

ORDINANCE 2024-27

**TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED "ADMINISTRATION AND PERSONNEL"**

Re: The Establishment of the Advisory Transportation Commission

- WHEREAS, in April of 2024, the City adopted Resolution 2024-07 establishing the goal of reducing traffic deaths and serious injuries on the City's roadways to zero in the city by the Year 2039; and
- WHEREAS, in January 2018, the Bloomington Common Council passed Resolution 18-01, adopting the City's Comprehensive Plan, which serves as the long-range vision for the community and upon which future transportation and land use decisions are predicated; and
- WHEREAS, the Comprehensive Plan outlines broad goals, policies, and programs to promote the health and safety of the city's residents, promote environmentally sustainable practices, encourage public engagement, and strengthen the economic well-being of the community; and
- WHEREAS, the Comprehensive Plan Policy 1.6.1 states, "foster inclusive and representative engagement to steer and direct development processes toward community benefit." (Comprehensive Plan, p. 29); and
- WHEREAS, the Comprehensive Plan outlines transportation as a basic need stating that "rights of way are the foundation of the transportation systems and must accommodate the diverse needs of the population, from a child walking to school to a delivery truck taking products to a local restaurant;" (Comprehensive Plan, p. 67) and
- WHEREAS, the Comprehensive Plan Goal 6.1 states, "increase sustainability: improve the sustainability of the transportation system" (Comprehensive Plan, p. 74); and
- WHEREAS, the Comprehensive Plan Goal 6.4 states, "prioritize non-automotive modes: continue to integrate all modes into the transportation network and to prioritize bicycle, pedestrian, public transit, and other non-automotive modes to make our network equally accessible, safe, and efficient for all users" (Comprehensive Plan, p. 75); and
- WHEREAS, the Comprehensive Plan Goal 6.6 states, "optimize public space for parking: plan and develop parking for cars and bicycles with a focus on efficiency and equity" (Comprehensive Plan, p. 75); and
- WHEREAS, the Comprehensive Plan Goal 6.8.1 states, "involve people with disabilities in decision-making. Establish a transparent, equitable public process that include people with low vision, mobility challenges, and other disabilities in the full range of transportation decisions from design to operations." (Comprehensive Plan, p. 75); and
- WHEREAS, in March 2021, the Bloomington Common Council passed Resolution 21-08, adopting the City's Climate Action Plan which is intended to guide City activities and funding priorities for climate resiliency; and
- WHEREAS, the Climate Action Plan Goal TL1-A-1 states, "Update the City's Transportation Plan and Metropolitan Transportation Plan to incorporate reductions in carbon emissions and vehicle miles traveled, improved bicycle, pedestrian and transit service standards, and a policy requiring project evaluation to include criteria on climate, equity, economic benefit, health, safety, and cost effectiveness." (Climate Action Plan, p. 20); and

WHEREAS, In June 2020, the Bloomington Common Council passed Resolution 20-08, adopting the City’s Transportation Demand Management Program Plan which is intended to guide City activities to efficiency manage parking and to utilize transportation management strategies; and

WHEREAS, the Transportation Demand Management Program Plan contains recommended transportation demand management strategies which fall into nine broad categories that include: technology accelerators; financial incentives; travel time incentives; marketing & education; mode of transportation; departure time; route; trip reduction; and location/design; and

WHEREAS, the Traffic Commission, Bicycle Pedestrian Safety Commission, and the Parking Commission in their current design have faced challenges in delivering impactful transportation-related recommendations to common council and appropriate city officials; and

WHEREAS, a transportation-related policy oversight body is necessary to ensure that transportation projects are consistent with the comprehensive plan and other applicable city adopted plans, are consistent with the best practices for eliminating all transportation-related fatalities and serious injuries within the city, are consistent with promoting sustainable design, and equitable access to all transportation facility users, and has provided for community-based solutions and allowed for adequate public input;

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

SECTION 1. Section 2.12.070, entitled “Traffic commission” shall be repealed and replaced.

Delete

- (1) Purpose—Duties. It shall be the duty of the commission, and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, to carry on educational activities in traffic matters, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the common council and to appropriate city officials ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.
- (2) Appointments. The commission shall consist of the following nine members: a designee of the director of engineering, a designee of the director of public works, a designee of the chief of police and six additional members who shall be appointed by the common council. All terms shall be for two years.
- (3) Qualifications. Each common council appointee shall be a resident of the city with preference being given so that each councilmanic district is represented.
- (4) Meetings. Meetings will be held monthly.
- (5) Procedure. The commission shall establish its own rules of operating procedure which may be amended from time to time by a majority vote.

Add

Section 2.12.070, entitled “Advisory Transportation Commission.”

- (1) Purpose. The Advisory Transportation Commission (hereinafter referred to as “ATC”) is established with the explicit purpose of guiding the city’s transportation endeavors through a comprehensive and visionary framework which seeks to provide adequate and safe access to all right-of-way users. The ATC shall provide recommendations and guidance to the mayor and common council in the pursuit of developing and implementing a city-wide policy to eliminate all transportation-related fatalities and serious injuries to pedestrians, cyclists, transit users, motorists, and passengers; shall promote sustainable and multimodal transportation; shall foster equitable access; and shall promote deliberate integration of community-centric design. The ATC shall also serve as a

standing steering committee for future transportation related studies and grant programs.

