana	Bloomington Health Center Renovation	<ol style="list-style-type: none"> 1. Do really need JHSSF \$ if getting private funds? 2. Will PPIN really see an increase in volume if a free clinic is to open? 3. Please itemize the \$3,000 furniture request.
The Salvation Army	Food Pantry Expansion	Unanimous vote to eliminate – duplicative.
Shalom Community Center	Facility Expansion at 110 S. Washington Street, Bloomington	<ol style="list-style-type: none"> 1. Software-how long is it expected to last? 2. Software-how much is for client use v. administrative use?
Stepping Stones, Inc.	Incentive Project	Vote to eliminate – serves too few.
SCCAP Head Start	Children's Door	<ol style="list-style-type: none"> 1. Please speak to SCCAP's financial situation. 2. Please speak to Board situation. 3. Committee requests an advance Memo explaining the above.
Teacher's Warehouse	Teacher's Warehouse, a free store for teachers to serve the educational and creative needs of elementary school children in south central Indiana.	1. Is there a plan for long-term funding?

V. Adjournment

The Committee adjourned at 8:15 pm

Common Council
Jack Hopkins Social Services Funding Committee
May 11, 2006, 5:00 pm
Council Chambers
401 N. Morton

Agency Presentations

In attendance

Committee Members: Chris Gaal (Chair), Tim Mayer, Dr. Anthony Pizzo, Shaunica Pridgen, Dave Rollo, Andy Ruff and David Sabbagh.

Staff: Marilyn Patterson (HAND), Dan Sherman and Stacy Jane Rhoads (Council Office)

I. Prologue

The Committee heard five-minute presentations from twenty-seven agencies. Tim Mayer kept the time. Chair Gaal welcomed all present, stating that Committee met on April 27, 2006 and went through applications and drafted questions for each agency to address at this meeting. He explained that once the Committee hears from each applicant, each Committee member will rank applications and make recommendations for allocations. The Council Office will then tabulate the results and the Committee will reconvene on May 22, 2006 to make recommendations.

II. Presentations

Applicants made presentations to the Committee in the following order. Please refer to either the CATS broadcast and/or the applications for the substance of these presentations.

- 1 Monroe County United Ministries (Rebecca Stanze)
- 2 Mother Hubbard's Cupboard (Libby Yarnelle)
- 3 Amethyst House (Tom Cox)
- 4 Center for Behavioral Health (Cindi Skoog)
- 5 The Area 10 Agency on Aging (Jason Carnes)
- 6 Big Brothers Big Sisters of South Central Indiana (Liz Grenat)
- 7 Bloomington Hospital Positive Link (Karen Danielson)
- 8 Boys & Girls Club (Rebecca Linehan & Joe Stebbins)
- 9 Community Justice and Mediation (Tina Nabtchi)
- 10 Community Kitchen (Vicki Pierce)
- 11 El Centro Comunal Latino (Tim Gonzalez)
- 12 First Christian Church (Kathy Curry)
- 13 First United Church (Julie Hill)
- 14 Girls Inc. (Dorothy Granger)
- 15 Girl Scouts of Tulip Trace (Deborah O'Brien & Marcia DeBock)
- 16 Hoosier Hills Food Bank, Inc. (Julio Alonso)
- 17 Martha's House (Jodi Tobias)
- 18 Mental Health Alliance (Donna A. Graves & Donald Weller)
- 19 Middle Way House, Inc. (Toby Strout)
- 20 New Leaf-New Life, Inc. (Tania Karnofsky)
- 21 Options for Better Living, Inc. (Susan Rinne & Melissa Copas)
- 22 Penny Lane (Kelly Sipes)
- 23 Pinnacle School (Denise Lessow)
- 24 Planned Parenthood of Indiana (Hannah Day)
- 25 Shalom Community Center (Joel Rekas)
- 26 SCCAP Head Start (Todd Lare & Dr. Billingham)
- 27 Teachers' Warehouse (Judith Witt)

III. Closing Comments

Chair Gaal thanked all applicants for making their presentations and for their good work. He reminded the Committee that their rankings are due by May 17, 2006 and reminded all that the Committee will meet on May 22, 2006 at 5:00pm in the Council Chambers to allocate funds.

IV. Adjournment

The meeting adjourned at 7:40 pm.

Common Council
Jack Hopkins Social Services Funding Committee
May 22, 2006, 5:00 pm
Council Chambers
401 N. Morton

Funding Recommendations

In attendance

Committee Members: Chris Gaal (Chair), Tim Mayer, Dr. Anthony Pizzo, Shaunica Pridgen, Dave Rollo, Andy Ruff and David Sabbagh.

Staff: Marilyn Patterson and Lisa Abbott (HAND), Dan Sherman and Stacy Jane Rhoads (Council Office)

I. Introduction

Chair Gaal called the meeting to order, explaining that the purpose of this meeting is to make funding recommendations. Gaal informed all that members of the Committee have filed Conflict of Interest statements with the Council Office. Anyone interested in accessing these statements should contact Council Administrator/Attorney Dan Sherman. These conflict statements are public documents.

Gaal explained that after the Committee heard presentations from twenty-seven selected applicants on May 11, each Committee member ranked applications.

II. Funding Methodology

Gaal asked the Committee if anyone had a proposed methodology for allocation 2006 JHSSF dollars.

A. Sabbagh's Algorithm

Sabbagh stated that he created an algorithm based on average rankings. This formula grants agencies with rankings above 4.0 funding at 100% of their request; those between 3.0 and 4.0, 80% of requested funds; those between 2.86 and 3.0, 64% of requested funds.

Ruff suggested that the Committee use average allocations, not averaged rankings to allocate.

Rollo stated that he agreed with Ruff – allocation averages assures that everyone gets something. He stated that he feels the El Centro Comunal Latino should receive funding.

Ruff pointed out that ratings tend to vary greatly among/between Committee members: one Committee member may give nine “5”s while another may give zero. He stated that averaged ratings are less accurate than averaged allocations.

Mayer pointed out that if the Committee employs the “average allocations” approach, the Committee must inquire whether the agency could use [partial] funding for its intended purpose. For example, agencies who requested a large amount, yet rank low, may not be able to implement their program based on and averaged allocation.

The motion to employ Sabbagh's formula failed 3 (Sabbagh, Ruff and Pizzo) - 4.

B. Allocation Averages

Rollo asked the Committee to consider using average allocations as a predicate for funding.

Mayer again stated that he is uncomfortable with such a funding strategy. He stated that agencies may not be able to implement their proposed projects with partial funding. He pointed out that many agencies apply for JHSSF with the understanding that they may not receive funding. It is inherent in the process. The Committee should not try to make itself feel good by trying to fund everyone, because it may just not work. He further stated that he thinks the Committee should strive to fund agency requests fully.

The motion to allocate funds based on allocation averages failed 3 (Rollo, Ruff & Pridgen) - 4.

C. Funding Agencies with Averaged Rankings 3.0-5.0

Gaal moved that the Committee grant full funding to an agency with an averaged ranking of 4.0 and above and fund at 80% those ranking between 3.0 and 4.0.

The motion passed 6-1(Rollo). With this motion, the Committee allocated \$113,123.82 of \$135,411.00.

D. Funding Agencies with Averaged Rankings Between 2.57 and 2.86

Mayer made a motion to fund Amethyst House at \$10,000; the Center for Behavioral Health: \$2,500; Pinnacle School: \$7,500; and Area 10: \$2,000.

Ruff stated that Mayer's recommendation is larger than the average allocation.

Rollo if stick to allocation averages below 3 could fund everything down to and including First Christian Church.

Mayer stated that he accepts Rollo's amendment to his amendment to follow allocation averages down to and including First Christian Church (ranking: 2.57). This allocates \$824 more than the Committee's budget.

This motion passed 7-0.

E. Allocate odd changes

In the interest of allocating exactly \$135, 411, the Committee allocated funds to agencies with rankings between 2.57 and 2.86 in the following manner:

Amethyst House: \$8,000; Center for Behavioral Health: \$1,816.67; Pinnacle School: \$4,394.67; Area 10 Council on Aging: \$2,187.33; The Community Justice and Mediation Center: \$2,170.00; El Centro Comunal Latino: \$2,468.51; First Christian Church: \$1,250.00

Mayer moved to accept allocations as discussed.

Motion passed 7-0.

III. 2006 Jack Hopkins Social Service Final Funding Recommendations

The 2006 Jack Hopkins Social Service Funding Committee voted unanimously to fund the following agencies the follow amounts:

<u>AGENCY</u>	<u>REQUEST</u>	<u>FINAL ALLOCATION</u>
Mother Hubbard's Cupboard	\$6,670.00	\$6,670.00
Community Kitchen of Monroe County, Inc.	\$8,401.64	\$8,401.64
Monroe County United Ministries	\$20,000.00	\$20,000.00
Bloomington Hospital Positive Link	\$1,150.00	\$1,150.00
Hoosier Hills Food Bank, Inc.	\$6,670.00	\$6,670.00
Boys & Girls Club of Bloomington	\$8,160.00	\$8,160.00
Shalom Community Center	\$7,809.18	\$7,809.18
Middle Way House, Inc.	\$15,000.00	\$12,000.00
Options for Better Living, Inc.	\$5,000.00	\$4,000.00
Big Brothers Big Sister of South Central Indiana	\$10,137.00	\$8,109.00
SCCAP Head Start	\$2,788.50	\$2,230.80
Mental Health Alliance	\$16,916.00	\$13,532.80
Girls Incorporated of Monroe County	\$2,438.00	\$1,950.40
Martha's House Inc.	\$10,000.00	\$8,000.00
Planned Parenthood of Indiana	\$3,050.00	\$2,440.00
Teacher's Warehouse	\$2,500.00	\$2,000.00
Amethyst House	\$20,000.00	\$8,000.00
Center for Behavioral Health	\$2,500.00	\$1,816.67
Pinnacle School (dePaul Reading & Learning Association,Inc.)	\$8,919.00	\$4,394.67
The Area 10 Council on Aging of Monroe & Owen Counties, Inc.	\$3,408.00	\$2,187.33
El Centro Comunal Latino	\$3,900.00	\$2,468.51
Community Justice and Mediation Center	\$4,920.00	\$2,170.00
First Christian Church	\$3,244.00	\$1,250.00
Girls Scouts of Tulip Trace Council, Inc. and Monroe County Chapter American Red Cross	\$4,071.00	
First United Church	\$10,020.00	
Bloomington Day Care Corp. (DBA) Penny Lane	\$19,760.00	
New Leaf-New Life, Inc.	\$23,000.00	
Total	\$230,432.32	\$135,411.00

IV. Close

Chair Gaal thanked all agencies for applying and for all the time and energy put into the application process. He informed the funded agencies that their next step is to complete a *Funding Agreement*. Dan Sherman will be in contact with each agency regarding their *Agreements*.

Gaal encouraged all agencies to complete an electronic survey when it is issued by the Council Office. The JHSSF program really does reshape the program based on feedback from agencies. All responses to the survey will be kept confidential.

The Committee will meet on June 7 to internally evaluate the program. The Committee's allocations will go to the City Council on June 21 and the Council will hear public comment at that time.

V. Other business

Dan Sherman reminded funded agencies that Marilyn Patterson of the HAND department will conduct a Technical Assistance meeting on June 27, 2006 at 8:30 am in the McCloskey Room.

VI. Adjournment

The meeting adjourned at 6:10 pm.



*Summary of Committee Debriefing
June 7, 2006
(Forthcoming)*

APPROPRIATION ORDINANCE 06-02

TO SPECIALLY APPROPRIATE FROM THE RISK MANAGEMENT FUND, THE TELECOMMUNICATIONS NON-REVERTING FUND, AND THE GENERAL FUND EXPENDITURES NOT OTHERWISE APPROPRIATED

(Appropriating Funds from the General Fund for a Grant Awarded to the Police Department; from the Telecom – Infrastructure Fund for Expansion of the Bloomington Digital Underground (BDU) and Internet Access in Various City Buildings; and from the Risk Management Fund for additional Workers Compensation Charges)

WHEREAS, the Bloomington Police Department has been awarded and wishes to expend a COPS MORE grant from the U.S Department of Justice for mobile data terminals; and

WHEREAS, the Information & Technology Services Department wishes to install conduit and fiber to connect the Fire Operations Building, the Allison-Jukebox Community Center, the Banneker Community Center and the Traffic Division Building to the BDU; install fiber conduit in the road project at Tapp Road and Adams Street; and improve the availability and quality of network access for various City Buildings with point-to-point wireless, T-1 and DSL network connections; and

WHEREAS, the City has determined the need to appropriate additional funds for Worker’s Compensation and a sufficient balance remains in the Risk Management Fund to pay these expenses;

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

SECTION I. For the expenses of said municipal corporation, the following additional sums of money are hereby appropriated and ordered set apart from the funds herein named and for the purposes herein specified, subject to the laws governing the same:

	AMOUNT REQUESTED
General Fund – Police	
Line 54450 – Equipment	<u>126,315</u>
Total General Fund – Police	<u>126,315</u>
Telecom – Infrastructure	
Line 52420 – Other Supplies	13,890
Line 53150 – Communications Contract	4,200
Line 53640 – Hardware and Software Maintenance	4,100
Line 54310 – Improvements Other than Building	<u>163,237</u>
Total Telecom – Infrastructure	<u>185,427</u>
Risk Management Fund	
Line 53420 – Worker’s Comp. & Risk Admin.	<u>150,000</u>
Total Risk Management Fund	<u>150,000</u>
Grand Total	\$ <u>461,742</u>

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon
this _____ day of _____, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance appropriates \$126,315 for a COPS MORE Grant in the General Fund – Police Department; \$185,427 from the Telecom Infrastructure Fund for the Bloomington Digital Underground and internet access for various City Buildings; and \$150,000 from the Risk Management Fund for additional Workers Compensation charges.



MARK KRUZAN
MAYOR

CITY OF BLOOMINGTON

401 N Morton St
Post Office Box 100
Bloomington IN 47402

SUSAN CLARK
CONTROLLER

CONTROLLER'S OFFICE

p 812.349.3412
f 812.349.3456
controller@bloomington.in.gov

Memorandum

To: Council Members
From: Susan Clark, Controller
Date: June 12, 2006
Re: Appropriation Ordinance 06-02

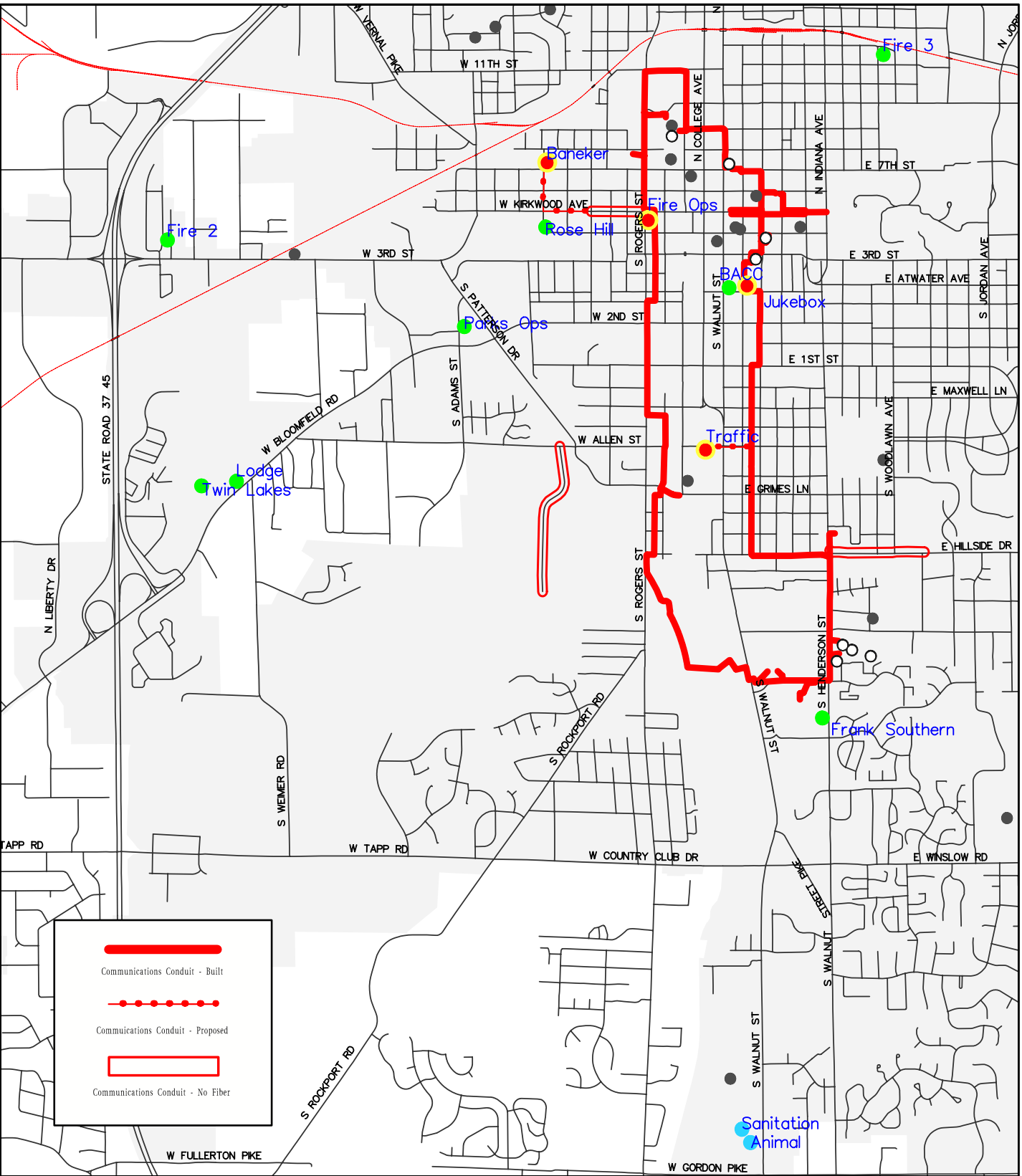
1. **General Fund – Police.** The Bloomington Police Department seeks authorization to spend \$126,315 in grant funds awarded by the United States Department of Justice COPS MORE program in order to purchase new Mobile Data Terminals (MDTs) for our patrol cars. This grant is reimbursable at 75%, with a 25% local match of \$42,105. The match requirement has been fulfilled using funds in the existing budget. We will receive the \$126,315 upon providing documentation of the MDT purchase to the DOJ. BPD has collaborated with our Information and Technology Services Department in the selection of the MDT hardware and software.
2. **Special Non-Reverting Telecommunications Fund (Telecom).** The Information and Technology Services Department wishes to expend \$185,427 from the Infrastructure Account of Telecom Fund in order to upgrade the City's communications network:
 - a) The Bloomington Digital Underground (BDU) will be expanded by installing conduit and fiber connecting four additional City Buildings: the Fire Operations Building, the Allison-Jukebox Community Center, the Banneker Community Center and the Traffic Division Building. The estimated cost is \$138,237.
 - b) In addition, the BDU will be expanded by installing fiber conduit in the intersection improvement project at Tapp Road and Adams Street. The estimated cost is \$25,000.
 - c) The availability and quality of network access for various City Buildings will be improved with (1) Point-to-point wireless connections for the Animal Shelter and Sanitation garage, (2) a T-1 connection at Fire Station #2, and (3) DSL connections at Fire Station #3 and five Park facilities. The estimated cost is \$22,190 and includes fees for the remainder of 2006 where applicable.
3. **Risk Management Fund.** The Employee Services Department has requested an additional appropriation of \$150,000 from the Risk Management Fund in order to cover Workers Compensation (W/C) expenses. Our current estimates indicate that an addition of \$150,000 to the budget may not be sufficient for the remainder of 2006; however, this amount will provide funding for a minimum of four months. After authorization of this appropriation, the projected year end cash balance in the Risk Fund will be approximately \$83,000 which is approximately equal to two months in W/C expenditures. Later this year we will reevaluate our W/C expenses relative to the adjusted budget, and if additional funds are needed, we will request an appropriation that not only authorizes expenditures from the Risk Fund, but also transfers cash from the various City departmental funds that normally provide revenue to the Risk Fund.

The grand total of this appropriation is \$461,742.

Feel free to contact me by email at clarks@bloomington.in.gov or by phone at 349-3412 at any time.

**Telecommunications Non-Reverting Fund
Fund Analysis - As of 06/14/06**

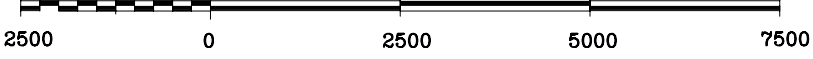
	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	YTD 2006
<u>Total Fund</u>							
Beginning Cash	507,426.93	766,877.84	892,820.40	583,319.44	770,055.67	993,407.70	1,112,219.79
Revenues:							
Miscellaneous & Interest Income	36,233.85	40,059.68	20,446.40	9,574.29	15,927.54	35,949.18	24,620.64
Franchise Fees	446,673.60	474,029.40	538,178.82	551,365.85	572,095.14	595,158.77	310,123.18
Total Revenue	482,907.45	514,089.08	558,625.22	560,940.14	588,022.68	631,107.95	334,743.82
Expenses:							
Telecommunication Services	223,456.54	231,808.70	268,126.18	276,671.30	249,351.45	376,299.26	47,053.88
Telecommunication Infrastructure	-	156,337.82	600,000.00	97,532.61	115,319.20	135,996.60	43,245.80
Telecommunication Infrastructure - PY Encumb.	-	-	-	-	-	-	5,069.80
Total Expenses	223,456.54	388,146.52	868,126.18	374,203.91	364,670.65	512,295.86	95,369.48
Available Cash	766,877.84	892,820.40	583,319.44	770,055.67	993,407.70	1,112,219.79	1,351,594.13
<u>Services Account (60%)</u>							
Beginning Cash	179,697.17	245,985.10	322,629.85	389,678.80	449,571.58	553,033.74	555,399.25
Revenues:							
Miscellaneous & Interest Income	21,740.31	24,035.81	12,267.84	5,744.57	9,556.52	21,569.51	14,772.38
Franchise Fees	268,004.16	284,417.64	322,907.29	330,819.51	343,257.08	357,095.26	186,073.91
Total Revenue	289,744.47	308,453.45	335,175.13	336,564.08	352,813.61	378,664.77	200,846.29
Expenses:							
Telecommunication Services	223,456.54	231,808.70	268,126.18	276,671.30	249,351.45	376,299.26	47,053.88
Encumbered Expenses	-	-	-	-	-	-	-
Total Expenses	223,456.54	231,808.70	268,126.18	276,671.30	249,351.45	376,299.26	47,053.88
Available Cash	245,985.10	322,629.85	389,678.80	449,571.58	553,033.74	555,399.25	709,191.66
<u>Infrastructure Account (40%)</u>							
Beginning Cash	327,729.76	520,892.74	570,190.55	193,640.64	320,484.09	440,373.96	556,820.54
Revenues:							
Miscellaneous & Interest Income	14,493.54	16,023.87	8,178.56	3,829.72	6,371.02	14,379.67	9,848.26
Franchise Fees	178,669.44	189,611.76	215,271.53	220,546.34	228,838.06	238,063.51	124,049.27
Total Revenue	193,162.98	205,635.63	223,450.09	224,376.06	235,209.07	252,443.18	133,897.53
Expenses:							
Telecommunication Infrastructure	-	156,337.82	600,000.00	97,532.61	115,319.20	135,996.60	43,245.80
Encumbered Exp. for Infrastructure	-	-	-	-	-	-	5,069.80
Total Expenses	-	156,337.82	600,000.00	97,532.61	115,319.20	135,996.60	48,315.60
Available Cash	520,892.74	570,190.55	193,640.64	320,484.09	440,373.96	556,820.54	642,402.47



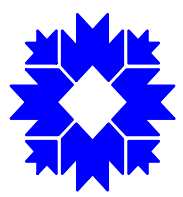
2006 COB Network Upgrade Plan

- BDU
- Point-to-Point Wireless
- DSL/ISDN
- Already Connected to the BDU
- Other Facilities

Scale: 1" = 2500'



City of Bloomington
ITS Department



Geographic Information System

Jun 12, 2006

For use as map information only, information is NOT warranted.

ORDINANCE 06-10

**TO AMEND TITLE 10 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED “WASTEWATER”**

**Re: Addition of Chapter 10.20 Prohibiting
Illicit Stormwater Connection and Discharge**

WHEREAS, the City of Bloomington, Indiana (the City) has constructed and has in operation a stormwater collection system for the purpose of collecting stormwater within its jurisdiction; and,

WHEREAS, new requirements for stormwater quality affect the City as a direct result of the Federal Stormwater Phase II NPDES permit program administered by the Indiana Department of Environmental Management with the adoption of 327 IAC 15-5 for Storm Water Run-off Associated with Construction Activity, 327 IAC 15-6 for Storm Water Discharges Exposed to Industrial Activity, and 327 IAC 15-13 for Storm Water Run-Off Associated with Municipal Separate Sewer System Conveyances; and,

WHEREAS, 327 IAC 15-13-14 requires the City to pass an ordinance or other local regulatory mechanism prohibiting illicit discharges into the stormwater conveyance system and establish appropriate enforcement procedures and actions; and

WHEREAS, the creation of a new stormwater management program could help address stormwater management problems; and

WHEREAS, the City operates its stormwater system under the provisions of IC 36-9-23;

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

SECTION 1. The municipal code shall be amended to add the following Chapter 10.20 to Title 10:

Chapter 10.20 ILLICIT STORMWATER CONNECTION AND DISCHARGE

Section 10.20.010 Purpose and intent

The purpose of this Chapter is to provide for the health, safety, and general welfare of the citizens of the City of Bloomington, Indiana through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This Chapter establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this Chapter are:

- (a) To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by stormwater discharges by any user.
- (b) To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system.
- (c) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this Chapter.

Section 10.20.020 Definitions.

As used in this Chapter, the following words have the following meanings unless otherwise designated. Where words are not defined, they shall have the meanings provided in the *City of Bloomington Utilities Rules, Regulations and Standards of Service*:

- (a) “Authorized Enforcement Agency” means employees or designees of the Mayor of the City of Bloomington, Indiana.

(b) “Best Management Practices” (BMPs) means schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

(c) “Clean Water Act” means the federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

(d) “Construction Activity” means activities subject to NPDES Construction Permits. These include construction projects resulting in land disturbance of 1 acre or more, as defined in 327 IAC 15-5. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

(e) “Hazardous Materials” means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

(f) “Illegal Discharge” means any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section 10.20.060 of this Chapter.

(g) “Illicit Connections” means as either of the following:

(1) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,

(2) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

(h) “Industrial Activity” means activities subject to NPDES Industrial Permits as defined in 327 IAC 15-6.

(i) “National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit” means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

(j) “Non-Storm Water Discharge” means any discharge to the storm drain system that is not composed entirely of storm water.

(k) “Person” means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

(l) “Pollutant” means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

(m) “Premises” means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

(n) “Storm Drainage System” means publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

(o) “Stormwater” means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

(p) “Stormwater Pollution Prevention Plan” means a document which describes the Best Management Practices (BMPs) and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Stormwater, Stormwater Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

(q) “Wastewater” means any water or other liquid, other than uncontaminated storm water, discharged from a facility.

Section 10.20.030 Applicability.

This Chapter shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

Section 10.20.040 Responsibility for administration.

The City shall administer, implement, and enforce the provisions of this Chapter. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the Mayor of the authorized enforcement agency to persons or entities acting in the beneficial interest of or in the employ of the agency.

Section 10.20.050 Ultimate responsibility.

The standards set forth herein are minimum standards; therefore this Chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

Section 10.20.060 Discharge prohibitions.

(a) Prohibition of Illegal Discharges. No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater. The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

(1) The following discharges are exempt from discharge prohibitions established by this Chapter: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated - typically less than one part per million chlorine), fire fighting activities, irrigation water, street wash water, and any other water source not containing Pollutants.

(2) Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.

- (3) Dye testing is an allowable discharge, but requires a verbal notification to the authorized enforcement agency prior to the time of the test.
- (4) The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

(b) Prohibition of Illicit Connections.

- (1) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.
- (2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (3) A person is considered to be in violation of this Chapter if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

Section 10.20.070 Suspension of MS4 access.

(a) Suspension due to Illicit Discharges in Emergency Situations. The City of Bloomington may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge, which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons.

(b) Suspension due to the Detection of Illicit Discharge. Any person discharging to the MS4 in violation of this Chapter may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the authorized enforcement agency for a reconsideration and hearing.

(c) A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the authorized enforcement agency.

Section 10.20.080 Industrial or construction activity discharges.

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City or to the allowing of discharges to the MS4.

Section 10.20.090 Monitoring of discharges.

This section applies to all facilities that have stormwater discharges associated with industrial activity, including construction activity.

Access to facilities.

(a) The City shall be permitted to enter and inspect facilities subject to regulation under this Chapter as often as may be necessary to determine compliance with this Chapter. If a discharger has security measures in force, which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.

(b) Facility operators shall allow the City ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.

(c) The City shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's stormwater discharge.

(d) The City has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

(e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the City and shall not be replaced. The costs of clearing such access shall be borne by the operator.

(f) Unreasonable delays in allowing the City access to a permitted facility is a violation of a storm water discharge permit and of this Chapter. A person who is the operator of a facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this Chapter.

(g) If the City has been refused access to any part of the premises from which stormwater is discharged, and the City is able to demonstrate probable cause to believe that there may be a violation of this Chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this Chapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.

Section 10.20.100 Requirement to prevent, control, and reduce storm water pollutants by the use of best management practices.

The City will establish requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit.

Section 10.20.110 Watercourse protection.

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

Section 10.20.120 Notification of spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City of Bloomington within three (3) business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years.

Section 10.20.130 Enforcement.

Notice of Violation. Whenever the City finds that a person has violated a prohibition or failed to meet a requirement of this Chapter, the City of Bloomington Utilities Service Board (“USB”) may order compliance by written notice of violation to the responsible person. Emergency notifications may be made by an authorized City employee. Such notice may require without limitation:

- (a) The performance of monitoring, analyses, and reporting;
- (b) The elimination of illicit connections or discharges;
- (c) That violating discharges, practices, or operations shall cease and desist;
- (d) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
- (e) Payment of a fine to cover administrative and remediation costs; and
- (f) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

Section 10.20.140 Appeal of notice of violation.

Any person receiving a Notice of Violation may appeal the determination of the USB. The notice of appeal must be received within ten (10) days from the date of the Notice of Violation. Hearing on the appeal before the appropriate authority or his/her designee shall take place within thirty (30) days from the date of receipt of the notice of appeal. The decision of the municipal authority or their designee shall be final.

Section 10.20.150 Enforcement measures after appeal.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within thirty (30) days of the decision of the municipal authority upholding the decision of the authorized enforcement agency, then representatives of the authorized enforcement agency shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

Section 10.20.160 Cost of abatement of the violation.

Within thirty (30) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. If the amount due is not paid within a timely manner as determined by the decision of the municipal authority or by the expiration of the time in

which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Section 10.20.170 Injunctive relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Chapter. If a person has violated or continues to violate the provisions of this Chapter, the authorized enforcement agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Section 10.20.180 Compensatory action.

In lieu of enforcement proceedings, penalties, and remedies authorized by this Chapter, the authorized enforcement agency may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

Section 10.20.190 Violations deemed a public nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Chapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

Section 10.20.200 Civil penalty.

Any person that has violated or continues to violate this Chapter shall be liable to civil penalties to the fullest extent of the law, and shall be subject to a fine of up to \$2,500.00 dollars per violation per day. The authorized enforcement agency may recover all attorney's fees, court costs, consultant costs and other expenses associated with enforcement of this Chapter, including sampling and monitoring expenses.

Section 10.20.210 Remedies not exclusive.

The remedies listed in this Chapter are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

SECTION 2. Severability. If any sections, sentence or provision of this ordinance, 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 ordinance 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 and publication as required by law.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

The Federal Stormwater Phase II NPDES permit program administered by the Indiana Department of Environmental Management includes requirements for management of stormwater run-off associated with municipal separate sewer system (“MS4”) conveyances. This ordinance brings the City of Bloomington into compliance with the requirements of 327 IAC 15-13-14 regarding enactment of an ordinance prohibiting illicit connections and discharges into the stormwater conveyance system and the establishment of appropriate enforcement procedures and actions.



**CITY OF BLOOMINGTON
LEGAL DEPARTMENT
MEMORANDUM**

TO: City of Bloomington Common Council Members

FROM: Vickie Renfrow, Assistant City Attorney

RE: Ordinance 06-10 Illicit Stormwater Connection and Discharge

DATE: June 16, 2006

Ordinance 06-10 is proposed to bring the City in compliance with new requirements for stormwater quality which are a result of the Federal Stormwater Phase II NPDES permit program administered by the Indiana Department of Environmental Management. IDEM adopted a number for Indiana Administrative Code provisions including 327 IAC 15-5 for Storm Water Run-off Associated with Construction Activity, 327 IAC 15-6 for Storm Water Discharges Exposed to Industrial Activity, and 327 IAC 15-13 for Storm Water Run-Off Associated with Municipal Separate Sewer System Conveyances. You will be considering ordinances that deal with requirements of these provisions in the future. For now we are concerned with 327 IAC 15-13-14 which requires that the City pass an ordinance or other local regulatory mechanism prohibiting illicit discharges into the stormwater conveyance system and establish appropriate enforcement procedures and actions.

The City Utilities Department has been working with Commonwealth Engineers, Inc., to achieve the goal of complying with the new rules, and the contents of the ordinance come largely from a document which Commonwealth developed which will achieve that goal. It represents the minimum requirements regarding illicit connections and discharges necessary to be in compliance. Its purpose is to regulate the pollutants which are introduced in to the municipal separate storm sewer system (also know as "MS4"), some of which come from illicit connections into the storm drainage system since these drain into creeks, streams and other water courses. It gives the City the authority to gain access onto properties that are suspected of discharging pollutants into the storm drainage system, and permits monitoring and access to records to assure compliance. It authorizes various enforcement mechanisms, including civil penalties of up to \$2,500.00 per day per violation.

The definition of "pollutants" includes exactly the kinds of things we do not want in our stormwater, streams and rivers, namely:

[P]aints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Exemptions are also identified and they include:

[W]ater line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated - typically less than one part per million chlorine), fire fighting activities, irrigation water, street wash water.

The kinds of connections that would be prohibited include:

Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency.

There would be no grandfathering of existing connections. The policy of the Utilities Department has been to require improper connections (whether to the sanitary sewer system or the storm drainage system) to be corrected if their existence is confirmed. So the ordinance will not change past practice in that regard.

The provisions in the ordinance would be added as Chapter 10.20 of the Code since Title 10 deals with our wastewater utility and our stormwater utility is a part of our wastewater utility (or “sewage works” as it is referred to in the Indiana Code).

Any questions regarding the ordinance can be directed to Mike Bengtson, Assistant Director for Engineering in the Utilities Department at 349-3650 or bengstom@bloomington.in.gov.

