

# **City of Bloomington Common Council**

## **Legislative Packet**

**20 June 2012**

*Please consult the [Legislative Packet](#) issued in interest of the 06 June 2012  
Common Council meeting for Ordinance 12-14.*

*All other material for this week's Council meeting is contained herein.*

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## Packet Related Material

Memo

Agenda

Calendar

Notices and Agendas:

*None*

### Legislation for Second Reading:

- **Res 12-05** Authorizing the Allocation of the Jack Hopkins Social Services Program Funds for the Year 2012 and Other Related Matters
  - History of Grants; Solicitation Letter; Policy Statement; Final Ratings and Recommendations (from a Worksheet); Summaries of All Applications (Via Links to City's Webpage); Funding Agreement Template

*Contact: Susan Sandberg at 349-3409 or [sandbers@bloomington.in.gov](mailto:sandbers@bloomington.in.gov), or Dan Sherman at 349-3562 or [shermamd@bloomington.in.gov](mailto:shermamd@bloomington.in.gov)*
  
- **Res 12-09** Supporting an Amendment to the U.S. Constitution to Provide that Corporations are not "People" and Money is not "Speech"
  - Memo from Sponsors
  - *Memo from Move to Amend – South Central Indiana*
  - Statement from Former Mayor and Councilmember Tomi Allison

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Tim Mayer -- [mayert@bloomington.in.gov](mailto:mayert@bloomington.in.gov)  
Dave Rollo – [rollod@bloomington.in.gov](mailto:rollod@bloomington.in.gov)  
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Susan Sandberg -- [sandbers@bloomington.in.gov](mailto:sandbers@bloomington.in.gov), or*
  
- **Ord 12-14** To Amend the Approved Planned Unit Development (PUD) District Ordinance and Preliminary Plan - Re: 223 W. Dodds Street (Neighborhood Solutions, petitioner)

- **RC – 01** (*at Request of Petitioner*) – Amending the development standards for the single-family lots in the Petitioner’s Statement to increase the encroachment into the setback for the “bay structures” on the south side of the homes from 1’ to 2’

Contact: Eric Greulich at 349-3526 or greulice@bloomington.in.gov

Please see the [Council Legislative Packet](#) prepared for the 6 June 2012 Regular Session for this piece of legislation as well as its summary and related materials.

### **Legislation and Background Material for First Reading:**

*None*

### **Minutes from Regular Session:**

- May 2, 2012
- June 6, 2012

### **Memo**

#### **Three Items (Two New) Ready for Second Readings, But No Ordinances are Ready for Introduction at the Regular Session on Wednesday, June 20<sup>th</sup>**

There are three items ready for Second Readings next Wednesday. Two are new resolutions, which can be found in this packet. One is the ordinance discussed at the Committee of the Whole last Wednesday. It can be found online as indicated above and is accompanied by a proposed Reasonable Condition which is included in this packet. This information is covered below in the follow order (which is not in the order they appear on the agenda):

- Ord 12-14 - Reasonable Condition 01
- Res 12-05 - Jack Hopkins Social Services Funding Committee Recommendations
- Res 12-09 – Supporting Amendment to the Constitution to Address Citizens’ United decision

### **Possible Change in July Schedule**

Please note that while there are no ordinances to be introduced next week, there will be the Annual Tax Abatement Report heard a Special Session and two resolutions

discussed at a Committee of the Whole on June 27<sup>th</sup>. If it suits the Council, you may want to consider wrapping all those up that week at the Special Session and take the week of July 4<sup>th</sup> off. If interested, I can present you with more information next Wednesday, when the appropriate motion would be in order.

**Ord 12-14 (Amending the 233 West Dodds PUD) – Reasonable Condition 01 (Reducing Sideyard Setbacks for Portion of Single –Family Homes)**

In the course of presenting Ord 12-14 (Amending the 233 West Dodds PUD) last Wednesday, the petitioner requested that his Petitioner Statement be changed. The change can be accomplished by the Council through what is known as a Reasonable Condition. This one (attached) would allow the bay structures on the south side of the single-family homes on Lots 1 – 12 of this Planned Unit Development to encroach into the sideyard setback 2' (rather than 1').

**Res 12-05 – Authorizing Allocations of the Jack Hopkins Social Services Funding Committee and Other Related Actions**

This is the 20<sup>th</sup> year of the Jack Hopkins Social Services Funding Program, named after former Councilmember Jack Hopkins. Since its inception in 1993 through 2012, the City has expended approximately \$2.45 million under this program. In 2011, the Mayor added \$20,000, increasing the amount from \$200,000 to \$220,000, which met a commitment he made in 2004 to double the allocation by the end of the last term. This year, another \$30,000 was added with the expectation that it would encourage more collaboration between social services agencies. To that end, this year, the Committee allowed agencies to submit two applications – one standard and one collaborative – and established criteria for collaborative applications. After a series of five meetings, the Jack Hopkins Social Services Funding Committee recommended funding for 26 agency programs.

**Res 12-05** will be considered by the full Council on June 20<sup>th</sup>. It implements the Committee's recommendations by:

- Allocating the grant funds;
- Approving the *Funding Agreements* with these agencies;
- Delegating questions regarding the interpretation of the *Agreements* to the Chair of the Committee (Susan Sandberg);

- Authorizing the Chair of that year’s Committee to appoint the two non-Council member appointees who also serve on it; and
- Approving the *Report* of the Hopkins Committee (which is comprised of this summary and the related packet materials).

### Committee Members and Staff

The Committee is a Standing Committee of the Council. The 2012 Committee included five Council members assigned by the President of the Council – Dorothy Granger, Tim Mayer, Andy Ruff, Susan Sandberg (Chair), and Marty Spechler, and two members from other City entities. Those appointees included Douglas Mattick, who was appointed by the Committee Chair from the CDBG Citizens Advisory Committee for Physical Improvements and Sharon Lucas, who was appointed by Community and Family Resources Commission from within its membership.<sup>1</sup> Along with committee members and Council Office staff, two representatives from the HAND department (Lisa Abbott and Marilyn Patterson) assisted with the process.

### Policies, Procedures, and Schedule for 2012

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

- **Organizational Meeting - Tuesday, February 28, 2012 from 3:00 p.m. to 4:54 p.m. in the Council Library** - The Committee met to review the 2011 funding process and establish a procedure for the 2012 round. At this meeting the Committee:
  - *Heard and approved a report of last year’s grants from Marilyn Patterson, HAND department and in related actions:*
    - *Modified the terms of, and extended the deadline for, the grant to Shalom; and*
    - *Extended the deadline for the grant to El Centro Comunal with the understanding they would not seek funds in 2012;*

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<sup>1</sup> Please note that the enabling provision for this commission was amended after this appointment to rename and repurpose it. As noted later in this summary, in the future, that appointment will be made by the Chair of the Committee.

- *Acknowledged (with appreciation) that an additional \$30,000 has been made available for the program by the Mayor and Council, and decided to focus that increase on encouraging collaborative projects among local social services agencies;*
  - *Agreed that a consultant from Charitable Advisors, who was retained by the City of Bloomington and United Way, would meet with agencies wishing to pursue collaborations in a workshop followed by one-on-one consultations to help with pursuit and;*
  - *Made changes to the program criteria and procedure which are noted below under Criteria and Other Program Policies;*
  - *Approved the outline of the Solicitation Letter; and*
  - *Established a schedule for 2012.*
- **Solicitations – Thursday, March 1, 2012** - The Council Office sent solicitation letters to social services agencies and posted the letter and related materials on the City's website. Within the week, the United Way distributed this information to its members and in the Non-Profit Alliance Newsletter and subsequently the H-T provided a brief article. Public Service Announcements were also distributed to local radio stations.
- **Technical Assistance Meeting - Thursday, March 22, 2012 from 4:00 p.m. to about 5:00 p.m. in the McCloskey Room** - The Council Office held a Voluntary Technical Assistance meeting in order to explain the program to, and answer questions from, agency representatives. About a dozen agencies were represented at the meeting.
- **Deadline for Applications - Monday, April 9, 2012 at 4:00 p.m.** - 48 applications were submitted to the Council Office by the deadline and requested about \$532,800 in funds. This broke records both in terms of number of applications (a 37% increase over the previous high) and amount requested (a 40% increase over the previous high).
- **Distribution of Packet of Applications – Monday, April 30, 2012** - The Council Office distributed summaries and application materials to committee members and staff.

- **Initial Review of Applications by the Committee – Thursday, May 10, 2012 from 5:00 p.m. to about 7:25 p.m. in the Council Library** - The Committee met for the initial review of 48 applications. The Committee first announced potential conflicts of interests<sup>2</sup> and then reviewed the applications, removed 19 from further consideration and developed questions to be answered by presenters at the Presentation Hearing.
- **Presentations – Tuesday, May 15, 2012 from 5:00 p.m. to 7:50 p.m. in the Council Chambers** - The Committee met, heard presentations from, and asked questions of 29 agencies.
- **Ratings - Wednesday, May 23, 2012** - The committee members submitted their ratings to the Council Office by Wednesday, May 23<sup>rd</sup>. 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 (with gradations of 0.5 where appropriate).
- **Preliminary Recommendations – Tuesday, May 29, 2012 from 5:00 p.m. to 7:05 p.m. in the McCloskey Room** - The Committee met and made preliminary recommendations for funding to be heard at its next meeting.
- **Final Recommendations – Monday, May 16, 2011 from 5:05 p.m. to 5:22 p.m. in the Council Chambers** - The Committee recommended funding 26 agency applications for a total of \$250,000. 11 applications (including two collaborative projects) were fully funded and 15 were partially funded. Please note that the Committee offered an opportunity for public comment before voting on its recommendations.
- **Debriefing Session - Wednesday, June 13, 2012 at 6:00 p.m. in the Council Library** – The Committee met to review the program procedures and plan for the coming year.
- **Council Action - Wednesday, June 20, 2012 at 7:30 p.m. Council Chambers** - The Common Council will consider the *Resolution* approving recommendations and taking related actions regarding the program.
- **Technical Assistance Meeting - Tuesday, June 26, 2012 at 8:30 a.m. in the**

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<sup>2</sup> These involved volunteer efforts by various members, but no financial conflicts.

**McCloskey Room**– 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.

*Note: The memoranda of the meetings will be available in the Council Office once they are reviewed and approved by the Committee.*

### Criteria and Other Program Policies

Former Council member Jack Hopkins established the three criteria for this program in 1993. The Committee has elaborated upon the criteria 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 *2010-2014 Consolidated Plan* or any other community-wide survey of social service needs);

*The Policy Statement emphasizes 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 make funds available for innovative projects and to address changing circumstances in the community.*



*In light of that lack of understanding and the new focus on collaborative projects, the Committee amended the policy statement to:*

- *clarify and elaborate upon the difference between “one-time” and “operational” (ongoing or recurring) costs;*
  - *restate and add an exception to the one-time funding requirement. In brief, these exceptions include:*
    - a) Pilot or start-up projects where the agency demonstrates a well developed plan for funding in future years which is independent of this funding source;*
    - b) Bridge-funding for existing programs which have suffered a significant loss of funding and where the agency demonstrates a well-developed plan for funding in future years which is independent of this funding source; and*
    - c) Collaborative projects (new).*
- 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, spillover effects in the long term.*

In addition to the criteria for standard, individual agency applications, the policy statement was amended to allow agencies to submit a second application in collaboration with one or more local social services agencies and to establish criteria for those applications. In that regard, applicants submitting collaborative proposals under this initiative must:

- declare that they are seeking funds as a Collaborative Project;
- demonstrate a high level of communication and coordination among participating agencies;
- identify goals shared by the agencies and set forth steps that address the greatest challenges to achieving those goals via collaboration; and
- along with address the following standard criteria regarding how:
  - the project serves a previously-recognized community need,
  - achieves any fiscal leveraging or efficiencies, and
  - provides broad and long lasting benefits to the community.

Recommendations to Fund 26 Programs

The Committee recommended funding 26 agency programs. These agencies, programs, and grant amounts are briefly described below:

<b>Agency</b>	<b>Grant Amount</b>	<b>Purpose</b>
Hoosier Hills Food Bank, Inc.	\$13,895.00	To purchase a commercial-grade dishwasher for use by the Meal Share and other food rescue programs.
Bloomington Meals on Wheels	\$1,118.99	To purchase and ship two electric meal transporters for delivering meals to homebound recipients of the City.
Monroe County United Ministries	\$17,500.00	To replace the roof of the Emergency Services Building located at 827 W.14th Court.
Volunteers in Medicine of Monroe County	\$7,141.69	To purchase an autoclave, an electronic vital signs monitor and a urine analyzer.
Amethyst House	\$3,775.00	To renovate three bathrooms in the women's residential facility at 322 W. 2nd Street
Interfaith Winter Shelter	\$11,630.39	To purchase 180 sleeping mats (including the cost of shipping) and cleaning supplies for the Interfaith Winter Shelter project.
Community Kitchen of Monroe County, Inc.	\$7,555.00	To purchase, and in one case, install various pieces of equipment at its 1515 South Rogers facility. This equipment includes a: food warmer, security cameras, a commercial-grade can opener, and two cold food carriers.
Futures Family Planning Clinic	\$6,699.00	To purchase Sexually Transmitted Disease (STD) testing kits for low-income residents of the City
Martha's House, Inc.	\$14,720.00	To purchase beds, lockers and laundry equipment for expanded facilities at 917-919 South Rogers Street
Genesis Church	\$25,000.00	To pay for salaries and transportation costs associated with operating the Genesis House

		Summer Shelter and covering expenditures from May through the end of the program in October
Middle Way House, Inc.	\$24,000.00	To pay for the salary of part-time overnight staff at the New Wings Domestic Violence Shelter
New Hope Family Shelter, Inc.	\$9,400.37	To renovate a new family shelter at 301 West Second Street. Renovations include enlarging window openings, installing new windows in bedrooms and upgrading bathrooms.
South Central Housing Network	\$15,216.32	To pay for consulting work to develop an Affordable Housing/Services Asset Map for Bloomington and the surrounding region.
Mother Hubbard's Cupboard	\$7,285.71	To purchase freezer units for Mother Hubbard's Cupboard Food Pantry Program.
<b><u>Collaborative:</u></b> Martha's House & New Hope	\$22,500.00	To pay for the salary of a Director hired specifically to administer both Martha's House, Inc. and New Hope, Inc. while working toward a merger of the two organizations; to pay for consulting services rendered in interest of a Martha's House-New Hope merger.
First Christian Church	\$2,478.57	To help purchase and ship a commercial-grade refrigerator/freezer for the Gathering Place breakfast at 205 East Kirkwood Avenue.
The Salvation Army of Monroe County	\$973.89	To purchase a refrigerator for the Healthy Helpings program.
<b><u>Collaborative:</u></b> Area 10 Agency on Aging & Community Kitchen	\$7,800.00	To purchase five reheatable meals a week for fifteen persons for fifty-two weeks.
Shalom Community Center, Inc.	\$15,794.00	To purchase and install entry doors, security cameras and data management software
LifeDesigns, Inc.	\$6,196.86	To purchase furniture for a new affordable

		housing facility to be located in the area described as 1826 Covey Lane.
New Leaf, New Life, Inc.	\$9,285.71	Funding for part-time facility manager for transition program.
Susie's Place Child Advocacy Center, Inc.	\$1,170.43	To purchase sound absorption panels and other equipment for Child Forensic Interview Room.
Girls Inc. of Monroe County	\$2,102.86	To purchase furniture and rug for use at its 1108 W. 8th Street facility.
Monroe County CASA, Inc.	\$2,225.71	To purchase seven CASA Manager & FileMaker Pro licenses.
Indiana Legal Services, Inc.	\$8,102.00	To help pay for the salary and benefits for the Homeless Prevention Attorney operating out of the 214 S. College Avenue office in the City of Bloomington.
South Central Community Action Program, Inc.	\$6,432.50	Funding for STAR Child Safety Restraint Systems. This includes 55 restraint seats, 18 connector straps and the cost of shipping.
	\$250,000.00	

**Funding Agreements.** Along with recommending these allocations, the *Resolution* also approves the *Funding Agreement* between each grantee and the City. 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. Each also acknowledges that grantees may be subject to the Living Wage requirements and must comply with the City's Affirmative Action program if that grant is in excess of \$10,000.

The HAND department will monitor the *Agreements* and release the funds on a reimbursement/claims basis similar to other funds it oversees (such as the City's Community Development Block Grants). The *Agreements* give each agency a date by which to submit its claims, but allows Lisa Abbott, Director of HAND, to extend that deadline if the agency submits a request in writing at least two weeks before that date providing good cause for an extension. In those cases, Lisa may

extend the deadline and may also encumber the money for use into 2013, up until March 29, 2013 and all extensions after that date must be approved by the Committee.

Under the *Agreement*, agencies will be required to follow customary accounting procedures when keeping track of the grant and must allow the City to inspect their records; records must be kept for at least three years from the date of the *Resolution*. The *Agreement* also makes it clear that the City is not liable to 3<sup>rd</sup> 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 upon or in accordance with the law.

**Chairperson Interprets the *Funding Agreement*.** This *Resolution* authorizes the Chair of the Committee to resolve any questions that may arise concerning the interpretation of the *Funding Agreements*.

**Appointments of Members to Committee.** This *Resolution* acknowledges that the Committee is a Standing Committee of the Council. That generally means that the President of the Council assigns members of the Council to serve on it and also appoints the Chair. The *Resolution*, however, delegates the appointment of the two non-Council members to the Chair and that those members must be drawn from a City entity.

**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 accompanying background material constitute the *Report*.

**Res 12-09 Supporting an Amendment to the U.S. Constitution to Provide that Corporations are not “People” and Money is not “Speech”**

*Resolution 12-09: Supporting an Amendment to the U.S. Constitution to Provide that Corporations are not “People” and Money is not “Speech”* is sponsored by Councilmembers Mayer, Rollo, Ruff and Sandberg. The resolution is offered in the spirit of *Resolutions Week* and at the urging of *Move to Amend- South Central Indiana*. *Move to Amend- South Central Indiana* was formed in January 2012 and is a local affiliate of the national *Move to Amend* group. *Move to Amend* was founded to push for a constitutional amendment stating that inalienable rights

belong to human beings and that money is not a form of protected speech and should be regulated in political campaigns.

### *Citizens United*

The push for a constitutional amendment is a response to the 2010 U.S. Supreme Court 5-4 decision in *Citizens United v. Federal Election Commission* (130 S.Ct. 876). Overturning portions of the McCain-Feingold Act, *Citizens United* held that ‘independent expenditures’ for political advertising by corporations could not be limited by government regulations and that corporations are afforded the same free speech protections as natural persons. The decision is premised on two doctrines: (1) that corporations have the same constitutional rights as natural persons and (2) that when corporations spend money on political advertisements, they are engaging in protected “speech.”

As pointed out in the *Memo* from sponsors, *Citizens United* makes it possible for powerful corporations to spend unlimited amount of money to dominate political advertising. While advertising does not necessarily guarantee victory for a particular candidate, it does shape perception and opinion. The allowance of money to shape public understanding distorts political discourse and threatens one of the core principles of representative government wherein the people govern through their elected representatives. This has clear implications for a community that takes very seriously the inherent rights of residents to govern their own community and the premise that local legislation should embody the fundamental interests of the community.

### Responses

A number of responses to *Citizens United* have been proposed, from calling for the U.S. Supreme Court to overturn the decision to amending the U.S. Constitution. As described in the *Memo* from sponsors, approximately 14 amendments have been proposed and the amendments vary considerably. Some give Congress and the States the power to regulate political expenditures and contributions, some amendments would prohibit only rights of expression and some would establish that the words “people,” “person,” or “citizen” as used in the Constitution do not include corporations, limited liability companies or other corporate entities. According to *Move to Amend*, many amendments fall short by not addressing both corporate personhood and the doctrine of money as speech. (See, <http://movetoamend.org/other-amendments>). The amendment proposed by the national organization and endorsed by the local affiliate makes it clear that corporations are not people and can be regulated and that money is not speech and can be regulated. *The Move to Amend*-endorsed amendment reads:

**Section 1** [A corporation is not a person and can be regulated]

The rights protected by the Constitution of the United States are the rights of natural persons only.

Artificial entities, such as corporations, limited liability companies, and other entities, established by the laws of any State, the United States, or any foreign state shall have no rights under this Constitution and are subject to regulation by the People, through Federal, State, or local law.

The privileges of artificial entities shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.

**Section 2** [Money is not speech and can be regulated]

Federal, State and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, for the purpose of influencing in any way the election of any candidate for public office or any ballot measure.

Federal, State and local government shall require that any permissible contributions and expenditures be publicly disclosed.

The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.

**Section 3**

Nothing contained in this amendment shall be construed to abridge the freedom of the press.

*A Memo* submitted by *Move to Amend – South Central Indiana* explains further the evolution of the “corporate personhood” doctrine, tracks differing responses to corporate personhood and explains further the implications of above proposed amendment.

To become effective, a constitutional amendment requires the support of two-thirds of both the House of Representatives and the Senate and then ratification by three-fourths of the State legislatures.

Former City of Bloomington Mayor (1983-1995) and Councilmember (1977-1982), Tomi Allison, is a member of the local affiliate and has submitted a signed statement to Councilmembers. Former Mayor Allison points out that *Citizens United* is contrary to decades of U.S. Supreme Court precedence and is “subversive of government by and for the people.” Allison calls upon the Council to join the national campaign to abolish corporate personhood and the doctrine of money as speech and to encourage other communities to follow suit.

### Text of Resolution 12-09

Resolution sponsors worked closely with *Move to Amend – South Central Indiana* to draft Resolution 12-09. Some of the central assertions of the resolution are that:

- self-governance and free speech are essential components of responsive and responsible policy making;
- Bloomington’s policies reflect a vibrant and engaged community *because* citizens govern through their elected representatives;
- The Council has previously expressed its commitment to democratic and fair elections via Resolution 04-26;
- The U.S. Constitution and Bill of Rights are intended to protect the rights of individual human beings whose essential needs include clean air, clean water, healthcare, shelter, safe and secure food;
- Corporations are human-created legal fictions and enjoy special advantages not shared by natural persons: they can exist in perpetuity, in multiple places simultaneously, may be managed and controlled by non-residents, need only profit for survival and exist only through legal charter;
- *Citizens United* overturned longstanding precedent upholding laws prohibiting corporations from spending general treasury funds on political advertising and should be reversed.

The legislation resolves that the Common Council stands with *Move to Amend – South Central Indiana* and communities across the country to amend the U.S. Constitution to establish that: corporations are not “people” and money is not “speech” and therefore regulating political contributions and spending is not equivalent to limiting political speech.

The resolution calls on State and federal representatives to enact resolutions and legislation to advance this effort and calls upon the City Clerk to send a copy of the resolution to the Indiana Congressional delegation and the President of the United States.

### **Resolutions Week**

The Week of 11-15 June is *Resolutions Week*, a week in which cities, towns and State legislatures are voicing their support for a constitutional amendment to overturn *Citizens United*. Already, over 200 local governments have passed resolutions to this effect. The list of municipalities includes New York City; Los Angeles; Chapel Hill, NC; Ithaca, NY; Portland, OR and many others. Five States legislatures (Vermont, Hawaii, New Mexico, Rhode Island and Maryland ) have passed resolutions in support of a constitutional amendment and resolutions have



been introduced in 21 other States.

In support of this resolution, *Move to Amend – South Central Indiana* will be presenting the Council with a petition signed by over 1,400 community members. The petition reads:

We, the People of the United States of America, reject the U.S. Supreme Court's ruling in *Citizens United*, and move to amend our Constitution to firmly establish that money is not speech, and that human beings, not corporations, are persons entitled to constitutional rights.

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**Further Reading:**

1) ***Citizens United v. Federal Election Commission* 130 S.Ct. 876 (2010)**

Read full opinion here: <http://www.supremecourt.gov/opinions/09pdf/08-205.pdf>

2) ***Move to Amend -- Frequently Asked Questions***

<http://movetoamend.org/frequently-asked-questions>





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

To Council Members  
From Council Office  
Re Weekly Calendar – 18 - 23 June 2012

**Monday, 18 June**

12:00 pm Bloomington Entertainment and Arts District Advisory Committee Meeting, McCloskey  
5:00 pm Utilities Service Board, Utilities, 600 E. Miller Dr.  
5:30 pm Bicycle and Pedestrian Safety Commission, Hooker Room

**Tuesday, 19 June**

11:30 am Plan Commission – Work Session, Kelly  
4:00 pm Board of Public Safety, McCloskey  
4:00 pm Bloomington Community Farmers' Market, Madison St. between 6<sup>th</sup> and 7<sup>th</sup>  
5:00 pm Commission on the Status of Children and Youth Meeting, Hooker Room  
5:30 pm Animal Control Commission, McCloskey  
5:30 pm Board of Public Works, Council Chambers

**Wednesday, 20 June**

9:00 am Emergency Management Advisory Council, Council Chambers  
9:30 am Tree Commission, Bryan Park, 1001 N. Henderson St.  
4:00 pm Board of Housing Quality Appeals, McCloskey  
5:30 pm Board of Zoning Appeals, Council Chambers  
7:30 pm Common Council *Regular Session*, Council Chambers

**Thursday, 21 June**

8:00 am Bloomington Housing Authority, BHA Community Room, 1007 N. Summit Rd.  
5:30 pm Board of Zoning Appeals, Council Chambers  
7:00 pm Environmental Commission, McCloskey

**Friday, 22 June**

12:00 pm Economic Development Commission, Hooker Room

**Saturday, 23 June**

8:00 am Bloomington Community Farmers' Market, Showers Common, 401 N. Morton

*Posted and Distributed: Friday, 16 June 2012*

**\*\*\* Reasonable Conditions Form \*\*\***

**Ordinance #:** 12-14  
**Reasonable Condition #:** 01  
**Submitted By:** Council Office (at request of the Petitioner)  
**Date:** June 20, 2012

**Proposed Reasonable Condition:**

1. The Petitioner' Statement shall be amended by striking the reference to the 1' setback for bay structures in the Lot Development Standards for the Single-Family Home Component (Lots 1 – 12) and replacing it with the following:

Bay structures (with or without a foundation) may encroach 2' into the setback on the south side of the houses, but may not encompass more than 50% of the building length.

**Synopsis**

This Reasonable Condition was requested by the petitioner and would allow the bay structures on the south side of the single-family homes on Lots 1 – 12 of this Planned Unit Development to encroach into the sideyard setback 2' (rather than 1').

**6/13/12 Committee Action:** None  
**6/20/12 Regular Session Action:** Pending

(June 20, 2012)

## RESOLUTION 12-05

### AUTHORIZING THE ALLOCATION OF THE JACK HOPKINS SOCIAL SERVICES PROGRAM FUNDS FOR THE YEAR 2012 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 and Mayor 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 the Council assigned 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 Dorothy Granger, Tim Mayer, Andy Ruff, Susan Sandberg (Chair) and Marty Spechler, along with Community Development Block Grant Citizen Advisory Committee member, Douglas Mattick, and Community and Family Resource Commission member, Sharon Lucas; and
- WHEREAS, this year the City increased the funding from \$220,000 to \$250,000, with the additional \$30,000 being used to encourage collaboration among social services agencies; and
- WHEREAS, the Committee held an Organizational Meeting on February 28, 2012 to establish the program procedures for the year; and
- WHEREAS, at that time, the Committee approved an amended 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 *2010-2014 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, along with clarifications to the "one-time" funding requirement, the most significant amendment allowed agencies to submit a second application with one or more other local social services agency as a collaborative project; and
- WHEREAS, by the deadline at 4:00 p.m. on April 9, 2012, the Committee received 48 applications seeking approximately \$532,800 in funds; and
- WHEREAS, on May 10, 2012, the Committee met to discuss the applications, decided to hear from 29 applicants and raised questions to be addressed by the applicants at the presentation hearing, which was held on May 15, 2012; 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 29, 2012, the Committee met for a Pre-Allocation meeting and adopted a preliminary recommendation to fund 26 applications and these recommendations were adopted by the Committee at the Allocation meeting on May 31, 2012; and
- WHEREAS, all the foregoing meetings were open to the public to attend, observe and record what transpired, and a period of public comment was offered before a vote on the recommendations was taken; and
- WHEREAS, funding agreements have been executed by the 26 agencies recommended to receive funds, and those agencies understand 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;

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 two hundred fifty thousand dollars (\$250,000) set aside for the Jack Hopkins Socials Services Funding program in 2012 to the following agencies for the following amounts and in accordance with the funding agreements approved in Section 2:

<b>Agency</b>	<b>Grant Amount</b>	<b>Purpose</b>
Hoosier Hills Food Bank, Inc.	\$13,895.00	To purchase a commercial-grade dishwasher for use by the Meal Share and other food rescue programs.
Bloomington Meals on Wheels	\$1,118.99	To purchase and ship two electric meal transporters for delivering meals to homebound recipients of the City.
Monroe County United Ministries	\$17,500.00	To replace the roof of the Emergency Services Building located at 827 W.14th Court.
Volunteers in Medicine of Monroe County	\$7,141.69	To purchase an autoclave, an electronic vital signs monitor and a urine analyzer.
Amethyst House	\$3,775.00	To renovate three bathrooms in the women's residential facility at 322 W. 2nd Street
Interfaith Winter Shelter	\$11,630.39	To purchase 180 sleeping mats (including the cost of shipping) and cleaning supplies for the Interfaith Winter Shelter project.
Community Kitchen of Monroe County, Inc.	\$7,555.00	To purchase, and in one case, install various pieces of equipment at its 1515 South Rogers facility. This equipment includes a: food warmer, security cameras, a commercial-grade can opener, and two cold food carriers.
Futures Family Planning Clinic	\$6,699.00	To purchase Sexually Transmitted Disease (STD) testing kits for low-income residents of the City
Martha's House, Inc.	\$14,720.00	To purchase beds, lockers and laundry equipment for expanded facilities at 917-919 South Rogers Street
Genesis Church	\$25,000.00	To pay for salaries and transportation costs associated with operating the Genesis House Summer Shelter and covering expenditures from May through the end of the program in October
Middle Way House, Inc.	\$24,000.00	To pay for the salary of part-time overnight staff at the New Wings Domestic Violence Shelter
New Hope Family Shelter, Inc.	\$9,400.37	To renovate a new family shelter at 301 West Second Street. Renovations include enlarging window openings, installing new windows in bedrooms and upgrading bathrooms.
South Central Housing Network	\$15,216.32	To pay for consulting work to develop an Affordable Housing/Services Asset Map for Bloomington and the surrounding region.
Mother Hubbard's Cupboard	\$7,285.71	To purchase freezer units for Mother Hubbard's Cupboard Food Pantry Program.
<b><u>Collaborative:</u></b> Martha's House & New Hope	\$22,500.00	To pay for the salary of a Director hired specifically to administer both Martha's House, Inc. and New Hope, Inc. while working toward a merger of the two organizations; to pay for consulting services rendered in interest of a Martha's House-New Hope merger.
First Christian Church	\$2,478.57	To help purchase and ship a commercial-grade refrigerator/freezer for the Gathering Place breakfast at 205 East Kirkwood Avenue.
The Salvation Army of Monroe County	\$973.89	To purchase a refrigerator for the Healthy Helpings program.
<b><u>Collaborative:</u></b> Area 10 Agency on Aging & Community Kitchen	\$7,800.00	To purchase five reheatable meals a week for fifteen persons for fifty-two weeks.
Shalom Community Center, Inc.	\$15,794.00	To purchase and install entry doors, security cameras and data management software
LifeDesigns, Inc.	\$6,196.86	To purchase furniture for a new affordable housing facility to be located in the area described as 1826 Covey Lane.

New Leaf, New Life, Inc.		Funding for part-time facility manager for transition program.
	\$9,285.71	
Susie's Place Child Advocacy Center, Inc.		To purchase sound absorption panels and other equipment for Child Forensic Interview Room.
	\$1,170.43	
Girls Inc. of Monroe County		To purchase furniture and rug for use at its 1108 W. 8th Street facility.
	\$2,102.86	
Monroe County CASA, Inc.		To purchase seven CASA Manager & FileMaker Pro licenses.
	\$2,225.71	
Indiana Legal Services, Inc.		To help pay for the salary and benefits for the Homeless Prevention Attorney operating out of the 214 S. College Avenue office in the City of Bloomington.
	\$8,102.00	
South Central Community Action Program, Inc.		Funding for STAR Child Safety Restraint Systems. This includes 55 restraint seats, 18 connector straps and the cost of shipping.
	\$6,432.50	
	\$250,000.00	

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 authorizes the Chair of the Jack Hopkins Social Services Funding Committee to resolve any questions regarding the implementation of the 2012 funding agreements,

SECTION 4. The Council further authorizes the Chair of the Committee to appoint two persons from other City entities to serve on the Committee each year.

SECTION 5. 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 \_\_\_\_\_, 2012.

\_\_\_\_\_  
TIMOTHY MAYER, President  
Bloomington Common Council

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
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 19 years (1993 – 2011), the City expended approximately \$2.2 million dollars to local social services programs. In 2012, the City decided to increase the annual amount of funds for this program from \$220,000 to \$250,000 and target the additional \$30,000 toward encouraging collaboration among local social services agencies. The resolution allocates the social services funds to 26 agency programs (including two collaborative projects), approves the funding agreements with these agencies, accepts the report of the Committee, authorizes the chair of the Committee to resolve any questions regarding the interpretation of the agreements, and also authorizes the chair of that year's Committee to appoint the two non-Council member appointees to this seven member Committee.

**JACK HOPKINS SOCIAL SERVICES FUNDING PROGRAM**  
**HISTORY OF FUNDS**

<b>Year</b>	<b>Recipient</b>	<b>Purpose</b>	<b>Amount</b>	<b>Classification</b>
<b>1993</b>	Public Health Nursing Assn.	New facility construction	\$90,000	
		<b>Total Year Award</b>	<b>\$90,000</b>	
<b>1994</b>	Middle Way House	Women's and children's transitional facility	\$35,000	
	Rhino's All Ages Club	Larger facility for adolescents' activities	\$5,000	
		<b>Total Year Award</b>	<b>\$40,000</b>	
<b>1995</b>	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	
		<b>Total Year Award</b>	<b>\$40,000</b>	
<b>1996</b>	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	
		<b>Total Year Award</b>	<b>\$50,000</b>	
<b>1997</b>	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
	<b>Total Award for June 2000</b>		<b>\$64,995</b>

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
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Rhino's Youth Center	To construct a radio studio at center	\$2,000
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**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
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Big Brothers Big Sisters of Monroe County, Inc.	To purchase and install windows and doors for its facility	\$8,779
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Bloomington Housing Authority	To purchase and install outdoor lighting for Walnut Woods complex	\$6,502
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Center for Behavioral Health	To purchase counseling software for children	\$1,639
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Community Kitchen of Monroe County, Inc.	To purchase equipment for second food preparation and distribution site	\$10,721
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Hoosier Hills Food Bank	To purchase food for city residents	\$3,000
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Middle Way House, Inc.	To support pilot childcare nutrition program/enterprise by paying salaries of cook	\$23,885
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Monroe County United Ministries	To pay rent and utilities for city residents at risk of being dislocated	\$32,884
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My Sister's Closet of Monroe County	To purchase display, tagging, and laundry equipment for clothing donation program	\$1,130
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Options for Better Living	To purchase CPR training equipment to train staff	\$4,966
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Planned Parenthood	To purchase equipment to test for anemia	\$1,394
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**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
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Area 10 Agency on Aging	To purchase equipment for the Food Pantry at the Girls, Inc. site	\$1,475
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Big Brother Big Sisters of Monroe County	To purchase computer equipment for recruitment and training initiative	\$3,623
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Bloomington Area Arts Council/ JWAC	To purchase a raku kiln and other equipment for the art education program.	\$2,895
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Center for Behavioral Health (Children's Services)	To purchase equipment and fund 4 programs serving children and their parents	\$3,952
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Community Kitchen of Monroe County, Inc.	To purchase a copy machine shared with Shelter, Inc. and aprons, and hairnets	\$3,639
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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
<b>Total Awards for June, 2002</b>		<b>\$110,000</b>

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**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 TEENSupreme 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 <sup>th</sup> 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
<b>Total Awards for June, 2004</b>		<b>\$110,000</b>

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**2005**

Big Brothers Big Sisters of South Central Indiana	Salary of Partnership Coordinator for a multi-year Capacity Building project	\$5,000
Bloomington Hospital/ Community Health Education	Facilitator salary for New Parents Initiative for the third year	\$3,000
Bloomington Housing Authority	Washers, dryers, vacuum cleaners and accessories, for Lice Program	\$5,000
Community Justice & Mediation Center (CJAM)	Personnel, training, and recruitment expenses for constructive conflict resolution program for Black and Multi-racial youth	\$1,400
Community Kitchen of Monroe County, Inc.	Replace produce cooler and purchase food trays for free meal service	\$4,100
Habitat for Humanity of Monroe County	Two heaters and insulation for Habitat ReStore facility	\$4,100
Martha's House, Inc.	Pay salary for Assistant Director and House Managers of the Emergency Shelter program	\$12,500
Middle Way House, Inc.	Steel ramp, tow bar loops, lifts for Confidential Document Destruction	\$10,000

Monroe County United Ministries, Inc.	Caseworker salary for Emergency Services program	\$16,000
Options for Better Living, Inc.	Modify wheelchair accessible van for community participation program	\$7,500
Planned Parenthood of Indiana, Inc. (PPIN)	Security cameras and equipment for the facility at 421 S. College Ave.	\$1,500
Rhino's Youth Center	Construction of bathrooms and upgrade of heating and cooling system for Rhino's Youth Center at 330 South Walnut Street.	\$22,900
Shalom Community Center, Inc.	Vertical lift for Shalom Center annex at 110 S. Washington St.	\$9,000
South Central Community Action Program, Inc. Head Start	Furnishings, equipment and cognitive materials for Head Start classrooms at Templeton and Summit schools	\$8,000
South Central Community Mental Health Centers, Inc.	Training, consultation and licensing for Functional Family Therapy program	\$10,000
Stone Belt Arc.	Salary for a Curriculum Specialist for new Career Advancement program	\$5,000
<b>Total Awards for 2005</b>		<b>\$125,000</b>

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**2006**

Amethyst House	To pay for property and liability insurance, utilities, food, and salaries needed to operate the Men's House at 215 North Rogers.	\$8,000.00
The Area 10 Council on Aging of Monroe & Owen Counties, Inc.	To purchase IRis online software for the Go Live with 211 Infoline initiative.	\$2,187.33
Big Brothers Big Sister of South Central Indiana	To reconfigure and repair the roof and restore water-damaged areas at 418 South Walnut.	\$8,109.00
Bloomington Hospital Positive Link	To purchase portable hot boxes, portable coolers, and related supplies for the Nutrition Links program.	\$1,150.00

Boys & Girls Club of Bloomington	To pay for staffing, supplies, food, and rent for the Crestmont Youth Camp.	\$8,160.00
Center for Behavioral Health	To pay for car repairs and garage insurance for the Wheels to Work program.	\$1,816.67
Community Justice and Mediation Center	To pay for printing a conflict resolution handbook, purchasing conflict resolution materials, and personnel expenses for outreach and instruction.	\$2,170.00
Community Kitchen of Monroe County, Inc.	To purchase and repair a used van from Girls, Inc.	\$8,401.64
EI Centro Comunal Latino	To purchase a portable DLP projector and laptop and provide stipends for speakers for the Informate Series initiative.	\$2,468.51
First Christian Church	To purchase two jumbo storage cabinets, an upright freezer, and supplies for the Gathering Place.	\$1,250.00
Girls Incorporated of Monroe County	To pay for personnel expenses for a half-time Program Specialist and purchase Commit to be Fit support materials.	\$1,950.40
Hoosier Hills Food Bank, Inc.	To install lights, replace door, reinstall floor scale, and purchase safety equipment for two trucks.	\$6,670.00
Martha's House Inc.	To pay for personnel expenses for the Martha's House homeless shelter.	\$8,000.00
Mental Health Alliance	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 (	\$13,532.80
Middle Way House, Inc.	To pay for the personnel expenses of the Childcare Program Coordinator.	\$12,000.00
Monroe County United Ministries	To pay for personnel expenses of an additional social worker for the Emergency Services program.	\$20,000.00
Mother Hubbard's Cupboard, Inc.	To pay for the purchase and installation of one two-door freezer unit and one two-door refrigeration unit.	\$6,670.00
Options for Better Living, Inc.	To format and rebuild computers and install modems and software as part of the Equalizing with E-cycling program.	\$4,000.00
Pinnacle School (dePaul Reading & Learning Association, Inc.)	To purchase specialized teaching materials.	\$4,394.67
Planned Parenthood of Indiana	To install cabinetry and purchase files and furniture for the front desk renovation.	\$2,440.00



Shalom Community Center	To purchase a communication system and a technology system network that includes both server and software to be installed at 110 SouthWashington, Bloomington, Indiana.	\$7,809.18
South Central Community Action Program Head Start	To pay for personnel expenses incurred as part of the Children's Door exchange program.	\$2,230.80
Teachers Warehouse	To purchase shelving and help pay for overhead costs.	\$2,000.00
<b>Total Awards for 2006</b>		<b>\$135,411</b>

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**2007**

Bloomington Hospital Positive Link	To pay for transportation assistance, training materials, and client services materials for the Mpowerment group support program.	\$2,360.00
Bloomington Housing Authority	To pay for the salary for the Neighborhood Nurse and supplies for the Neighborhood Nurse program.	\$5,600.00
El Centro Comunal Latino	To provide compensation for the Program Coordinator Position whose duties include supervising and directing three existing programs and implementing two new programs.	\$11,000.00
Community Kitchen of Monroe County	To purchase and install a walk-in cooler and freezer for the 917 South Rogers facility.	\$29,800.00
Martha's House, Inc.	To pay for a commercial washer and dryer for the emergency shelter.	\$2,400.00
Middle Way House, Inc.	To pay for salaries, taxes, and benefits for House Manager and weekend staff for the Emergency Shelter.	\$6,500.00
Monroe County United Ministries, Inc.	To subsidize affordable childcare costs for working families residing in the City.	\$28,080.00
My Sister's Closet	To purchase equipment for resale store of women's workforce clothing and a display case to inform the public about the program.	\$2,500.00
Planned Parenthood of Indiana, Inc.	To pay for wellness exams for the Friend to Friend Patient Pass program which serves low-income women in the City of Bloomington.	\$5,000.00
Shalom Community Center, Inc.	To purchase and install a three-compartment deep well sink and convection oven for the Shalom Community Center currently located at 219 E. 4th Street.	\$5,450.00
South Central Community Action Program	To purchase and install additional surfacing material for the Arlington Park and Lindbergh Center playgrounds.	\$5,000.00
Stepping Stones	To purchase tutoring and back-to-school supplies for the Stepping Stones, Inc. Tutoring program.	\$1,314.00

Stone Belt Arc, Inc.	To renovate quadrant of manufacturing center for production of client-designed and manufactured fine art pieces.	\$7,746.00
Volunteers in Medicine of Monroe County	To purchase computer equipment, commercial grade multi-function printer, subscription to messaging system, and IT network and support for a new, community health care clinic for uninsured residents of Monroe and Owen counties.	\$32,250.00

**Total Awards for 2007      \$145,000.00**

**2008**

Bloomington Housing Authority with Bloomington Housing Authority Resident Council	To help renovate Boys and Girls Club satellite facility at 1033 and 1037 North Summit Street	\$12,481.00
Boys and Girls Clubs of Bloomington	To purchase a minibus for the transportation of children	\$17,000.00
Christole, Inc.	To help pay for the installation of a fire sprinkler system in the group home at 1701 Winslow Road	\$3,500.00
Community Kitchen of Monroe County, Inc.	To purchase a commercial-grade refrigerator for use at 917 South Rogers Street.	\$2,350.00
El Centro Comunal Latino	To pay for a person to help operate and evaluate El Centro Comunal Latino's programs as a pilot project	\$11,000.00
Habitat for Humanity of Monroe County, Inc.	To help pay for the renovation of Campbell House for use by agency programs and staff	\$4,000.00
Hoosier Hills Food Bank	To purchase a refrigerated cargo van for use in the Meal Share prepared food rescue program	\$31,414.00
Martha's House, Inc.	To cover personnel expenses as bridge-funding to operate shelter services	\$16,000.00
Mother Hubbard's Cupboard, Inc.	To provide bridge-funding to pay for salaries to operate the Mother Hubbard's Cupboard community food pantry	\$24,000.00
Options for Better Living, Inc.	To purchase refurbished computers, modems and internet services to link between community living homes and the main office	\$4,000.00
Planned Parenthood of Indiana, Inc.	To pay for colposcopies for women with abnormal Pap test results	\$2,500.00

Rhinos' Youth Center	To purchase chairs for Rhino's youth center at 331 S. Walnut Street	\$3,000.00
Shalom Community Center, Inc.	To purchase and install food service equipment for the Shalom weekday food program	\$11,030.00
South Central Community Action Program Head Start	To cover salaries, materials, stipends, meals, and childcare for the Circles Campaign pilot project	\$18,000.00
Stepping Stones, Inc.	To help operate the Stepping Stones Independent Living Program for youth aged 16-20 years	\$5,000.00
Volunteers in Medicine of Monroe County	To purchase computer equipment for three clinical work stations, a monitor and software to improve delivery and lower the cost of medical services.	\$10,725.00

**Total Awards for 2008      \$176,000.00**

**2009**

Boys and Girls Clubs of Bloomington	To help pay for salary and benefits for Unit Director at Crestmont site.	\$14,257.14
Citizen Advocacy of South-Central Indiana, Inc.	To pay salaries and benefits for CASCI Coordinator.	\$5,717.71
Community Kitchen of Monroe County, Inc.	To purchase printed backpacks for the Backpack Buddies program.	\$1,005.00
First United Church	To pay for furniture, equipment, and supplies for PARTNERS program.	\$2,257.14
Girls Inc. of Monroe County	To pay for training staff.	\$2,930.71
Habitat for Humanity of Monroe County	To help purchase a truck with lift gate for ReStore Facility.	\$20,069.93
Harmony Education Center	To pay for installing a water line to and improving a greenhouse, and constructing a tool shed at Harmony Education Center.	\$5,873.03
Martha's House	To pay for the salaries and benefits for Resident Advocates for the Emergency Shelter program.	\$24,557.92
Middle Way House, Inc.	To purchase beds and mattresses for the Emergency Shelter.	\$10,500.00

Monroe County CASA, Inc.	To pay for rent, salary, and volunteer training for Court Appointed Special Advocates program.	\$8,066.76
Mother Hubbard's Cupboard, Inc.	To help purchase a cargo van for the Food Pantry program	\$28,650.00
My Sister's Closet	To pay rent and purchase boxes for storage facility.	\$1,781.88
New Leaf – New Life, Inc.	To pay for salaries, benefits, and supplies for all New Leaf/New Life programs.	\$14,577.96
Shalom Community Center, Inc.	To purchase food as well as kitchen and miscellaneous supplies.	\$18,000.00
Stepping Stones, Inc.	To pay for rent, deposit, payroll and insurance to expand housing services.	\$20,000.00
The Villages of Indiana	To pay for curriculum materials for the Healthy Families program.	\$1,754.82
<b>Total Awards for 2009</b>		<b>\$180,000.00</b>

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**2010**

Amethyst House Inc.	To replace vinyl and carpet flooring in, and purchase three dishwashers for, the Men's and Women's houses.	\$7,860.00
Big Brothers Big Sisters of South Central Indiana	To purchase BlackBaud Sphere in a Box website software and associated set up and training fee for use by agency.	\$2,900.00
Bloomington Hospital Community Health	To help pay for the installation of a fire sprinkler system in the group home at 1701 Winslow Road	\$6,809.76
Boys and Girls Clubs of Bloomington	To pay part of the salary of the <i>Fresh Start to Life</i> Program Coordinator.	\$3,567.14
Catholic Charities Bloomington	To pay for start-up costs for the <i>Incredible Years Social Skills Training Program</i> described in the agency's application. These include training two clinical staff, purchasing DVDs and supplemental materials (e.g. puppets, laminated cards, and books) for various curricula designed to reduce aggressive and disruptive behaviors.	\$8,894.25
Community Kitchen of Monroe County, Inc.	To purchase a pallet truck, ice machine and storage bin and two "trainable" dollies for use at their current and future sites on South Rogers Street.	\$7,851.00

El Centro Comunal Latino	To pay part of the salary for the Volunteer Coordinator position.	\$3,500.00
Foundation of Monroe County Community Schools	To help pay for an implementation coordinator for the Artful Learning curriculum at Fairview Elementary.	\$32,000.00
Girls Inc. of Monore County	To help pay for the salary of the Program Director.	\$13,500.00
Habitat for Humanity of Monroe County	To purchase a job site trailer, tools and to help purchase a truck for the <i>Construction Leadership Progm</i> .	\$17,000.00
Interfaith Winter Shelter Initiative	To provide for the following equipment and services for the Interfaith Winter Shelter Initiative, 2010-2011 Winter Season: 1) the purchase two large-capacity washing machines and two large-capacity drying machine; 2) the purchase of laundry supplies; 3) the payment of utilities; 4) the payment of the salary or salaries of one or more homeless guests to act as independent contractors to provide laundry services. Any contractor or contractors acting in this capacity shall be paid \$11.25/hour.	\$15,193.75
Martha's House, Inc.	To purchase and pay for the shipping of fourteen, two-drawer under bed storage units for the facility at 919 South Rogers Street.	\$4,225.00
Middle Way House, Inc.	To purchase Food Works Kitchen equipment, including: an ice machinge, a coffee maker, a pH meter, a mixer, an electric pasta machine and two pasta-machine cutters, an electric stone mill and a dehydrator for the facility located at 318 South Washington Street.	\$10,554.00
Monroe County United Ministries, Inc.	To purchase cots, cot carriers, cot name plates and emergency kits for the <i>Affordable Childcare</i> program located at 827 West 14th Street Court.	\$5,540.53
Monroe County YMCA	To provide subsidies for low-income City of Bloomington residents for participation in the <i>Diabetes Prevention Program</i> .	\$6,700.00
Options, Inc.	To pay for software, training, video production and resource materials for the <i>Power Up</i> program.	\$9,750.00
People & Animal Learning Services (PALS)	To provide scholarships for at-risk and disadvantaged City of Bloomington youth for participation in therapeutic animal-assisted activities.	\$3,453.57

Pinnacle School	To help pay for the <i>Summer High School</i> program located at 1503 West Arlington Road.	\$9,000.00
Planned Parenthood of Indiana	To pay for costs associated with <i>Recession Rx</i> program for City of Bloomington residents.	\$5,000.00
South Central Community Action Program, Inc.	To pay for parking lot expansion at 1500 West 15th Street.	\$16,521.00
Stepping Stones	To purchase furniture and software and to pay for the rent of a storage unit.	\$4,300.00
Volunteers in Medicine of Monroe County	To purchase a Kirby Lester Tablet Counter to be housed at the facility located at 811 West 2nd Street.	\$5,880.00
<b>Total Awards for 2010</b>		<b>\$200,000.00</b>

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**2011**

Amethyst House Inc	To purchase and install washers and dryers for men's and women's half-way houses.	\$4,000
Big Brothers Big Sisters of South Central Indiana	To provide salaries, utilities, supplies and other operational costs for the One-to-One child mentor program.	\$7,000
Boys and Girls Clubs of Bloomington	To pay for salaries for the Crestmont Boys and Girls Club.	\$12,000.00
Community Kitchen of Monroe County, Inc	To pay for equipment and relocation costs for new South Rogers Street facility.	\$10,000.00
El Centro Comunal Latino	To pay for salaries and interpreter fees for the Hablamos Juntos (Speaking Together) program.	\$4,000.00
First Christian Church	To help pay for the renovation of kitchen for the Gathering Place Breakfast as well as other programs.	\$5,700.00
First United Church, fiscal agent for Interfaith Winter Shelter	To purchase sleeping mats for the Interfaith Winter Shelter.	\$10,000.00
Futures Family Planning	To purchase birth control pills.	\$3,000.00
Genesis Church	To pay for physical improvements, equipment, and operational costs for Summer Shelter.	\$11,000.00
Girls Inc. of Monroe County	To purchase and install a phone and voice mail system at 1108 West 8th Street.	\$2,000.00
Habitat for Humanity of Monroe County	To pay for equipment for Construction Leadership Program.	\$6,000.00
Hoosier Hills Food Bank, Inc.	To pay for salaries and equipment to expand capacity of their operations.	\$10,750.00

Martha's House, Inc	To pay for salaries (bridge funding) for Emergency Shelter Program	\$22,000.00
Middle Way House, Inc	To pay for equipment and lighting to make facilities on South Washington more sustainable.	\$12,000.00
Monroe County CASA, Inc.	To pay for computers and presentation equipment to help recruit and train volunteers.	\$1,600.00
Monroe County United Ministries, Inc	To pay for electrical improvements and cold storage equipment for the Emergency Food Pantry.	\$11,000.00
Mother Hubbard's Cupboard	To help purchase a van for the Garden and Nutrition Program.	\$12,575.00
New Hope Family Shelter, Inc	To consturct a handicapped accessible bathroom and laundry at the 409 W. 2nd Street facility.	\$14,000.00
Options, Inc	To purchase a scanner for the Electronic Records project.	\$3,100.00
Planned Parenthood of Indiana	To purchase HIV test kits.	\$4,200.00
Shalom Community Center	To pay for renovations to expand facility at 620 S. Walnut	\$19,000.00
South Central Community Action Program, Inc	To pay for salaries for the Circles initiative	\$18,500.00
Stepping Stones	To pay for salaries, fees, communications and supplies for the Youth Housing Program	\$12,700.00
Stone Belt Arc, Inc	To pay for computers, scanners, other equipment and software to implement the Electronic Health Record program.	\$7,700.00
Volunteers in Medicine of Monroe County	To purchase scanners to improve patient assistance.	\$2,700.00
<b>Total Awards for 2011</b>		<b>\$226,525.00</b>



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

01 March 2012

Dear Social Services Agency:

Once again, the City of Bloomington Common Council's Jack Hopkins Social Services Funding Committee invites agencies serving City residents to apply for funds. This year, the Mayor and City Council have added \$30,000 to the Hopkins fund, giving the Committee \$250,000 to distribute to social services agencies. Since 1993, the Jack Hopkins Committee has granted approximately \$2.45 million to agencies who serve our community's most vulnerable residents.

Each year, the demand for Hopkins funding exceeds the supply. This demand is even more marked in light of shrinking federal support for social service agencies. As a consequence, more social service agencies are looking to the Hopkins fund to help them maintain and improve their vital services.

**CHANGES IN 2012**

To encourage the best applications possible, this year the Hopkins Committee is doing things a little differently. We are keeping our traditional funding program intact, whereby individual social service agencies are eligible for funding provided they meet the Hopkins criteria. However, the Committee is also encouraging agencies to submit proposals for collaborative projects, projects that work to address community-wide social problems and more efficiently meet the needs of social service agencies and agency clients. Unlike previous years, this year, agencies will be able to submit two applications: one for a collaborative initiative and one for an individual, agency-specific funding proposal.

To help agencies identify and work through collaborative proposals, the City of Bloomington and the Monroe County United Way have retained Charitable Advisors to hold an Agency Collaboration Workshop followed by one-on-one coaching sessions. Workshop and coaching session attendance is highly recommended for those seeking funds for a collaborative project.



COLLABORATION WORKSHOP

Tuesday, 06 March 2012	9:00a-11:30a	Cascades Golf Course Clubhouse (3550 N. Kinser Pike)
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COACHING SESSIONS

Wednesday, 21 March 2012	by appointment	Dunlap Room (#235), City Hall
Thursday, 29 March 2012	by appointment	Dunlap Room (#235), City Hall

**CRITERIA**

Any proposal, collaborative or individual, must meet the traditional Hopkins fund criteria:

- 1) **Address a previously-identified priority for social services funding.**  
The need should be documented in the [Service Community Assessment of Needs \(SCAN\)](#), City of Bloomington, Housing and Neighborhood Development Department's [2010-2014 Consolidated Plan](#), or any other community-wide survey of social service needs. High funding priorities include emergency services (food, shelter or healthcare) or other support services to City residents who are: low-moderate income, under 18-years old, elderly, affected with a disability or are otherwise disadvantaged.
- 2) **Hopkins funds are intended as a one-time investment.**  
This restriction is intended to encourage innovative projects and to allow the funds to address changing community circumstances. While the Committee may provide operational funding for pilot projects, bridge efforts and collaborative initiatives, an agency should not expect to receive or rely on the Hopkins fund for on-going costs (e.g., personnel) from year to year.
- 3) **Leverage matching funds or other fiscal mechanisms.**  
Leverage includes in-kind contributions, collaborative partnerships, etc.
- 4) **Make a broad and long-lasting contribution to our community.**  
As co-founder of the 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.

Additionally, any application must also meet the following requirements:

- The program for which funding is sought must **primarily benefit City residents**.
- The application must request a **minimum of \$1,000**.
- 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.)
- Agencies submitting an application on behalf of their own organization are limited to **one application per agency**.
- **NEW! In addition to submitting an application on behalf of their own agency, agencies may also submit a second application as a participant in a Collaborative Project.**

#### **ABOUT THE HOPKINS COMMITTEE**

The Committee is composed of five members of the Bloomington Common Council and two members representing City entities. The 2012 Council representatives are: Dorothy Granger, Tim Mayer, Andy Ruff, Susan Sandberg and Marty Spechler. Sharon Lucas of the City of Bloomington Community and Family Resource Commission and Douglas Mattick of the 2012 Community Development Block Grant - Citizen Advisory Committee for Physical Improvements complete the Committee.

#### **HOW TO APPLY**

To apply, your agency must submit a complete application. A complete application includes:

- 1) **A two-page statement** describing the mission of the agency (or agencies), the amount being requested, the nature of the proposed project and a description of how the project meets the Hopkins criteria as outlined above.
- 2) **Two information sheets** (*Funding Sheet* and *Agency Contact Sheet*).
- 3) **A simple program budget** detailing the use of these funds.
- 4) **A year-end financial statement** for all agencies involved in the proposal. The statement should include fund balances as well as total revenue and expenditures.
- 5) **Signed, written estimates** should accompany requests for capital improvements.
- 6) **Memorandum of Understanding** signed by all agencies participating in an application as a Collaborative Project.

## **APPLICATION DEADLINE**

**Monday, 09 April 2012**

You can submit your application in one of two ways:

1) *Deliver* a complete application to the Council Office by **4:00 PM**

*The Council Office is located at 401 N. Morton, Suite 110*

**OR**

2) *E-mail* a complete application to [council@bloomington.in.gov](mailto:council@bloomington.in.gov) by **12:00 PM**

*If submitting your application via e-mail, you must call the Council Office (349-3409) to confirm receipt of your application.*

**Sorry -- no late applications accepted.**

### **LIVING WAGE REQUIREMENTS:**

Starting in 2008, some not-for-profit agencies receiving Jack Hopkins Funds were required to begin the phase-in period of their living wage obligation as defined in the City's *Bloomington Municipal Code* §2.28. An agency is subject to the Living Wage Ordinance, **only if all three** of the following are true:

- 1) the agency has at least **15 employees**; *and*
- 2) the agency **receives \$25,000 or more** in assistance from the City **in the same calendar year**; *and*
- 3) at least \$25,000 of the funds received are for the **operation of a social services program**, not for physical improvements.

An agency who meets all three criteria is not obligated to pay the full amount of the living wage in the first two years they received assistance from the City. During this two-year period, the agency must take steps to reduce the gap between its wages and the living wage by 15 percent in the first year, and by 35 percent in the second year. For 2012, the living wage is \$11.66 per hour. Please visit [A Non-Profit's Guide to the Living Wage](#) on the JHSSF Committee's website for more information.

### **HELPFUL HINTS**

- Consider attending the voluntary Technical Assistance Meeting on Thursday, March 22<sup>nd</sup> at 4pm in the McCloskey Room (City Hall, Room 135).
- [Review an example](#) of a well-written application.
- Consult the below schedule for notable dates.
- If recommended for funding, be prepared to sign a funding agreement by June 11<sup>th</sup>.
- Plan to spend any grant money in 2012, unless you specifically request more time.
- Learn more about the Committee's funding criteria by reading the [Elaboration of Criteria and Funding Statement](#).

## **2012 JACK HOPKINS SOCIAL SERVICES FUNDING SCHEDULE**

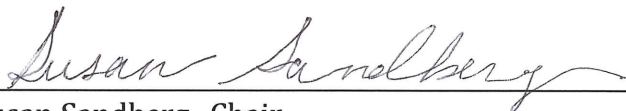
Technical Assistance Meeting	Thursday, 22 March 4pm, McCloskey Room
Application Deadline	Monday, 09 April 12 pm by e-mail 4pm by hand delivery, Council Office
Invited Agencies Present Applications	TUESDAY, 15 MAY 5:00pm, Council Chambers
Committee Recommends Allocation of Funds	Thursday, 31 May 5:00pm, Council Chambers
Agencies to Sign Funding Agreements	by Monday, 11 June
Common Council Acts on the Recommendations	Wednesday, 20 June 7:30pm, Council Chambers
HAND Technical Assistance Meeting Regarding Claims & Reimbursements	Tuesday, 26 June 8:30am, McCloskey Room

### **HELP WITH APPLICATIONS**

The application process is designed to be simple. However, if you have any questions, please don't hesitate to give us a call. You can contact Dan Sherman or Stacy Jane Rhoads in the Council Office at 349-3409. Marilyn Patterson in the Housing and Neighborhood Development Department is also happy to help. Marilyn can be reached at 349-3577. You may contact Committee members at 349-3409 or [council@bloomington.in.gov](mailto:council@bloomington.in.gov).

***Thank you for all you do to make our community a better place!***

Sincerely,



Susan Sandberg, Chair  
2012 Jack Hopkins Social Services Funding Committee  
City of Bloomington Common Council

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Application materials may also be found at: <http://bloomington.in.gov/jack-hopkins-social-services-funding-committee>

# Jack Hopkins Social Services Funding Application

## Funding Sheet

### Lead Agency:

Name \_\_\_\_\_

Is the Lead Agency a 501(c)(3)?  Yes  No | Is this a collaborative project?  Yes  No

Number of Agency Employees: Full-time \_\_\_\_\_ Part-time \_\_\_\_\_ Volunteers \_\_\_\_\_

Address where Project will be facilitated or housed:  
\_\_\_\_\_  
\_\_\_\_\_

Name of Project Administrator: \_\_\_\_\_

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 2012: \_\_\_\_\_

Number of City Residents Served by this Project in 2012: \_\_\_\_\_

Is this a request for operational costs?  Yes  No

If "yes," is the request for a pilot project or for bridge funding?  Pilot  Bridge

<i>Example:</i>
Tables: 5 tables @ \$12.00 each
Chairs: 20 chairs @ \$8.00 each

### Funding Information:

*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
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Claim Submission

Date: (check one)

J July 2012 – September 2012

October 2012 – December 2012

Other

# Jack Hopkins Social Services Funding Application

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## 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 (please check your math)
    - 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**

(updated: February 2012)

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 those criteria which has been 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 2010-2014 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, these 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. To make funds available for those purposes, this restriction discourages agencies from relying on these funds from year to year and from using these funds to cover on-going (or operational) costs, particularly those relating to personnel.*

#### *Ongoing or Operational Costs*

*These costs are recurring rather than non-recurring costs. Recurring cost typically include outlays for personnel, rent, utilities, maintenance, supplies, client services, and other like ongoing budget items. Non-recurring costs typically include outlays for capital improvements and equipment.*

#### *Exceptions*

*While ongoing or operational costs are not generally considered a “one time investment,” they will be eligible for funding in three circumstances:*

- first, when an agency is proposing start-up funds or a pilot project and demonstrates a well developed plan for funding in future years which is independent of this funding source;*
- 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; or*
- Third, when agencies seek funds as a Collaboration Project (see below)*

#### *Elaboration*

##### *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 kinds of outlays, the Committee will consider such factors as whether this use of funds were the result of unforeseen circumstance or will result in an expansion of services.*

##### *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.*

##### *Scholarships and Vouchers*

*Scholarships and vouchers allowing persons to participate in a program are generally considered as an operational cost.*



**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 is 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 of city resources at their disposal. Except on rare occasions, the Council has not directly or indirectly funded agencies that have the power to levy property taxes or 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.*

## Collaborative Projects

The Committee wishes to encourage social services agencies to collaborate in order to solve common problems and better address local social services needs. To serve these ends, the Committee will allow agencies to submit an application for funding as a Collaborative Project in addition to submitting a standard application. Applicants pursuing such funding should declare that they are seeking funds as a Collaborative Project, demonstrate a high level of communication and coordination among participating agencies, identify goals shared by the agencies and set forth steps that address the greatest challenges to achieving those goals, along with addressing the standard criteria. In that regard, agencies should focus on how the project serves a previously-recognized community need, achieves any fiscal leveraging or efficiencies, and provides broad and long lasting benefits to the community.

## 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. Given its mission, the presence of a board, and its general viability, an exception has historically been made for the Bloomington Housing Authority.

### **One application per agency – Exception for Collaborative Projects**

Except as noted below, 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. As noted above, an exception to this rule applies to agencies which submit an application as a Collaborative Project. Those agencies may also submit one other application that addresses the standard criteria.

### **\$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	RANK	AV. ALLOCATION	ALLOCATION	
[17] Hoosier Hills Food Bank, Inc.	\$13,895.00	4.79	\$13,240.71	\$13,895.00	fully fund
[4] Bloomington Meals on Wheels	\$1,118.99	4.64	\$1,068.00	\$1,118.99	fully fund
[24] Monroe County United Ministries	\$17,500.00	4.64	\$15,857.14	\$17,500.00	fully fund
[38] Volunteers in Medicine of Monroe County	\$7,141.69	4.64	\$6,448.48	\$7,141.69	fully fund
[1] Amethyst House	\$3,775.00	4.57	\$3,078.57	\$3,775.00	fully fund
[19] Interfaith Winter Shelter	\$11,630.39	4.43	\$10,070.17	\$11,630.39	fully fund
[7] Community Kitchen of Monroe County, Inc	\$7,555.00	4.36	\$6,485.00	\$7,555.00	fully fund
[11] Futures Family Planning Clinic	\$6,699.00	4.36	\$5,428.43	\$6,699.00	fully fund
[21] Martha's House, Inc	\$14,720.00	4.36	\$10,903.96	\$14,720.00	fully fund
[12] Genesis Church	\$36,409.00	4.29	\$24,066.71	\$25,000.00	staff; transportation (in part)
[22] Middle Way House, Inc	\$25,000.00	4.29	\$20,032.86	\$24,000.00	
[27] New Hope Family Shelter, Inc	\$11,502.58	4.14	\$9,400.37	\$9,400.37	
[34] South Central Housing Network	\$17,020.00	4.14	\$14,294.29	\$15,216.32	
[26] Mother Hubbard's Cupboard	\$9,500.00	4.07	\$7,285.71	\$7,285.71	stet
[46-C] Martha's House & New Hope	\$22,500.00	4.07	\$17,257.14	\$22,500.00	fully fund -- encourages meaningful collab
[10] First Christian Church	\$2,950.00	4	\$2,478.57	\$2,478.57	stet
[31] The Salvation Army of Monroe County	\$1,214.10	4	\$973.89	\$973.89	
[32] Shalom Community Center, Inc	\$15,794.00	3.86	\$9,240.14	\$15,794.00	fully fund ; need-based; did not fund collab
[40-C] Area 10 Agency on Aging & Community Kitchen	\$7,800.00	4	\$5,259.00	\$7,800.00	fully fund -- encourages meaningful collab
[20] LifeDesigns, Inc	\$10,000.00	3.43	\$6,196.86	\$6,196.86	stet
[28] New Leaf, New Life, Inc	\$12,000.00	3.43	\$7,285.71	\$9,285.71	flexible re: rank & allocation
[36] Susie's Place Child Advocacy Center, Inc	\$2,171.00	3.43	\$1,170.43	\$1,170.43	
[48-C] Shalom, Genesis & Interfaith	\$32,833.00	3.43	\$20,045.43	\$0.00	
[13] Girls Inc. of Monroe County	\$3,120.00	3.36	\$2,102.86	\$2,102.86	
[23] Monroe County CASA, Inc.	\$4,615.00	3.21	\$2,225.71	\$2,225.71	2915 perhaps - software & data trans only
[18] Indiana Legal Services, Inc	\$16,000.00	3.14	\$8,102.00	\$8,102.00	
[42-C] Catholic Charities Bloomington & South Central Community Action Program	\$22,846.73	3.07	\$8,588.71	\$0.00	
[33] South Central Community Action Program, Inc	\$26,712.50	2.86	\$10,334.93	\$6,432.50	seats, connectors & shipping
[30] Planned Parenthood of Indiana	\$4,975.00	1.5	\$321.43	\$0.00	
	\$368,997.98		\$249,243.21	\$250,000.00	

## **Res 12-05**

# **Authorizing the Allocation of the Jack Hopkins Social Services Program Funds for the Year 2012 and Other Related Matters**

## **Application Summaries**

The summaries for all 48 applications for Jack Hopkins Social Services Program Funds in 2012 can be found by:

1) going to:

- <http://bloomington.in.gov/council>
- Council Committees
- Jack Hopkins Social Services Funding Committee, and
- 2012 Applications and Summaries (*at top of the page*)

or

2) following this link to the document:

<http://bloomington.in.gov/media/media/application/pdf/12045.pdf>

FUNDING AGREEMENT  
CITY OF BLOOMINGTON - JACK HOPKINS  
SOCIAL SERVICES PROGRAM

«Agency\_Name»

This Agreement entered into on June 20, 2012 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;
- Whereas, the Common Council adopted Resolution 12-05 which provided funding to this Agency in the amount and for the purposes set forth in Section I of this Agreement;
- 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:

II. TIME OF PERFORMANCE

The last claim for expenses under this Agreement must be filed before «Date». Upon request from the Agency, the deadline may be extended for good cause by the Housing and Neighborhood Development Director of the City. Said request must be submitted in writing at least two weeks prior to the deadline set forth in the first sentence or as that date has been extended by the Housing and Neighborhood Development Director. However, the Director may not extend the deadline beyond March 29, 2013.

### III. PAYMENT PROCEDURES

It is expressly agreed and understood that the total amount to be paid by the City under this Agreement shall not exceed «Received» Claims for the payment of eligible expenses shall be made against the items specified in Section I, Use of Funds.

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 the City's 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 September 14, 2012 and to submit claims for its September, October, and November expenditures no later than December 7, 2012.

### 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 of all such assets and assurance 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 financial records, supporting documents, statistical records, and all other records pertinent to the funding provided to the Agency for a period of three years from the termination of this Agreement pursuant to Section VII or VIII.

D. Reporting Requirement

The Agency agrees to provide a brief report describing the Agency's use of granted Jack Hopkins Social Services funds. The report shall not exceed 150 words and shall document: 1) how much the agency was awarded; 2) how the funds were used; and 3) how the funds benefited the Agency. The report and a digital photograph depicting the funded project shall be sent to the Housing and Neighborhood Development department no later than the date of Agency's last claim submission.

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. None of the benefits provided by an employer to an employee, including but not limited to minimum wage and overtime compensation, workers' compensation insurance and unemployment insurance, shall be available from or through the City to the 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 a 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 Section 2.21.000 et seq. of the Bloomington Municipal Code. Unless specific exemptions apply, the Agency will not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, national origin, sex, disability, sexual orientation or gender identity. 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.

D. Living Wage Requirements

(1) This contract is subject to the City of Bloomington Living Wage Ordinance, Chapter 2.28 of the Bloomington Municipal Code and any implementing regulations. The Living Wage Ordinance requires among other things, that unless specific exemptions apply, all recipients of City subsidies, as defined, shall provide payment of a minimum level of compensation to employees which may include the cost of health benefits. Such rate shall be adjusted annually pursuant to the terms of the Bloomington Living Wage Ordinance.

(2) Under the provisions of the Bloomington Living Wage Ordinance, the City shall have the authority, under appropriate circumstances, to terminate this contract and to seek other remedies as set forth therein, for violations of the Ordinance.

VI. NOTICES

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

<p>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</p>	<p>Agency:  «Director_of_Agency»  «Agency_Name»  «Mailing_Address»  «City, State, Zip Code»  Tel: «Phone»  E-mail: «Email_Address»</p>
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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 the 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 provision 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: \_\_\_\_\_  
Tim Mayer  
President, Common Council

By: \_\_\_\_\_  
«Pres\_BoD»  
President  
Board of Directors

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Lisa Abbott  
Housing and Neighborhood  
Development Director

By: \_\_\_\_\_  
«Director\_of\_Agency»  
Executive Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Mark Kruzan, Mayor

\_\_\_\_\_  
Date

## RESOLUTION 12-09

### SUPPORTING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO PROVIDE THAT CORPORATIONS ARE NOT “PEOPLE” AND MONEY IS NOT “SPEECH”

- WHEREAS,** a representative government of, by, and for the people is at the core of our inalienable right to self-govern – the essence of “We The People;” and
- WHEREAS,** the right to free speech is a fundamental freedom and inalienable right; and
- WHEREAS,** self-governance and free speech are essential components of responsive and responsible policy making; and
- WHEREAS,** Bloomington’s policies reflect a vibrant and engaged community *because* citizens govern through their elected representatives; and
- WHEREAS,** free and fair elections are essential to democracy and effective self-governance; and
- WHEREAS,** the City of Bloomington expressed its commitment to democratic, transparent and fair elections with Resolution 04-26; and
- WHEREAS,** the United States Constitution and the Bill of Rights are intended to protect the rights of individual human beings, also known as “natural persons” whose essential needs include clean air, clean water, healthcare, shelter, safe and secure food; and
- WHEREAS,** corporations are not mentioned in the U.S. Constitution and are human-created legal fictions manufactured by express permission of The People and our government; and
- WHEREAS,** corporations have special advantages not enjoyed by natural persons: they can exist in perpetuity, can exist simultaneously in many nations at once, may be managed and controlled by non-residents, need only profit for survival, and exist solely through the legal charter imposed by the government of The People; and
- WHEREAS,** in 2010, the United States Supreme Court issued a 5-4 opinion in *Citizens United v. Federal Election Commission* holding that ‘independent expenditures’ for political advertising by corporations could not be limited by government regulations and that corporations are afforded the same free speech protections as natural persons; and
- WHEREAS,** two propositions underlie the Court’s decision: (1) that corporations have the same constitutional rights as natural persons and (2) that when corporations spend money on political advertisements, they are engaging in protected “speech;” and
- WHEREAS,** while political advertising does not guarantee victory, it does shape and influence voters’ perspectives and opinions; and
- WHEREAS,** *Citizens United* creates an unequal playing field and allows unlimited spending by corporations and super political action committees to influence elections, candidate selection, lawmaking and public policy decisions; and
- WHEREAS,** in his dissent, Justice John Paul Stevens recognized that “corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their ‘personhood’ often serves as a useful legal fiction. But

they are not themselves members of ‘We the People’ by whom and for whom our Constitution was established;” and

**WHEREAS,** *Citizens United* marked a significant doctrinal shift in first amendment law; this shift has been characterized by Justice Stevens as “judge-made doctrine” and a misinterpretation of constitutional text; and

**WHEREAS,** *Citizens United* overturned longstanding precedent upholding laws prohibiting corporations from spending their general treasury funds on political advertising; and

**WHEREAS,** in *Austin v. Michigan Chamber of Commerce* (1990), the Court pointed out the threat to a representative form of government posed by “the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public’s support for the corporation’s political ideas” and upheld limits on independent expenditures by corporations; and

**WHEREAS,** in a 1938 opinion, US Supreme Court Justice Hugo Black stated, “I do not believe the word ‘person’ in the Fourteenth Amendment includes corporations;” and

**WHEREAS,** in *Nixon v. Shrink Missouri Government PAC* (2000), United States Supreme Court Justice John Paul Stevens observed that “money is property, it is not speech;” and

**WHEREAS,** *Citizens United* severely hampers the ability of federal and State governments to enact reasonable regulations regarding corporate political advertising; and

**WHEREAS,** because *Citizens United* impairs free and fair elections and effective self-governance, it impairs the ability of Bloomington citizens to govern through their elected representatives; and

**WHEREAS,** the U.S. Supreme Court should overturn its decision in *Citizens United* and the U.S. Constitution should be amended to make clear that corporations do not enjoy the same rights as natural persons; and

**WHEREAS,** tens of thousands of people and municipalities across the nation are joining with the *Move to Amend* campaign to call for an Amendment to the U.S. Constitution to abolish corporate personhood and the doctrine of money as speech;

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

**SECTION I.** The City of Bloomington Common Council stands with the *Move to Amend – South Central Indiana* campaign and communities across the country to defend democracy from the corrupting effects of undue corporate power by amending the United States Constitution to establish that:

1. Corporations are not “people,” and only natural persons are endowed with Constitutional rights; and
2. Money is not “speech,” and therefore regulating political contributions and spending is not equivalent to limiting political speech; and
3. Such an amendment should not be construed to abridge the freedom of the press.

**SECTION II.** We call on our State and federal representatives to enact resolutions and legislation to advance this effort.

**SECTION III.** The Bloomington Common Council calls on other communities and jurisdictions to join with us in this action by passing resolutions similar to this one.

**SECTION IV.** The City Clerk shall send a copy of this resolution, duly adopted, to the Indiana Congressional delegation and the President of the United States.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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TIMOTHY MAYER, President  
Bloomington Common Council

ATTEST:

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REGINA MOORE, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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MARK KRUZAN, Mayor  
City of Bloomington

#### SYNOPSIS

This resolution is sponsored by Councilmembers Mayer, Rollo, Ruff and Sandberg. It opposes the U.S. Supreme Court's interpretation of the Constitution in *Citizens United v. Federal Elections Commission* and supports an amendment to the U.S. Constitution making clear that corporations are not "people" and that money is not "speech." The resolution calls upon the State and federal representatives to enact resolutions and legislation to advance the effort of amending the Constitution. The City Clerk is directed to send copies of this resolution to the Indiana Congressional Delegation and the President of the United States.



## Memorandum

**To:** Members of the Common Council  
**From:** Councilmembers Mayer, Rollo, Ruff and Sandberg  
**Date:** 15 June 2012  
**Re:** ***Resolution 12-09: Supporting an Amendment to the U.S. Constitution to Provide that Corporations are not "People" and Money is not "Speech"***

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We are offering Resolution 12-09 in the spirit of *Resolutions Week*. *Resolutions Week* is a nationwide event that kicked off on 11 June and is designed to encourage communities throughout the country to pass resolutions supporting a constitutional amendment to overturn the 2010 U.S. Supreme Court ruling in *Citizens United v. Federal Election Commission*.<sup>1</sup> *Citizens United* held that expenditures for political advertising by corporations could not be limited by government regulations and that corporations are afforded the same free speech protections as natural persons.<sup>2</sup> By a 5-4 margin, the Court overruled two prior Supreme Court holdings and also ruled that part of the Bipartisan Campaign Reform Act of 2002 (the "McCain-Feingold Act") was unconstitutional under the First Amendment. So far, over 200 local governments and five State legislatures have passed resolutions calling for a constitutional amendment to overturn *Citizens United*. Resolutions in support of an amendment have been introduced in 21 other State legislatures.

### **Consequences of *Citizens United***

As many observers point out, *Citizens United* makes it possible for powerful corporations to spend unlimited amounts to dominate political advertising. While advertising does not necessarily guarantee victory for a particular candidate, it does shape perception and opinion. The allowance of money to shape public understanding distorts political discourse and threatens one of the core principles of representative government wherein the people govern through their elected representatives.

Corporations are fundamentally different from, and other than, natural persons – they can exist in multiple places simultaneously, need profit only for survival, are endowed with special advantages such as limited liability and perpetual life, exist only through legal

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<sup>1</sup> 130 S.Ct. 876 (2010). Read full opinion here: <http://www.supremecourt.gov/opinions/09pdf/08-205.pdf>

<sup>2</sup> Specifically, court found that federal and State government could not regulate "independent expenditures" and "electioneering communications." "Independent expenditures" are communications the expressly advocate the election or defeat of a clearly-identified candidate or party. "Electioneering communications" are broadcast, cable or satellite transmissions that refer to a clearly identified federal candidate and made within 60 days of a general election or 30 days of a primary.

charter and may be managed and controlled by non-residents. Not only does the *Citizens United* decision hand over the “airwaves” to the wealthy and to corporations, but the corporations who enjoy free speech through advertising may even be controlled by interests outside of the U.S.

In President Obama’s State of the Union Address on January 27, 2010, he advised:

With all due deference to separation of powers, last week the Supreme Court reversed a century of law that, I believe, will open the floodgates for special interests, including foreign corporations, to spend without limit in our elections. I don't think American elections should be bankrolled by America's most powerful interests or, worse, by foreign entities. They should be decided by the American people.

First Amendment expert Geof Stone describes the fallout of the *Citizens United* case this way: “Imagine a presidential debate in which the candidates were invited to buy debate time. Instead of the debate time being allocated equally, each candidate would bid for minutes, so the candidate with the most money would buy the most minutes in the debate. What would we think of that? That is effectively what has happened to our political system.”<sup>3</sup>

The public response to *Citizens United* has been strong. A February 2010 ABC-Washington Post poll conducted in February 2010 showed that 80% of those surveyed opposed the *Citizens United* ruling which the poll described as saying “corporations and unions can spend as much money as they want to help political candidates win elections.”

No doubt, *Citizens United* is bad news. The question is – what to do about it? A number of strategies have been proposed to “fix” *Citizens United* from requiring stronger disclosure requirements for political ads, to calling on the Court itself to overturn *Citizens United* to amending the constitution. Since the Court’s interpretation relies on constitutional (rather than statutory) interpretation, amending the Constitution would be an option for reversing the effects of *Citizens United*. So far, approximately 14 resolutions to amend the U.S. Constitution have been introduced in Congress. The 14 proposed amendments vary considerably. For example, some give Congress broad power to regulate political contributions and expenditures, some give Congress and the States the power to regulate political expenditures and contributions, some amendments would prohibit only rights of expression and some would establish that the words “people,” “person,” or “citizen” as used in the Constitution do not include corporations, limited liability companies or other corporate entities. To become effective, a constitutional amendment requires the support of two-thirds of both the House of Representatives and the Senate and then ratification by three-fourths of the State legislatures.

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<sup>3</sup> Geoffrey R. Stone, *Fixing Citizens United*, the Huffington Post, posted 6/12/12.

## **Bringing it Home**

Ours is a community that places great value on free speech and self-governance. Part of what makes Bloomington vital, engaged and responsive is that residents govern through their elected representatives. Locally, *Move to Amend – South Central Indiana* has been working since January 2012 to educate our community about the dangers of *Citizens United* and advocates for an amendment to the U.S. Constitution that makes clear that money is not “speech” and therefore should be regulated in political campaigns and that corporations are not “people” – only natural persons should enjoy inalienable rights.

In a *Memo* submitted to the City Council, *Move to Amend – South Central Indiana* provides a detailed analysis of the *Citizens United* decision and possible remedies. The group writes that it reviewed many possible amendments but chose the national *Move to Amend* proposed language because the amendment would fix the problem and is clear enough to explain to anyone. The language of the amendment makes it clear that corporations are not people and can be regulated and that money is not speech and can be regulated. <sup>4</sup>

While passing an amendment to the U.S. Constitution will be hard work, as pointed out in a Statement submitted by former City of Bloomington Mayor and former City Councilmember Tomi Allison, it is not without precedent: the 13<sup>th</sup> amendment abolished slavery, the 15<sup>th</sup> amendment secured voting rights for former slaves, the 19<sup>th</sup> amendment secured voting rights for women; the 24<sup>th</sup> amendment abolished the poll tax and the 26<sup>th</sup> amendment lowered the voting age to 18.

In the spirit of *Resolutions Week*, Resolution 12-09 encourages the work of *Move to Amend-South Central Indiana* by supporting an amendment to the U.S. Constitution to provide that corporations are not “people” and money is not “speech.” The Monroe County Commissioners will consider a similar resolution in August.

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<sup>4</sup> **Section 1** [A corporation is not a person and can be regulated]

- The rights protected by the Constitution of the United States are the rights of natural persons only.
- Artificial entities, such as corporations, limited liability companies, and other entities, established by the laws of any State, the United States, or any foreign state shall have no rights under this Constitution and are subject to regulation by the People, through Federal, State, or local law.
- The privileges of artificial entities shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.

**Section 2** [Money is not speech and can be regulated]

- Federal, State and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate’s own contributions and expenditures, for the purpose of influencing in any way the election of any candidate for public office or any ballot measure.
- Federal, State and local government shall require that any permissible contributions and expenditures be publicly disclosed.
- The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.

**Section 3**

- Nothing contained in this amendment shall be construed to abridge the freedom of the press.

Resolution 12-09 is premised on the following points:

- self-governance and free speech are essential components of responsive policy making;
- free and fair elections are essential to democracy;
- *Citizens United* creates an unequal playing field by permitting corporations to unduly influence elections, candidate selection and lawmaking; and
- States that *Citizens United* should be overturned and the U.S. Constitution should be amended

The legislation resolves that the City Council stands with *Move to Amend – South Central Indiana* and others throughout the country to defend democracy from the corrupting effects of undue corporate power by amending the U.S. Constitution to establish that corporations are not people; money is not speech and that any amendment should not be construed abridge the peoples' freedom of speech, freedom of the press and free exercise of religion. The legislation also calls on other communities and jurisdictions to join with Bloomington by passing similar resolutions.

We respectfully encourage our fellow Councilmembers to support this effort.



## MEMORANDUM

To: Bloomington City Council Members  
Daniel Sherman, Council Administrator  
Stacy Jane Rhoads, Deputy Administrator/Researcher  
From: Move to Amend – South Central Indiana  
Date: June 15, 2012  
Re: In Support of 28th Amendment

Over the past few decades, the deluge of corporate money in elections has caused the functioning of our democracy to deteriorate. On January 21, 2010, when the United States Supreme Court rendered its decision in *Citizens United v. Federal Election Commission*, the problem got much worse. In a five to four decision, the Court struck down McCain-Feingold's provision prohibiting corporations from making "independent expenditures" for advertising for or against specific candidates within sixty days of a federal election. The Court held that the independent expenditure ban violated the First Amendment of the United States Constitution by prohibiting protected "speech" without justification.

The Court applied "strict scrutiny," under which a law that burdens a core constitutional right will be upheld only if a court finds that the law is narrowly tailored to achieve a compelling interest. The court rejected all of the interests cited by the government in support of the independent expenditure ban, finding that independent expenditures (those not made in coordination with a candidate) do not give rise to corruption or the appearance of corruption.

*Citizens United* didn't arise in a vacuum. Scholars and authors have traced the roots of the modern corporate power movement back to the U.S. Chamber of Commerce's comprehensive response to our nation's democratic progress in the 1960's and 1970's, which resulted in, among other things, creation of the Environmental Protection Agency and passage of environmental laws. The blueprint for the Chamber's response was designed by Lewis Powell shortly before his appointment to the Supreme Court by President Nixon. A cofounder of Free Speech for People has written a book detailing the history and context of

*Citizens United* and setting forth a three-pronged plan, the first prong of which is a constitutional amendment, to restore democracy. Clements, J.D. (2012). *Corporations are not people: why they have more rights than you do and what you can do about it*. The Constitutional Accountability Center has published a relatively short and very informative summary of the Court's treatment of corporations over its history. Gans, D. & Kendall, D. (2010). *A Capitalist Joker: The Strange Origins, Disturbing Past and Uncertain Future of Corporate Personhood in American Law* [available online].

The following two propositions would seem to underlie the Court's decision: (1) that corporations are people, or at least have the same constitutional rights as people; and (2) that spending money on advertisements is speech. Some commentators don't agree that *Citizens United* is based on corporate personhood; however, those commentators appear to be in the minority and we find their arguments less persuasive than those that view *Citizens United* as part of the corporate personhood movement.

One argument given for the view that *Citizens United* does not endow corporations with personhood for constitutional purposes is that the First Amendment doesn't use the word *person* in connection with freedom of speech. Some commentators also point to language in *Citizens United* and an earlier decision authored by Justice Powell, *First Nat. Bank of Boston v. Bellotti*, 435 U.S. 765 (1978), suggesting that it was the First Amendment rights of the listeners, not the rights of the speaker, that underlay the decision. See, e.g., Hager, R. & Leas, J. (2012). *The problem with Citizens United is not corporate personhood*, [Electronic Version]. [www.truth-out.org/problem-citizens-united-not-corporate-personhood/1326497162](http://www.truth-out.org/problem-citizens-united-not-corporate-personhood/1326497162).

The *Citizens United* decision almost certainly prevents not only the federal government, but also state and local governments, from regulating corporate spending on political advertising. This is because the Fourteenth Amendment's Due Process Clause is interpreted as making fundamental provisions of the Bill of Rights applicable to the states, and because federal law preempts inconsistent state and local law pursuant to the Supremacy Clause.

Different people have responded to *Citizens United* in different ways. Some citizens (a minority, according to polls cited by Jeffrey Clements) agree with the decision. Some people who agree that *Citizens United* is harmful to democracy do not, for various reasons, favor a constitutional amendment. For example, some people feel that if laws are enacted to require disclosure of the identities of all sources of electioneering and campaign funding, and/or to require shareholder approval of corporate political spending, the problem will disappear. We at Move to Amend – South Central Indiana disagree with this.

Many people and groups have proposed constitutional amendments to overturn *Citizens United*. Some proposed amendments preclude corporations from possessing only rights of expression (speech and its equivalent), rather than any and all constitutional rights. The Sanders-Deutsch Amendment applies only to for-profit corporations. This clearly would not fix the problem. *Citizens United*, the corporation in the *Citizens United* case, was a nonprofit, as are many PAC's.

The national coalition, Move to Amend, supports the following proposed 28th Amendment to the United States Constitution:

**Section 1** [*A corporation is not a person and can be regulated*]

The rights protected by the Constitution of the United States are the rights of natural persons only.

Artificial entities, such as corporations, limited liability companies, and other entities, established by the laws of any State, the United States, or any foreign state shall have no rights under this Constitution and are subject to regulation by the People, through Federal, State, or local law.

The privileges of artificial entities shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.

**Section 2** [*Money is not speech and can be regulated*]

Federal, State and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, for the purpose of influencing in any way the election of any candidate for public office or any ballot measure.

Federal, State and local government shall require that any permissible contributions and expenditures be publicly disclosed. The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.

### **Section 3**

Nothing contained in this amendment shall be construed to abridge the freedom of the press.

Our local group, which formed in January 2012, considered different amendments and eventually chose to support the Move to Amend amendment and to affiliate with Move to Amend. It was important to us to support an amendment that would fix the problem and was clear enough to explain to anyone, and we wanted to be part of the larger Move to Amend movement.

One concern raised about the proposed constitutional amendments, (such as the one we support), that deny corporations **all** constitutional rights (instead of only First Amendment rights) is the contention that corporations must have property rights in order for the economy to function. The Fifth Amendment's Takings Clause prevents governments from taking private property for public use without just compensation. While it's true that passage of the Move to Amend 28<sup>th</sup> Amendment would preclude corporations from having Fifth Amendment rights, several avenues would exist to prevent taking of corporate property without just compensation. For example, statutes could be enacted to give corporations certain property rights, the corporation's human shareholders could vindicate their constitutional rights against takings without just compensation in court, and the constitutional power of the government to take such action could be challenged.

Unlike humans, corporations are created by law and endowed with advantages such as limited liability and perpetual life, for economic reasons. Their wealth and influence don't belong in the political sphere. In order to ensure that our federal, state, and local governments can act in the interests of the people, a constitutional amendment is needed.

We are excited that our City of Bloomington is becoming part of this important national movement in support of democracy.

**STATEMENT OF FORMER CITY OF BLOOMINGTON MAYOR & COUNCILMEMBER  
TOMI ALLISON**

When they met in Philadelphia in the summer of 1787 the founders must have seen right away that the writing of a Constitution for a brand new nation was harder than they had imagined. In their recognition that the finished document was less than perfect, they sought a way for future generations to improve it in the light of future experience. That is why they included Article 5. Article 5 says how we can amend our Constitution so as to approach the more perfect Union for which the founders hoped.

We have already made 27 Amendments. Normally Congress proposes an amendment, following approval by 2/3 of both the House of Representatives and the Senate. The proposed amendment becomes part of the Constitution upon ratification by 3/4 of the state legislatures. This is how we abolished slavery (the 13th Amendment), secured for former slaves and women the right to vote (the 15th and 19th Amendments), abolished the poll tax (the 24th Amendment), and lowered the voting age to 18 (the 26th Amendment). Of those 27 Amendments we have seen fit to repeal only one, the Amendment that gave us Prohibition. Can any other part of government claim a 96% success rate?

The petition we bring to City Council is part of a national movement brought into being by a recent Supreme Court decision, *Citizens United v. FEC* (2010). This controversial 5-4 decision allows corporations, in the name of free speech, to undermine our political process through the expenditure of unlimited sums of corporate money on political advertising. We see this decision as contrary to founder intent, contrary to decades of judicial precedent, and subversive of government by and for the people.

*Move to Amend, South Central Indiana*, a member of a national coalition, has collected over 1,316 signatures on a petition that reads as follows: "We, the People of the United States of America, reject the U.S. Supreme Court's ruling in *Citizens United*, and move to amend our Constitution to firmly establish that money is not speech, and that human beings, not corporations, are persons entitled to constitutional rights." In hundreds of communities citizens, acting through their elected representatives, have endorsed this petition. The official community endorsements range all across the land, from Los Angeles to New York City. Three state legislatures have petitioned to overturn *Citizens United*: Hawaii, New Mexico, and Vermont.

We present the following resolution, in favor of a constitutional amendment, for your endorsement. We will present it as well to the appropriate county officials. We hope to encourage other Indiana communities, and eventually our state legislature, to join this nationwide effort to persuade Congress to formulate and approve a 28th Amendment:

Be it resolved that *Move to Amend, South Central Indiana*, hereby calls on the Bloomington City Council to join the national campaign for an Amendment to the Constitution to abolish corporate personhood and the doctrine of money as speech. Be it further resolved that the City of Bloomington calls on other communities and jurisdictions to join with us in this action by passing similar resolutions.



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Tomilea Allison  
Mayor of Bloomington, 1983-1995  
Bloomington City Councilmember, 1977-1982

In the Council Chambers of the Showers City Hall on Wednesday, May 2, 2012 at 7:30 pm with Council President Tim Mayer presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
May 2, 2012

Roll Call: Mayer, Neher, Rollo, Ruff, Sandberg, Spechler, Sturbaum, Volan, Granger  
Absent: None

ROLL CALL

Council President Mayer gave the Agenda Summation

AGENDA SUMMATION

Minutes for January 18, 2012 were approved by a voice vote

APPROVAL OF MINUTES

Marty Spechler said he was disappointed about the recent decision by the Board of Public Works to overturn the Council decision to approve traffic calming devices on W 3<sup>rd</sup> St.

REPORTS:  
COUNCILMEMBERS

Andy Ruff said one of his frustrations as an elected official was that the current 9<sup>th</sup> District Congressional Representative was a “climate change denier.” Also, he said he was alarmed when he learned earlier that one of the Democratic candidates seeking the office was a skeptic. He said the community needed someone who would represent the community values and the scientific basis of global climate change.

Dorothy Granger reminded everyone to vote in the May 8<sup>th</sup> Primary.

Chris Sturbaum mentioned the “Bloomington Fading” presentation at the Historical Society that depicted Bloomington as it used to be. Also, he announced an upcoming presentation on “Embodied Energy” that described all of the energy used to construct a building that is lost when that building is torn down.

In reference to the controversy over the traffic calming devices on W 3<sup>rd</sup> St, Sturbaum said that after a three year period of following the city’s process, the Council approved traffic calming devices. He said this was eventually vetoed by the Board of Public Works, a three-member body appointed by the Mayor. He said he and his neighbors had lost faith in the process and the Mayor who supported this.

Susan Sandberg reminded the public that poll workers were still needed. She said it made for a long day, but this was important because the workers ensured fair and democratic elections.

She also said, “How about those brains!” Brain Extravaganza, a project by Jill Bolte Taylor to illustrate the great and amazing power of the brain, had just installed 22 5 foot art-enhanced brains around the city and campus area.

Steve Volan announced the third “Startup Weekend” dedicated to starting “dot com” companies within one weekend. He said it would be happening all over the world and also in Bloomington.

Tim Mayer announced the dedication of a new facility for *Restore*, a resale store affiliated with Habitat for Humanity.

In a report from the Mayor’s Office, Adam Wason, Assistant Director of Economic Development for Small Businesses, reported on the upcoming Electronic Waste Collection Days.

MAYOR and CITY OFFICES

He also announced the inaugural Lemonade Day, a nationwide program, which was designed to teach entrepreneurship to children and to teach “spend some, save some, share some.”

Scott Jones representing the Bloomington Arts Commission reported that last April about \$7500.00 was allocated to 11 local arts organizations through the Commission's grants. He said the funds allowed organizations to leverage an additional \$79,000.00 in donations. More recently, \$7500.00 was dispersed to nine organizations through the 2012 arts grants.

Lucy Schaich, Bloomington Volunteer Network asked the students from the Bloomington Youth council to report on Global Service Day. Meghan Ray, from Bloomington High School North, Amanda Lin, a sophomore from Bloomington High School South and Rebecca Garcia from Bloomington High School South described the work which was done by the hundreds of students who participated in Global Service Day. Accompanied by a PowerPoint presentation, they focused on the various projects conducted including cleaning up the B-Line Trail, painting a mural along the B-Line, ridding public property of invasive species of plant and weeds and helping at the Community Kitchen. They said a priority to them was sustainability and they believed they increased the city's sustainability, had fun and benefitted the community.

There were no reports from council committees at this meeting.

#### COUNCIL COMMITTEES

Mayer asked for public comment.

#### PUBLIC INPUT

David Sabbagh, former Councilmember and Board President of the Monroe County YMCA announced the Y's fundraiser, *Spin Off*, in which he challenged Councilmember Darryl Neher. He said he appreciated the support of the Council.

Scott Wells, candidate for the County Council said his campaign theme was fiscal sustainability through transparency.

Glenn Carter said he was concerned about the excessive police presence at the Occupy May Day on May 1<sup>st</sup> when 20 members gathered and faced 40 police officers. He said the police supported their right to gather, as long as their tent was removed. He said he wondered how much the police presence from 3 agencies cost taxpayers.

Daniel McMullen said his grandfather recently had to close down his furniture store due to zoning regulation violations which he said hurts local business.

#### BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Ordinance 12-09 be introduced and read by title and synopsis. Deputy Clerk Wanzer read the legislation and synopsis, giving the committee recommendation of do pass 2-4-3. It was moved and seconded that Ordinance 12-09 be adopted.

#### LEGISLATION FOR SECOND READING

Ordinance 12-09 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration And Personnel" – Re: Amending Chapter 2.04 Entitled "Common Council" to Ease the Opportunity for Standing Committees to Consider Legislation Pending Before the Council

Councilmember Volan explained the legislation which he had proposed regarding standing committees and said this proposal would allow for more time to consider legislation by extending the legislative cycle and hearing legislation in standing committees rather than in a Committee of the Whole.

Volan said this plan would allow a 4 week legislative cycle, which he said other cities currently have. He said one of the key goals is to lengthen the amount of time to consider legislation. He added that standing committees would allow members to separate salient from nominal issues.

Ordinance 12-09 (cont'd)

Volan played an audio clip from a West Lafayette Standing Committee meeting to demonstrate how it might work in Bloomington. He added that standing committees were a common staple of legislatures and were more respectful of everyone's time.

Volan moved the adoption of Amendment #1.

He said the goal of this amendment would be to provide more balanced representation on standing committees

Neher asked how the Council president could make the determination to balance councilmembers' opinions on each committee when appointing the members.

Volan said it was an intent and a goal and may not always occur.

Sturbaum asked how opinion would be balanced if both political parties were represented on Council and how would one appeal if it was believed that balancing was lacking.

Volan said that the President was elected and would be trusted to make those appointments. He said a similar system existed now with the council representatives on various city boards. He said that any one of those representatives may not always fairly represent the opinions of all councilmembers due to personal bias, but someone had to be selected, just as with the standing committees. He added that appointed members would allow for diversity of opinion.

Public Comment on Amendment #1:

Glenn Carter said he supported this and that it would do no harm.

C W Poole urged the council to try this, because it might work. He said there would be nothing to lose, and if the process did not work, it could be changed.

Larry Jacobs, Chamber of Commerce said he thought this proposal was burdensome, and that he did not support his.

Council Comments:

Spechler said he supported this amendment because it was crucial to the whole proposal. He said the advantage to this was that it would be used only occasionally.

Neher said he did not think future differences of opinion would be always the same; therefore, it would be difficult to predict or anticipate those future differences in selecting members.

Granger said that she felt this process was burdensome.

Sandberg said her concern about this amendment was reflected in her concern about the larger ordinance. She said the only way to avoid bias in the standing committees was to have all nine members present for a Committee of the Whole which she said created more transparency and fairness. She said she could not support this amendment.

Rollo said he would support the amendment because it relied on trust, and he trusted the other members and the council.

Ruff said the amendment was unnecessary since he did not think harmful bias would be injected into the committees, but acknowledged that others thought there was a need for this.

Amendment #1 to Ordinance 12-09

1. Insert a new Section 1 to read as follows:

SECTION 1. Section 2.04.210 (Standing Committees – Establishment) shall be amended by adding the following phrase to the second sentence after the word “possible” and before the word “and” – and in so far as possible to achieve balance of opinion on each committee - so that the sentence now reads:

If such committees are established, the presiding officer shall appoint at least three council members to each committee, observing the preference of each member as closely as possible and in so far as possible to achieve balance of opinion on each committee, and shall appoint a chairperson for each committee.

2. Renumber remaining sections accordingly.



Volan said that this really did not address a great need, but just stated what the BMC already said. He added that this was a harmless amendment and it was about trusting the other councilmembers.

Amendment #1 to Ordinance 12-09  
(cont'd)

Sturbaum said if balance indeed was important, there was no greater balance than having all nine members sitting together to make a decision.

Volan, in response said, having all nine members in one Committee of the Whole made for longer meetings.

Amendment #1 received a roll call vote of 5 Ayes (Neher, Rollo, Ruff, Volan, Spechler, 4 nays (Granger, Sturbaum, Sandberg, Mayer).

Volan said if the concept of standing committees passed, the council could immediately start to hold hearings rather than wait for legislation to be introduced. He reiterated that passage of this legislation would add standing committees and would not take away the Committee of the Whole. He said it just added one more option for deliberation.

Continuation of discussion on the main motion Ordinance 12-09 as amended

Ruff asked about the increase in work load for the City Clerk. Volan said he did not believe there was any greater burden for council staff.

Ruff asked Deputy Clerk Sue Wanzer who was staffing the meeting for Clerk Moore, who was ill. Wanzer responded that any additional meetings would require additional time for taking notes, recording and filing.

Volan said the separate standing committees would be held on the same evening in the same time frame as a Committee of the Whole, so there shouldn't be any additional time involved.

Sandberg said she believed that an email from Clerk Moore indicated that the additional time would not be negligible and there would be a significant amount of additional work in providing services to the council and to the public.

Volan disagreed and said since the meetings were serial in one evening, there should be no extra work involved.

Wanzer added that in addition to the time of preparing notes, it also meant that a member of the Clerk's staff had to be present for all standing committee meetings.

Mayer read an email response from Moore that said a 5-cycle meeting schedule rather than a 3-cycle meeting schedule meant that it would increase the work.

Volan then read his email response to Moore in which he said he did not agree that there would have to be additional work for the Clerk, since minutes were not prepared for committee meetings of any type, but rather a much shorter and simpler memorandum was prepared. He went on to ask why was the amount of work the Clerk needed to do so important to this issue. He said there were more important things to attend to.

Rollo said every other council in Indiana conducted its business like this, so shifting to this procedure shouldn't be difficult.

Volan said a Clerk's Office representative would not have to be at the Standing Committee meetings.

Public Comment:

Ordinance 12-09 as amended  
(cont'd)

C W Poole said this plan of operation for the council gave more opportunity for the public to become more engaged.

Glenn Carter said he supported the legislation.

Larry Jacobs said as a correction to the previous speaker, the Chamber of Commerce had never paid any amount of money to any legislator in city or county government. He went on to say the Chamber operated to support business and without the businesses in this community, there would be no jobs.

Jacobs said that Mr. Volan indicated that he wanted to have standing committees to supervise the city departments. Jacobs added that there really was no need for seven separate committees. The Chamber did not support this motion as amended.

Caitlyn Kowalski said the clerk may work for the council, but the council works for the public. She said that more work for the clerk meant less transparency.

Kalyn Hawkins said this was not a burden for the clerk, but it was asking for more time from the clerk, and said it wasn't fair.

Council Comments:

Rollo credited Volan for recognizing a problem and working to correct it. He said this change would serve to expand public input and lengthen the process, thus shortening meetings. He said it was an option, not a requirement.

Spechler said this was not the House of Representatives with hundreds of pieces of legislation. Therefore, he said, there would not be that much time that would be spent with committees. He said he thought committees would not meet that often.

Granger thanked Volan for waiting to introduce this until the new members had some experience with the current system. She said some improvements could be made, but was not convinced that this proposal was the way for this to happen. She added that she loved public input and would never remove that. She added that she appreciated the 4 week cycle, but did not think standing committees were needed.

Neher said he voted in favor of the earlier amendment out of respect for Volan. He said he shared some of Volan's concerns for time and the process, but as a district representative he was elected to represent the citizens of District 5. He said he did not think he could be as actively involved in a standing committee as in the Committee of the Whole.

Ruff said he agreed that at times the council had been rushed. He said that he believed there would not be a net increase in work for anyone, and that the committees may not be used often. Ruff added that breaking work up into committees would give the public greater opportunity for input.

Volan reviewed what would happen when a referral was made after First Reading, thereby, he felt, illustrating that it was erroneous for anyone to believe that there would be additional meetings.

Sturbaum said he reviewed his thoughts and feelings about this issue and that he came to the conclusion that this was a wiser body as a body of nine. He said there were other things that could be done to improve

the process. He added that a county employee contacted him and said that the Committee of the Whole transparency was very inspiring and very important.

Ordinance 12-09 as amended  
(cont'd)

Sandberg said this had been considered for much longer than a year, and she still had many of the same objections she had mentioned in the past. She added that the problem of marathon meetings could be solved through other means, and should be considered.

Mayer said the Committee of the Whole gave each member the opportunity to know everything coming before them, while the committee system did not.

Ordinance 12-09 as amended received a roll call vote of Ayes: 4 (Volan, Rollo, Spechler, Ruff), Nays: 5 (Neher, Granger, Sturbaum, Sandberg, Mayer).

It was moved and seconded that Ordinance 12-10 be introduced and read by title and synopsis. Deputy Clerk Wanzer read the legislation and synopsis, giving the committee recommendation of do pass 3-3-3.

Ordinance 12-10 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration And Personnel" – Re: Amending Chapter 2.04 Entitled "Common Council" to Establish and Clarify Scheduling Policies for Council Committees

It was moved to table this ordinance, but the motion failed for the lack of a second.

It was moved and seconded that Ordinance 12-10 be adopted.

Volan said this clarified and applied scheduling rules to any type of council committee.

Neher asked if this would include any ad hoc committees, to which Volan said no, that it would handle only standing and special committees.

Neher also asked about Internal Work Sessions since they were included in Volan's presentation. Volan said Internal Work Sessions were not included since Ordinance 12-09 did not pass.

Neher and Volan then discussed implications for changing Committee of the Whole start times.

Neher asked if the intent of this ordinance was an attempt to limit how standing committees operated if they were ever enacted. Volan said that was correct and that he believed scheduling needed to be broken out and considered separately

Council Comments:

Rollo said the predictability of anticipating topics through scheduling was an asset for the public.

Ordinance 12-10 received a roll call vote of Ayes: 5 (Neher, Granger, Ruff, Rollo, Volan); Nays: 3 (Sturbaum, Mayer, Sandberg), Spechler had left the meeting.

It was moved and seconded that Resolution 12-04 be introduced and read by title and synopsis. Deputy Clerk Wanzer read the legislation and synopsis, giving the committee recommendation of do pass 3-2-2. It was moved and seconded that Resolution 12-04 be adopted.

Resolution 12-04 To Establish a Slate of Standing Committees of the Bloomington Common Council

Volan said this resolution defined standing committees, and added that the failure of Ordinance 12-09 should not be construed to mean that standing committees have no place. He said they could replace all of the Board and Commission nominating committees. Volan named the seven committees being proposed. He acknowledged that one might question why the committees were being proposed, and he said it was a

Resolution 12-04 (cont'd)

structure that could be used by ad hoc committees which under current city code could be called by any three members to investigate issues. He said this structure was not designed to consider legislation but to investigate and research issues.

Neher asked if this resolution for naming the committees was, in effect, the execution of the oversight function. Volan said the Council continued to oversee the city by majority vote, but with this structure, the committees would be delegated the ability to call a hearing.

Council Comment:

Mayer said he encouraged councilmembers to vote against this for the simple reason that it had been the work of one council member who established all of the committees. He said that since it was a broader issue, a group of council members should decide what the committees should be.

Volan responded that this legislation had been under consideration for a long time and asked Mayer why he had not expressed his concern earlier.

Resolution 12-04 received a roll call vote of Ayes: 3 (Rollo, Volan, Ruff), Nays: 4 (Neher, Sturbaum, Sandberg, Mayer), Abstain: 1 (Granger)

There was no legislation for First Reading at this meeting.

LEGISLATION FOR FIRST READING

There was no public input during this portion of the meeting.

PUBLIC INPUT

It was moved and seconded that the Committee of the Whole meeting scheduled for May 9, 2012 be cancelled.

COUNCIL SCHEDULE

The motion was approved by a voice vote of Ayes: 8, Nays: 0.

The meeting was adjourned at 10:53 pm

ADJOURNMENT

APPROVE:

ATTEST:

Timothy Mayer, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

In the Council Chambers of the Showers City Hall on Wednesday, June 6, 2012 at 7:30 pm with Council President Tim Mayer presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
June 6, 2012

Roll Call: Mayer, Neher, Rollo, Ruff, Sandberg, Sturbaum, Volan  
Absent: Granger, Spechler

ROLL CALL

Council President Mayer gave the Agenda Summation

AGENDA SUMMATION

Minutes for March 21, 2012 were approved by a voice vote

APPROVAL OF MINUTES

Darryl Neher noted that it was good to be back as he had recently returned from a trip abroad.

REPORTS:  
COUNCILMEMBERS

Chris Sturbaum, noting that he had just interviewed Arts Commission applicants. In the conversation with Commission members, he was pleased with investments in the B-Line trail and the Buskirk-Chumley Theater, and said that it, despite naysayers, had all worked nicely.

Tim Mayer thanked his wife, Sue, for helping him celebrate their 50<sup>th</sup> wedding anniversary on June 1.

There were no reports from the Mayor's Office at this meeting.

MAYOR and CITY OFFICES

Mayer said he would establish a Rules Committee and asked council members Ruff, Neher, and Granger to join him. He said that they would discuss ways to make meetings more efficient and clean up some ordinance issues on procedures. He said they would meet in June and have a report for the council to consider after the summer recess.

COUNCIL COMMITTEES

Volan reported that the Council Special Committee on Street Designs and Engineering Standards had met once and was establishing its agenda for its next meeting on Thursday, June 14. He noted this would be forthcoming.

Mayer asked for public comments.

PUBLIC INPUT

Marc Haggerty talked about his 40 acres on the I-69 route that could be condemned by a court decision. He asked the council for help.

Greg Alexander talked about connectivity as determiner for transportation choice and of life. He showed maps of Rome and Bloomington to illustrate grid and cul-de-sacs, noting that cul-de-sacs were sometimes a half mile walk to the nearest public transportation. He said our planning needed to do better for pedestrians.

Daniel McMullen talked about the Occupy Movement. He presented an original rap about world changes.

It was moved and seconded that Sean Gorman be appointed to the Environmental Commission

BOARD AND COMMISSION  
APPOINTMENTS

It was moved and seconded that Jose Toledo be appointed to the Commission on Hispanic and Latino Affairs.

It was moved and seconded that Sally Gaskill be appointed to the Bloomington Arts Commission.

It was moved and seconded that Molly O'Donnell be appointed to the Commission on Sustainability.

All appointments were approved together with a voice vote.

It was moved and seconded that Ordinance 12-11 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 8-0-0. It was moved and seconded that Ordinance 12-11 be adopted.

Patrick Shay, Development Review Manager for the Planning Department, briefly outlined the request to add a fitness studio/gym to a permitted use for this individual lot. He noted that the Plan Commission had approved this request. He answered Rollo's question from the Committee of the Whole regarding public transportation routes near the area, giving information about bus routes. Rollo said he had been concerned about the limited parking in the area. Shay said this particular use allowed more activity with fewer parking spaces because people come and go from this type of business.

Mayer reiterated that this petition dealt with building C-5 only.

Petitioner Tim Hansen, W/S Property Group, noted that the use was actually within the walking distance of the owner's home and would fit in well with the desire to encourage walking to the business area. Mayer noted that the business owner lived in the neighborhood north of Renwick.

Rollo notes it was in his district and supportive of the use. He said he was glad there was adequate public transport to it.

Sturbaum said that he would support the PUD change.

Ordinance 12-11 received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that Ordinance 12-12 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 7-0-1. It was moved and seconded that Ordinance 12-12 be adopted.

Mick Renneisen, Director of Parks and Recreation, reviewed the proposal. He said this change to the city code would allow beer to be dispensed and consumed outside the Cascades clubhouse on the grounds of the golf course property, by those of legal age.

He said the issue of high school golfers had come up, but the BHSN golf coach and BHSS athletic director both said that the students often played at courses that allowed beer and that there had never been any problem.

Neher asked about the liability that Parks would take on for this situation vs. the outside event to be held shortly at Bryan Park.

Renneisen said that the liability would be different in these two cases as the city would be the dispenser on the city property. In the Bryan Park event, a third party vendor would sponsor the event, and the permit process would require a temporary permit to be acquired, security fencing to be surrounding the tasting area, security personnel to be on site along with approval from the Alcohol and Tobacco Commission. He said this same type of process would be applicable for a wedding. Renneisen said there was no interest in a three way license at this point.

Neher said that a constituent emailed a question regarding the policing the consumption on the golf course. Renneisen said the beer would be dispensed in a soft sided, logo bearing, readily recognizable cooler. He said the ranger who traveled the course would be able to identify the difference between that and other coolers. He said this was common

## LEGISLATION FOR SECOND READING

Ordinance 12-11 To Amend the Planned Unit Development (PUD) District Ordinance and Preliminary Plan for Lot 205 of Renwick Phase III, Section I Within the Renwick PUD – Re: 1522 S. Piazza Drive (Renwick Village Center, Petitioner)

Ordinance 12-12 To Amend Title 14 of the Bloomington Municipal Code Entitled "Peace and Safety" Re: Amending Section 14.36.090 (Intoxicating Beverages – Consumption in Public) to Authorize Sale of Beer at Cascades Golf Course

practice at golf courses, and would be easier to manage than current practice.

Rollo asked if this were to be approved, Renneisen saw any problem with reporting back to the council in year as to any problems and solutions. Renneisen said it was possible.

John Carter, Board of Park Commissioners, said that the Parks Board passed this at their April 24<sup>th</sup> meeting. He said that another issue, the proximity of the course to Bloomington North HS. He noted that no one they spoke to at the school felt that this would be an issue because of the closed campus and the way the golf course and students are supervised. He said the Board was confident that the staff would manage this with diligence and asked for support.

Larry Jacobs spoke, representing himself. He said that State Law prohibited folks from bringing in alcohol onto a golf course if a permit exists on this property. He said it was a misdemeanor to smuggle in beer. He added that this would further enable Parks and Recreation staff to better monitor the situation.

There were no comments from the council on this item.

Ordinance 12-12 received a roll call vote of Ayes: 7 Nays: 0.

Ordinance 12-14 To Amend the Approved Planned Unit Development (PU District Ordinance and Preliminary Plan - Re: 223 W. Dodds Street (Neighborhood Solutions, Petitioner) LEGISLATION FOR FIRST READING Ordinance 12-14

There was no change or adjustment in the council schedule. COUNCIL SCHEDULE  
There was no public comment at this portion of the meeting. PUBLIC INPUT  
The meeting was adjourned at 8:15 pm. ADJOURNMENT

APPROVE:

ATTEST:

Timothy Mayer, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington