

Meridian City Council Work Session

October 13, 2020.

A Meeting of the Meridian City Council was called to order at 4:31 p.m., Tuesday, October 13, 2020, by Mayor Robert Simison.

Members Present: Robert Simison, Joe Borton, Luke Cavener, Treg Bernt, Jessica Perreault, and Brad Hoaglund.

Members Absent: Liz Strader.

Also present: Chris Johnson, Adrienne Weatherly, Bill Nary, Caleb Hood, Bruce Freckleton, Sam Zahorka, Berle Stokes, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

☐ Liz Strader	☒ Joe Borton
☒ Brad Hoaglund	☒ Treg Bernt
☒ Jessica Perreault	☒ Luke Cavener
☒ Mayor Robert E. Simison	

Simison: Council, I will go ahead and call this meeting to order. For the record it is October 13th, 2020 at 4:31 p.m. We will begin this roll call -- this meeting with roll call attendance.

ADOPTION OF AGENDA

Simison: Next item is adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adopt the agenda as published.

Hoaglund: Second the motion.

Simison: I have a motion and a second to adopt the agenda as published. Is there any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the September 22, 2020 City Council Work Session**

- 2. Approve Minutes of the September 22, 2020 City Council Regular Meeting**
- 3. Approve Minutes of the September 29, 2020 City Council 5:00 p.m. Special Meeting**
- 4. Approve Minutes of the September 29, 2020 City Council 6:00 p.m. Special Meeting**
- 5. Apex Offsite Sanitary Sewer Easement No. 2**
- 6. Apex Offsite Sanitary Sewer Easement No. 3**
- 7. Apex Offsite Sanitary Sewer Easement No. 4**
- 8. Burlingame No. 2 Pedestrian Pathway Easement**
- 9. Gem Prep: Meridian North Pedestrian Pathway Easement Description No. 2**
- 10. Gem Prep: Meridian North Sanitary Sewer Easement No. 1**
- 11. Gem Prep: Meridian North Water Main Easement No. 1**
- 12. Gem Prep: Meridian North Water Main Easement No. 2**
- 13. LaSalle Building at Ten Mile Crossing Water Easement**
- 14. Movado No. 8 Pedestrian Pathway Easement**
- 15. TM Creek Cobalt Sanitary Sewer Easement No. 1**
- 16. TM Creek Cobalt Sanitary Sewer Easement No. 2**
- 17. TM Creek Cobalt Water Main Easement No. 1**
- 18. TM Creek Cobalt Water Main Easement No. 2**
- 19. Final Plat for Baraya Subdivision No. 5 (H-2020-0088) by Matt Schultz of Schultz Development, Generally Located South of W. Franklin Rd. and East of S. Black Cat Rd.**
- 20. Final Plat for Baraya Subdivision No. 6 (H-2020-0089) by Matt Schultz of Schultz Development, Generally Located South of W. Franklin Rd. and East of S. Black Cat Rd.**

- 21. Final Plat for Lavender Heights No. 1 (H-2020-0090) by LH Development, LLC, Located East of S. Locust Grove Rd. and North of E. Lake Hazel Rd.**
- 22. Final Order for Firenze Plaza (TECC-2020-0002) by LC Development, Located at the Northwest Corner of S. Eagle Rd. and E. Amity Rd.**
- 23. Development Agreement Between the City of Meridian and Pinnacle Land Development, LLC for Brody Square (H-2020-0032)**
- 24. Development Agreement Between the City of Meridian and Calvary Chapel Treasure Valley, Inc. (Owner) and Evans Development, LLC (Developer) for Poiema Subdivision (H-2020-0035)**
- 25. Development Agreement Between Shelburne Properties, LLC and Kenneth A. Williams (Owners) and Shelburne Properties, LLC (Developer) for Shelburne South H-2019-0106**
- 26. Community Development Block Grant Program Year 2020 Subrecipient Agreements for Boys and Girls Clubs of Ada County and Neighborhood Housing Services, Inc. DBA Neighborhood Works Boise**
- 27. Interagency Agreement Between the Ada County Highway District (ACHD) and the City of Meridian for Water Improvements for Ten Mile Road and Amity Road, ACHD Project No. 308044**
- 28. Project Management Agreement with Qwest Corporation dba CenturyLink QC for Sewer Line Repair – Ten Mile Road**
- 29. Agreement Between the City of Meridian and Republic Services for Use of Reclaimed Water for Landscape Irrigation and Bin Washing at the Republic Services Transfer Station on Franklin Rd.**
- 30. Approval of Fiscal Year 2021 Purchase Order to Lawn Co. for Landscape Maintenance Contracted Services**
- 31. Approval of AIA Guaranteed Maximum Price Amendment for Scenario Village Training Building**
- 32. City of Meridian Financial Report - August 2020**
- 33. Approval of City Benefit Policies and Procedures**
- 34. Resolution No. 20-2232: A Resolution Authorizing the Seventh Continuance of a Local Disaster Emergency Declaration and its Terms**

for an Additional Thirty (30) Days; Authorizing the Continued Immediate Expenditure of Public Money to Safeguard Life, Health and Property