327 IAC 15-13-14 Storm water quality management plan illicit discharge detection and elimination MCM
Authority: IC 13-14-8; IC 13-15-1-2; IC 13-15-2-1; IC 13-18-3-1; IC 13-18-3-2
Affected: IC 13-18-4

Sec. 14. (a) An MS4 operator shall develop an SWQMP that includes a commitment to develop and implement a strategy to detect and eliminate illicit discharges to the MS4 conveyance.

(b) An MS4 operator shall develop a storm sewer system map showing the location of all outfalls and MS4 conveyances in the particular MS4 area under the MS4 operator's control and the names and locations of all waters that receive discharges from those outfalls. A map developed under this subsection must meet the following:

(1) At a minimum, longitude and latitude for mapped outfall locations must be done in decimal degrees, or, if a global positioning system is utilized, mapping-grade accuracy data shall be collected, where an accuracy discrepancy is less than five (5) meters.

(2) The mapping requirement must be developed as follows:

(A) All known outfall conveyance systems with a pipe diameter of twelve (12) inches or larger and open ditches with a two (2) foot or larger bottom width must be mapped within the first five (5) year permit term according to the following:

(i) After the second year of permit coverage, mapping must depict the location of outfall conveyance systems for at least twenty-five percent (25%) of the MS4 conveyances within the MS4 area.

(ii) For each additional year of the initial permit term, mapping must depict at least an additional twenty-five percent (25%) of the MS4 conveyances.

(B) Subsequent permit terms will require that all remaining outfall conveyance systems are mapped.

(3) The mapping requirements in subdivision (2) do not include private or mutual drains, yard swales that are not maintained by a regulated MS4 entity, or curbs and gutters.

(c) Through an ordinance or other regulatory mechanism, an MS4 operator shall prohibit illicit discharges into MS4 conveyances and establish appropriate enforcement procedures and actions.

(d) An MS4 operator shall develop a plan to detect, address, and eliminate illicit discharges, including illegal dumping, into the MS4 conveyance. This plan need not address the following categories of nonstorm water discharges or flows unless the MS4 operator identifies them as significant contributors of pollutants to its MS4 conveyance:

- (1) Water line flushing.
- (2) Landscape irrigation.
- (3) Diverted stream flows.
- (4) Rising ground waters.
- (5) Uncontaminated ground water infiltration.
- (6) Uncontaminated pumped ground water.
- (7) Discharges from potable water sources.
- (8) Foundation drains.
- (9) Air conditioning condensation.
- (10) Irrigation water.
- (11) Springs.
- (12) Water from crawl space pumps.
- (13) Footing drains.
- (14) Lawn watering.
- (15) Individual residential car washing.
- (16) Flows from riparian habitats and wetlands.
- (17) Dechlorinated swimming pool discharges.
- (18) Street wash water.
- (19) Discharges from firefighting activities.

(e) The plan developed under subsection (d) must, at a minimum, locate problem areas via dry weather screening or other means, determine the source, remove or otherwise correct illicit connections, and document the actions taken. The dry weather screening or other means must utilize a field testing kit, or similar method, to analyze for pollutants of concern and other parameters, such as pH, conductivity, or nitrogen-ammonia, used to identify possible pollutant sources. All storm water outfalls in the regulated

MS4 area under the MS4 operator's control must be screened for illicit discharges. The screening may be initiated gradually throughout successive five (5) year permit cycles. If the gradual approach is utilized, all storm water outfalls with a pipe diameter of twelve (12) inches or larger and open ditches with a two (2) foot or larger bottom width must be screened in the first five (5) year permit term. Subsequent permit terms will require that all remaining outfalls be screened.

(f) The plan developed under subsection (d) must identify all active industrial facilities within the MS4 area that discharge into an MS4 conveyance. This identification shall include the facility name, address, telephone number, and Standard Industrial Classification (SIC) code. Updated information regarding active industrial facilities must be submitted in each annual report.

(g) A certification form must be completed and submitted to the department once the plan has been developed and implemented or three hundred sixty-five (365) days from the date the initial NOI letter submittal was received by the department, whichever is earlier. In subsequent permit terms, the certification form does not need to be completed and submitted. At a minimum, every five (5) years the program shall be reviewed for adequacy and accuracy and updated as necessary.

(h) An MS4 operator shall educate public employees, businesses, and the general public about the hazards associated with illicit discharges and improper disposal of waste. This educational effort shall include the following:

(1) Informational brochures and guidances for specific audiences and school curricula.

(2) Publicizing and facilitating public reporting of illicit discharges and spills.

(i) An MS4 operator shall initiate, or coordinate existing, recycling programs in the regulated MS4 area for commonly dumped wastes, such as motor oil, antifreeze, and pesticides.

(j) An MS4 operator shall develop measurable goals for this MCM. To comply with this measure, specific outreach and reduction percentages and timetables must be identified. At a minimum, goals must address relevant collection system mapping, regulatory mechanism implementation, employee training, household hazardous waste programs, illicit discharge detection, and illicit discharge elimination.

(k) In combined sewer system municipalities designated under this rule, the current CSOOP and LTCP must be reviewed, and any necessary language changes to ensure consistency with the SWQMP must be included in the plans to ensure that this MCM requirement is met. (*Water Pollution Control Board; 327 IAC 15-13-14; filed Jul 7, 2003, 2:15 p.m.: 26 IR 3589*)

ORDINANCE 06-11

TO AMEND TITLE 10 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "WASTEWATER"

Re: Pretreatment and Other Requirements for Compliance With the National Domestic Sewage Study

WHEREAS, the City of Bloomington, Indiana (the City) has constructed and has in operation a wastewater collection system for the purpose of collecting and treating wastewater; and,

WHEREAS, in May 2004 the Dillman Road Wastewater Treatment Plant was issued a National Pollutant Discharge Elimination System ("NPDES") permit which required that the City review its sewer use ordinance for compliance with the National Domestic Sewage Study and the Pesticide Incident Reporting and Tracking ("PIRT") regulations; and,

WHEREAS, City of Bloomington Utilities Department staff completed the review of the ordinance and of local discharge limits in March of 2005 and submitted the proposed changes to the Environmental Protection Agency ("EPA") Region V office for approval; and,

WHEREAS, the EPA approved the proposed changes as a minor pretreatment program modification in March of 2006; and,

WHEREAS, the City of Bloomington Utilities Service Board ("USB") has reviewed the proposed ordinance and recommends to the Common Council that it be adopted;

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

SECTION 1. Section 10.04.010 entitled "Definitions" shall be amended by deleting the existing provision and replacing it with the following:

10.04.010 Definitions.

As used in this title, the following words have the following meanings unless otherwise designated. Where words are not defined, they shall have the meanings provided in the wastewater utility rules.

Act or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

Approval Authority. The Indiana Department of Environmental Management.

Authorized Representative of the User.

(a) If the user is a corporation:

(1) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(2) The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(b) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(c) If the user is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(d) The individuals described in paragraphs 1 through 3, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

Base unit. The amount that equals the average single-family residential impervious area, which is presently set at two thousand square feet but which may be adjusted by action of the utilities service board.

Biochemical Oxygen Demand or BOD. The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).

Board. The Bloomington Utilities Service Board (USB) or any duly authorized representative acting in its behalf.

Categorical Pretreatment Standard or Categorical Standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307 (b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

City or CBU. The City of Bloomington, Indiana acting through its Utilities Service Board.

Commercial User. Any user other than a residential user, Indiana University user or industrial user as defined in this section.

Conventional pollutant. Those pollutants designated by the Act to include BOD, total suspended solids, pH, fecal coliform, oil and grease, and such additional pollutants which may be specified and controlled in the city's NPDES permits for its wastewater treatment system.

Director. The director of the utility or any duly authorized representative acting in his behalf.

Discharger. Any nonresidential user who discharges an effluent into a POTW by means of pipes, conduits, pumping stations force mains, constructed drainage ditches, surface water intercepting ditches, intercepting ditches and all constructed devices and appliances appurtenant thereto.

Domestic wastes. Liquid wastes from the noncommercial preparation, cooking, and handling of food or liquid wastes containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities and institutions.

Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

Existing Source. Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

Grab Sample. A sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

Impervious area. The total hard surface area (asphalt, concrete, stone, etc.) that is contained on a lot or parcel, or within a development tract.

Indiana University User. Any Indiana University-owned property located on the central campus which generates wastewater.

Indirect Discharge or Discharge. The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.

Industrial waste. A solid, liquid or gaseous waste resulting from any industrial manufacturing, trade, or business process or from the development, recovery or processing of natural resources.

Instantaneous Maximum Allowable Discharge Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interference. A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of Bloomington's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis waste.

New Source.

(a) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

(1) The building, structure, facility, or installation is constructed at a site at which no other source is located; or

(2) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(3)The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

(b)Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1) (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

(c)Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(1)Begun, or caused to begin, as part of a continuous onsite construction program

(2)any placement, assembly, or installation of facilities or equipment; or (ii)significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(3)Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Noncontact Cooling Water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

NPDES or National Pollution Discharge Elimination System. The program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into navigable waters, the contiguous zones, and the oceans pursuant to the Clean Water Act.

Operation and Maintenance or O & M. The cost of operation and maintenance of the treatment works, including replacement costs. It means the expenses for the normal operation of the treatment works including overhead, meter reading, bill preparation, collection system costs, sewer equipment maintenance and treatment works equipment maintenance.

Other wastes. Decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals and all other substances except sewage and industrial wastes.

Pass Through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit, including an increase in the magnitude or duration of a violation.

Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.

Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, heavy metals, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.

Pretreatment Standards or Standards. Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.

Prohibited Discharge Standards or Prohibited Discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.1 of this ordinance.

Publicly Owned Treatment Works or POTW. A treatment works, as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

Public Sewer. A primary or secondary sewer in which all owners of abutting property have equal rights and which is controlled by the utility.

Replacement costs. Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the useful

life of the wastewater treatment system.

Residential User. Any single-family or double-family dwelling which generates wastewater.

Rules. “Rules, Regulations and Standards of Service” adopted by the Utility Service Board.

Sanitary sewer. A sewer which carries wastewater and to which all storm, surface and ground waters and unpolluted industrial wastewater are not intentionally admitted.

Septic Tank Waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Sewage. Water-carried human wastes, or a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface, storm or other waters as may be present.

Sewer. Any pipe, conduit, ditch or other device used to collect and transport sewage or stormwater from the generating source.

Shall. Mandatory.

Significant Industrial User.

(a) A user subject to categorical pretreatment standards; or

(b) A user that:

(1) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);

(2) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(3) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement.

(c) Upon a finding that a user meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

Slug Load or Slug. Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 10.12 of this ordinance or causes interference to the POTW.

Standard Industrial Classification (SIC) Code. A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

Storm Water. Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

Stormwater utility, stormwater works, and stormwater facilities. All constructed pipes, mains, facilities, structures and natural water courses under the control of the Utilities Service Board used for collecting and conducting stormwater through and from drainage area to the point of final outlet, including but not limited to, any and all of the following: mains, pipes, lift stations, inlets, conduits and pertinent features, creeks, channels, catch basins, ditches, streams, culverts, retention or detention basins, and pumping stations; and excluding there from any part of the system of drains and water courses under the jurisdiction of the Monroe County drainage board; provided, however, that the Utilities Service Board and the Monroe County drainage board may negotiate cooperative arrangements regarding jurisdiction, design, construction, operation and maintenance of drains located outside of the municipal corporate boundaries under the authority of Indiana Code 36-9-27-1 et seq.

Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.

Toxic pollutant. Those substances listed in Section 307(a)(1) of the Act.

Upset. An exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with the standards set forth in the Act due to factors beyond the reasonable control of the discharger, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.

User or Industrial User. A source of indirect discharge; any person or entity that discharges, causes or permits the discharge of wastewater into the wastewater treatment system.

Utilities Director. The person designated by the City of Bloomington to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance, or a duly authorized representative.

Utility. The City of Bloomington Utilities comprised of water, wastewater and storm water utilities.

Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Wastewater treatment system. Any devices, facilities, structures, equipment or works owned by the city for the purpose of the transmission, storage, treatment, recycling and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical

cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions and alterations; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land, that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

SECTION 2. Section 10.04.030 entitled “Wastewater main connections and construction” shall be amended by deleting “rule 6” and replacing it with “Section 23”.

SECTION 3. Section 10.04.040 entitled “Extension of wastewater mains” shall be amended by deleting “rule 7” and replacing it with “Sections 13 and 25”.

SECTION 4. Section 10.04.100 entitled “Enforcement procedures,” Paragraph (a) shall be amended by deleting “rule 11” and replacing it with “Section 22”.

SECTION 5. Section 10.04.110 entitled “Penalties” shall be amended by deleting the existing provision and replacing it with the following:

(a) Any person who violates any provision of this title or any order of the Board shall be fined not less than one dollar nor more than two-thousand five-hundred dollars for each offense. Each day a violation continues shall constitute a separate offense. In addition, the city may recover reasonable attorney’s fees, court costs, and other expenses of litigation by appropriate suit at law against the person in violation.

(b) Administrative Fines. When the Director finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Director may fine such user in an amount not to exceed \$2,500.00. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long term average discharge limits, fines shall be assessed for each day during the period of violation. In addition, the city may recover reasonable attorney’s fees, court costs, and other expenses of litigation by appropriate suit at law against the person in violation.

(1) Unpaid charges, fines, and penalties shall, after forty-five (45) calendar days, be assessed an additional penalty of ten percent (10%) of the unpaid balance, and interest shall accrue thereafter at a rate of one percent (1%) per month. A lien against the user's property will be sought for unpaid charges, fines, and penalties.

(2) Users desiring to dispute such fines must file a written request for the Director to reconsider the fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the Director may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The Director may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

(c) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

SECTION 6. Section 10.08.120 entitled “Waste haulers—Charges,” Paragraph (b), column one of “Grease Waste – Each additional 100 gallons” shall be amended by deleting “0.43” and replacing it with “4.30”.

SECTION 7. Section 10.12.010 entitled “General Prohibitions” shall be amended by deleting the existing provision and replacing it with the following:

10.12.010 General Prohibitions

(a) General Prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass-through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.

(b) Director’s Authority. The Director may reject any discharge to the POTW, in whole or part, that he/she determines to have the potential to either adversely affect POTW operation or cause or contribute to a violation of the City’s NPDES permit.

SECTION 8. Section 10.12.020 entitled “General discharge prohibition” shall be amended by deleting the existing provision and replacing it with the following:

10.12.020 Specific Prohibitions

(a) No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140° F (60° C) using the test methods specified in 40 CFR 261.21;
 - (2) Wastewater having a pH less than 5.0 or more than 10.0 or otherwise causing corrosive structural damage to the POTW or equipment;
 - (3) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference [but in no case solids greater than one inch (1") or forty centimeters (40 cm) in any dimension];
 - (4) Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
 - (5) Wastewater having a temperature greater than 140°F (60°C)], or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C);
 - (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
 - (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - (8) Trucked or hauled pollutants, except at discharge points designated by the Director in accordance with Section 10.08 of this ordinance;
 - (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
 - (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City's NPDES permit;
 - (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
 - (12) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Director;
 - (13) Sludges, screenings, or other residues from the pretreatment of industrial wastes;
 - (14) Medical wastes, except as specifically authorized by the Director in a wastewater discharge permit;
 - (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
 - (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW; or
 - (17) Fats, oils, or greases of animal or vegetable origin in concentrations greater than one hundred-fifty (150)mg/l.
- (b) Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the discharger's cost and expense.

SECTION 9. Section 10.12.030 entitled “Limitations on Wastewater Strength” shall be amended by deleting the existing provision and replacing it with the following:

10.12.030 Limitations on Wastewater Strength

(a) National Categorical Pretreatment Standards. The National Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 400-471 (including the categorical standards) are hereby incorporated.

- (1) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Director may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).
- (2) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Director shall impose an alternate limit using the

combined wastestream formula in 40 CFR 403.6(e).

(3) A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.

(4) No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Director may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

(5) Reporting of Changes in Production. Any industrial user operating under a control mechanism incorporating equivalent mass or concentration limits calculated from a production based standard shall notify the Control Authority within two (2) business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month.

(b) Local effluent limits. The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following instantaneous maximum allowable discharge limits:

<u>Parameter</u>	<u>Limit (mg/l)</u>
cadmium	.48
chromium	1.53
copper	2.07
cyanide	.65
lead	.20
mercury	.00014
nickel	2.14
oil and grease	150
PCBs	<1.6 ug/l
silver	.55
zinc	1.00

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for "total" metal unless indicated otherwise. The Director may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

(c) Accidental discharges/slug discharges. At least once every two (2) years, the Director shall evaluate whether each significant industrial user needs an accidental discharge/slug control plan. The Director may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Director may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

(1) Description of discharge practices, including nonroutine batch discharges;

(2) Description of stored chemicals;

(3) Procedures for immediately notifying the Director of any accidental or slug discharge, as required by Chapter 10.12 of this Title; and

(4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(5) Review and approval of such plans and operating procedures by the city shall not relieve the discharger from the responsibility to modify its facility as necessary to meet the requirements of this title.

(6) Dischargers shall notify the city by telephone immediately upon the occurrence of a “slugload,” or accidental discharge of substances prohibited by this title. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss or damage to the POTW, in addition to the amount of any fines imposed on the city on account thereof under state or federal law.

(7) Signs shall be permanently posted in conspicuous places on discharger's premises, advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such discharge with respect to emergency notification procedure.

SECTION 10. Chapter 10.12 shall be amended by adding the following Section 10.12.050 entitled “Hauled waste” as follows:

10.12.050 Hauled waste

(a) Waste shall only be accepted for treatment by the utility if the treatment processes and final effluent are not adversely affected. All haulers shall provide the utility with the names and addresses of the users whose waste is brought for treatment. The director shall designate the site where the waste will be accepted.

(b) The following types of waste may be accepted for treatment by the city utilities:

(1) Domestic Septage. Domestic septage refers to the waste contained in, or removed from, septic tanks or holding tanks which serve residential homes or other sources which generate only food-based waste. Each truckload delivered will be assumed to be a full load unless proven otherwise by the hauler.

(2) Grease Waste. Grease waste is the waste contained in, or removed from, grease traps or other similar devices which have been installed for the purpose of retaining the portion of the waste stream which floats on water. For the purpose of this document, grease waste refers to greases of plant or animal origin. Petroleum based oils and greases are specifically prohibited from being discharged into the wastewater system. Analysis of the grease wastes may be required before acceptance for treatment and disposal. The charge will be based on the calculated volume of the pit or trap. There will be no additional charge for the water used to wash the grease from the pit.

(3) Wastewater Treatment Plant Waste. Wastewater treatment plant waste includes the excess solids generated at municipal or semi-public wastewater treatment plants and/or the collection systems associated with those treatment plants. The waste may be in the form of sludge, mixed liquor, lagoon dredgings, or waste from lift stations, and must be compatible with the treatment system's processes and capacities. Wastes which jeopardize compliance with the 40 CFR Part 503 rules concerning land application of sludge are prohibited. The board shall establish parameters for the testing of these wastes. The waste hauler will be responsible for the cost of any testing required. Trucks delivering these wastes will be assumed to be full.

(4) Commercial/Industrial Waste. Commercial/industrial waste includes wastes generated by industrial or commercial operations, or an operation which combines domestic waste with waste generated from industrial operations. This waste may be the product of some one-time operation, or may be accumulated in some form of holding tank, such as a septic tank. The wastes may be delivered to the system facilities only after the written request for such disposal has been approved by the director, or his designee, on a case-by-case basis. The board shall establish parameters for the testing of these wastes. The waste hauler will be responsible for the cost of any testing required. Trucks delivering these wastes will be assumed to be full.

(5) Out-of-County Waste. For each of the above listed categories of waste, there shall be a surcharge of fifty percent added to the respective fees for any waste which originates at any source outside the boundaries of Monroe County.

(c) Septic tank waste may be introduced into the POTW only at locations designated by the Director, and at such times as are established by the Director. The Director may require the hauler to provide a waste analysis of any load prior to discharge or the Director may collect samples of each hauled load to ensure compliance with this ordinance. Waste haulers may be required by the Director to provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The Director may establish operating rules, in addition to those rules listed in this section.

SECTION 11. Section 10.16.020 entitled “Wastewater discharge permits,” shall be amended by deleting the existing provision and replacing it with the following:

10.16.020 Wastewater discharge permits.

- (a) General Permits. All industrial dischargers proposing to connect to or to discharge sewage, industrial wastes and other wastes to the POTW shall obtain a wastewater discharge permit before connecting to or discharging to the POTW. All existing industrial dischargers connected to or discharging to the POTW shall obtain a wastewater discharge permit within ninety days after the effective date of the ordinance codified in this title.
- (b) Permit Conditions. Wastewater discharge permits shall specify no less than the following:
- (1) Fees and charges to be paid upon initial permit issuance;
 - (2) Limits on the average and maximum wastewater constituents and characteristics regulated thereby;
 - (3) Limits on average and maximum rate and time of discharge and/or requirements for flow regulations and equalization;
 - (4) Requirements for installation and maintenance of inspection and sampling facilities;
 - (5) Special conditions as the city may reasonably require under particular circumstances of a given discharge including sampling locations, frequency of sampling, number, types, and standards for tests and reporting schedule;
 - (6) Compliance schedules;
 - (7) Requirements for submission of special technical reports or discharge reports where same differ from those prescribed by this title.
- (c) Permit Duration. A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years at the discretion of the Director. Each wastewater discharge permit will indicate a specific date upon which it will expire. At the end of the stated expiration date the permittee must reapply for a discharge permit under Section 10.16.020(e).
- (d) Limitations on Permit Transfer. Wastewater discharge permits are issued to a specific industrial discharger for a specific operation and are not assignable to another industrial discharger without the prior written approval of the city, or transferable to any other location.
- (e) Permit Application. Industrial dischargers shall complete and file with the city, a permit application therefore in the form prescribed by the city, and accompanied by the appropriate fee. Existing industrial dischargers shall apply for a wastewater discharge permit within thirty days after the effective date of the ordinance codified in this chapter, and proposed new industrial dischargers shall apply at least ninety days prior to connecting to the POTW. No discharge permit shall be issued unless and until the following conditions have been met:
- (1) Disclosure of name, address, and location of the discharger;
 - (2) Disclosure of Standard Industrial Classification (SIC) number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
 - (3) Disclosure of wastewater constituents and characteristics, including but not limited to those mentioned in this title, including Section 307 of the Act as appropriate, as determined by bona fide chemical and biological analyses. Sampling and analysis shall be performed in accordance with procedures established by the U.S. EPA and contained in 40 CFR, Part 136, as amended;
 - (4) Disclosure of time and duration of discharges;
 - (5) Disclosure of average daily and instantaneous peak wastewater flow rates, in gallons per day, including daily, monthly and seasonal variations, if any. All flows shall be measured unless other verifiable techniques are approved by the city due to cost or nonfeasibility;
 - (6) Disclosure of site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, inspection manholes, sampling chambers and appurtenances by size, location and elevation;
 - (7) Description of activities, facilities and plant processes on the premises including all materials which are or may be discharged to the sewers or works of the city;
 - (8) Disclosure of the nature and concentration of any pollutants or materials prohibited by this title in the discharge, together with a statement regarding whether or not compliance is being achieved with this title on a consistent basis and if not, whether additional operation and maintenance activities and/or additional pretreatment is required for the industrial discharger to comply with this title;
 - (9) Where additional pretreatment and/or operation and maintenance activities will be required to comply with this title, the industrial discharger shall provide a declaration of the shortest schedule by which the industrial discharger will provide such additional pretreatment and/or implementation of additional operational and maintenance activities.
- (A) The schedule shall contain milestone dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the industrial discharger to comply with the requirements of this title including, but not limited to

dates relating to hiring an engineer, hiring other appropriate personnel, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this title.

(B) Under no circumstances shall the city permit a time increment for any single step directed toward compliance which exceeds nine months.

(C) Not later than fourteen days following each milestone date in the schedule and the final date for compliance, the industrial discharger shall submit a progress report to the city, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the industrial discharger to return the construction to the approved schedule. In no event shall more than nine months elapse between such progress reports to the city;

(10) Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Chapter 10.12 of this Title within the time limitations specified by EPA, the State, or the Director, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Director for review, and shall be acceptable to the Director before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this ordinance.

(11) Disclosure of each product produced by type, amount, process or processes and rate of production;

(12) Disclosure of the type and the amount of raw materials utilized (average and maximum per day);

(13) All permit applications for new or modified permits shall be signed by an authorized representative of the user;

(14) All sewers shall have an inspection and sampling manhole or structure with an opening of no less than twenty-four inches diameter and an internal diameter of no less than thirty-six inches containing flow measuring, recording and sampling equipment as required by the city to assure compliance with this title. The city will evaluate the complete application and data furnished by the industrial discharger and may require additional information. Within thirty days after full evaluation and acceptance of the data furnished, the city shall issue a wastewater discharge permit subject to terms and conditions provided herein.

(f) Permit Modifications. The city reserves the right to amend any wastewater discharge permit issued hereunder in order to assure compliance by the city with applicable laws and regulations. Within nine months of the promulgation of a National Categorical Pretreatment Standard, the wastewater discharge permit of each industrial discharger subject to such standards shall be revised to require compliance with such standards within the time frame prescribed by such standards. All National Categorical Pretreatment Standards adopted after the promulgation of this title shall be adopted by the city as part of this title. Where an industrial discharger, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for a wastewater discharge permit as required by Section 10.16.020(e), the industrial discharger shall apply for a wastewater discharge permit from the city within one hundred eighty days after the promulgation of the applicable National Categorical Pretreatment Standard by the U.S. EPA. In addition, the industrial discharger with an existing wastewater discharge permit shall submit to the city within one hundred eighty days after the promulgation of an applicable National Categorical Pretreatment Standard, the information required by paragraphs (8) and (9) of Section 10.16.020(e). The industrial discharger shall be informed of any proposed changes in his permit at least thirty days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. Any significant changes in the industrial discharger's wastewater constituents or characteristics shall be reported to the city at least thirty days prior to initiation of any proposed in-plant modification causing the change. Any permit modification due to the proposed change must be completed prior to the change.

SECTION 12. Section 10.16.030 entitled “Reporting requirements for permittee” shall be amended by adding paragraphs (c) through (g) as follows:

(c) Notice of Violation/Repeat Sampling and Reporting.

(1) If sampling performed by a user indicates a violation, the user must notify the Director within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Director with thirty (30) days after becoming aware of the violation. The user is not required to resample if the Director monitors at the user’s facility at least once a month, or if the Director samples between the user’s initial sampling and when the user receives the results of this sampling.

(d) Application Signatories and Certification.

(1) All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain the following certification statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

(e) Baseline Monitoring Reports.

(1) Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Director a report which contains the information listed in paragraph 2, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the Director a report which contains the information listed in paragraph 2, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

(2) Users described above shall submit the information set forth below.

(A) Identifying Information. The name and address of the facility, including the name of the operator and owner.

(B) Environmental Permits. A list of any environmental control permits held by or for the facility.

(C) Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.

(D) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

(E) Measurement of Pollutants.

(i) The categorical pretreatment standards applicable to each regulated process.

(ii) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Director, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Chapter 10.12 of this Title.

(iii) Sampling must be performed in accordance with procedures set out in Chapter 10.12 of this Title.

(F) Certification. A statement, reviewed by the user’s authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.

(G) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Chapter 10.16 of this Title

(H) Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with Section 10.16.030(d).

(f) Reports of Changed Conditions. Each user must notify the Director of any planned significant changes to the user’s operations or system which might alter the nature, quality, or volume of its wastewater at least sixty (60)] days before the change.

(1) The Director may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 10.16.020.

(2) The Director may issue a wastewater discharge permit under Section 10.16.020 or modify an existing wastewater discharge permit under Section 10.16.020(f) in response to changed conditions or anticipated changed conditions.

(3) For purposes of this requirement, significant changes include, but are not limited to, flow increases of twenty percent (20%) or greater, and the discharge of any previously unreported pollutants

(g) Reports of Potential Problems

(1) Dischargers shall notify the city by telephone immediately upon the occurrence of a “slugload,” or accidental discharge of substances prohibited by this title. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss or damage to the POTW, in addition to the amount of any fines imposed on the city on account thereof under state or federal law.

(2) Within five (5) days following such discharge, the user shall, unless waived by the Director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.

(3) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph (g), above. Employers shall ensure that all employees, who may cause such a discharge, are familiar with the provisions of this ordinance.

SECTION 13. Section 10.16.080 entitled “Emergency suspension of service and discharge permits” shall be amended by deleting the existing provision and replacing it with the following:

10.16.080 Emergency suspension of service and discharge permits

The Director may immediately suspend a user’s discharge, after informal notice to the user, wherever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Director may also immediately suspend a user’s discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, and endangerment to the environment.

(a) Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user’s failure to immediately comply voluntarily with the suspension order, the Director may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Director may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Director that the period of endangerment has passed, unless the termination proceedings in Section 10.16.085 are initiated against the user.

(b) A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Director prior to the date of any show cause or termination hearing under Chapters 10.04 or 10.16 of this Title.

SECTION 14. Chapter 10.16 shall be amended by adding Section 10.16.085 entitled, “Termination of Discharge” which shall read as follows:

10.16.085 Termination of Discharge

(a) In addition to the provisions in Section 10.16.090, any user who violates the following conditions is subject to discharge termination:

(1) Violation of wastewater discharge permit conditions;

(2) Failure to accurately report the wastewater constituents and characteristics of its discharge;

(3) Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge;

(4) Refusal of reasonable access to the user’s premises for the purpose of inspection monitoring or sampling, or;

(5) Violation of the pretreatment standards in Chapter 10.12 of this Title.

(b) Such user will be notified of the proposed termination of its discharge and be offered and opportunity to show cause under Chapters 10.04 and 10.16 of this Title why the proposed action

should not be taken. Exercise of this option by the Director shall not be a bar to, or a bar prerequisite for, taking any other action against the user.

(c) The city may for good cause shown suspend the wastewater treatment service and the wastewater discharge permit of an industrial discharger when it appears to the city that an actual or threatened discharge presents or threatens an imminent or substantial danger to the health or welfare of persons, substantial danger to the environment, interferes with the operation of the POTW, or violates any pretreatment limits imposed by this title or any wastewater discharge permit issued pursuant to this title. Any industrial discharger notified of the suspension of the city's wastewater treatment service and/or the industrial discharger's wastewater discharge permit, shall within a reasonable period of time, as determined by the city, cease all discharges. In the event of failure of the industrial discharger to comply voluntarily with the suspension order within the specified time, the city shall commence judicial proceedings immediately thereafter to compel the industrial discharger's compliance with such order. The city shall reinstate the wastewater discharge permit and/or the wastewater treatment service and terminate judicial proceedings upon receipt of proof by the industrial discharger of the elimination of the noncomplying discharge or conditions creating the threat of imminent or substantial danger as set forth above.

SECTION 15. Section 10.16.140 entitled "Enforcement actions—Annual publication" shall be amended by deleting the existing provision and replacing it with the following:

10.16.140 Enforcement actions—Annual publication

Publication of Users in Significant Noncompliance. The Director shall publish annually, in the largest daily newspaper published in the municipality where the POTW is located, a list of the users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

- (a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six- (6-)month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;
- (b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-)month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (c) Any other discharge violation that the Director believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
- (d) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Director's exercise of its emergency authority to halt or prevent such a discharge;
- (e) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (f) Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (g) Failure to accurately report noncompliance; or
- (h) Any other violation(s) which the Director determines will adversely affect the operation or implementation of the local pretreatment program.

SECTION 16. Section 10.16.160 entitled "Operating upsets" shall be amended by deleting the existing provision and replacing it with the following:

10.16.160 Operating upsets

- (a) Minor operating upsets which place the discharger in temporary non-compliance shall be reported to the Director within 24 hours of the occurrence. Minor upsets are defined as those temporary non-compliant discharges which are not expected to cause pass through or interference to the POTW.
- (b) Notification shall be made by telephone to the Director's office. The report shall specify:
 - (1) Description of the upset, the cause thereof and the upset's impact on an industrial discharger's compliance status;
 - (2) Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur;
 - (3) All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset or other conditions of noncompliance.

(c) A documented and verified bona fide operating upset shall be an affirmative defense to any enforcement action brought by the city against an industrial discharger for any noncompliance with the title or any wastewater discharge permit issued pursuant hereto, which arises out of violations alleged to have occurred during the period of the upset.

SECTION 17. Chapter 10.16 shall be amended by adding Section 10.16.190 entitled “Regulation of wastes from other jurisdictions” which shall read as follows:

10.16.190 Regulation of wastes from other jurisdictions

- (a) If another municipality, or user located within another municipality, contributes wastewater to the POTW, the Director shall enter into an intermunicipal agreement with the contributing municipality.
- (b) Prior to entering into an agreement required by paragraph A, above, the Director shall request the following information from the contributing municipality:
- (1) A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - (2) An inventory of all users located within the contributing municipality that are discharging to the POTW; and
 - (3) Such other information as the Director may deem necessary.
- (c) An intermunicipal agreement, as required by paragraph (a), above, shall contain the following conditions:
- (1) A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this ordinance and local limits which are at least as stringent as those set out in Section 10.12 of this ordinance. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the City's ordinance or local limits;
 - (2) A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;
 - (3) A provision specifying which pretreatment implementation activities, including wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Director; and which of these activities will be conducted jointly by the contributing municipality and the Director;
 - (4) A requirement for the contributing municipality to provide [the Director] with access to all information that the contributing municipality obtains as part of its pretreatment activities;
 - (5) Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
 - (6) Requirements for monitoring the contributing municipality's discharge;
 - (7) A provision ensuring the Director access to the facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Director; and
 - (8) A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

SECTION 18. Severability. If any sections, sentence or provision of this ordinance, 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 19. This ordinance 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 and publication as required by law.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

In May 2004 the Dillman Road Wastewater Treatment Plant was issued a National Pollutant Discharge Elimination System (“NPDES”) permit which required that the City review its sewer use ordinance for compliance with the National Domestic Sewage Study and the Pesticide Incident Reporting and Tracking (“PIRT”) regulations. Staff completed review of the ordinance and submitted the proposed changes to the Environmental Protection Agency (“EPA”) which approved the proposed changes. Those changes are embodied in this ordinance.

Memorandum

City of Bloomington Utilities Department

To: Bloomington Common Council Members
Date: June 1, 2006
From: John Langley, Deputy Director
Re: Revisions to Sewer Use Ordinance (SUO)

Attached please find a document which outlines staff-proposed changes and additions to the Sewer Use Ordinance (Ordinance #85-48), which comprises Chapter 10 of the Bloomington Municipal Code. The May 2004 NPDES discharge permit for the Dillman Road Treatment Plant required the city to review its sewer use ordinance for compliance with the National Domestic Sewage Study and the PIRT regulations, within 9 months of the date the permit was issued. Pretreatment staff completed the ordinance review and review of local discharge limits in March 2005, and submitted the proposed changes to EPA Region V for approval. EPA approved the proposed changes as a minor pretreatment program modification in March 2006.

We are presenting the ordinance in “track changes” format so that readers can see what changes are being proposed in the presence of the altered text. We did not use the “track changes” format in the definitions section of the ordinance, so please pay close attention to that section, because we have altered it substantially.

The local effluent limitations were calculated by our pretreatment program consultant, American Environmental, Incorporated, in accordance with standard EPA protocols. The effluent limitations are purposefully conservative to assure that the plant processes are protected. We have reviewed our current industry effluent reports and do not believe that the limitations will present compliance problems for existing pretreatment permit holders. Please note that we have reduced the effluent limitation for PCBs to the detection limit of the test protocol required by the Clean Water Act. In effect, this makes the discharge of PCBs illegal.

Also included for your review is a copy of the Enforcement Response Guidance (ERG) plan. This document outlines enforcement procedures for the City of Bloomington Utilities (CBU) Department’s Industrial Pretreatment Program. The Utilities Department, through its Pretreatment Coordinator, is responsible for administering the city’s pretreatment program, and has primary responsibility to enforce all applicable pretreatment standards and requirements under this ordinance. This authority is defined in the *Rules, Regulations and Standards of Service*, as adopted by the Utilities Service Board on November 14, 1994.

The Enforcement Response Guidance document has been adopted for use at staff level, and recently received formal approval by the EPA, along with the revised Sewer Use Ordinance. This guide has been prepared, as recommended by the EPA, to include a range of enforcement responses available to CBU. Although it addresses a broad range of pretreatment violations, it is not intended to cover every type of violation. It has been developed for guidance and is not intended to limit available enforcement options.

Please review the proposed changes and call me at 349-3656 with any questions you have. We welcome your comments. The Rules and Regulations Subcommittee of the Utilities Service Board (USB) has already met to consider the proposed SUO and the ERG. The full USB will meet to vote on these two documents on June 26th.

**CITY OF BLOOMINGTON, INDIANA
UTILITIES DEPARTMENT**

INDUSTRIAL PRETREATMENT PROGRAM

ENFORCEMENT RESPONSE GUIDANCE

July 2006

Statement of Authority

This document is the City of Bloomington, Indiana's Enforcement Response Guidance (ERG) for the Industrial Pretreatment Program. Federal regulation (40 CFR 403.8(f)(5)) requires the Utilities Department to formulate and distribute a formal ERG document to industries that operate under Industrial Pretreatment Permits. Where applicable, this guidance document will be consulted in the event enforcement action against significant commercial or institutional dischargers becomes necessary.

This guidance is tailored as recommended by the United States Environmental Protection Agency (USEPA) to include a range of enforcement responses available to the City of Bloomington in the event industrial or commercial customers of the Department violate its rules and regulations. This ERG is intended to comply with federal and state regulations governing industrial discharges as set forth in the federal **Clean Water Act** and the **General Pretreatment Regulations (40 CFR Part 403)**. Additionally, this guidance is to be consulted in the enforcement of local rules and regulations governing discharges to the POTW and collection systems. Local laws and regulations are found at **Bloomington Municipal Code**, Title 10, and in the **Utilities Service Board of Bloomington, Indiana Rules and Standards of Service**.

The CBU intends to adhere to these guidelines when appropriate; however, enforcement responses may differ from those specified in this manual when unusual or extenuating circumstances exist. Variance from these guidelines may depend upon considerations such as degree of variance from pretreatment standards, duration of violations and the enforcement history of the violator. In no case shall this ERG be construed as to limit the enforcement discretion of the CBU.

Right of Appeal: Any person or entity aggrieved by any enforcement action taken by the CBU Director may appeal to the Utilities Service Board for relief. The appellant must file a written request outlining the nature of the grievance within thirty days of being notified of the CBU enforcement action. The appeal shall be directed to the President of the Utilities Service Board and mailed to PO Box 1216, Bloomington, Indiana, 47402-1216. Appeals may be delivered to the Office of the CBU Director, 1969 S. Henderson Street, Bloomington, Indiana. (see Bloomington Municipal Code, Title 10, Chapter 10.16, section 10.16.150).

Other Governmental Enforcement Authority: The Indiana Department of Environmental Management (IDEM) and the USEPA have separate and distinct authority to pursue entities that violate federal and state regulations and local pretreatment program rules. Nothing in this ERG shall be construed as to limit or diminish the enforcement authority of IDEM or USEPA. Both federal and state governments may pursue penalties against the CBU in the event CBU fails to take appropriate enforcement action against violators.

CBU will notify and consult with the IDEM Office of Water Management regarding enforcement action for any violator determined to be in Significant Non-Compliance status.

THE ENFORCEMENT PROCESS

The CBU Rules and Standards of Service state that the Director of CBU, or his/her designee, is responsible for enforcement of CBU rules and regulations. The CBU Director (hereafter the Director) shall carry out informal enforcement action such as site visits, administrative orders, compliance schedules, violation notices and administrative fines. In most cases, the Director relies upon the Pretreatment Coordinator and program staff to fulfill this obligation. The Utilities Service Board (USB), upon the recommendation of the Director, directs enforcement actions that require legal action.

In responding to violations, the Director shall evaluate the response required by this ERG. In most instances, the ERG will provide uniform and equitable treatment to all violators. In special circumstances, the Director may vary from the ERG requirements.

This ERG outlines the type of noncompliance and the range of responses available to the Director. In promulgating the ERG, the CBU intends to accomplish four primary objectives:

1. The ERG shall recommend enforcement responses that are appropriate to the nature, severity and impact of the violation.
2. The ERG shall promote uniform responses to violations.
3. The ERG shall serve as advance notice to CBU customers that enforcement action is contemplated in the event federal, state or local rules are violated.
4. The ERG shall communicate the importance of adherence to federal, state and local regulations.

Violation Categories

This ERG groups violations into four categories:

1. Sampling, monitoring or reporting violations.
2. Discharge violations.
3. Compliance Schedule violations.
4. Violations detected through inspections.

Enforcement Response Actions

Typical enforcement response actions include telephone notices (TXN), site visits (SV), notice of violation letters (NOV), administrative orders (AO), issuing formal compliance schedules (CS), assessing administrative fines (AF) and taking legal action (LA) against chronic violators. These actions are more fully discussed below. All enforcement response actions may require a response from the violator.

Telephone Notices (TXN) are utilized for very minor violations such as unintentional late reporting. The TXN is used in situations when documentation is not necessary because no further action is expected.

Site Visits (SV) may be conducted in conjunction with a TXN or NOV. The purpose of a SV is to view the problem and to directly communicate the severity of the problem to the customer. A SV report is placed on file in the Pretreatment Coordinator's office.

Notice of Violation (NOV) letters are the most common enforcement response. A NOV must clearly outline the nature of the violation and require a time-certain response from the violator. Response time requirements may vary from twenty-four hours to thirty days. The Director may grant extensions of time to the required response period if the violator shows good cause and good faith effort to respond to and rectify a violation.

The Administrative Order (AO) response is used to outline minor compliance schedules intended to bring a violator back into compliance in a short period of time. The AO time frame may require violators to respond within a period ranging from twenty-four hours to sixty days. The Director may grant short time extensions (not to exceed ninety days) after the original response time has elapsed. Violators requesting an extension of time to respond must clearly demonstrate good cause and good faith effort in correcting a violation.

The Director may issue a Compliance Schedule (CS) to industrial or commercial dischargers who commit serious or on-going long-term violations. The typical CS will contain a formal schedule with progressive or simultaneous steps toward full compliance. The CS will normally be implemented over a 6 -12 month period. The Utilities Service Board must approve Compliance Schedules for industries in significant noncompliance status (SNC).

The Director may levy an Administrative Fine (AF) when he/she finds that lesser enforcement response techniques have failed to bring violators into compliance. Administrative fines may range between \$1 and \$2500 dollars per violation. Each day of noncompliance shall be considered a separate violation. The Director shall notify and consult with the IDEM Office of Water Management if AF exceed \$1000. An AF may be levied in conjunction with the AO or the CS.

Legal Action (LA) shall be initiated against customers who violate the terms of any lower enforcement response requirement. LA is most often associated with violations of the terms of an AO or CS enforcement action. However, the CBU reserves the right to utilize LA in any case deemed appropriate by the Utilities Service Board. LA may be used for several purposes including suits for injunctive relief, criminal or civil suits, terminations of service, etc. IDEM and USEPA Enforcement Divisions will be notified in instances where the USB initiates LA.

SIGNIFICANT NONCOMPLIANCE

Industrial or commercial users who commit violations that meet one or more of the criteria below are in significant noncompliance (SNC) status:

1. Discharge limit violations which are chronic or which violate the Technical Review Criteria (TRC) guidelines.
 - a. Technical Review Criteria violators are placed in SNC status when 33% (or more) of the discharge violations exceed the same daily maximum limit or the same average limit by more than the TRC in any six month period. There are two groups of TRCs:
 - 1) Group I for conventional pollutants such as BOD, TSS, fats, oil and grease): TRC = 1.4
 - 2) Group II for all other pollutants: TRC = 1.2
2. Any other violation of any effluent limit that the Director believes has caused, alone or in combination with other discharges, interference, slug loading, pass through, damage to the POTW and/or collection system, or endangered the health and/or safety of POTW personnel or the public.
3. Discharge of any pollutant that causes an imminent endangerment to human health and/or the environment to the POTW or collection system.
4. Violation of any Compliance Schedule milestone or provision contained in a permit or any enforcement document.
5. Failure to provide reports required by a CS, self monitoring data, or reports required by the general pretreatment regulations within 30 days of the due date.
6. Failure to accurately report noncompliance.
7. Any violation declared significant by the Utilities Service Board.

Industrial dischargers found to be in Significant Noncompliance status (SNC) are required to submit a draft compliance schedule for review and approval by the Director, within 30 days of the date of receipt of notification of SNC status. The Director may order emergency suspension of service in any circumstance where the SNC status may create damage to human health, the environment or the POTW.

In addition to conventional penalties required in this ERG, Industrial Dischargers in SNC status for the reasons listed above, may be required to publish a legal notice of the SNC status in the local newspaper of largest circulation. This notice shall include a definition of SNC status, the reason for being designated as significantly noncompliant, and the time period required for the correction of the problem. The Director shall approve this notice prior to publication.

In some cases, the Director may require Industrial Dischargers in SNC status to submit a formal pollution prevention audit prepared by a qualified consultant or employee. In-house personnel may perform this audit if they are deemed qualified by the Director.

City of Bloomington Utilities Department
Enforcement Response Guidelines for

Sampling, Reporting and Monitoring Violations

TYPE OF VIOLATION	CIRCUMSTANCES	RANGE OF RESPONSE
Failure to sample, monitor or report; failure to submit baseline monitoring report	Isolated or infrequent	TXN, SV, or NOV requiring compliance report within 1-30 days
Failures to sample, report or notify of violation	IU does not respond to notices of deficiency, does not honor verbal or written commitments, violates limits frequently, SNC status	AO, CS, AF, LA
Failure to notify an effluent limit violation or slug discharge	Isolated or infrequent with no known effect	TXN, SV, NOV. If no response within ten working days AO
Failure to notify an effluent limit violation or slug discharge	Frequent or continuing violation, SNC	AO, AF, LA, monetary penalties, suspension of service
Failure to notify an effluent limit violation or slug discharge	Known environmental or POTW damage, SNC	AF, LA, monetary penalties, suspension of service.
Minor sampling, monitoring or reporting deficiencies (incomplete reports, computational error)	Isolated or infrequent	TXN, SV or NOV. Corrections to be made on next submittal. AO if continued
Major sampling, monitoring or reporting deficiencies (missing information, late reports)	Isolated or infrequent	NOV, SV, AO. Corrections to be made on next submittal
Major sampling, monitoring or reporting deficiencies (missing information, late reports)	Continued noncompliance. Remains uncorrected over 30 days—SNC status	AO, AF, or LA

AF-Administrative Fine
AO-Administrative Order
CS-Compliance Schedule

LA-Legal Action
NOV-Notice of Violation letter
SNC-Significant Noncompliance

SV-Site Visit
TRC-Technical Review Criteria
TXN-Telephone Notice

If an Industrial User fails to timely respond to a NOV, the next level of enforcement will be taken.

City of Bloomington Utilities Department
Enforcement Response Guidelines for

Discharge Limitations Violations

TYPE OF VIOLATION	CIRCUMSTANCES	RANGE OF RESPONSE
Exceeding final limits	Infrequent or isolated minor violations	SV or NOV
Exceeding Final Effluent Limits	Infrequent or isolated major violations exceed the limits by TRC of a single effluent limit	NOV, AO, AF or LA if environmental harm has resulted
Exceeding Final Limits	Violations which are SNC	AO, CS, AF or LA with monetary penalties
Exceeding Interim Limits (categorical or local)	No known damages	NOV or AO
Exceeding Interim Limits	Known environmental damage or POTW damage-SNC status	AO, CS, AF, LA
Reported Slug Load	No known damage-isolated	Show cause hearing or AO
Reported Slug Load.	Isolated but with known interference, pass through or damage—SNC status	AO, CS, LA.
Reported Slug Load	Recurring - SNC status	LA, penalties
Discharge without permit or approval	One time with no known environmental or POTW damage	AO
Discharge without permit or approval	One time with environmental or POTW damage, or if a continuing violation	AO, AF, or LA and penalty. Request for criminal investigation
Discharge without a permit or approval	Continuing violation with known environmental or POTW damage-SNC status	LA and penalty, request for criminal investigation, suspension of service

AF-Administrative Fine
AO-Administrative Order
CS-Compliance Schedule

LA-Legal Action
NOV-Notice of Violation letter
SNC-Significant Noncompliance

SV-Site Visit
TRC-Technical Review Criteria
TXN-Telephone Notice

If an Industrial User fails to timely respond to a NOV, the next level of enforcement will be taken.

City of Bloomington Utilities Department
Enforcement Response Guidelines for

Violations Discovered As a Result of Field Investigations

TYPE OF VIOLATION	CIRCUMSTANCES	RANGE OF RESPONSE
Minor violations of analytical procedures	Any instance	NOV
Major violation of analytical procedures	No evidence of intent	NOV or AO
Major violation of analytical procedures	Evidence of negligence or intent	AO, AF, Possible LA for intent
Minor violation of permit condition	No evidence of negligence or intent	TXN, SV or NOV. Short time frame for correction
Minor violation of permit condition	Evidence of negligence or intent—SNC status	AO, AF, LA and penalty, refer for criminal investigation
Major violation of permit condition	Evidence of negligence or intent—SNC status	AO, AF, LA and monetary penalty, refer for criminal investigation, possible suspension of service

AF-Administrative Fine
AO-Administrative Order
CS-Compliance Schedule

LA-Legal Action
NOV-Notice of Violation letter
SNC-Significant Noncompliance

SV-Site Visit
TRC-Technical Review Criteria
TXN-Telephone Notice

If an Industrial User fails to timely respond to a NOV, the next level of enforcement will be taken.

City of Bloomington Utilities Department
Enforcement Response Guidelines for

Violations of Compliance Schedules

TYPE OF VIOLATION	CIRCUMSTANCES	RANGE OF RESPONSE
Reporting false information	Any instance - SNC status	AF, LA, monetary penalties, possible suspension of service
Missed Interim Date	No effect on final or other interim compliance dates	NOV, SV
Missed Interim Date	Results in other missed or interim deadlines or final deadline-Valid cause	NOV, SV or AO
Missed Interim Date	Results in other missed or interim deadlines or final deadline—No valid cause	NOV, AO, AF, or LA.
Missed Final Date	Violation due to strike or other circumstances clearly beyond the control of the discharger	Documentation of cause required, show cause hearing
Missed Final Date	Violation outstanding 90 days or more. Failure or refusal to comply without good cause	AO, AF, LA with monetary penalties
Failure to install monitoring equipment	Continued-SNC status	AO, AF, begin immediate monitoring with outside contractor if needed <u>and</u> install equipment in short time frame

AF-Administrative Fine
AO-Administrative Order
CS-Compliance Schedule

LA-Legal Action
NOV-Notice of Violation letter
SNC-Significant Noncompliance

SV-Site Visit
TRC-Technical Review Criteria
TXN-Telephone Notice

If an Industrial User fails to timely respond to a NOV, the next level of enforcement will be taken.

Ordinance 06-11

**Tracking Changes to
Title 10 of the Bloomington Municipal Code**

Provided by Utilities Staff

City of Bloomington, Indiana Municipal Code

Title 10 WASTEWATER

Chapters:

10.04 GENERAL RULES

10.08 WASTEWATER RATES AND CHARGES

10.12 PROHIBITED WASTEWATER DISCHARGES

10.16 INDUSTRIAL WASTEWATER DISCHARGERS

Chapter 10.04 GENERAL RULES

Sections:

- 10.04.010** Definitions.
- 10.04.020** Posting of rules.
- 10.04.030** Wastewater main connections and construction.
- 10.04.040** Extension of wastewater mains.
- 10.04.050** Mandatory connections.
- 10.04.060** Construction and abatement of defective privies or septic systems.
- 10.04.070** Personal sewer sludge use.
- 10.04.080** Admission to property.
- 10.04.090** Illegal connections.
- 10.04.095** Tapping existing sewer mains.
- 10.04.100** Enforcement procedures.
- 10.04.110** Penalties.

Chapter 10.08 WASTEWATER RATES AND CHARGES

Sections:

- 10.08.010** Rates--Generally.
- 10.08.020** Rates--Biennial review.
- 10.08.030** Rates--Based on quantity of water used.
- 10.08.035** Rate--Establishment of stormwater utility.
- 10.08.040** Rates--Metered water users.
- 10.08.045** Rates--Stormwater utility users.
- 10.08.050** Rates--Exemptions.
- 10.08.060** Rates--Utility measurement of water.
- 10.08.070** Rates--Nonmetered users.
- 10.08.080** Billing.
- 10.08.085** Lifeline service.
- 10.08.090** Delinquencies--Late payment charge.

- 10.08.100 Liens for nonpayment.
- 10.08.110 Special service rates.
- 10.08.120 Waste haulers--Charges.
- 10.08.130 Inspection charge.
- 10.08.140 Connection fee.
- 10.08.150 Laboratory charges.

Chapter 10.12 PROHIBITED WASTEWATER DISCHARGES

Sections:

- 10.12.010 General prohibitions.
- 10.12.020 **Specific prohibitions. (renamed from:General discharge prohibitions.)**
- 10.12.030 Limitations on wastewater strength.
- 10.12.040 Special agreements.
- 10.12.050 **Hauled waste. (new)**

Chapter 10.16 INDUSTRIAL WASTEWATER DISCHARGERS

Sections:

- 10.16.010 Wastewater dischargers.
- 10.16.020 Wastewater discharge permits.
- 10.16.030 Reporting requirements for permittee.
- 10.16.040 Monitoring facilities.
- 10.16.050 Inspection and sampling.
- 10.16.060 False statements.
- 10.16.070 Confidential information.
- 10.16.085 **Termination of discharge. (new)**
- 10.16.080 Emergency suspension of service and discharge permits.
- 10.16.090 Revocation of permit.
- 10.16.100 Notification of violation-- Administrative adjustment.
- 10.16.110 Financial responsibility.
- 10.16.120 Show-cause hearing.
- 10.16.130 Judicial proceedings.
- 10.16.140 Enforcement actions--Annual publication.
- 10.16.150 Right of appeal.
- 10.16.160 Operating upsets.
- 10.16.170 Records retention.
- 10.16.180 Fees.
- 10.16.190 **Regulation of wastes from other jurisdictions. (new)**

10.04.010 Definitions.

Comment [t1]: There have been substantial additions and replacements to the definitions section

As used in this title, the following words have the following meanings unless otherwise designated. Where words are not defined, they shall have the meanings provided in the wastewater utility rules.

- A. **Act or “the Act.”** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.
- B. **Approval Authority.** The Indiana Department of Environmental Management.
- C. **Authorized Representative of the User.**
 - (1) If the user is a corporation:
 - (a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (b) The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty-five (25) million dollars (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (2) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.
 - (3) If the user is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
 - (4) The individuals described in paragraphs 1 through 3, above, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.
- D. **Base unit.** The amount that equals the average single-family residential impervious area, which is presently set at two thousand square feet but which may be adjusted by action of the utilities service board.
- E. **Biochemical Oxygen Demand or BOD.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20° centigrade, usually expressed as a concentration (e.g., mg/l).
- F. **Board.** The Bloomington Utilities Service Board (USB) or any duly authorized representative acting in its behalf.

- G. **Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307 (b) and (c) of the Act (33 U.S.C. 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- H. **City or CBU.** The City of Bloomington, Indiana acting through its Utilities Service Board.
- I. **Commercial User.** Any user other than a residential user, Indiana University user or industrial user as defined in this section.
- J. **Conventional pollutant.** Those pollutants designated by the Act to include BOD, total suspended solids, pH, fecal coliform, oil and grease, and such additional pollutants which may be specified and controlled in the city's NPDES permits for its wastewater treatment system.
- K. **Director.** The director of the utility or any duly authorized representative acting in his behalf.
- L. **Discharger.** Any nonresidential user who discharges an effluent into a POTW by means of pipes, conduits, pumping stations force mains, constructed drainage ditches, surface water intercepting ditches, intercepting ditches and all constructed devices and appliances appurtenant thereto.
- M. **Domestic wastes.** Liquid wastes from the noncommercial preparation, cooking, and handling of food or liquid wastes containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities and institutions.
- N. **Environmental Protection Agency or EPA.** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.
- O. **Existing Source.** Any source of discharge, the construction or operation of which commenced prior to the publication by EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.
- P. **Grab Sample.** A sample which is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
- Q. **Impervious area.** The total hard surface area (asphalt, concrete, stone, etc.) that is contained on a lot or parcel, or within a development tract.
- R. **Indiana University User.** Any Indiana University-owned property located on the

central campus which generates wastewater.

- S. **Indirect Discharge or Discharge.** The introduction of pollutants into the POTW from any nondomestic source regulated under Section 307(b), (c), or (d) of the Act.
- T. **Industrial waste.** A solid, liquid or gaseous waste resulting from any industrial manufacturing, trade, or business process or from the development, recovery or processing of natural resources.
Instantaneous Maximum Allowable Discharge Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- U. **Interference.** A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of Bloomington's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
- V. **Medical Waste.** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis waste.
- W. **New Source.**
 - (1) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (a) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (b) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

- (c)The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.
- (2)Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1) (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (3)Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - (a)Begun, or caused to begin, as part of a continuous onsite construction program
 - (i)any placement, assembly, or installation of facilities or equipment; or
 - (ii)significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - (b)Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- X. **Noncontact Cooling Water.** Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- Y. **NPDES or National Pollution Discharge Elimination System.** The program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into navigable waters, the contiguous zones, and the oceans pursuant to the Clean Water Act.
- Z. **Operation and Maintenance or O &M.** The cost of operation and maintenance of the treatment works, including replacement costs. It means the expenses for the normal operation of the treatment works including overhead, meter reading, bill preparation, collection system costs, sewer equipment maintenance and treatment works equipment maintenance.
- AA. **Other wastes.** Decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals and all other substances except sewage and industrial wastes.

- BB. **Pass Through.** A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit, including an increase in the magnitude or duration of a violation.
- CC. **Person.** Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
- DD. **pH.** A measure of the acidity or alkalinity of a solution, expressed in standard units.
- EE. **Pollutant.** Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, heavy metals, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
- FF. **Pretreatment.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.
- GG. **Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment imposed on a user, other than a pretreatment standard.
- HH. **Pretreatment Standards or Standards.** Pretreatment standards shall mean prohibited discharge standards, categorical pretreatment standards, and local limits.
- II. **Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.1 of this ordinance.
- JJ. **Publicly Owned Treatment Works or POTW.** A treatment works, as defined by Section 212 of the Act (33 U.S.C. 1292) which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

- KK. **Public Sewer.** A primary or secondary sewer in which all owners of abutting property have equal rights and which is controlled by the utility.
- LL. **Replacement costs.** Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the useful life of the wastewater treatment system.
- MM. **Residential User.** Any single-family or double-family dwelling which generates wastewater.
- NN. **Rules.** “Rules, Regulations and Standards of Service” adopted by the Utility Service Board.
- OO. **Sanitary sewer.** A sewer which carries wastewater and to which all storm, surface and ground waters and unpolluted industrial wastewater are not intentionally admitted.
- PP. **Septic Tank Waste.** Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- QQ. **Sewage.** Water-carried human wastes, or a combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface, storm or other waters as may be present.
- RR. **Sewer.** Any pipe, conduit, ditch or other device used to collect and transport sewage or stormwater from the generating source.
- SS. **Shall.** Mandatory.
- TT. **Significant Industrial User.**
(1) A user subject to categorical pretreatment standards; or
(2) A user that:
(a) Discharges an average of twenty-five thousand (25,000) gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
(b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
(c) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement.
(3) Upon a finding that a user meeting the criteria in Subsection (2) has no reasonable potential for adversely affecting the POTW’s operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.
- UU. **Slug Load or Slug.** Any discharge at a flow rate or concentration which could

cause a violation of the prohibited discharge standards in Section 10.12 of this ordinance or causes interference to the POTW.

- VV. **Standard Industrial Classification (SIC) Code.** A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.
- WW. **Storm Water.** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
- XX. **Stormwater utility, stormwater works, and stormwater facilities.** All constructed pipes, mains, facilities, structures and natural water courses under the control of the Utilities Service Board used for collecting and conducting stormwater through and from drainage area to the point of final outlet, including but not limited to, any and all of the following: mains, pipes, lift stations, inlets, conduits and pertinent features, creeks, channels, catch basins, ditches, streams, culverts, retention or detention basins, and pumping stations; and excluding there from any part of the system of drains and water courses under the jurisdiction of the Monroe County drainage board; provided, however, that the Utilities Service Board and the Monroe County drainage board may negotiate cooperative arrangements regarding jurisdiction, design, construction, operation and maintenance of drains located outside of the municipal corporate boundaries under the authority of Indiana Code 36-9-27-1 et seq.
- YY. **Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and which is removable by laboratory filtering.
- ZZ. **Toxic pollutant.** Those substances listed in Section 307(a)(1) of the Act.
- AAA. **Upset.** An exceptional incident in which a discharger unintentionally and temporarily is in a state of noncompliance with the standards set forth in the Act due to factors beyond the reasonable control of the discharger, and excluding noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation thereof.
- BBB. **User or Industrial User.** A source of indirect discharge; any person or entity that discharges, causes or permits the discharge of wastewater into the wastewater treatment system.
- CCC. **Utilities Director.** The person designated by the City of Bloomington to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this ordinance, or a duly authorized representative.

- DDD. **Utility.** The City of Bloomington Utilities comprised of water, wastewater and storm water utilities.
- EEE. **Wastewater.** Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- FFF. **Wastewater treatment system.** Any devices, facilities, structures, equipment or works owned by the city for the purpose of the transmission, storage, treatment, recycling and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions and alterations; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land, that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment. (Ord. 99-04 §§ 1, 2, 1999; Ord. 98-29 § 1, 1998; Ord. 85-48 § 1, 1985).

10.04.020 Posting of rules (no changes)

10.04.030 Wastewater main connections and construction.

All construction of wastewater mains and their connection to the utility shall be made in accordance with Section 23 of the rules. (Ord. 80-26 § 1 (part), 1980).

Comment [t2]: deleted Rule 6

10.40.040 Extension of wastewater mains

The extension of wastewater mains and related facilities shall be made in accordance with Sections 13 and 25 of the rules. (Ord. 80-26 § 1 (part), 1980).

Comment [t3]: deleted Rule 7

10.04.050 Mandatory connections.

All wastewater sources located on property which is adjacent to an easement or public roadway in which a public sewer is located shall be connected to the public sewer; provided, that the public sewer has the capacity to adequately accept the flow. This

connection shall take place within three years of the effective date of this chapter or three years from the construction of an adjacent public sewer. (Ord. 80-26 § 1 (part), 1980).

10.04.060 Construction and abatement of defective privies or septic systems.

It is unlawful for any person to permit continuance of any outside privy or septic system owned or controlled by him that is full, has reached its capacity, overflows, or is defective, so as to pollute the air or earth. No septic system or outside privy shall be installed or constructed where a sanitary sewer is adjacent or available to any property. (Ord. 80-26 § 1 (part), 1980).

10.04.070 Personal sewer sludge use.

Any person who takes sludge or has delivered to him in any form from any wastewater treatment plant serving the city does so at his own risk. (Ord. 80-26 § 1 (part), 1980).

10.04.080 Admission to property.

Whenever it is necessary for the purposes of this title, the director may, upon presentation of proper credentials, enter upon any property or premises at reasonable times for the purpose of copying any records required to be kept under the provisions of this title; inspecting any monitoring equipment or method; and sampling any discharge of wastewater to the wastewater treatment system. The director may enter upon the property at any time if an emergency exists. (Ord. 80-26 § 1 (part), 1980).

10.04.090 Illegal connections.

In cases where connections are made to the wastewater treatment system which have not been approved by the utilities engineer, service will be immediately discontinued and a charge to recover losses together with a service charge not to exceed six months estimated billing shall be imposed. (Ord. 80-26 § 1 (part), 1980).

10.04.095 Tapping existing sewer mains

It shall be unlawful for anyone other than the Bloomington utilities department to make taps on existing sewer mains or manholes. The following rules shall apply:

- A. The customer/contractor shall be responsible for all excavation necessary to perform the tap.
- B. A minimum of forty-eight hours advance notice shall be required for the utilities department to schedule the necessary work.
- C. The contractor shall be responsible for exposing the top of the existing sewer pipe in order to determine location of joint and/or existing lateral.
- D. The center of the new tap shall be at least one foot from any joint or existing lateral.
- E. The contractor shall clean all dirt and debris from the existing sewer main and excavate in a manner permitting installation of a chain completely around the pipe to restrain the tapping machine.
- F. If the existing main appears to be cracked or broken, or if for any reason there appears to be some difficulty in making the tap, the contractor shall immediately call Transmission and Distribution at 339-1444, and report the location and problem.
- G. For the tapping fee charged, the utilities department will make the tap, supply and install the fitting, and leave an open six inch PVC SDR 35 gasket-joint bell. The utilities department will not supply a plug or reducer, or make any connections for the customer/contractor.
- H. All permits shall be furnished and paid for by the customer/contractor. This will include a street cut permit from either city or county engineering, and either an excavating or plumbing permit from city engineering. Permits will not be issued by city engineering unless a paid receipt for the tapping fee is presented.
- I. If the utilities department finds it necessary to make extra trips to the job site because of problems created by the customer/contractor, there will be an additional charge of twenty-five dollars for each extra trip.
- J. Tapping of manholes for lateral connection will no longer be permitted without permission of the utilities engineer or his representatives.
- K. Violators may be fined one hundred dollars and the cost of correcting the illegal tap. (Ord. 94-41 § 7, 1994; Ord. 87-48 § 1, 1987).

10.04.100 Enforcement procedures.

- A. Any discharge of nonconventional or toxic pollutants which affects the operation of the wastewater treatment plant shall be considered a major violation of this title. In such case the director may serve upon the person in violation a written

notice stating the nature of the violation and providing a reasonable time, not to exceed thirty days, for correction of the violation. If the violation is not corrected in the time provided, the director may order the person to show cause before the board why service should not be terminated after the person has been properly served notice specifying the time and place of the hearing. The hearing shall follow the procedures set forth in Section 22 of the rules and the violation of any order of the board shall be considered a public nuisance. In such cases the city attorney shall begin an action for appropriate relief.

Comment [CoB14]: Deleted Rule 11

- B. When the director finds that any person has violated or is violating any other provision of this title, he may serve upon the person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty days, for correction of the violation. If the violation is not corrected in the time provided, the city attorney shall begin an action for appropriate relief.
- C. When the director finds that an emergency exists that may result in serious harm to the wastewater treatment system or its users, the director may request the city attorney to obtain a temporary restraining order against the violator. (Ord. 80-26 § 1 (part), 1980).

10.04.110 Penalties.

Any person who violates any provision of this title or any order of the Board shall be fined not less than one dollar nor more than two-thousand five-hundred dollars for each offense. Each day a violation continues shall constitute a separate offense. In addition, the city may recover reasonable attorney’s fees, court costs, and other expenses of litigation by appropriate suit at law against the person in violation.

Deleted: Any person who violates any provision of this title or any order of the board shall be fined not less than one dollar nor more than one thousand dollars for each offense. Each day a violation continues shall constitute a separate offense. In addition, the city may recover reasonable attorneys' fees, court costs, and other expenses of litigation by appropriate suit at law against the person in violation. (Ord. 80-26 § 1 (part), 1980)

Administrative Fines

A. When the Director finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Director may fine such user in an amount not to exceed \$2,500. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long term average discharge limits, fines shall be assessed for each day during the period of violation. In addition, the city may recover reasonable attorney’s fees, court costs, and other expenses of litigation by appropriate suit at law against the person

Comment [CoB15]: Bloomington Legal Department please note

in violation.

- B. Unpaid charges, fines, and penalties shall, after forty-five (45) calendar days, be assessed an additional penalty of ten percent (10%) of the unpaid balance, and interest shall accrue thereafter at a rate of one percent (1%) per month. A lien against the user's property will be sought for unpaid charges, fines, and penalties.
- C. Users desiring to dispute such fines must file a written request for the Director to reconsider the fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the Director may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The Director may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

- 10.08.010 Rates—Generally. (no changes)**
- 10.08.020 Rates—Biennial review. (no changes)**
- 10.08.030 Rates—Based on quantity of water used. (no changes)**
- 10.08.035 Rates—Establishment of stormwater utility. (no changes)**
- 10.08.040 Rates—Metered water users. (no changes)**
- 10.08.045 Rates—Stormwater utility users. (no changes)**
- 10.08.050 Rates—Exemptions. (no changes)**
- 10.08.060 Rates—Utility measurements of water. (no changes)**
- 10.08.070 Rates—Nonmetered users. (no changes)**
- 10.08.080 Billing. (no changes)**
- 10.08.085 Lifeline service. (no changes)**
- 10.08.090 Delinquencies—Late payment charge. (no changes)**
- 10.08.100 Liens for nonpayment. (no changes)**
- 10.08.110 Special service rates. (no changes)**
- 10.08.120 Waste haulers--Charges.**

- A. The fees for the treatment and disposal of domestic septage shall be charged to the waste hauler who transports the waste to the treatment facility for disposal. Any licensed waste hauler may purchase tickets which authorize that hauler to dispose

of one load of domestic septage. Generators of nondomestic waste must request authorization to dispose of wastes in the utility treatment works. The application will be reviewed by staff and, if approved, the tickets for disposal of the waste may be purchased by the waste generator. Generators may purchase tickets in the manner outlined above. The generator must provide the appropriate ticket(s) to the waste hauler and the hauler must present the ticket(s) to the staff at the treatment facility as evidence that the disposal of the waste has been authorized.

Additional procedures that further promote an orderly system for the delivery, tracking and payment of these wastes may be adopted by the board. (Ord. 00-34 § 4, 2000; Ord. 98-29 § 7, 1998; Ord. 97-01 § 3, 1997; Ord. 94-41 § 5, 1994; Ord. 89-36 § 5, 1989; Ord. 80-26 § 1 (part), 1980).

B. Portion of Rate Applicable to

	Operations, Maintenance, and Replacement Expenses	Capital Related Costs	Total
	\$	\$	\$
Domestic Septage --			
first 500 gallons	7.52	2.78	10.30
Each additional 100 gallons	0.43	0.16	0.59
Grease Waste –			
first 500 gallons	21.48	7.95	29.43
Each additional 100 gallons	4.30	1.59	5.89
Wastewater Treatment Plant Waste			
first 500 gallons	16.12	5.96	22.08
Each additional 100 gallons	3.23	1.19	4.42
Commercial/Industrial Waste			
first 500 gallons	16.12	5.96	22.08
Each additional 100 gallons	3.23	1.19	4.42

10.08.130 Inspection charge.

All inspections during normal business hours shall be free of charge. All inspections during overtime hours shall be at the rate of twelve dollars and fifty cents per hour. (Ord. 80-26 § 1 (part), 1980).

10.08.140 Connection fee. (no changes)**10.08.150 Laboratory charges.**

The following charges shall apply for laboratory tests performed on samples delivered to the wastewater laboratory.

Alkalinity	\$9.00
Ammonia	\$13.00
BOD	\$16.00
Chlorine	\$8.00
COD	\$19.00
Cyanide	\$21.00
Fluoride	\$11.00
Hardness	\$9.00
Nitrates	\$16.00
Oil & Grease	\$37.50
pH	\$3.00
Phosphates	\$17.00
Sulfates	\$16.00
Suspended Solids	\$9.00
Dissolved Solids	\$9.00
Total Solids	\$12.00
Volatile Solids	\$12.00
Total Coliform	\$10.00
Fecal Coliform	\$10.00
E. Coli	\$10.00
H. Plate Count	\$10.00
Cadmium	\$12.00
Chromium	\$12.00

Copper	\$12.00
Iron	\$12.00
Lead	\$15.00
Manganese	\$12.00
Nickel	\$12.00
Silver	\$15.00
Zinc	\$12.00

(Ord. 97-01 § 5, 1997)

10.12.010 General prohibitions.

Director’s Authority. The Director may reject any discharge to the POTW, in whole or part, that he/she determines to have the potential to either adversely affect POTW operation or cause or contribute to a violation of the City’s NPDES permit.

General Prohibitions. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass-through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.

10.12.020 Specific Prohibitions. No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- A. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 F (60 C) using the test methods specified in 40 CFR 261.21;
- B. Wastewater having a pH less than 5.0 or more than 10.0 or otherwise causing corrosive structural damage to the POTW or equipment;
- C. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference [but in no case solids greater than one inch (1") or forty centimeters (40 cm) in any dimension];
- D. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
- E. Wastewater having a temperature greater than 140°F (60°C), or which will

Deleted: It is unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any wastewater, industrial wastewater, or other polluted water except where suitable treatment has been provided in accordance with the provisions of this chapter. (Ord. 85-48 § 2 (part), 1985),¶ 10.12.020 General discharge prohibitions.¶ No discharger shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the city:¶ (a) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any other way to the operation of the POTW;¶ (b) Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system;¶ (c) Any wastewater having a pH less than 5.0 or higher than 10 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system;¶ (d) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction to, injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or to exceed the limitation set forth in Categorical Pretreatment Standards (Section 307 of the Act). A toxic pollutant shall include but not be limited to any pollutant identified in the Toxic Pollutant List set forth in Section 307 of the Act;¶ (e) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair;¶ (f) Any substance which may cause the POTW’s effluent or treatment residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, the Resource Conservation and Recovery Act, or state standards applicable to the sludge management method being used;¶ (g) Wastewater having a temperature exceeding forty degrees Centigrade (one hundred four degrees Fahrenheit) which can inhibit biological activity in the POTW treatment plant causing interference with normal plant operation. [1]

- inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104°F (40°C):
- F. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
 - G. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - H. Trucked or hauled pollutants, except at discharge points designated by the Director in accordance with Section 10.08 of this ordinance;
 - I. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
 - J. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City's NPDES permit;
 - K. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
 - L. Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Director;
 - M. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
 - N. Medical wastes, except as specifically authorized by the Director in a wastewater discharge permit;
 - O. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
 - P. Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW; or
 - Q. Fats, oils, or greases of animal or vegetable origin in concentrations greater than one hundred-fifty (150)mg/l.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and

maintained at the discharger's cost and expense.

10.12.030 Limitations on wastewater strength.

Comment [CoBI6]: New text in section 10.12.030 incorporates language from existing ordinance

National Categorical Pretreatment Standards.

Deleted: (e) Supplementary Limitations.¶
(1) No discharger shall discharge wastewater containing concentrations and/or mass limitations of the following enumerated materials, exceeding the following values:

The National Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 400-471 (including the categorical standards) are hereby incorporated.

A. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the Director may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).

B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Director shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).

C. A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.

D. No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The Director may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

E. Reporting of Changes in Production

(1) Any industrial user operating under a control mechanism incorporating equivalent mass or concentration limits calculated from a production based standard shall notify the Control Authority within two (2) business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month.

Deleted: Material Concentration Mass Limitation¶
(mg/l) (lbs/100,000 gal.¶
effluent/day)¶
¶
cadmium 0.70 0.57¶
copper 2.30 1.91¶
cyanide 1.20 0.96¶
lead 0.20 0.19¶
mercury 0.02 0.02¶
nickel 6.90 5.73¶
total chromium 6.90 5.73¶
zinc 11.50 9.56¶
PCB <0.010¶

Local effluent limits.

The following pollutant limits are established to protect against pass through and

interference. No person shall discharge wastewater containing in excess of the following instantaneous maximum allowable discharge limits:

<u>Parameter</u>	<u>Limit (mg/l)</u>	Comment [t7]: Deleted BOD5 and TSS
<u>cadmium</u>	<u>.48</u>	
<u>chromium</u>	<u>1.53</u>	
<u>copper</u>	<u>2.07</u>	
<u>cyanide</u>	<u>.65</u>	
<u>lead</u>	<u>.20</u>	
<u>mercury</u>	<u>.00014</u>	
<u>nickel</u>	<u>2.14</u>	
<u>oil and grease</u>	<u>150</u>	
<u>PCBs</u>	<u><1.6 ug/l</u>	
<u>silver</u>	<u>.55</u>	
<u>zinc</u>	<u>1.00</u>	

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for “total” metal unless indicated otherwise. The Director may impose mass limitations in addition to, or in place of, the concentration-based limitations above.

Accidental discharges/slug discharges.

At least once every two (2) years, the Director shall evaluate whether each significant industrial user needs an accidental discharge/slug control plan. The Director may require any user to develop, submit for approval, and implement such a plan. Alternatively, the Director may develop such a plan for any user. An accidental discharge/slug control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including nonroutine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Director of any accidental or slug discharge, as required by Section 10.12 of this ordinance; and
- D. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

Review and approval of such plans and operating procedures by the city shall not relieve the discharger from the responsibility to modify its facility as necessary to meet the requirements of this title.

- A. Dischargers shall notify the city by telephone immediately upon the occurrence of a “slugload,” or accidental discharge of substances prohibited by this title. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss or damage to the POTW, in addition to the amount of any fines imposed on the city on account thereof under state or federal law.
- B. Signs shall be permanently posted in conspicuous places on discharger's premises, advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such discharge with respect to emergency notification procedure. (Ord. 85-48 § 2 (part), 1985).

Deleted: , and in every case no later than one hour,

10.12.040 Special agreements.

Nothing in this title shall be construed as preventing any special agreement or

arrangement between the utility and any user of the wastewater treatment system in which wastewater of unusual strength or character is accepted into the system and specially treated, by such agreement shall be subject to any charges that may be applicable. (Ord. 85-48 § 2 (part), 1985).

10.12.050 Hauled waste (new section)

- A. Waste shall only be accepted for treatment by the utility if the treatment processes and final effluent are not adversely affected. All haulers shall provide the utility with the names and addresses of the users whose waste is brought for treatment. The director shall designate the site where the waste will be accepted.
- B. The following types of waste may be accepted for treatment by the city utilities:
 - (1) **Domestic Septage.** Domestic septage refers to the waste contained in, or removed from, septic tanks or holding tanks which serve residential homes or other sources which generate only food-based waste. Each truckload delivered will be assumed to be a full load unless proven otherwise by the hauler.
 - (2) **Grease Waste.** Grease waste is the waste contained in, or removed from, grease traps or other similar devices which have been installed for the purpose of retaining the portion of the waste stream which floats on water. For the purpose of this document, grease waste refers to greases of plant or animal origin. Petroleum based oils and greases are specifically prohibited from being discharged into the wastewater system. Analysis of the grease wastes may be required before acceptance for treatment and disposal. The charge will be based on the calculated volume of the pit or trap. There will be no additional charge for the water used to wash the grease from the pit.
 - (3) **Wastewater Treatment Plant Waste.** Wastewater treatment plant waste includes the excess solids generated at municipal or semi-public wastewater treatment plants and/or the collection systems associated with those treatment plants. The waste may be in the form of sludge, mixed liquor, lagoon dredgings, or waste from lift stations, and must be compatible with the treatment system's processes and capacities. Wastes which jeopardize compliance with the 40 CFR Part 503 rules concerning land application of sludge are prohibited. The board shall establish parameters for the testing of these wastes. The waste hauler will be responsible for the cost of any testing required. Trucks delivering these wastes will be assumed to be full.
 - (4) **Commercial/Industrial Waste.** Commercial/industrial waste includes wastes generated by industrial or commercial operations, or an operation which combines domestic waste with waste generated from industrial operations. This waste may be the product of some one-time operation, or may be accumulated in some form of holding tank, such as a septic tank. The wastes may be delivered to the system facilities only after the written request for such disposal has been approved by the director, or his designee, on a case-by-case basis. The board shall establish parameters for the testing of these wastes. The

waste hauler will be responsible for the cost of any testing required. Trucks delivering these wastes will be assumed to be full.

- (5) **Out-of-County Waste.** For each of the above listed categories of waste, there shall be a surcharge of fifty percent added to the respective fees for any waste which originates at any source outside the boundaries of Monroe County.

Comment [CoB18]: Text moved from Section 10.08.120

- C. Septic tank waste may be introduced into the POTW only at locations designated by the Director, and at such times as are established by the Director. The Director may require the hauler to provide a waste analysis of any load prior to discharge or the Director may collect samples of each hauled load to ensure compliance with this ordinance. Waste haulers may be required by the Director to provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The Director may establish operating rules, in addition to those rules listed in this section.

Deleted: (6) The charge for each delivery of the types of waste described above shall be:¶

10.16.010 Wastewater dischargers.

It shall be unlawful for an industrial discharger to discharge sewage, industrial wastes or other wastes without a permit issued by the city to any sewer within the jurisdiction of the city, and/or to the POTW. (Ord. 85-48 § 3 (part), 1985).

10.16.020 Wastewater discharge permits.

Comment [CoB19]: Section 10.16.020 text has been reorganized; all new text is highlighted

- A. **General Permits.** All industrial dischargers proposing to connect to or to discharge sewage, industrial wastes and other wastes to the POTW shall obtain a wastewater discharge permit before connecting to or discharging to the POTW. All existing industrial dischargers connected to or discharging to the POTW shall obtain a wastewater discharge permit within ninety days after the effective date of the ordinance codified in this title.
- B. **Permit Conditions.** Wastewater discharge permits shall specify no less than the following:
 - (1) Fees and charges to be paid upon initial permit issuance;
 - (2) Limits on the average and maximum wastewater constituents and characteristics regulated thereby;
 - (3) Limits on average and maximum rate and time of discharge and/or requirements for flow regulations and equalization;

- (4) Requirements for installation and maintenance of inspection and sampling facilities;
- (5) Special conditions as the city may reasonably require under particular circumstances of a given discharge including sampling locations, frequency of sampling, number, types, and standards for tests and reporting schedule;
- (6) Compliance schedules;
- (7) Requirements for submission of special technical reports or discharge reports where same differ from those prescribed by this title.

C. A wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five (5) years at the discretion of the Director. Each wastewater discharge permit will indicate a specific date upon which it will expire. At the end of the stated expiration date the permittee must reapply for a discharge permit under Section 10.16.020(B).

D. **Limitations on Permit Transfer.** Wastewater discharge permits are issued to a specific industrial discharger for a specific operation and are not assignable to another industrial discharger without the prior written approval of the city, or transferable to any other location. (Ord. 85-48 § 3 (part), 1985).

E. **Permit Application.** Industrial dischargers shall complete and file with the city, a permit application therefore in the form prescribed by the city, and accompanied by the appropriate fee. Existing industrial dischargers shall apply for a wastewater discharge permit within thirty days after the effective date of the ordinance codified in this chapter, and proposed new industrial dischargers shall apply at least ninety days prior to connecting to the POTW. No discharge permit shall be issued unless and until the following conditions have been met:

- (1) Disclosure of name, address, and location of the discharger;
- (2) Disclosure of Standard Industrial Classification (SIC) number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- (3) Disclosure of wastewater constituents and characteristics, including but not limited to those mentioned in this title, including Section 307 of the Act as appropriate, as determined by bona fide chemical and biological analyses. Sampling and analysis shall be performed in accordance with procedures established by the U.S. EPA and contained in 40 CFR, Part 136, as amended;
- (4) Disclosure of time and duration of discharges;
- (5) Disclosure of average daily and instantaneous peak wastewater flow rates, in gallons per day, including daily, monthly and seasonal variations, if any. All flows shall be measured unless other verifiable techniques are approved by the city due to cost or nonfeasibility;

- (6) Disclosure of site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, inspection manholes, sampling chambers and appurtenances by size, location and elevation;
- (7) Description of activities, facilities and plant processes on the premises including all materials which are or may be discharged to the sewers or works of the city;
- (8) Disclosure of the nature and concentration of any pollutants or materials prohibited by this title in the discharge, together with a statement regarding whether or not compliance is being achieved with this title on a consistent basis and if not, whether additional operation and maintenance activities and/or additional pretreatment is required for the industrial discharger to comply with this title;
- (9) Where additional pretreatment and/or operation and maintenance activities will be required to comply with this title, the industrial discharger shall provide a declaration of the shortest schedule by which the industrial discharger will provide such additional pretreatment and/or implementation of additional operational and maintenance activities.
 - (a) The schedule shall contain milestone dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the industrial discharger to comply with the requirements of this title including, but not limited to dates relating to hiring an engineer, hiring other appropriate personnel, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, and all other acts necessary to achieve compliance with this title.
 - (b) Under no circumstances shall the city permit a time increment for any single step directed toward compliance which exceeds nine months.
 - (c) Not later than fourteen days following each milestone date in the schedule and the final date for compliance, the industrial discharger shall submit a progress report to the city, including no less than a statement as to whether or not it complied with the increment of progress represented by that milestone date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the industrial discharger to return the construction to the approved schedule. In no event shall more than nine months elapse between such progress reports to the city;
- (10) Users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 10.12 of this ordinance within the time limitations specified by EPA, the State, or the Director, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Director for review, and shall be acceptable to the Director before such facilities are constructed. The review of such plans and operating

procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this ordinance.

- (11) Disclosure of each product produced by type, amount, process or processes and rate of production;
- (12) Disclosure of the type and the amount of raw materials utilized (average and maximum per day);
- (13) All permit applications for new or modified permits shall be signed by an authorized representative of the user;
- (14) All sewers shall have an inspection and sampling manhole or structure with an opening of no less than twenty-four inches diameter and an internal diameter of no less than thirty-six inches containing flow measuring, recording and sampling equipment as required by the city to assure compliance with this title. The city will evaluate the complete application and data furnished by the industrial discharger and may require additional information. Within thirty days after full evaluation and acceptance of the data furnished, the city shall issue a wastewater discharge permit subject to terms and conditions provided herein.

F. **Permit Modifications.** The city reserves the right to amend any wastewater discharge permit issued hereunder in order to assure compliance by the city with applicable laws and regulations. Within nine months of the promulgation of a National Categorical Pretreatment Standard, the wastewater discharge permit of each industrial discharger subject to such standards shall be revised to require compliance with such standards within the time frame prescribed by such standards. All National Categorical Pretreatment Standards adopted after the promulgation of this title shall be adopted by the city as part of this title. Where an industrial discharger, subject to a National Categorical Pretreatment Standard, has not previously submitted an application for a wastewater discharge permit as required by Section 10.16.020(B), the industrial discharger shall apply for a wastewater discharge permit from the city within one hundred eighty days after the promulgation of the applicable National Categorical Pretreatment Standard by the U.S. EPA. In addition, the industrial discharger with an existing wastewater discharge permit shall submit to the city within one hundred eighty days after the promulgation of an applicable National Categorical Pretreatment Standard, the information required by paragraphs (8) and (9) of Section 10.16.020(B). The industrial discharger shall be informed of any proposed changes in his permit at least thirty days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. Any significant changes in the industrial discharger's wastewater constituents or characteristics shall be reported to the city at least thirty days prior to initiation of

any proposed in-plant modification causing the change. Any permit modification due to the proposed change must be completed prior to the change.

10.16.030 Reporting requirements for permittee.

- A. **Compliance Date Report.** Within ninety days following the date for final compliance by the industrial discharger with applicable pretreatment standard set forth in this title or ninety days following commencement of the introduction of wastewater into the POTW by a new discharger, any industrial discharger subject to this title shall submit to the city a report indicating the nature and concentration of all prohibited or regulated substances contained in its discharge, and the average and maximum daily flow in gallons. The report shall state whether the applicable pretreatment standard or requirements are being met on a consistent basis and, if not, what additional O&M and/or pretreatment is necessary to bring the industrial discharger into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial discharger, and certified to by a qualified engineer.
- B. **Periodic Compliance Schedule Reports.**
- (1) Any industrial discharger subject to a pre-treatment standard set forth in this title, after the compliance date of such pretreatment standard, or, in the case of a new industrial discharger, after commencement of the discharge to the city, shall submit to the city during the months of June and December, unless required more frequently by the city, a report indicating the nature and concentration, of prohibited or regulated substances in the effluent which are limited by the Pretreatment Standards hereof. In addition, this report shall include a record of all measured or estimated average and maximum daily flows during the reporting period reported in Section 10.16.030(A) hereof. Flows shall be reported on the basis of actual measurement; provided, however, where cost or feasibility considerations justify, the city may accept reports of average and maximum flows estimated by verifiable techniques. The city, for good cause shown considering such factors as local high or low flow rates, holidays, budget cycles, or other extenuating factors may authorize the submission of said reports on months other than those specified above.
 - (2) Reports of permittees shall contain all results sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where required by the city. The frequency of monitoring by the industrial discharger shall be as prescribed in the applicable pretreatment standard of this title. All analyses shall be performed in accordance with 40 CFR, Part 136 and amendments, thereto.

Alternative Sampling and Analytical Techniques. Where 40 CFR, Part 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April, 1977, and amendments thereto, or with any other sampling and analytical procedures approved by the Administrator of the U.S. EPA. (Ord. 85-48 § 3 (part), 1985).

Comment [CoBI10]: Deleted
"Comment:"

C. Notice of Violation/Repeat Sampling and Reporting.

(1) If sampling performed by a user indicates a violation, the user must notify the Director within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Director with thirty (30) days after becoming aware of the violation. The user is not required to resample if the Director monitors at the user's facility at least once a month, or if the Director samples between the user's initial sampling and when the user receives the results of this sampling.

D. Application Signatories and Certification.

(1) All wastewater discharge permit applications and user reports must be signed by an authorized representative of the user and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

E. Baseline Monitoring Reports.

(1) Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the Director a report which contains the information listed in paragraph 2, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become

categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the Director a report which contains the information listed in paragraph 2, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

(2)Users described above shall submit the information set forth below.

(a) Identifying Information. The name and address of the facility, including the name of the operator and owner.

(b) Environmental Permits. A list of any environmental control permits held by or for the facility.

(c) Description of Operations. A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.

(d) Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR 403.6(e).

(e) Measurement of Pollutants.

(i) The categorical pretreatment standards applicable to each regulated process.

(ii) The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the Director, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 10.12 of this ordinance.

(iii) Sampling must be performed in accordance with procedures set out in Section 10.12 of this ordinance.

(f) Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.

(g) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 10.16 of this ordinance.

(h) Signature and Certification. All baseline monitoring reports must be signed and certified in accordance with Section 10.16.030 (D) of this ordinance.

F. Reports of Changed Conditions.

Each user must notify the Director of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least sixty (60) days before the change.

- (1) The Director may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 10.16.020 of this ordinance.
- (2) The Director may issue a wastewater discharge permit under Section 10.16.020 of this ordinance or modify an existing wastewater discharge permit under Section 10.16.020 (F) of this ordinance in response to changed conditions or anticipated changed conditions.
- (3) For purposes of this requirement, significant changes include, but are not limited to, flow increases of twenty percent (20%) or greater, and the discharge of any previously unreported pollutants

G. Reports of Potential Problems

- (1) Dischargers shall notify the city by telephone immediately upon the occurrence of a "slugload," or accidental discharge of substances prohibited by this title. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss or damage to the POTW, in addition to the amount of any fines imposed on the city on account thereof under state or federal law.
- (2) Within five (5) days following such discharge, the user shall, unless waived by the Director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.
- (3) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in paragraph G, above. Employers shall ensure that all employees, who may cause such a discharge, are familiar with the provisions of this ordinance.

Deleted: In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the Director of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

10.16.040 Monitoring facilities.

- A. Each industrial discharger shall provide and operate, at the industrial discharger's own expense, a monitoring facility to allow inspection, sampling and flow measurement of each sewer discharge to the city. Each monitoring facility shall be situated on the industrial discharger's premises, except where such a location would be impractical or cause undue hardship on the industrial discharger, the city may concur with the facility being constructed in the public street or sidewalk area providing that the facility is located so that it will not be obstructed by landscaping or parked vehicles. There shall be ample room in or near such sampling facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the industrial discharger.
- B. All monitoring facilities shall be constructed and maintained in accordance with all applicable local construction standards and specifications. Construction shall be completed within one hundred days of receipt of permit by industrial discharger. (Ord. 85-48 § 3 (part), 1985).

10.16.050 Inspection and sampling.

The city may inspect the monitoring facilities of any industrial discharger to determine compliance with the requirements of this title. The industrial discharger shall allow the city or its representatives, to enter upon the premises of the industrial discharger at all reasonable hours, for the purposes of inspection, sampling, or records examination. The city shall have the right to set up on the industrial discharger's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. (Ord. 85-48 § 3 (part), 1985).

10.16.060 False statements.

Anyone who shall knowingly make any false statements, report or document, or intentionally give inaccurate monetary information shall upon conviction be punished by implementation of a civil penalty. (Ord. 85-48 § 3 (part), 1985).

10.16.070 Confidential information.

- A. Information and data furnished to the city with respect to the nature and frequency of discharge shall be available to the public or other governmental agency without restriction unless the industrial discharger specifically requests and is able to demonstrate to the satisfaction of the city that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets or proprietary information of the industrial discharger.
- B. When requested by an industrial discharger furnishing a report, the portions of a report which may disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this title, the National Pollutant Discharge Elimination System (NPDES) Permit, state disposal system permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the industrial discharger furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.
- C. Information accepted by the city as confidential, shall not be transmitted to any governmental agency or to the general public by the city until and unless a ten-day notification is given to the industrial discharger. (Ord. 85-48 § 3 (part), 1985).

10.16.080 Emergency suspension of service and discharge permits.

The Director may immediately suspend a user's discharge, after informal notice to the user, wherever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Director may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, and endangerment to the environment.

- A. Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Director may take such steps as deemed necessary, including immediate severance of the sewer

connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Director may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Director that the period of endangerment has passed, unless the termination proceedings in Section 10.16.085 of this ordinance are initiated against the user.

- B. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Director prior to the date of any show cause or termination hearing under Sections 10.04 or 10.16 of this ordinance.

10.16.085 Termination of Discharge (new section)

In addition to the provisions in Section 10.16.090 of this ordinance, any user who violates the following conditions is subject to discharge termination:

- A. Violation of wastewater discharge permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents and characteristics prior to discharge;
- D. Refusal of reasonable access to the user's premises for the purpose of inspection monitoring, or sampling, or;
- E. Violation of the pretreatment standards in Section 10.12 of this ordinance

Such user will be notified of the proposed termination of its discharge and be offered and opportunity to show cause under Section 10.04 and 10.16 of this ordinance why the proposed action should not be taken. Exercise of this option by the Director shall not be a bar to, or a bar prerequisite for, taking any other action against the user.

The city may for good cause shown suspend the wastewater treatment service and the wastewater discharge permit of an industrial discharger when it appears to the city that an actual or threatened discharge presents or threatens an imminent or substantial danger to the health or welfare of persons, substantial danger to the environment, interferes with the operation of the POTW, or violates any pretreatment limits imposed by this title or any

wastewater discharge permit issued pursuant to this title. Any industrial discharger notified of the suspension of the city's wastewater treatment service and/or the industrial discharger's wastewater discharge permit, shall within a reasonable period of time, as determined by the city, cease all discharges. In the event of failure of the industrial discharger to comply voluntarily with the suspension order within the specified time, the city shall commence judicial proceedings immediately thereafter to compel the industrial discharger's compliance with such order. The city shall reinstate the wastewater discharge permit and/or the wastewater treatment service and terminate judicial proceedings upon receipt of proof by the industrial discharger of the elimination of the noncomplying discharge or conditions creating the threat of imminent or substantial danger as set forth above. (Ord,85-48 § 3 (part), 1985.)

10.16.090 Revocation of permit.

The city may revoke the permit of any industrial discharger which:

- A. Fails to factually report the wastewater constituents and characteristics of its discharge;
- B. Fails to report significant changes in wastewater constituents or characteristics;
- C. Refuses reasonable access to the industrial discharger's premises by representatives of the city for the purpose of inspection or monitoring; or
- D. Violates the conditions of its permit, or this title, or any final judicial order entered with respect thereto. (Ord. 85-48 § 3 (part), 1985).

10.16.100 Notification of violation-- Administrative adjustment.

Whenever the city finds that any industrial discharger has engaged in conduct which justifies revocation of a wastewater discharge permit, pursuant to Section 10.16.090 hereof, the city shall serve or cause to be served upon such industrial discharger a written notice either personally or by certified or registered mail, return receipt requested, stating the nature of the alleged violation. Within thirty days of the date of receipt of the notice, the industrial discharger shall respond personally or in writing to the city, advising of its position with respect to the allegations and where necessary, establish a plan for the satisfactory correction thereof. (Ord. 85-48 § 3 (part), 1985).

10.16.110 Financial responsibility.

An industrial discharger that discharges a substance that obstructs or damages the POTW will be held financially liable for the damages incurred. (Ord. 85-48 § 3 (part), 1985).

10.16.120 Show-cause hearing.

Where the violation of Section 10.16.090 hereof is not corrected by timely compliance by means of Administrative Adjustment, the city may order any industrial discharger which causes or allows conduct prohibited by Section 10.16.090 hereof, to show cause before the city or its duly authorized representative, why the proposed permit revocation action should not be taken. A written notice shall be served on the industrial discharger by personal service, certified or registered, return receipt requested, specifying the time and place of a hearing to be held by the city or its designee regarding the violation, the reasons why the enforcement action is to be taken, the proposed enforcement action, and directing the industrial discharger to show cause before the city or its designee why the proposed enforcement action should not be taken. The notice of the hearing shall be served no less than ten days before the hearing. Service may be made on any agent, officer, or authorized representative of an industrial discharger. The proceedings at the hearing shall be considered by the city which shall then enter appropriate orders with respect to the alleged improper activities of the industrial discharger. Appeal of such orders may be taken by the industrial discharger in accordance with applicable local or state law. (Ord. 85-48 § 3 (part), 1985).

10.16.130 Judicial proceedings.

Following the entry of any order by the city with respect to the conduct of an industrial discharger contrary to the provisions of Section 10.16.090 hereof, the Attorney for the city may, following the authorization of such action by the city, commence an action for appropriate legal and/or equitable relief in the appropriate court. (Ord. 85-48 § 3 (part), 1985).

10.16.140 Enforcement actions--Annual publication.

PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The Director shall publish annually, in the largest daily newspaper published in the

Deleted: A list of all significant industrial dischargers which were the subject of enforcement proceedings pursuant to Chapter 10.16 of this title during the twelve previous months, shall be annually published by the city in the largest daily newspaper, published in the municipality in which the city is located, summarizing the enforcement actions taken against the industrial dischargers during the same twelve months whose violations remained uncorrected forty-five or more days after notification of noncompliance; or which have exhibited a pattern of noncompliance over that twelve-month period, or which involve failure to accurately report noncompliance. (Ord. 85-48 § 3 (part), 1985).¶

municipality where the POTW is located, a list of the users which, during the previous twelve (12) months, were in significant noncompliance with applicable pretreatment standards and requirements. The term significant noncompliance shall mean:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six- (6-)month period exceed the daily maximum limit or average limit for the same pollutant parameter by any amount;
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-)month period equals or exceeds the product of the daily maximum limit or the average limit multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- C. Any other discharge violation that the Director believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
- D. Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Director's exercise of its emergency authority to halt or prevent such a discharge;
- E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F. Failure to provide within thirty (30) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G. Failure to accurately report noncompliance; or
- H. Any other violation(s) which the Director determines will adversely affect the operation or implementation of the local pretreatment program.

10.16.150 Right of appeal.

Any industrial discharger or any interested party shall have the right to request in writing an interpretation or ruling by the city on any matter covered by this title and shall be entitled to a prompt written reply. In the event that such inquiry is by an industrial

discharger and deals with matters of performance or compliance with this title or deals with a wastewater discharge permit issued pursuant hereto for which enforcement activity relating to an alleged violation is the subject, receipt of an industrial discharger's request shall stay all enforcement proceedings, other than emergency suspensions of service made under Section 10.16.080, pending receipt of the aforesaid written reply. Appeal of any final judicial order entered pursuant to this title may be taken in accordance with local and state law. (Ord. 85-48 § 3 (part), 1985).

10.16.160 Operating upsets.

Minor operating upsets which place the discharger in temporary non-compliance shall be reported to the Director within 24 hours of the occurrence. Minor upsets are defined as those temporary non-compliant discharges which are not expected to cause pass through or interference to the POTW. Notification shall be made by telephone to the Director's office. The report shall specify:

- A. Description of the upset, the cause thereof and the upset's impact on an industrial discharger's compliance status;
- B. Duration of noncompliance, including exact dates and times of noncompliance, and if the noncompliance continues, the time by which compliance is reasonably expected to occur;
- C. All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset or other conditions of noncompliance.

Deleted: Any industrial discharger which experiences an upset in operations which places the industrial discharger in a temporary state of noncompliance with this title or a wastewater discharge permit issued pursuant hereto shall inform the city thereof within twenty-four hours of first awareness of the commencement of the upset. Where such information is given orally, a written follow-up report thereof shall be filed by the industrial discharger with the city within five days.

A documented and verified bona fide operating upset shall be an affirmative defense to any enforcement action brought by the city against an industrial discharger for any noncompliance with the title or any wastewater discharge permit issued pursuant hereto, which arises out of violations alleged to have occurred during the period of the upset. (Ord. 85-48 § 3 (part), 1985).

10.16.170 Records retention.

All industrial dischargers subject to this title shall retain and preserve for no less than three years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling and chemical analyses made by or in behalf of an industrial discharger in connection with its discharge. All records

which pertain to matters which are the subject of administrative adjustment or any other enforcement or litigation activities brought by the city pursuant hereto shall be retained and preserved by the industrial discharger until all enforcement activities have been concluded and all periods of limitation with respect to any and all appeals have expired. (Ord. 85-48 § 3 (part), 1985).

10.16.180 Fees.

It is the purpose of this section to provide for the payment of fees from dischargers to the city's wastewater disposal system, to compensate the city for the cost of administration of the pretreatment program established herein.

The city shall adopt charges and fees which may include:

- A. Fees for monitoring, inspections and surveillance procedures;
- B. Fees for permit applications (permits only);
- C. Fees for filing appeals;
- D. Fees for reviewing accidental discharge procedures and construction. (Ord. 85-48 § 3 (part), 1985).

10.16.190 Regulation of wastes from other jurisdictions. (new section)

- A. If another municipality, or user located within another municipality, contributes wastewater to the POTW, the Director shall enter into an intermunicipal agreement with the contributing municipality.
- B. Prior to entering into an agreement required by paragraph A, above, the Director shall request the following information from the contributing municipality:
 - (1) A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - (2) An inventory of all users located within the contributing municipality that are discharging to the POTW; and
 - (3) Such other information as the Director may deem necessary.
- C. An intermunicipal agreement, as required by paragraph A, above, shall contain the following conditions:
 - (1) A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this ordinance and local limits which are at least as stringent as those set out in Section 10.12 of this ordinance. The requirement shall specify that such ordinance and limits must

- be revised as necessary to reflect changes made to the City's ordinance or local limits;
- (2) A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;
 - (3) A provision specifying which pretreatment implementation activities, including wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the Director; and which of these activities will be conducted jointly by the contributing municipality and the Director;
 - (4) A requirement for the contributing municipality to provide [the Director] with access to all information that the contributing municipality obtains as part of its pretreatment activities;
 - (5) Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
 - (6) Requirements for monitoring the contributing municipality's discharge;
 - (7) A provision ensuring the Director access to the facilities of users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the Director; and
 - (8) A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

It is unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any wastewater, industrial wastewater, or other polluted water except where suitable treatment has been provided in accordance with the provisions of this chapter. (Ord. 85-48 § 2 (part), 1985).

10.12.020 General discharge prohibitions.

No discharger shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the city:

- (a) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any other way to the operation of the POTW;
- (b) Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system;
- (c) Any wastewater having a pH less than 5.0 or higher than 10 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system;
- (d) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction to, injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or to exceed the limitation set forth in Categorical Pretreatment Standards (Section 307 of the Act). A toxic pollutant shall include but not be limited to any pollutant identified in the Toxic Pollutant List set forth in Section 307 of the Act;
- (e) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair;
- (f) Any substance which may cause the POTW's effluent or treatment residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, the Resource Conservation and Recovery Act, or state standards applicable to the sludge management method being used;
- (g) Wastewater having a temperature exceeding forty degrees Centigrade (one hundred

four degrees Fahrenheit) which can inhibit biological activity in the POTW treatment plant causing interference with normal plant operations;

(h) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions;

(i) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentrations that may exceed acceptable limits;

(j) Any wastewater which causes a hazard to human life or creates a public nuisance.

(Ord. 85-48 § 2 (part), 1985).