- (2) Appointments. The ATC shall consist of nine members, none of whom may hold an employment position with the city, appointed as follows:
- (a) One member appointed by the mayor shall be a member from the council for community accessibility or a designated representative. The council for community accessibility shall submit a list of at least three names to the mayor for consideration;
 - (b) One member appointed by the public transportation corporation board of directors shall be a member or a designated representative;
 - (c) One member appointed by the plan commission shall be a member or a designated representative;
 - (d) One member appointed by the board of public works shall be a member or a designated representative;
 - (e) One member appointed by the common council shall be from among its membership;
 - (f) Two members shall be appointed by the council, and shall be residents living within city limits who have demonstrated experience using forms of travel other than personal motor vehicles as their primary method of transportation;
 - (g) Two members shall be appointed by the council, and shall be residents living within the city limits. Preference for appointments shall be given to persons belonging to the Bloomington/Monroe County human rights commission; board members or employees of Monroe County Community School Corporation; board members or employees of nonprofit organizations which operate at property that is owned or leased by the non-profit organization within city limits; and members of community organizations dedicated to serving marginalized groups.
- (3) Terms. Members appointed from the membership of the public transportation corporation board of directors, plan commission, board of public works, and common council shall serve a term coextensive with their terms on the body from which they were appointed or until that body appoints another at its first regular meeting of the year. Members appointed from the council for community accessibility, members who are acting as appointed representatives, and members appointed by common council who are not among its membership shall serve a two year term.
- (4) Powers and Duties. The ATC powers and duties shall include, but are not limited to:
- (a) Coordinate, supervise, and, when necessary, approve transportation related studies, activities, programs, and projects, including acting as a standing steering committee for future transportation related studies and grant programs.
 - (b) Review all transportation projects, proposed changes to Title 15 - Vehicles and Traffic, relevant proposed changes to Title 12 - Streets, Sidewalks and Storm Sewers, and other applicable changes to the Bloomington Municipal Code to determine if the proposed change:
 - (i) is consistent with the comprehensive plan, and other applicable city adopted plans;
 - (ii) is consistent with the best practices for eliminating all transportation-related fatalities and serious injuries within the city;
 - (iii) is consistent with promoting sustainable design, and equitable access to all transportation facility users; and
 - (iv) has provided for community-based solutions and allowed for adequate public input.
 - (c) Provide a forum for members of the public to submit transportation-related testimonials, inquires, and requests;
 - (d) Conduct education activities in matters related to transportation safety in an effort to both eliminate all transportation-related fatalities and serious injuries, and promote multimodal transportation within the city;

- (e) Make recommendations on public parking policy, including but not limited to: pricing, hours of operation, addition or removal of parking spaces, and changes when necessary to city code, enforcement procedures, or any other aspect of parking management policy;
 - (f) Applying for appropriations through the mayor, or researching and applying for grants, gifts, or other funds from public or private agencies, for the purpose of carrying out any of the provisions of this section.
- (5) Procedure and Scheduling. The ATC shall establish its own rules and procedures, subject to amendment by a majority vote. This shall include the ability to define its meeting schedule within the scope of the established rules and procedures.
 - (6) Staff. The commission shall be primarily staffed by the engineering department. When serving as a steering committee, the ATC shall be staffed by the planning and transportation department.

SECTION 2. Section 2.12.080, entitled “Bloomington Bicycle Pedestrian Safety Commission” shall be repealed and reserved for future use.

Delete

- (1) Purpose. The purpose of this commission is to promote and encourage bicycling, walking and running in a safe and efficient manner in the City of Bloomington for the purpose of health, recreation and transportation.
- (2) Appointments. The commission shall consist of seven members appointed in the following manner:
 - (A) The mayor shall make four appointments. Preference for two of those four appointments will be given one member from the Bloomington Bicycle Club Inc. and one member from the Bloomington Track Club Inc. The above named organizations shall submit a list of at least three names to the mayor for consideration.
 - (B) The Common Council shall make three appointments. Preference for one of those three appointments will be given to one member from the Indiana University Student Association. The above named organization shall submit a list of at least three names to the common council for consideration.
- (3) Terms. The initial terms of the members shall be staggered. All subsequent terms shall be for two years.
- (4) Removal. Members may be removed for cause by the mayor or common council. "Cause" shall include, but not be limited to, failure to attend three consecutive regularly scheduled or four regularly scheduled commission meetings within a twelve-month period. The commissioner shall have the right to submit in writing any extenuating circumstances to the mayor or common council before the formal decision to remove is reached. However, acceptance of extenuating circumstances puts the commissioner on notice that further excessive absenteeism will result in removal.
- (5) Meetings. The commission shall meet at times and places as agreed on by the Commission and shall advertise those meeting times and places in accordance with the law. In any event the commissioner shall meet no less than six times per calendar year.
- (6) Duties. The duties of this commission shall be as follows:
 - (A) To serve as a citizens forum for discussion and recommendation of improvement to existing facilities and planning of new projects concerning safe access for cyclists, pedestrians and runners;
 - (B) To prepare reports and recommendations to the mayor, common council, plan commission and planning and transportation department as needed, concerning the needs of cyclists, pedestrians and runners within the city;
 - (C) To foster and develop safety programs for cyclists, pedestrians and runners; and,
 - (D) To encourage the hosting of cycling, walking and running events conducted in a safe manner which will attract visitors from outside of the City.

SECTION 3. Section 2.12.110, entitled “Parking Commission” shall be repealed and reserved for future use.

Delete

- (a) Purpose. It shall be the primary purpose of the parking commission (commission), in coordination with decision-makers and other entities as is necessary or prudent:
 - (1) To develop, implement, maintain, and promote a comprehensive policy on parking that takes into account the entirety of, and furthers the objectives of, the city's comprehensive plan; and
 - (2) To coordinate parking activities, to carry on educational activities in parking matters, to supervise the preparation and publication of parking reports, to receive comments and concerns having to do with parking matters, and to recommend to the common council and to appropriate city officials ways and means for achieving the city's comprehensive plan objectives through the administration of parking policies and the enforcement of parking regulations.
- (b) Composition—Appointments. The parking commission shall be composed of nine voting members. These voting members shall be composed of five members appointed by the mayor and four members appointed by the common council. Each appointing authority may also appoint a standing alternate for each of its appointees and such alternate may participate with the commission at any meeting where the regular member is disqualified or is otherwise unable to participate. All alternate members appointed hereunder shall meet all qualification requirements of the regular member for whom they serve as alternate.
- (c) Qualifications of Voting Membership.
 - (1) One member appointed by the mayor and one member appointed by the common council shall be a merchant owning and operating a business located at an address within the city limits;
 - (2) One member appointed by the mayor shall be a board member or an employee of a non-profit organization which operates at property that is owned or leased by the non-profit organization within the city limits;
 - (3) Four members, one appointed by the mayor and three appointed by the council, shall be residents living within the city limits;
 - (4) One member appointed by the common council shall be from among its membership; and
 - (5) One member appointed by the mayor shall be from within the planning and transportation department, engineering department, or department of public works.
- (d) Terms. The initial terms of three mayoral and two council citizen appointments shall expire on January 31, 2018. The terms of the remaining initial citizen appointments shall expire on January 31, 2019. Thereafter, all terms of citizen appointments shall be for two years and expire on January 31. The terms for the one mayoral appointment made from within the planning and transportation department and the one council appointment made from within the members of the council shall be for one year and expire on January 31.
- (e) Powers and Duties. The commission shall meet at least one time each month, unless it votes to cancel the meeting. Its powers and duties shall include, but are not limited to:
 - (1) Accessing all data regarding the city's parking inventory, including usage, capital and operating costs, so long as the data is released in a manner consistent with exemptions from disclosure of public records set forth in Indiana Code § 5-14-3-4;
 - (2) Reviewing the performance of all meters, lots, garages, and neighborhood zones in the city's parking inventory, and reviewing the performance of all divisions of city departments devoted specifically to parking management;
 - (3) Making recommendations on parking policy, including but not limited to: pricing, hours of operation, addition or removal of parking spaces, and changes when necessary to city code, enforcement procedures, or any other aspect of parking management policy;
 - (4) Submitting an annual report of its activities and programs to the mayor and council by October of each year;
 - (5) Adopting rules and regulations for the conduct of its business; and

- (6) Applying for appropriations through the mayor, or researching and applying for grants, gifts, or other funds from public or private agencies, for the purpose of carrying out any of the provisions of this section.
- (f) Staff. The commission shall be staffed by the planning and transportation department.

SECTION 4. Chapter 15.26., entitled “Traffic Calming and Greenways Program” shall be amended by replacing all references to “Bicycle Pedestrian Safety Commission” with references to “Advisory Transportation Commission.”

SECTION 5. If any section, sentence or provision of this ordinance, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 6. This ordinance shall be in effect on January 1st, 2025 after its passage by the Common Council and approval of the Mayor, any required publication, and, as necessary, other promulgation in accordance with the law.

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

ISABEL PIEDMONT-SMITH, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

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

NICOLE BOLDEN, Clerk,
City of Bloomington

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

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Title 2 of the Bloomington Municipal Code (Administration and Personnel) to remove the Traffic Commission, Bicycle Pedestrian Safety Commission, and Parking Commission and establish a new nine-member Advisory Transportation Commission. The Advisory Transportation Commission will make recommendations on relevant transportation and parking sections of the Bloomington Municipal Code, review all transportation-related projects, and propose policies that promote safe, equitable, and sustainable transportation and parking decisions. Additionally, this ordinance amends Title 15 of the Bloomington Municipal Code (Vehicles and Traffic) to replace references of the Bicycle Pedestrian Safety Commission with references to the Advisory Transportation Commission.