- 35. AP Invoices for Payment - 09-28-20 - \$5,816.78 - Special**
- 36. AP Invoices for Payment - 09-30-20 - \$339,605.57 - Special**
- 37. AP Invoices for Payment - 10-01-20 - \$175,597.00**
- 38. AP Invoices for Payment - 10-07-20 - \$407,003.56**
- 39. AP Invoices for Payment - 10-07-20 - \$196,694.07 - Special**
- 40. AP Invoices for Payment - 10-14-20 - \$1,321,427.58**

Simison: Next up is the Consent Agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we approve the Consent Agenda, for the Mayor to sign and for the Clerk to attest.

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve the Consent Agenda. Is there any discussion on the motion? Councilman Borton, any discussion? All those in favor signify by saying aye. Opposed nay. The ayes have it and the agenda -- Consent Agenda is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Simison: I think Mr. Borton is aware that we can't hear him. Okay. I don't know if there is a way that he -- we want him to communicate with us on the -- on the votes for anything until he gets that situated. We don't have anything for the next hour, but maybe if our clerks could think about another option -- even get him on the phone if necessary.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Simison: Next item -- there are no items removed from the Consent Agenda.

DEPARTMENT / COMMISSION REPORTS [Action Item]

41. Building Division and Fire Department Report: Adoption of State International Code Adoptions and Amendments, Including Building, Residential, Fire, Electrical, and Mechanical

Simison: So, we will move on to Item 41 under Department/Commission reports and the first thing up is with Sam, who will discuss the Building Division and Fire Department report on adoption of the State International Code adoptions and amendments, including building, residential, fire, electrical and mechanical. I will turn this over to -- it looks like Bruce and Sam.

Freckleton: Good afternoon, Mayor and Council. It's good to see some of your smiling faces in person and those that are electronic. What we are bringing before you today is the adoption of the new codes. Statutorily we are obligated to bring codes forward following the state's adoption of these codes. We have never formally introduced Sam Zahorka, our new building official, to you guys and so I'm going to turn the time over to him, but this is Sam Zahorka. He is our building official. He's been with us for five years -- five years and ten months he says. Okay. So, anyway, he is going to explain a little bit more in depth of why we are here and what we have proposed for you and the purpose of this today is just to introduce the topic and to initiate the process. This will be public hearing. It's going to have to have several readings of the ordinance and that sort of thing for final adoption, so --

Zahorka: Good afternoon. Thank you. Thanks for the time today. We will go ahead and go through this quick PowerPoint. We will just start off -- maybe somebody has seen Channel Seven -- maybe somebody has seen Channel Seven yesterday. We are the third fastest -- fastest growing city in the United States, so we have been -- we have been found. So, I will go ahead and jump right in. Appreciate that. So, building code adoptions. The essential tool to preserve public health and safety that provides safeguards from hazards associated with build -- with a built environment. This is informational. In the future public hearings will be scheduled to adopt these minimum codes and amendments. The background. The 2020 legislature approved the administrative rules that the Idaho Building Code board adopted and the following international codes for all building authorities in Idaho to be effective on January 1st, 2021. The 2018 International Building Code with amendments, Swimming Pool and Spa Code, the existing Building Code, the Residential Code with amendments, International Energy Conservation Code with amendments. The Uniform Plumbing Code did not change. Idaho Fire Code with amendments. The 2017 National Electrical Code did not change. The 2018 Mechanical Code with amendments and the 2018 Fuel and Gas Code with amendments. And, then, pursuant to Idaho Code cities are required to adopt the model codes that have been adopted by the Idaho Building Code board, Idaho Code sections establish processes by which cities may adopt local amendments that are more restrictive than these adopted codes following a public hearing and notice to enumerated stakeholders. The timeline for this process and ultimate adoption of these codes is as follows: Tomorrow, October 14th, I will mail out a copy of the proposed code adoptions and local amendments to Idaho Code -- per Idaho Code section and stakeholders list. On the 16th Meridian Press will publish a notice of November 17, 2020, public hearing. On November 17th the public

hearing and first reading of the ordinance will occur. November 24th the second reading. December 1st would be the third reading, plus the adoption, and January 1st of 2021 would be the effective date of the city ordinance adopting codes and local amendments. The proposed local amendments are summarized as follows: I can go through these if you would like, but we can talk about any ones you are interested in, but to start out the 2000 International Building Code, which is specific to multi-family and commercial related projects, we gave some bullet points there. Some of the amendments -- when it says local amendments it's state IDAPA. Those are the amendments from the state of Idaho and we carry those over into our ordinance. So, again, there has been some -- some bullet points listed there for you. We can get into that if you would like. International Residential Code is the same thing. There is -- when the codes are adopted there is -- there is -- there is new products that come into the codes, there is flexibility that comes into the code, so can definitely go through those if -- if anybody has any questions. And, then, the Energy Code. That's the other -- the one that I listed here that talks about the changes to -- from the '15 adopted codes to the -- to the -- it would be the '18 codes. So, that's the end of my slide. I will go ahead and open it up for any questions.

Simison: Thank you, Sam. Council, any questions for Sam at this time?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Sam, how long does the -- does the building community or any business that has to comply with the codes have to implement them? Is it immediate? Is it January 1st of next year?

Zahorka: Yes. It's January 1st of next year. So, the way that we treat the adoption of new codes is if a developer or contractor submits their application prior to January 1st we allow that to be under the current -- the currently -- the current adopted code. So, it's really the cut off date to comply with the new codes is January 1st. We do have a little bit of a soft implementation for a piece of the energy code. The energy code is now requiring every fifth house or 20 percent of the houses that are submitted to our jurisdiction for building permits to comply on the residential side with a blower door test and so there is a six months soft implementation for that and so I'm working on what that looks like. All the jurisdictions are working on how to manage -- track every fifth house a builder submits to the City of Meridian. So, again, it's -- to answer your question it's January 1st.

Bongiorno: Mr. Mayor?

Simison: Yes, Deputy Chief.

Bongiorno: I would just like to tag onto that. Mayor and City Council, we have also been doing -- the Fire Department -- the 2018 fire code. They added a new section on mobile food vehicles, which is pretty -- it's -- it's different and so we have been working with the food truck industry for the last -- I think we started notifying them back in like March and

April that, hey, there is a change coming and you need to meet the code and so we have been working with the Idaho food truck coalition on that as well. So, we have been trying to -- like Sam was saying, give everybody a heads up that, hey, this is coming. There is some new stuff. Here is the changes. Here is what's going to be expected. We implemented our fee for food truck inspections and, actually, November 7 the Mountain -- Mountain Home, Boise, Meridian, Nampa, Star, Eagle, Kuna, Caldwell and Emmett fire departments, we are all getting together at the Public Safety Training Center and we are actually doing free pre-inspections. So, we have been giving everybody as much heads up about the new code sections that are coming as we can. So, we try and give everybody, hey, here is -- here is big changes you need to be aware of. So, we try and notify the public even ahead of time, other than just the -- the standard notification that's required by code.

Zahorka: Yeah. And I will just go ahead and add -- echo onto that. We definitely do -- do our best job to -- per statute we have to send out mailers. I will be sending those out tomorrow per statute and, then, I will be visiting with BCA. I have been working with Dave Yorgason and Jon and Brighton and anybody and everybody that I can to let them know about the up and coming code adoption and so we -- we try to be as transparent as possible and answer any questions or concerns any of our stakeholders have prior to the adoption. I have all types of resources to -- that compare the changes from the '15 adopted codes to the '18. So, again, if anybody has any questions on -- or concerns about any of the code adoptions, please, reach out to me and I will do my best to help.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mayor. Sam. And having dealt with this previously -- and I think I saw that you had it written down, but if someone wants to come and testify and complain about, you know, that's too onerous, we shouldn't have to do this, we are in the situation where we can only implement more restrictive measures, we can't ease off on any -- any codes that have -- are in this -- this -- whether it's fire, building, et cetera, we -- we can only be more restrictive.

Zahorka: Correct. Correct. And that is -- thank you for bringing that up. I actually had a little bit of a piece on my first slide and I was going to speak to that. The -- the state of Idaho adopts the codes every three years and those are the minimum codes. The State Building Code board, they go -- they go and they meet, they vet the codes, they amend the codes for Idaho for like, for example, you know, there is -- there is certain things in the code that don't work for every state or every jurisdiction, so the state vets all that through the State Building Code board and, then, that is the minimum code. We can be more restrictive than the minimum code and we have a draft ordinance that will be available for -- in those hearings for the public and anybody to come and testify and look at those codes and -- and have those conversations. We were very -- we only have a few code sections that were more restrictive than the state. One of them is the garage house separation. The code requires half inch sheet -- sheetrock on the garage side. We have

always in Meridian required a five-eighths type X sheetrock. That's a fire code sheetrock. And so we are -- there is only a few code sections that we are more restrictive than the state and I can speak to those whenever -- whenever needed, but we are minimum codes. We follow the state minimum adopted codes.

Simison: Council, any additional questions? Okay.

Bongiorno: Mr. Mayor?

Simison: Deputy Chief.

Bongiorno: If nobody else has any comments, Mayor and City Council and Mr. Nary, again, big huge thanks to Emily. Emily's a superstar. She did an awesome job helping Sam and I. I don't know if she's sitting in the audience, but big kudos to her for helping us pull this together. She's -- she's always awesome to work with and made our job a lot easier.

Simison: I think Mr. Nary tells her that every day, but he will pass that along. She felt so confident she's not even logging into watch, so -- okay. Thank you very much, Sam.

Zahorka: All right. Thanks.

42. Parks Department: Presentation of Pathways Map Update for Council Consideration

Simison: Next item on our agenda is Item 42 and this will be a Parks Department presentation of pathways map update and I will turn this over to Kim.

Warren: Good afternoon. Mayor Simison, Council Members, it's nice to see you all in person and otherwise. So, I'm glad to be here for the pathways map update. This isn't quite as particular as Public Health and Safety Code, but it's -- yeah, it's our process of making this an official document that we can, then, hold our development community to. So, Chris, can you -- is there a trick to advancing? Pardon me. Apologies. This is a little different than I'm used to, so -- this is the pathways map update. We do maintain a pathways layer in parks and rec. We have a lot of great GIS support. It's an ongoing process. This is a -- it's not a big city -- large area worth of city, so we do try to keep our working layer as current as possible. I'm always making changes, submitting those to the GIS department, and those are getting incorporated into our working layer, which is not published on the website, it's not our official layer, but staff does have a more current tool that we are working from as we do plan review. We have just updated this pathways map in March of 2019. That reflects a pretty standard timing. I think moving forward doing this pretty strict annual basis is going to be important. We are just trying to stay ahead of development and growth. So, we are here today. We provided some -- we have a map book that is the pathways map for the city. It is -- Chris, is there a way to maximize it so it's a little bigger? Okay. I will proceed. My apologies. So, included in the packet is what we call a map book. This is our way of making a big map manageable for review. That's

available electronically. It's 22 pages. It's just the city divided out into sections. So, we have proposed and existing pathways per the legend and, then, anywhere that it's highlighted in a mint greenish color, those reflect changes since the last adoption. So, at a glance if you want to see what's different that's -- that's the key. Sorry. It's not advancing. So, we have provided map pages for review. We are presenting methodology to you today. How do we generally go about updating and making these changes and, then, we would like to give you another week for review and if you are interested in a hardcopy of this map book it's just 11 by 17, I could send those out. It's a little more tangible. Again, we are trying to focus on the criteria we use for making these changes to -- and ask for approval of the criteria more than asking for approval of every specific change. So, we will come back in a week with the resolution after you have had a bit more time to consider this data. So, there are typically three types of changes to the map and those -- some of those are minor, like number one, did a proposed pathway, was it constructed and now it's existing. Those are pretty simple changes and changes to alignment where during the development process, you know, we know that there needs to be a pathway connection in a certain area, but it works out that for whatever reason it may shift to the other side of the waterway or take a slightly different route through as subdivision open space. So, some of that fine tuning happens in the -- during the review process and we like to take advantage of opportunities that are catalyzed by development sometimes that will dictate a slight change to alignment to accomplish the same basic connection. And, then, also maybe one of the more important changes is proposed new connections in growth areas and there our intent is to enhance connectivity both within a project and in the greater system at large. We want -- with the annexation projects we are able to -- during the development agreement process and for pathway connections, but we need to get those on the map officially, so that we can actually enforce those requirements and in general when we are siting pathways we are looking to achieve separation from major roadways. We want to provide pedestrians with as much of a refuge experience as possible. So, where we do have pathways along waterways, try to stick to those waterways or look at the mid-mile collectors as a more comfortable option where waterways aren't available. So, here is an example of a sheet from the map book, again, with the changes to the map highlighted in that aqua green colored. Some of the proposed connections in new areas and being more of a -- what -- as a landscape architect I would call a desire line. We know we need to get from here to there. We don't really know the particulars yet. So, the -- sometimes we just kind of draw them in roughly and, then, they take shape as the development process gets more specific. This was a case where a pathway got routed through a development to take advantage of some green space and I think since this map version was done that may have been denied, so it's an ongoing process to keep this current. And, then, just as another example here we are trying to make a mid-mile connection, keeping destinations, like parks and neighborhoods in mind and, then, along Chinden, which is a state highway, the areas in aqua just show pathways that are now there that weren't there before. So, those -- and, then, in general -- and we have been talking to the department about improving the data. So, that's in the works. When we did the pathways master plan -- that was before my time. This is kind of the schematic of circulation -- pedestrian circulation we were trying to enable throughout the city. With this Meridian loop pathway, the Five Mile pathway and the Ten Mile pathway being priorities, so this map that we will be uploading to the website,

highlight those routes, and the Meridian loop is not contiguous necessarily everywhere, but it gives a sense of the structural organization of the greater system and, then it -- it highlights those -- like the Five Mile pathway, which actually has quite a continuous run now. So, we are working to improve that data and to note that this map is for recreational purposes only and it's as accurate as we can make it, but may or may not be. So, we presented this information to the park commission at our last meeting, which was a few weeks ago, and based on this methodology and examples and, then, some recent experience from our -- our pathways biking tour, they felt comfortable recommending this for approval and bringing it to you all today. So, if you would like to take a closer look with the hardcopy prior to next week when we will ask for your approval and formal adoption, please, let me know, I would be happy to send those around. They are available in the packet. And I would stand for any questions if there are any.

Simison: Thank you. Thank you, Kim. Council, any questions?

Warren: Hearing none, I thank you for your time and I will see you next week.

43. Community Development: Ada County Title 9 Application Presentation

Simison: Thank you very much. And just for the note, Emily is the staff member that works on that commission as well. Up next is Item 43 under Community Development Department. This is the Ada County Title 9 application presentation. I will turn this over to Mr. Hood.

Hood: Thank you, Mr. Mayor, Members of the Council. If you are okay with me presenting here, it's a little more comfortable for me, but I can certainly go up there if that's okay. All right. So, we have had a series of meetings with Ada county staff over the last several months about what I'm going to talk to you about. At the end of the day it does result in an application and I will get into a little bit more details of what that looks like. But, again, we have been coordinating with their staff and kind of getting -- have gone back and forth a little bit on the best way to get some of what we would like the county to help us implement as it -- as far as our growth priorities and development patterns go and so we have got that path forward and that's, essentially, what I would like to share with you this afternoon. So, as you know, the city adopted our comprehensive plan in December of 2019 and Ada county noticed -- gave us notice a few months ago that they were going to do a development code rewrite. So, there was an opportunity there to kind of coordinate some of what we had just adopted as a community as our vision for the community with, you know, roughly 60 percent of Meridian being developed and 40 percent of it being largely undeveloped, at least unincorporated and developed in the city. So, we are working with them on kind of two fronts, again, them to recognize our vision and, then, as they amend their development code having that code reflect some of our needs as a community going forward. So, we as staff have identified a comprehensive wish list, if you will, and that's kind of the middle part of this slide. I will kind of run through that a little bit more, but those -- those dashes there, those are really kind of the main things -- well, again, a comprehensive list of things that we would like to have changed. Again, in some of those meetings with the county it was starting to make more and more sense to

kind of take bite sized pieces or do this in phases, rather than ask them for all these changes at the same time. Kind of bite off some of the most important things first and, then, follow that up through their process of amending their overall code on some of these things or maybe that are a little more less important. So, let me walk through that with you. So, at the end of the day we have drafted a letter that -- that we would ask you to go ahead and authorize the Mayor to sign and apply to amend our Title 9 agreement with Ada county. So, that information is in your packet this afternoon. So, the biggest one I think is probably the Title 9 request and that has to do with recognizing the city's Comprehensive Plan. There is actually two sections of their code that they do that, they recognize the map and, then, by ordinance they adopt the Comprehensive Plan and resolution within that ordinance, our Comprehensive Plan. So, that's outlined in the draft letter you have in your packet. And the second part of that is -- and this is still, again, in Title 9 -- is require that hearing level projects on properties that are contiguous to current city limits. So, eligible for annexation of the city be processed by the city and not the county and on the next slide I -- I will have an example of that, one that we are dealing with right now and, in fact, there is a couple of them that we are dealing with right now. There will be some exceptions to that. It doesn't make sense in every case. Someone wants to do an addition on their single family home, we wouldn't say, okay, now you need to come into the city, disconnect your well and septic and hook up to our services. That seems a little bit over the top for someone who just wants to do something as simple as a single family residential addition or a home occupation or a daycare or some of those types of things. So, we would have to work out some of those details, but for the most part if the -- if the property is touching city limits, that's the orderly development of the city for the most part. There can be some exceptions to that, you know, on the fringe we don't necessarily want to keep sprawling and sprawling out, but as a general rule it makes sense for the city to be the lead agency when those properties are contiguous to the city limits. And so just in -- in parentheses there under that second bullet today in Title 9 it just requires that planned unit developments, subdivisions, and rezones go to the city. So, conditional use permits, those are processed by the county. There can be long-term implications if the county approves a CUP and it operates for years and years within our area of impact and it is an enclave for years and years. So, just as an example. So, the second part, then, of the letter in our application request is to do some amendment in Title 8. So, maybe I should just back up real quick. So, Title 9 is the county's agreements with all the cities. So, there is six separate chapters in there. Each city has an agreement with the county. So, Title 9 is -- is their agreement with each city. Title 8 is their overall development code. It's like our UDC. It's Title 11 of city code is their Title 8. And, actually, it's structured really really similar. So, these are the things, again, that we had listed as some things that we want to make sure that our eventual urban level services aren't more costly to put in or if not impossible to put in in the future. Kim was just up talking about the pathway network. You build a house where we are planning on a pathway, we have to work around that. It becomes more costly, again, if not impossible. So, those are some of the things where at least we would like the county to preserve some easements for our sewer trunk mains. We don't envision too many dry line requests, but the easements to at least preserve us bringing those sewer trunks through properties when appropriate consistent with our masterplans. Landscape buffers on -- on arterials. Again, they don't have to look exactly like the city's requirements, but there should be some consistency in

that for landscaping along your section line roadways. Parking lot and drive aisle improvements. So, again, just making sure that they are paved and brought up to an urban standard with some of those things. Again, multi-use pathways. And streetlight infrastructure. So, we aren't asking them to put in streetlights. That would be out of context in a lot of these places that are in the county to have streetlights where there aren't any for sometimes miles and in other directions. But at least the conduit and, again, preservation of that. And so I'm going to draw an imaginary line, basically, that is about halfway through that list and those are the things that we have asked them to address more immediately. So, right now in this letter we would like them to consider changing their code to address these things in Meridian, if not the rest of the county, when you are in an area of city impact to provide those -- those types of -- or at least, again, preserve for those types of urban level improvements. The second half of that list is, again, the -- kind of the longer term effort -- effort and discussion with the county and other cities about what does that mean. The county approves a lot of private streets. Private streets can be problematic into the future as they redevelop and getting through private streets or sharing private streets and expanding private streets on five acre lots. So, just getting on the same page with them about what that looks like and connectivity and those types of things. Access points to arterials, master site plans and fire code protection. And, then, again -- so, this is kind of a hierarchy billboard, barbed wire and electric fencing aren't as high on the list, but we think it needs to be at least addressed or what does that look like as the city comes along and properties are annexed, do we grandfather in billboards, barbed wire fencing, and those types of things. So, more to come on that. We don't have all those things solved as far as the exact code that we would propose, but we want to have that conversation with the county about how that -- how that works. Parenthetically kind of in that first note, there is some examples of some problems that Public Works have had in the past on Rescue Ranch was -- was a subdivision about five years ago where we didn't get the easement that we need for the McDermott trunk and so now we got to redesign our master plan and work around that through the county. So, if they can adopt our master plan and enforce that and -- and get those -- the preservation of those easements, it will certainly make things more efficient in the future as we do that -- bring that infrastructure to and through those properties. And this is an alternative. Just a thought. So, today basically the highest you can -- the highest development you can do that's none -- not commercial, if you are talking about residential, is five acre lots. We had some -- some discussion of do we make that a ten acre minimum. Even these five acre lots are tough to redevelop. So, it's just -- it was just a -- just a thought to maybe a ten acre parcel in the future, if we need to get through those with the easements, there is a little bit more wiggle room to work through a property than even a five acre lot and you can be kind of more constrained if you will. Again, I already mentioned the second -- second kind of caveat there. We need to define those application types to exclude single family homes and home occupations and things. So, I said I had an example of a slide. Oops. Too fast there. No, I added it -- sorry. I updated the presentation in the Y drive. Chris, is that something that you can -- I apologize. I added an example. I will apologize for that. I made a last minute change and decided to share this example. So, everything in gray and where it says site is all in Ada county. This is just, again, one example. We probably get, you know, a handful of these, you know, maybe one every other month or so I mentioned in kind of my opening remarks, you know, there is a couple of these we

are dealing with right now. This site is totally surrounded by city limits and there is development approved on all sides, yet they are proposing a daycare and a Montessori school through the county. There are stub streets from both the east and the west and services are stubbed from the north and the east and the west to this property. We have a tough time as staff encouraging the county to approve development and, you know, again, the perpetuation of an enclave in the county on something like this. We believe it should be processed through the city. So, this would be an example of an application type that we think makes some sense to let the city be -- I mean this is surrounded by the city and some of the bullets I have got there -- I mean they are asking for a waiver of sidewalk on Cherry Lane where we require development on either side to put in sidewalk on Cherry Lane. So, that's just an example. I don't want to spend too much time on this, but this is in the vein of those types of examples that we are talking about. There is some commercial examples and some of our mixed use designations where the county is processing these applications and I can't blame their staff, because their current code -- that's how it's written right now is that they are the lead agency. But I just want to give you a little bit of a feel and a flavor for the types of things where it makes planning difficult when we are almost encouraging development in the -- to stay in the county, but, yet, the city limits are -- are surrounding these properties or at least on multiple sides in a lot of cases. This didn't make it into -- so, this is, again, kind of a future request to Title 8 and I think we will have to have another conversation and this isn't me to lead that conversation, but I did want at least put it on your radar about impact fees. So, we have had some of that conversation as well with the county and I know the county is talking about that kind of independently of the city -- or even with the cities, but that's something that -- that's come up as well. So, I just wanted to put that on your radar and maybe that's a future joint meeting topic. So, again, for what we are here today -- so, that kind of gives you the -- the full -- the full picture of what we will -- we will be working with the county on over the next several months and, then, as my boss -- boss likes to say, the wolf at the sled, basically, is this letter and the application to ask the county to adopt our current Comprehensive Plan and, then, help us implement that as they review development applications in the county and make some changes to Title 8. So, with that I will stand for any questions you may have.

Simison: Thank you, Caleb. Council, any questions for Caleb on the information he provided?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thanks, Mr. Mayor. Caleb, is this -- kind of these changes -- the proposed changes, are those being worked at merely staff to staff? Are any of the county commissioners involved in that? Is the Mayor or any member of the City Council involved from our side on this process?

Hood: So, Mr. Mayor, Councilman Cavener, I do not know directly. I can let you know directly. I have not talked to the county commissioners about this. Both Steve Rutherford

and Dave Miles have been part of that, so I'm assuming there is some conversation with, you know, our Mayor and their -- their commissioners. We have in theory talked about these things, you know, and -- and the county commissioners, you know, encouraging development close in within cities, not exacerbating sprawl, but some of the exact changes to code, no, I have not coordinated that with their commission, only with their staff.

Cavener: Okay. Thank you.

Simison: And, Councilman Cavener, if I can add in just a little bit. And I -- it's hard to remember when we had this conversation. This is a follow-up conversation that was had with the county -- former county commission several years ago, so it was initiated through that process. I have had conversations about the desire to update. Again, we did not talk specifics in terms of changes, but we have talked conceptually about those changes and, actually, the one thing that I didn't realize was not on the list was impact fees, because that is something -- that is something I have had specific conversations with their commissioners on and so I'm actually at the end of this conversation going to suggest we move that up to a higher level immediately into this conversation. They want us to collect their impact fees when they get them going and just like we prefer them to collect our impact fees that are existing and I'm not aware of any current reasons why we shouldn't be moving that forward more expeditiously, to be honest with you. But all the conversations have been in a while and it's been left at the staff level for the last three to six months, because most of my conversations were had back in February on this topic.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Mr. Mayor. Caleb, two questions. The first on the bottom of your memo it referenced having cities -- our city staff participate in the pre-ap meetings. That doesn't require a code change.

Hood: Mr. Mayor, Councilman Borton, correct, yeah, that's just a process thing where we have requested that they include us.

Borton: Have they, though?

Hood: No, not as of yet -- or I haven't been invited and I don't know anybody on my -- on my team that has.

Borton: That's -- that's too bad. That's such a good idea to get those concerns in the conversation extremely early for any applicant trying to develop in the county. The second question is until a code change occurs can our list of requests that you have put together, has that -- is there a means to get that to the -- to the decision makers themselves at the very least, they get in the -- of imposing those types of requirements prior to a code change? Is there any means to -- to have them address them without waiting any further?

Your Montessori example is an extremely concerning -- it's a tragically perfect example of why action is needed really quick on what --

Hood: Mr. Mayor. Councilman Borton, you kind of cut out of there a little bit, but I think I get the gist and that's why we have, again, decided to take this phased approach. We really think we are on the same page. Even though I haven't talked to any of the three commissioners directly we think we are on the same page as staff and I have to think that their staff has communicated some of these things with their commission and we think we can move this through -- it still requires public hearings, so I'm not going to say it's going to be done, you know, next week, it's still a process, but these are the ones where we think there is little controversy and can move expeditiously, so we can get this cleaned up.

Borton: Thanks.

Simison: Caleb, just to our knowledge did Ada county ever fill -- I assume they have -- their development services manager position?

Hood: Mr. Mayor, I have not heard. Only interim still as far as I know. That may have changed. I haven't heard anything in the last maybe ten days, so --

Simison: Council, any further questions regarding the items Caleb presented? As mentioned we do have a letter in the packet that we would like to send. If I can just -- I don't think we need a motion, but if I can just -- to my knowledge we don't need a motion. If there is not any questions we will go ahead and get that sent over to the county immediately for their action.

Hood: Okay.

Bongiorno: Mr. Mayor?

Simison: Deputy Chief.

Bongiorno: I just wanted to comment -- and Mayor and City Council, Council Member Borton, there is one other project that I'm working on right now with the county that's 25 acres on the southwest corner of Amity and Meridian and, basically, it's -- it's Victory Greens is wanting to move their nursery onto that corner and what I found -- and it was developed through the city and -- and they can't meet fire flow, because there is no water there, but the water is literally across the street in two different directions and there is literally sewer right across the street and so I recommended, you know, unless you want to put 60,000 gallons of water on your property or potentially 180,000 gallons of water on your property, maybe you should come through the city and get water. So, that's another one that I made Caleb aware of that it's -- it's going to be an issue. So, another example of what we are having to deal with. Thank you.

Hood: Mr. Mayor, it sounds like you are ready to move -- move on, but just one more point to that. I just wanted to disclose to the Council -- we actually submitted as staff a letter to Ada county both on that -- so, the hearing for the Montessori school that I showed you as the example is actually this Thursday at their planning and zoning commission. We -- we co-signed a letter as city staff and -- and Boise's concerns. So, I just want to be -- have you be aware it's -- our requests and our concerns are not consistent with Title 9 and 8 right now as it currently exists, but we want to daylight this with them and go on record and say our system is broken, here is a good example of why it's broken, and we want to change this. And to Joe's -- Deputy Chief's point, we are going to do the same with that project. It's right on the corner of Amity and Meridian. It's -- the city is on two sides annexed. We have got development approved on both of those sides. It should come through the city, not the county. So, we are going to write a similar letter on that project. So, again, just -- if you get a letter, you know, waved in your face or something, just know that, yeah, we are doing that even in advance of that -- the technical changes kind of to Councilman Borton's point a little bit, we are trying to make some of these points in advance of changing the codes and the processes. So, just a disclaimer there.

Simison: Thank you. And at least from my conversations I don't think the current commission wants to be approving that type of development anyways. They -- they don't want county enclaves in Meridian, but they have to follow their codes and their rules as well, so --

EXECUTIVE SESSION

- 44. Per Idaho Code 74-206A(1)(a) To deliberate on a labor contract offer or to formulate a counteroffer; and 74-206(1)d To consider records that are exempt from disclosure as provided in Chapter 1, Title 74, Idaho Code**

Simison: Okay. I want to come -- next item on the agenda is Executive Session.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we go into Executive Session per Idaho Code 74-206A(1)(a) and 74-206(1)(d).

Hoaglun: Second the motion.

Simison: I have a motion and a second to go into Executive Session. Is there any discussion on the motion? If not, clerk will call the roll.

Roll call: Bernt, yea; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, absent; Perreault, yea.

Simison: All ayes. We will adjourn into Executive Session.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

EXECUTIVE SESSION: (5:20 p.m. to 6:05 p.m.)

Simison: Do I have a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we come out of Executive Session.

Hoaglund: Second the motion.

Simison: Got a motion and a second to come out of Executive Session. Any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn the meeting.

Hoaglund: Second the motion.

Simison: I have a motion and a second to adjourn. All those in favor signify by saying aye. Opposed nay. The ayes have it. We are adjourned.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

MEETING ADJOURNED AT 6:06 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK