

In the Council Chambers of the Showers City Hall on Wednesday, June 2, 2010 at 7:30 pm with Council Vice President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
June 2, 2010

Roll Call: Rollo, Ruff, Sandberg, Satterfield, Sturbaum, Volan, Wisler  
Absent: Piedmont-Smith, Mayer

ROLL CALL

Vice President Andy Ruff gave the Agenda Summation

AGENDA SUMMATION

The minutes of the Regular Session April 7, 2010, and the Special Sessions of May 12, 2010 and May 17, 2010 were approved by a voice vote.

APPROVAL OF MINUTES

REPORTS:

Chris Sturbaum read a letter signed by eight council members, the Mayor and Clerk that was recently sent to Arizona governor Jan Brewer regarding her signing of Arizona Senate Bill 1070. The bill pertained to immigration reform but in a way that the above elected officials felt was legalizing racial profiling. The letter is added to the end of these minutes.

COUNCILMEMBERS

Dave Rollo thanked Sturbaum and Sandberg for their efforts with the letter and protecting civil liberties. Rollo read the following statement:

*I dedicate my comment this evening to the late Frank McCloskey, former Mayor of Bloomington, and U.S. Congressional Representative who cared deeply about our collective future, and the health of our oceans.*

*My comment tonight concerns the massive oil leak in the Gulf of Mexico that began on April 20th, as a massive blowout, and fire that killed 11 workers. Since then, the size of the affected area has increased, so that it now occupies an area larger than Maryland and Delaware combined.*

*The "top kill" attempt failed last week - injection of mud and debris into the blowout preventer, the cofferdam - an attempt to cap it and route the oil and natural gas to the surface, failed two weeks before because of hydrate formations clogged the piping. These were just two of the six attempts that BP has made to prevent the spillage of more oil into the ocean. The seventh attempt is underway, but it is only a mitigation strategy to capture as much leaking oil as possible 19,000 barrels/day - some estimates are much higher - 60-90000 barrels/day. At the time that I am making these comments, the diamond saw is stuck in the riser. If the saw can become unstuck, the "Lower Marine Riser Package" or LMRP will be a temporary cap until the relief well can be completed sometime in August. This may or may not happen on schedule, and may take as long as December.*

*Considering the size of area impacted after 44 days, it is frightening to imagine what this scene may be like after several more months. If the LMRP attempt is unsuccessful, it is conceivable that the entire Gulf may become a giant dead zone. Other areas are sure to be affected, as the loop current is already transporting the oil, mixed with the highly toxic chemical dispersants, into the Florida Keyes and coral reefs and then on to the eastern seaboard. 48% of the wetlands of the lower 48 are in the area of the Gulf that is threatened. 115,000 dolphins, thousands of whales, millions of seabirds could be killed. Sadly, as we destroy our own life support systems, so we destroy the systems on which millions of other species depend.*

*Besides the obvious corporate malfeasance, the government deregulation and corruption that led to this disaster, I want to point out what seems to be lost by almost all of the press, but is abundantly obvious. Why, after all, are we drilling in a mile deep of ocean, and then through 13,000 feet of rock, to reach an oil patch that, although devastating when spewed into the open ocean, is in a field (Macondo) that would supply the country with only 2 days of consumption? As the writer David Strahan observed yesterday in the Independent newspaper - is this not an indication of the state of global oil depletion? Deepwater oil production, over 1500 feet, has quadrupled in the past 10 years. We are simply running out of places to find oil. This supports the volumes of evidence that we are at peak production, and we are likely to encounter shortages in the near future, for the foreseeable future, as revealed by the federal government's own data, published by the Energy Information Agency, but not officially acknowledged.*

*I understand their fears of acknowledging this reality. There is nothing that can fully substitute for oil, needed to offset depletion. As an example:*

*I am an avid supporter of windpower - we should do all we can to bring this on stream, but we must acknowledge the scale of what we are advocating. ASPO-USA energy expert Chris Nelder finds in his analysis, that just to offset*

offshore oil (about 30% of our domestic production, or less than 10% of our total use), we would need the equivalent of 195 Californias or 74 Texases of wind power (and, he reckons, about 20 years to build it).

This is, of course, to continue BAU - Business as Usual - using 1/4 of the world's production to continue to increase consumption of more and more, in an insatiable desire to grow forever - a fool's errand, since it somehow escapes our notice, and particularly the ideological fixation of most economists, that we are on a finite planet.

Oil is limited, as are many other resources. We need to accept this. If we don't accept it, and soon, we will continue on our course of overshoot with unimaginable suffering for today's children, and very likely ourselves, that will dwarf even what we are witnessing in the Gulf of Mexico.

Strahan gives an example in his article, of an even worse situation. Suppose this accident had occurred in some of the newly found fields that are not one - but two miles beneath the ocean surface? We would likely not even have submersibles that could operate at such a depth, and many of these fields are under considerably more pressure, and have volumes of many billion of barrels - 30 or 50 times more than Macondo. We may be nearly helpless with the Deepwater Horizon disaster, but we surely would be with an accident in these remote and hazardous locations.

So, any national energy policy needs to openly acknowledge the reality of peak oil - and limits in general. We need to work to conserve as quickly as we can before depletion overtakes us. We need to find the humility and the guts to take a hard look at our situation, and act as adults to chart a course to lessen our consumption, our impact, and learn to live within global limits. And the fact is, we will have to do it whether we like it or not.

Let's do what we can to bring this recognition of limits into public consciousness and discourse. Let's do what we can to power-down our communities - our society, while we still have living oceans remaining.

Susan Sandberg thanked Sturbaum for bringing the above mentioned letter forward, saying that it was a young man who first approached the council about the Arizona legislation. She thanked Stacy Jane Rhoads for her help in making sure the drafters of the letter understood the law they were addressing and then thanked the members of the Hispanic and Latino Commission for their feedback.

Sandberg announced the traditional Picnic with the Pops would be held on the afternoon of Saturday, June 26<sup>th</sup> and said it would be a wonderful celebration.

The Bloomington Community Arts Commission presented a report to the council. Lynn Schwartzberg, Chair of the commission, told the council of nine arts projects that the commission has funded this year: Fairview School public art project, Lotus Free Arts Village, WonderLab Limestone Month activities, Leadership Bloomington photo expo, Pinnacle School Art of Glass Blowing public demonstration, Boys and Girls Club afterschool arts program, live radio workshop and performance by Bloomington Community Radio, Bloomington Chamber Singers' Messiah Sing, Harrodsburg United Methodist Church for the formation of the Bloomington Peace Choir. She said that the commission was now embarking on strategic plan development in the areas of arts advocacy, resource development and cultural planning and would enjoy further engagement with the council in these plans.

There were no council committee reports at this meeting.

David Keppel identified himself as the Chair of the Just Peace Task Force of the Unitarian Universalist Church and also a member of the Peace Action Coalition. He spoke of the Israeli attack of a flotilla carrying humanitarian supplies to Gaza, adding that although many of the facts of the incident remain to be discovered he condemned this action. He hoped that we could stand in solidarity with Gaza City.

Michael Summers said he was disturbed by the action taken by some elected officials regarding the above mentioned letter to the governor of Arizona. He questioned this action, adding that persons and governments cannot pick and choose the laws they follow. He said this act indicated that illegal aliens were being given preferential status over citizens.

#### MAYOR and CITY OFFICES

- Bloomington Community Arts Commission

#### COUNCIL COMMITTEES

#### PUBLIC INPUT

PUBLIC COMMENT (cont'd)

Pedro Roman thanked the council members for sending the letter to the governor of Arizona. He said that the immigration code was complex and that only the federal authorities had the ability to determine the immigration status of any person inside the United States. He said there was a need to fix national immigration problems, but the authority did not rest with any one state.

Daniel Soto asked the council if they could tell where he came from or if he had a legal immigration status just by looking at him. He said that while he carried a US passport, he could not change his skin color or his accent, things that may be used against him. He thanked the council for their courageous act in sending the letter to the governor of Arizona.

Gracia Valliant, member of the Commission on Hispanic and Latino Affairs, said that the commission thanked the council for their stand on the issue of the Arizona law. She said the commission was concerned about profiling and a random decision about who was undocumented and not.

Jenny Gibson said that she had formed strong bonds with Latinos in her youth. She said the racism associated with the Arizona law was akin to the racism that some in the country felt after 9/11/01.

It was moved and seconded to appoint Judith Grandbois, Keith Clay and Thomas Moore as the council appointments to the Deer Task Force.

BOARD AND COMMISSION APPOINTMENTS

The appointment was approved by a voice vote.

It was moved and seconded to appoint Justin Polston and Ryan Strauser to the Bloomington Housing Quality Appeals Board.

The appointment was approved by a voice vote.

It was moved and seconded that Resolution 10-12 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 10-12 be adopted.

LEGISLATION FOR SECOND READING

Resolution 10-12 To Support Extension of the Bloomington Urban Enterprise Zone for an Additional Five Years Beyond Current Expiration Date.

Doris Sims, Assistant Director of the Housing and Neighborhood Development Office explained the background of the Bloomington Urban Enterprise Zone, showing a map of the Zone, listing the board of directors, and the administration of the Zone programs. She explained the revenue and expenditures of the BUEA and its programs, and explained tax related incentives for businesses and residents located within the zone as well. She said that students have received scholarships and schools have received supplements to their school budgets in the form of reading materials. She also noted that the Historic Building Façade funding program was popular and then told of special projects that included the Swift Project at Fairview School, and B-Line enhancement grant, and a recent grant for Fairview School students to attend the Bradford Woods Program. She asked for support to allow the BUEA to continue to do the good works in the Zone boundaries to provide economic stability for the residents and businesses there.

Volan asked about the Zone timelines. Sims said that the Zone was founded in 1992, and would expire in January of 2012 – a 10 year period with two five year renewals. Sims explained the extension process and parameters, adding that even with this extension, the Zone designation would end in 2017 – after the current and last possible five year renewal. She noted that to have this program after that date, the Zone would need to be recreated and approved by the state. Volan

speculated on that possibility, while Sims noted the requirements of the creation of a Zone.

Resolution 10-12 (cont'd)

Sturbaum noted that residents should take advantage of the Zone tax credits and asked Sims to review that process. She noted that the resident had to live and work within the Zone boundaries.

There was no public comment on this item.

Sturbaum noted the BUEA donation of \$10,000 to the Bradford Woods project for scholarships for students in the Zone. He noted that this was a key part of the fund raising effort that would insure the continuation of this program until the MCCSC could secure stable funding. He said this was a positive of way of redirecting funds in the community to stimulate businesses and help residents of the Zone.

Resolution 10-12 received a roll call vote of Ayes: 7, Nays: 0.

There was no legislation for first reading at this meeting.

LEGISLATION FOR FIRST  
READING

It was moved and seconded to cancel the Internal Work Session scheduled for June 4, 2010 and the Committee of the Whole Meeting scheduled for June 9, 2010.

MOTION CANCEL UPCOMING  
SESSIONS

The motion was approved by a voice vote.

Michael Summers returned to the podium to speak about the letter sent to Governor Brewer of Arizona and the transparency of city and county government.

PUBLIC INPUT

The meeting was adjourned at 8:45 pm.

ADJOURNMENT

APPROVE:

ATTEST:



Isabel Piedmont-Smith PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington