

A Meeting of the Meridian City Council was called to order at 4:31 p.m., Tuesday, September 1, 2020, by Mayor Robert Simison.

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

Also present: Chris Johnson, Bill Nary, Caleb Hood, Miranda Carson, Jeff Brown, Shawn Harper, Joe Bongiorno and Dean Willis.

**ROLL-CALL ATTENDANCE:**

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> Brad Hoaglund	<input checked="" type="checkbox"/> Treg Bernt
<input checked="" type="checkbox"/> Jessica Perreault	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: All right. I will call this meeting to order. For the record it is Tuesday, September 1st, 2020, at 4:31 p.m. We will begin tonight -- this afternoon's meeting with roll call attendance.

**ADOPTION OF AGENDA**

Simison: All right. Next item on the agenda 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: ALL AYES.

**ADOPTION OF AGENDA [Action Item]**

1. **Approve Minutes of the August 18, 2020 City Council Work Session**
2. **Approve Minutes of the August 18, 2020 City Council Regular Meeting**

- 3. Addendum No. 18 to Agreement for City Prosecutor/Criminal Legal Services Dated November 1, 2002 Between the City of Meridian and the City of Boise**
- 4. License Agreement Between the City of Meridian and Meridian Library District for Storage of Bicycles at Meridian City Hall**
- 5. School Resource Officer Agreement Between City of Meridian and West Ada School District for the 2020–2021 School Year**
- 6. Agreement Between City of Meridian and Kurita America, Inc. for the Supply of Well 17 Treatment Facility Filter Tank Project #11081.B**
- 7. Resolution No. 20-2224: A Resolution of the Mayor and City Council of the City of Meridian, Amending the City of Meridian Comprehensive Plan by Adding Priority Levels and Assigning Responsible Department Leads to the Existing Policies of the Plan; and Providing an Effective Date**
- 8. Resolution No. 20-2225: A Resolution Reserving the Forgone Amount for Fiscal Year 2021 for Potential Use by the City of Meridian in Subsequent Years as Described in Idaho Code § 63-802, et seq.; and Providing an Effective Date**
- 9. AP Invoices for Payment - 09-02-20 - \$214,470.85**

Simison: Next item 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? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

#### **ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

Simison: There were no items removed from the Consent Agenda.

## **ACTION ITEMS**

### **10. Resolution 20-2226: A Resolution of the City Council of the City of Meridian Supporting Idaho Power's Commitment to 100% Clean Energy by 2045**

Simison: So, we will move on to Action Items. Item No. 10, Resolution 22-2226 and I'm going to turn this over to Council Woman Strader.

Strader: Great. Thanks, everybody. So, this is a continuation of the resolution that we discussed in a workshop session with the Clean Energy Resolution for the City of Meridian. I can kind of maybe walk you through the highlights in terms of changes from the last version. So, the -- probably the main one -- the title of the resolution was shortened, but the point is the same. So, we are economically and functionally viable that we will support clean energy in the City of Meridian. In fairness, the original title is a little bit of a run-on sentence. So, I -- I think the content remains mainly the same. We did make a lot of the changes that were discussed, you know, that felt like the reordering and -- and building a consensus from our last meeting and, then, at this point I think the main -- probably the main changes -- I'm taking a step back on the idea of establishing a committee concept to make recommendations. I think we want to walk before we run. If we have Council support this year for the resolution, you know, we could build on that down the road, just continuing the good efforts that we have already started in the city. So, I think, you know, we have been good at building on things incrementally and if we, you know, don't include establishing a committee, I think that's okay, we are still heading in the right direction. You know, I think just to summarize, I think we are building on some really good past efforts in the city. What I like about the resolution is it's setting an intention, especially at a City Council level, to leave in there for city supporting responsible use of our resources, environmental stewardship, and making smart investments in economically viable clean technologies that we have develop here at home can benefit our whole community. So, I didn't want to get -- get into everything that we talked about already in our last workshop session. I guess I'm just available for any discussion or when we are ready to take a vote on it.

Simison: Thank you. Council, any questions, comments, discussion?

Bernt: Mr. Mayor?

Cavener: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I just wanted to thank Council Woman Strader for her effort in -- in regard to this resolution, all of the talking points that she hit on earlier are one thousand percent true and grateful for her and her effort and all she put into this and -- and I'm confident that as a city we will benefit from it. So, thank you, Council Woman Strader, for your time and for your effort.

Simison: Councilman Cavener.

Cavener: Mr. Mayor, Council Member Bernt pretty much took the words out of my mouth, but particularly I want to applaud Council Member Strader for being willing to make that step back and I like that comment, we got to walk before we can run. I think sometimes we as Council want to bring the whole kit and caboodle all at one time and I think there is something to be learned for incremental progress and being able to validate the right decision year after year and growing and improving and I think that's a good reminder for me and I appreciate your willingness to take this issue on and to bring it back to us in a more polished version. I'm supportive.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we approve Resolution 20-2226, a resolution of the City Council of the City of Meridian supporting Idaho Power's commitment to one hundred percent clean energy by 2045, brought to us by Council Woman Strader.

Cavener: Second the motion.

Simison: I have a motion and a second. Is there discussion on the motion? The only thing I would say is that I think it's also important that -- you know, while this is a resolution it does have meaning and I'm going to share a little bit of information real quick before we get there as -- as notified late last night that the City of Meridian was approved for the grant that we applied for for an electric fire engine. That doesn't mean we are going to go out and purchase one tomorrow, but it means we will continue our due diligence. So, we are going down this road and for anyone who is interested, I will be having solar panels installed on my house tomorrow beginning at 8:00 a.m. if you would like to come by and help us -- help at least see how a practical application of looking at the triple net approach to making decisions about how we can each do our own part as individuals or as city members. So, with that I will ask the clerk to call the roll, unless there is any other discussion on the motion.

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

Simison: I don't get to vote, but aye as well. All ayes. The resolution is adopted.

MOTION CARRIED: ALL AYES.

**11. Fire Department: Memorandum of Understanding and Agreement between the City of Meridian and the Meridian Rural Fire Protection District**

Simison: Up next is Item 11, Fire Department MOU of agreement between City of

Meridian and the Meridian Rural Fire Protection District. I will turn this over to Chief Niemeyer. Sorry, chief, if I just shared some information that you were waiting to share, but --

Niemeyer: No worries. Mr. Mayor, can you hear me okay?

Simison: Yes.

Niemeyer: Great. Awesome. I'm on a loaner computer, so we have had a little issues today. So, yeah, exciting news on the -- on the DEQ grant. Just to add to that for Council, the resolution and the motion you just passed, we had two staff vehicles in this year's budget, meaning FY-21, and both those vehicles we have looked at, they are going to be hybrid vehicles. We are really excited about that. In addition, the ladder truck that you all approved through impact fees is incorporating new idle technology that is going to lower emissions and I know this is going to not sound great, but in our world it is -- our ladder trucks, those big diesel pushers, get about three miles to the gallon. That's the reality. This new technology coming in the new ladder truck bumps that up to seven miles to the gallon. So, it doesn't sound like much, but it's an incremental change certainly that we are excited about. So, to add to your -- to your motion that you just made, we are trying to do our part in the Fire Department. Now, with that I am here to present the MOU with the rural district. This is a long standing agreement since 1998 where the rural district has contributed revenue every year to help with the operation of the Fire Department. Really what this MOU entails is the city manages the operations through the Mayor, the Council, and the fire chief. The rural district doesn't have any input into operations, they don't make any operational decisions, and in return the city agrees to provide service to the rural residents, as well as a contribution based on a formula that was developed years ago and I got to applaud Jenny and -- and Reta and Todd, every year they do a great job of getting this out. That is based on a formula that incorporates population in the rural district, plus assessed value as compared to the city and that's really how we get this percentage cost share from the rural district. So, for FY-21 this is going to be eight percent. That's down one percent. Last year it was nine. As you can imagine as the city continues to annex that rural district continues to shrink. They understand that. There will come a point in time, probably years from now, long after I'm presenting to all of you, that the rural district really won't have a ton of population or assessed value. So, what is going to occur then -- today right now the rural district has a pretty big share, meaning ownership of various fire stations and various apparatus in our department and so as that ability to pay, if you, will, diminishes, they will start transitioning that ownership back over to the city as their cost share, essentially, and that -- that was a -- again, an MOU developed years and years ago. We have updated it every year and so what you have before you tonight is just the signing of the eight percent to recognize the formula that Jenny worked so hard to present and she does a great job of that, presenting that early, so that eight percent will be the revenue share from the rural district next year. That includes everything operations. It includes wages, it includes equipment, it includes our fuels -- anything within our line items they contribute eight percent cost share to. So, with that, Mr. Mayor, I would be happy to answer any questions.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Chief, just a -- I guess kind of a sideways question that popped in my head as you were presenting. Is there -- there wouldn't necessarily be a scenario where the rural goes away, then, because as long as we have county subs that are -- that are paying into the district they will always continue to have some presence or is -- has -- has the rural contemplated a time or a tipping point in which they would work to dissolve themselves and how would that, excuse me, impact our -- the county -- county residents?

Niemeyer: Councilman Cavener, great question, and, you know, this comment is coming from a good place. I don't look at my crystal ball very often, but on this one I can. I have made the statement -- and I truly believe it -- I don't think the rural district will ever completely go away. There is always going to be a pocket or two. In fact, quite honestly, we have pockets right in the middle of our city that are county and rural district covered and that's a challenge for us, quite honestly, from an operational standpoint. It means that there is no hydrants in that area, even though we might have 20, 25, 30 homes in that subdivision right in the core of our city, but we have to send our water tender and call for aid on water tenders, because we don't have a hydrant system. So, to answer your question, Councilman Cavener, I don't see the district ever going away. It will probably be pretty small someday, but I don't know if it will ever go away, unless the city completely covers that response area and I don't know if that will ever happen.

Simison: Council, any additional questions?

Hoaglund: Mr. Mayor, just a question for Mr. Nary real quick. Do we -- do we need to -- does the Council -- for the Mayor to sign.

Simison: Yeah. We lost you on that one.

Hoaglund: Oh, I will -- let me try it again. Does the -- do -- does the Council need to take formal action on this or will the Mayor just go ahead and sign?

Nary: The Council will need to move for the Mayor to sign and Clerk to attest for the resolution.

Hoaglund: Well, Mr. Mayor?

Simison: Council Hoaglund.

Hoaglund: Seeing that there is no further comments or questions from anyone, I would move that the Mayor sign and Clerk attest to the signing of a memorandum of understanding and agreement between the City of Meridian and the Meridian Rural Fire

Protection District.

Bernt: Second.

Perreault: Second.

Simison: I have a motion and a second to approve the MOU. Is there any discussion on the motion? If not, Clerk will call the roll.

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

Simison: All ayes. It is agreed to. Thank you.

MOTION CARRIED: ALL AYES.

**12. Police Department: Discussion of Proposed Updates to Ordinance Provisions Regarding Disqualifying Criminal Convictions for Mobile Sales Unit Licenses and Vehicle Immobilization Licenses**

Simison: Item No. 12 is our Police Department, a discussion, proposed updates to the ordinance provisions regarding disqualifying criminal convictions for mobile sales unit license and vehicle immobilizations licenses and I will turn this over to Lieutenant Harper.

Harper: Good afternoon, Mayor, Members of Council. I'm here to present to you guys some updates in regards to disqualifiers, reference the mobile sales unit license ordinance, as well as the vehicle immobilization ordinance. We have had some previous discussions about this. Oh, it's been maybe a month now. I kind of lose track of time. But we were wanting to take a closer look, so myself and Legal, as well as the members of command staff, took a close look at the disqualifications and, really, what we saw was it was a time for an update and it was really based around where we need to be currently, what the rationale is, but remembering what is important, which is the safety of our public, especially when you have people going out and door to door doing sales or having interactions in our community. So, I'm sure you guys all have the packets and I don't know -- Mayor, would you like me to go over some of these changes, because there is quite a few.

Simison: Yes.

Harper: Okay. So, in the mobile sales unit license ordinance some of the changes that we made -- we took out the reckless driving and looting section, as the city really doesn't have any liability in reference to somebody's driving actions with us having a mobile -- with them having a mobile sales license issued by the city. That -- that onus would fall on the company who is employing that -- that person. So, that was something that -- that we removed. Also in regards to driving under the influence and in regards to being able to operate a motor vehicle, again, there is things in place that take care of that that I don't

feel -- that we didn't feel the city was responsible for overseeing. As we move down in regards to theft and fraud -- and this is where we kind of got into the discussion with one of our appeals is really looking at that and figuring out is the time frame fair and accurate in today's time. So, we -- we changed that from 15 years to ten. Some of the things I guess I -- let me back up real quick. When we are talking about convictions, we also added any probation or parole violations pending off of those original cases and the reason we added that language was really because they are continuing to show acts that we as a city would be concerned about in regards to their -- the crimes that they have committed. And moving down, the next change was in regards to firearms. We -- we changed some language in regards to the concealed carry portion, because in Idaho we no longer have to have a concealed carry permit. So, we didn't want to set a precedent -- or set a rule that if they had a concealed carry conviction that they couldn't possess this license in Idaho where we don't recognize that code anymore. And moving on to the next page, we kind of went back and forth on this in regards to crimes to children and the elderly -- elder -- elder abuse of vulnerable people. We moved that to five years and, really, the reason was in the language within that would include a misdemeanor child abuse conviction, which could technically be as simple as a parent disciplining their child to the point where marks are left as in a spanking that left marks, something like that, where it -- still it's a misdemeanor offense. So, we wanted to be careful on what level of -- what level we wanted to have that at and in regards to -- to the use of narcotics or other illicit drugs, we moved that to five years. And, then, the last one we added in quite a bit of language, which we didn't have in the previous ones, in regards to violent felonies, which probably should have been our most important thing that we have missed along the way. That's where we really included your -- your murders, manslaughters, rapes, kidnapping, robbery, so on and so forth, as well as any delivery or trafficking of illegal drugs. So, that -- that is -- there is quite a few changes and I hope you all have had a chance to review those. The same changes took place in the vehicle immobilization license section as well, so that our language is consistent and we are not having to bounce around looking at different rules for these two ordinances. And, Mayor I will stand for questions.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think the one I may be struggling with a little bit is probably the one you struggled with, the -- that you just referenced, the crimes involving vulnerable people within five years and I guess I'm -- is there a way we could get more specific to eliminate things that you think are less serious or to possibly extend that time frame? I just -- I am worried about things like slipping through the cracks of what that means, that may not arise to the other points, but that may still be very serious.

Harper: Council Woman Strader, that's -- that's a good point and, again, we -- we have gone back and forth. We were trying not to make it into a -- too lengthy of a document,



but, absolutely, we can take a closer look and maybe put some exceptions under that subsection in regards to maybe the misdemeanor child abuse or something along those lines. Obviously, they are all important -- they are all serious in nature, but, again, we were trying to -- to really I guess read behind -- between the lines a little bit and make the language in this ordinance a little clearer and easier to understand for those putting in for the mobile sales or vehicle immobilization license.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of the Council, Council Member Strader, maybe one of the things to consider -- the Lieutenant can look at and Emily Kane that -- from my office, the one that helps write these as well, is separating between felonies and misdemeanors or -- also not counting the jail period, so -- so, that you wouldn't have somebody that could have gotten out of jail after five years on a -- on an abuse of a vulnerable adult that wasn't a sex crime, so they don't have to register as a sex offender, but they have literally been out of jail for 30 days and they are outside of five years. So, that might be a way to break out the more serious offense versus the minor -- yeah, I prosecuted many parent claims that were fairly minor claims of leaving your kid alone for an hour, those kinds of things, that clearly aren't what we are trying to address. It really is -- like you were saying Council Woman Strader, the person who is abusing adults -- that, again, may not be a sex crime, so they are not going to register, but if they are abusing children most likely the sex offender provision is going to be the catch all for those. But those might be a way to break those up, lieutenant.

Harper: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: In that same vein, regarding the section that talks about misdemeanor fraud and theft, maybe some clarity on that. So, you know, if there is an 18 year old and they have a petty theft charge for something very small and now they are 27 and they have made some changes in their life and they want to pursue a license, you know, there is just some clarity in that as well, that it may be something -- misdemeanor petty theft can sometimes be fairly insignificant. So, just a suggestion there on -- if there is going to be additional clarification made.

Simison: Thank you, Council Woman Perreault. Council, any further questions or comments on this item?

Harper: Mr. Mayor?

Simison: Mr. Harper.

Harper: I do want to put on the record -- I see here that we are missing -- I just found it. Disregard.

Simison: Well, I guess my question for Council, would you like to see these -- these items that were just discussed incorporated and have this brought back for further consideration? Is there a general consensus on that? Seeing enough head nods that I think, Lieutenant Harper, if you want to take that feedback and bring it back in the next two to three weeks.

Harper: Will do. Thank you for your time.

Simison: Thank you.

Hoaglund Mr. Mayor, I had one quick question.

Simison: Councilman Hoaglund.

Hoaglund: Yeah. Under Item C we talk about telephone harassment and I'm sure the courts have kept up to date, but to me there is two types of harassment now occurring on social media that -- that could cross the line. And maybe a question for Bill. Does that cover that sort of thing, if it's that serious of nature?

Harper: Councilman Hoaglund, I think I can answer that. They are covering a lot of this now with amendments in the language in regards to electronic harassment that covers some of that, but I will double check to see if that's a different code or it actually has a different title and make sure to include that as well if you would like, sir.

Simison: Okay. Yes, please. Thank you.

**13. Adoption of 2020 UDC Text Amendment (H-2020-0072) Changes by City of Meridian Planning Division**

- A. Request: Text amendments to update certain sections of the City's Unified Development Code (UDC) pertaining to Code Enforcement and Penalties in Chapter 1; Specific Use Standards in Chapter 4; the Public Hearing Process in Chapter 5; and the Subdivision Design and Improvement Standards in Chapter 6.**

Simison: Okay. Thank you very much. Now, we are on to Item 13, which is adoption of 2020 UDC text amendment, H-2022-0072. Council, you asked if this was to be brought back -- oh, wait I'm sorry. I'm just going to turn this over to Mr. Hood.

Hood: Thank you, Mr. Mayor, Members of Council. As I think the Mayor was just going to say, two weeks ago you requested -- I believe Councilman Cavener made the motion -- to continue this out for two weeks. Council Woman Strader and Perreault were both

absent. I just wanted to make sure they were good with the proposed code changes. I trust that you have had a chance to review those and the minutes from two weeks ago, but I am happy to go through kind of my outline and the presentation again if needed. I guess I will pause there just for a second to make sure everyone's kind of on the same page here.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I think, Caleb, I looked -- I reviewed everything. I think I was in agreement with pretty much the group's consensus on everything. The one piece I wondered about, maybe just to throw it out for the group, regarding the deadline, if you will, or a -- maybe not a mandate, but a guidance on when the public should provide, you know, their feedback and on the public record. I was just thinking it might -- from my perspective it might be better to finalize that deadline or those times at the same time that we finalize other deadlines, either for the applicant or for planning staff. It just felt to me like it was kind of making a decision in a vacuum without seeing the whole timeline and all the potential deadlines that we are holding people to. And, then, I wondered about -- Councilman Borton had a good point about our ability to continue items. I just wanted to throw an idea out for you to think about, which was, you know, maybe if things get up to a certain deadline they get automatically continued, because it's just too tight. That was my feedback.

Hood: So, Mr. Mayor, can I address maybe a couple of those and --

Simison: Yes, Mr. Hood.

Hood: So, again, just maybe so everybody's on the same page, the packet's pretty -- pretty large this week because of the comp plan resolution, I think, but this item does begin on page 267 and, really, the substantive information starts on 271. The section that Council Woman Strader was just talking about is a new section -- well, some of what she was talking about -- a new Section 11-6A-6H and as you recall last time a lot of the discussion was should they submit written testimony or shall the written testimony be submitted noon the day prior to the hearing. I can kind of walk you through if you would like kind of some of the other deadlines. I don't have that where I can just show it to you right now, you know, some of those other deadlines we have, but I can let you know we are also looking at in the next round of UDC changes -- and this has kind of been our unwritten policy for several years now, any new information that's submitted by a developer, we -- we strongly encourage them to get that to us at least ten days before a hearing. Staff has to have time to analyze that and provide an updated memo or staff report. So, there is one that I think is critical. That's one of the last deadlines in this whole process is we try not to accept -- and, again, it's not a -- it's not in our code, it's an unwritten policy we have, but we -- we do encourage applicants, if they are going to make any changes -- and we can have conversations about that is should it be ten days or 15 days or more, is that an adequate amount of time. I would just refresh your memory that our

process is set up in that there is roughly 30 days between when a Planning and Zoning Commission hearing happens and the City Council meeting. So, if you back it up too much there is really no time for an applicant to make any changes, because they have already missed the deadline. So, just -- we have a pretty small window there for any changes to be made between Planning and Zoning Commission and City Council. So, we are trying to kind of walk that fine line of -- and I'm not -- in a perfect world no changes would be made, right, ideally. So, everybody's working from the same sheet of music. But, again, hopefully that provides a little bit of context into some of the other deadlines we have, but we really -- this would be the first -- and, again, we didn't -- sorry to kind of double back -- didn't change anything from what you are reviewing tonight. It still says shall in the draft. I didn't hear consensus that everybody liked should. We certainly can go with should. Most of the code is a shall, a black and white, but in this case really the intent is to encourage folks to get stuff in, so it can be reviewed and considered as part of the public hearing, so -- and I'm kind of rambling a little bit there, but I don't have an exact timeline and fully addressed that, but it's something we are, again, aware of and look to further process improvements in the next round of UDC changes.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just to clarify, I was just suggesting maybe we punt on our decision on -- on that item specifically for the next round, so we could consider them together. I don't think we have to hold this up over this -- I wouldn't vote against it for that reason, but I just thought that might help -- help you and help everyone if we are considering them -- those sorts of deadlines at one time. That's all.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So I -- I don't have any recommended changes. Being the community development liaison I have been involved in this process from the beginning and have been really appreciative of the ability to share my input on each of these things and thankful for all the staff's incredible hard work in collecting information from as many different individuals in the public as possible. They really have made a significant effort to make sure that these changes are well thought out and -- and meet the needs of -- of the many different groups and individuals involved in -- in the application process and public hearing process. So, just a huge thank you to them. This has been -- this hasn't been a very small undertaking, so -- and I know we are -- we are not -- we are only part of the way through the process, so --

Simison: Thank you, Council Woman Perreault. So, Mr. Hood, it sounds like you have got the feedback we were looking to get from Council Cavener's comments. I know that it is your desire to see something -- an ordinance brought back in a couple weeks and so I guess I'm going to throw that to Council. That's really the next point of this conversation,

are you comfortable bringing this back in an ordinance form for consideration?

Borton: Yes.

Simison: All right. I see a general consensus on that, so I think any further conversation we will have when the ordinance is brought back for consideration at that point in time. So, Mr. Hood, I think you have what you need.

Hood: So, Mr. Mayor, I have what I need. I just want to make sure -- and this is where my notes kind of fail me a little bit. So, I'm going to put Mr. Nary on the spot just a little bit. This was a public hearing two weeks ago. I don't remember if you actually closed the public hearing or if we need to close the public hearing and -- yes, you will have an ordinance that you will actually consider and adopt here in -- we are targeting the 22nd of September, by the way, just because of the holiday, working with Legal to get that ordinance on your calendar, the 22nd seem to be -- but I just want to make sure this was -- this is an action item, even though the ordinance will still be considered and it will still be, obviously, in draft form, but I want to make sure we are good with the public hearing process and any motion that may be needed, instead of just direction.

Nary: Mr. -- Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of Council, I do believe that -- my recollection was we left the Council -- the public hearing open. So, we can close the public hearing and the direction we are seeking action tonight is simply to bring forward a final -- a final ordinance for review and potential approval.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just for clarification -- and I can't recall, to be honest, the motion that I made, but we don't have it listed as a public hearing on our agenda today. I don't know if that's problematic.

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of Council, I don't -- I don't believe it's problematic. I mean, again, it was -- I -- it's only my recollection that what we did was we left it open, so we could add more comment, but you are not required to have a continuous public hearing on an ordinance anyway. So, it's no issue from a procedural standpoint, so --

Simison: Mr. Clerk, are you checking to see if we opened -- left it?

Johnson: Mr. Mayor, yes, I'm referring to the minutes right now.

Simison: Okay. So, we will have that answer whether we are open or closed momentarily one way or the other.

Cavener: I'm sorry to bring it up. I just want to make sure we are crossing all the T's here.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: To confirm, are we leaving out the portion of the should or shall question that was spoken of earlier in regard to public testimony and when it can be received? Are we including that in this -- in this -- in this part or are we going to wait and include that into the next discussion? Just want to confirm.

Hood: So, Mr. Mayor, no, it's not necessarily a question for me, but if I could comment on that I guess a little bit. I mean I would like the ordinance to be as clean as possible. So, if -- if there is a majority of you all that like should, I can work with Legal and change that in the ordinance that you will be reviewing in a few weeks. So, I'm not trying to belabor this here, but, again, if we can make this -- streamline this and if we have got a majority -- I'm willing to change it. I haven't received that direction to change it as of yet, but I'm certainly willing to do -- to do that if that is the direction given.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: My personal opinion would be to change it to should, just in the interest of, you know, public testimony and giving them opportunities to express their concern or support for certain applications. I think that it would be wise if we have -- if this becomes a problem, however, maybe we need to address it in the future, but I'm going to err on giving the community the benefit of the doubt, that they will respect the rule and they will understand the reason why we have the code in place and so that would be my -- that would be my perspective.

Cavener: Agreed.

Johnson: Mr. Mayor?

Simison: Yes.

Johnson: I do have your answer. Councilman Cavener moved to close the public hearing. It was seconded by Bernt and all in favor and, then, the item was continued to the work session on 9/1. It was seconded and all were in favor. So, we do have a closed public hearing.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess what I'm wondering is if we -- if -- unless we all agree it should be shall or should, but couldn't -- isn't one option to consider this change on 11-5A-6H with the next round of UDC changes? Is there a benefit to doing that that might change our view when we have a more holistic view of like what the deadlines are for other parties involved? That was my only point. I don't know if Mr. Hood has any thought on that or if there is a reason that it -- it should be done as soon as possible.

Hood: Mr. Mayor, if I may.

Simison: Mr. Hood.

Hood: Council Woman Strader, yeah, I mean especially if we change it to should. There really isn't any teeth behind it anyways, so if -- if we lessen the language to be a -- boy, we would really appreciate it if you would. You know, I guess to the maker of the motion -- it wasn't a motion I guess. To Councilman -- Council President Bernt's point, you know, if it becomes a problem we can always become more strict. I mean we have got to go through this process again and make it a shall if it's a problem, but I really could go either way here. We will have some changes, though, in the same section that are being considered by our UDC focus group currently. So, there is some benefit to your proposal as well. So, I will, again, defer and do whatever Council majority wants to do.

Simison: And, Council, here is -- here is a third option for you. As I'm looking for that middle option these days to have conversations, just take it out altogether. Should -- should means nothing. It has no real value. We have -- we can provide that guidance in other ways without it being in the code. I'm a fan of having it in there and having those hard dates or time frames so people know if you want it to be read you need to have it in by this date. Anything else you may or may not see it from that standpoint, but why even have a should and just remove it altogether.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree with that. I mean we -- staff already in the -- in the practice of telling -- you know, especially anybody who contacts them directly with questions or who is submitting public comments, the applicant that's submitting public comment or, you know -- I don't know if an e-mail is sent out every time an appellate comment is made on an application, but they are already in the habit of letting people know, hey, at this point it's possible that Council, isn't going to review this. That's already a practice that's happening. So, to me if it's not going to say shall, then, just suggest that it come out, because it has -- as Caleb has said, it has no teeth and -- and I don't anticipate that this would have even been a topic of discussion to put in here as a suggested code change if the -- if the manner

in which it was being handled at this moment was being effective.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: My thoughts on this -- I kind of liked having should in there, because it gives some guidelines to people and most people are pretty good about attempting to follow guidelines. I mean we could be here -- if we have a 6:00 o'clock meeting tonight and we have got a big public hearing and we are in pre-Council and people are sending material, there is no way we can -- we can review it and there should be at least a guideline or something that makes them understand -- well, if it's not in by then, you know, it may not -- may not be seen, because that would be the case if something is coming in right now for something later tonight, we just don't have that opportunity. So, I just see it as guidance. So, there is some value to it. I mean the point is well taken that, you know, why -- why have it at all, but I look at it as just some guidance for people to kind of have this -- it should be in. You should be doing it in advance to allow proper -- proper vetting of what you are recommending. So, that's just my two cents.

Simison: Councilman Hoaglund, I don't disagree. I'm just saying it's -- you need to have that guidance in that location, because guidance can be given in other ways, on cut sheets, on other handouts, but do you want to have it in code. And I guess, you know, I turn to the Legal folks, but I know we don't say you should drive 55 miles per hour, you know, we are -- we are a black and white in terms of organization, but not everything in planning is black and white all the time. So that's -- that's my only point is ordinances and laws with should -- I will ask Mr. Borton how often is should a really good clarifier of what you should uphold and what you do in the law.

Hoaglund: Mr. Mayor?

Simison: Councilman Borton.

Hoaglund: To follow up --

Simison: Councilman Hoaglund.

Borton: Go ahead.

Hoaglund: Just to follow up -- yeah. And that's a very good point, you know, in the legislature we see is it shall or is it may, that's -- that's the argument over one word. I guess if you want to be realistic and you don't like shall, we can just say must be, so that would solve it.

Borton: Mr. Mayor?

Simison: Councilman Borton.



Borton: So, I -- I don't really have heartburn if it comes out. If it's -- and if it is in there I think should is -- the only thing you can't do -- we talked about this before -- you can't have a hard deadline and exclude public testimony. It's quasi-judicial, we have got -- there is due process rights and I think everyone's going to have a role in providing stuff late, so -- so, take it out or use should. The only example that illustrates another way it's dealt with by those on the bench is when this happens in court and there is a late filing and they ask have you read it, the judge says no. I just didn't. You can file all you want, I'm not going to look at it, and you need more time and we can continue it. People pick it up pretty quick that -- applicants in particular, if they want to try and wait until the 11th hour as well it doesn't go well and we up on the dais create some unofficial policy and practice that we don't -- we are not going to be reading applicant submittals at 4:00 o'clock on a Tuesday or from the public. So, I agree with Council Woman Strader, it can come out, continue to be noodled, but if it's anywhere in there should is the best direction -- really the most accurate direction, whether it's in UDC or in some other cut sheet.

Bernt: Mr. Mayor?

Perreault: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: You're not going to get consensus I don't think, just reading the tea leaves here. You are -- we are probably looking at three or four different options and so I say we just talk about this -- take this portion out, talk about it at a later date, and we can talk more about it. I don't -- I don't know if we are going to get there quite tonight.

Simison: Mr. Hood, does that work for you for now?

Hood: Again, I will follow your lead and we will -- we will talk about it here in a couple few weeks, I guess, when the ordinance comes before us, so --

Simison: I think the point is that may bring it back --

Perreault: Mr. Mayor?

Simison: -- for further conversations -- you know, maybe take it out for now, see how education goes, what the response is and if you -- if you feel like we need to put it in, because you are getting the question asked a lot -- I don't know who goes to the UDC to figure out when they should submit testimony on public hearings. That's part of my -- my -- my big question. I mean that's really not a -- oh, let me go search when they will accept my testimony level, in my opinion. But I could be wrong. Maybe people really enjoy reading the UDC to figure that type of information out. And wait until later, I'm hilarious tonight. Okay. We will bring this back on the 22nd of --

Perreault: Mr. Mayor?

Simison: That was Perreault or Shrader?

Perreault: Perreault.

Simison: Council Woman Perreault.

Perreault: So, I just wanted to say the origin of where this sort of came to be was really less about Council reviewing public comment and about Planning and Zoning reviewing public comments, because in a lot of -- a lot of the public comment that we review was submitted before the Planning and Zoning hearing, so what was happening with Planning and Zoning was not having opportunity to review things and since they -- their focus is to really make recommendations to us on -- on UDC and the more technical things regarding this -- the application, it is really important for them to have that public testimony and some of -- when it talks about public testimony it wasn't just about individual members of the public, but it was also -- also having to do with information we were receiving from -- from other governing bodies and whatnot. I don't know, it just -- if I remember correctly the origin of this whole conversation was really about P&Z getting to see some of this comment and not about City Council. So, to Councilman Borton's point, if we are sort of unofficially creating policy, yes, City Council is doing that, but the Planning and Zoning really isn't and they are really the ones that have been -- they are being affected by this more than we are. So, just -- just to throw that out there.

Simison: Council, anything else? Okay. Mr. Hood, you are good to go.

Hood: Thank you.

## **DEPARTMENT / COMMISSION REPORTS [Action Item]**

### **14. Community Development: Discussion Regarding School District Data for Staff Reports**

Simison: With that we will move on to Item 14, Department/Commission Reports. Community Development discussion regarding school district data for staff reports and I will turn this over to Miranda.

Bernt: Mr. Mayor, didn't you say this was going to be a five minute discussion?

Simison: Yes. Absolutely.

Carson: Hi. So, this is a draft table that I was requested to make for -- to evaluate developments versus the school district. So, talking about what kind of impact the development will have on individual schools within -- that the development falls within the boundary. I'm going to share my screen here, so you can see the table I'm referencing. So, the data that was evaluated was building permit data, historical building permit data, and also data relevant to a specific development, looking at the data that falls only within the school boundaries that would be affected by the development. So, I'm going to go

through the table and most of your questions that will probably pop up as I'm going through the table will be answered as I go through it with the assumptions and, then, afterwards if you have any further questions I will be happy to answer those. So, this is data that we would -- if the Council likes the data we would suggest be put on to the staff report. I would propose that it be put on for applications with 50 or more residential units and I do just want to have a disclaimer before I start that this is reference data, this is not meant to be a decisive tool for -- we should or should not approve a development. This is a static shot of data in a very dynamic community. So, looking at this is -- this specific table is based on the Prescott Ridge development. So, each development will have its own specific table. This development is proposed to include 316 single family residential units and 56 multi-family residential units. The schools that will be affected by the development are Pleasant View Elementary, Star Middle, and Meridian High School that falls within those boundaries. The distance capacity and enrollment data that's displayed in the table comes straight from the West Ada School District agency comment letter. If at anytime when I'm doing this analysis or a staff member is doing this analysis and that letter has not been created yet, we can go to -- the State Department of Education also has this data. The West Ada students generated by development is looking at how many single family and multi-family units are in that specific development and comparing it to the student generation rate. In the past I have told you that we looked at the student generation rate as .8 students per unit. Met with the school district last week, had a good meeting with Marci Horner, the new planning administrator there, and we came to the determination that for the West Ada School District it's closer to .7 students per single family unit and .1 student per multi-family unit. We can continue to discuss that as things change, but for this school year that's the numbers that they are planning to use and I think it would be wise if the city uses the same indicator. So, using .7 for single and .1 students for multi-family, the students generated by this development is estimated to be 105 Pleasant View, 52 Star Middle School students, and 70 Meridian High School students. This is just for the Prescott Ridge development. And this would be the development at its completion. So, this is not evaluating any kind of absorption rate or a ten year build out. The next columns are historical building permits. So, looking at how many dwelling units were included in residential building permits that were issued. So, in 2016 there was 153 units within the building permits that were issued in the Pleasant View Elementary boundary, 153 in the middle -- Star Middle boundary and 523 in the Meridian High School boundary. That data is also available for 2017 and 2018 and including the percent of change from the previous year. In 2019 there is an additional column that shows what percent of the total city's residential growth is happening in that school boundary. So, in 2019 39 percent of the dwelling units included in building permits that were issued fell inside the Meridian High School boundary. So, that gives you an indicator about how fast that area is growing and how much of the growth that's happening in the city is happening within that school already. The 2018 data is based on -- the actual counts are based on what was available as of 8/18 and, then, an estimated total was cumulated based on if the remainder of the year continues -- the remainder of the calendar year continues to have permits issued at the same rate the last -- the rest -- sorry -- the earlier of the calendar year has been issued at. So, at the same monthly rate. The student generation rate of .7 and .1 was, then, applied to those units as well, be it single or multi-family, and this is how many students we would estimate will be generated

from the 2020 building permits that will be issued. So, we don't know how long it will take to build those, but saying that in 2020 this is how many dwelling units are included in building permits. This is how many students we think will come from those dwelling units. The V column is the estimated West Ada enrollment after permits and development. So, this is a total of what the current enrollment is, what we think will be developed by -- what we would think will be generated by the Prescott Ridge development and what we think will be generated by the building permits through the end of this year. So, that gives you how many students we think will be in the school and, then, a rating of their current capacity versus that number. This count does not include anything that's already been approved, but has not had permits issued yet. So, one of the next steps will be looking at how we can incorporate preliminary plat data for plats that have already been approved to see what kind of generation rates those will have. I do want to also point out that the .7 and .1 is for the West Ada School District only. It does not include students in charter schools, private schools, or homeschool settings. The growth data is based, again, only on the building permits. It's not based on the preliminary plat. We should also note that when we are looking at the estimated enrollment after permits and development, it does not include any growth that happens outside of the City of Meridian. So, almost every West Ada school boundary includes areas that fall outside of the City of Meridian. Any growth that happens outside of that will be in -- will not be included in this number. So, those students will be attending that school, but we don't have the information to include that. So, that should just be considered as well. The dwelling units are based on, as I said, the dwelling units in the building permit and that includes any units that have age restriction. So, for the purpose of this analysis, units with age restrictions were calculated the same way as units without age restriction. And, then, just to note that the school attendance areas listed here are the school attendance areas as they were when this data was pulled. The school attendance areas can change. Usually they don't change during the school year, but they can. They can change anytime during the school year or between school years. So, the next step that I would want to include, again, would be looking at preliminary plat data and, then, any other data that the Council sees that they would like to have included. I also wanted to show you briefly just some maps. This is not data that will be included in a staff report, but it gives you a little bit of background so you can see kind of how I pulled those numbers. So, you can see the red lines are the preliminary plat. That's the data that's not currently included. And the yellow dots are the building permits.

Johnson: Mr. Mayor. I believe, Miranda, you are not sharing your screen that you think you are sharing. We are just seeing your PowerPoint -- or your Excel document still.

Carson: Oh. Okay. Hang on one second here. Okay. Can you see this map?

Simison: Yes.

Carson: Okay. Sorry about that. So, the red lines, again, are the preliminary plat data that's not currently included, but we do want to include that at some point if that's something that Council would like to see. The yellow is the building permits that have been issued. Yellow is single family. And purple is multi-family. This is the Pleasant View

boundary. So, this kind of shows you how much growth is happening in that boundary. These are all the building permits issued from 2016 through 8/18/2020. So, just to give you a little bit broader view of that, this is the high school example. So, you can see the multi-family units that are being issued within the high school and you can see where the most growth is happening when you are going to approve a development or consider a development. So, this shows you right where the Prescott Ridge development is and, then, you can see the growth in the rest of the city. Again, that's not something -- there is already several maps in the staff report that can indicate where growth is happening, so this will be included in the staff report. What would be included -- what I propose to be included would just be this table, minus any information you don't think is relevant or adding any information that you do think is relevant. So, that is all I have and at this time I could take any questions.

Simison: Thank you, Miranda. Council, any questions regarding this information? I don't expect any. Oh, wait there is one. Council Woman Strader.

Strader: I -- I have written down a bunch of stuff and to be fair -- like maybe, Miranda, I could have a sidebar with you, like -- because I have a bunch of stuff. One thing I did want to ask about, though, that's more of a high level question is just -- has a school district -- in one of their meetings they talked about whether they wanted to get to a program capacity number, because the bottom line is like bodies and buildings does not -- what they think indicates their level of crowding or capacity. Has their thinking evolved on that is one question that I have. And, then, I have another one and I will save the rest of my tiny questions for later.

Carson: Yes. So, they do want to get to a program capacity. It's not an easy task and it's an ever moving target. So, as programs change, as the student population changes, not just student counts, when I say student population I mean what are the students' needs, which students are gifted and talented and which students have special needs. That can change year to year for the schools. So, the program capacity is a hard target to hit, but it is something that I know that they are working on and were they to come up with a program capacity that they wanted to use, then, we could put that in for the capacity. Currently this is the design capacity and I should also note that the Pleasant View enrollment does have a little note there. That is the estimated enrollment that was projected for the opening. Because the school year hasn't started yet we don't know the enrollment. This was -- 397 was the projected enrollment and 341 is what the enrollment was most recently pulled, so --

Strader: Mr. Mayor, quick follow up.

Simison: Council Woman Strader.

Strader: I think it would be great if City Council could play with this spreadsheet a little bit, because there is -- I mean it's pretty granular and there is a lot of detail. That would really help me conceptualize it. My final question for this meeting is just -- we have got 3,600, almost 4,000 students enrolling in the virtual schoolhouse, that feels temporary

because of COVID. Are you planning to freeze enrollment at year end of this past academic school year and, then, project out or how are you going to tackle that?

Carson: I had planned to base enrollment on actual enrollment. So, if the Council would rather me freeze it I can. But keep in mind that as boundaries change enrollment will change. So, a school could be frozen and we could be looking at it and say this school is over capacity because we froze it due to COVID, but, then, a chunk of that -- those students are moved to another school the next year and if we haven't -- or even during the year sometimes happens and if we haven't updated those numbers that won't be reflected.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess I'm sort of looking at it like -- we have a new school that was created on an emergency basis that will take up almost, you know, ten percent of the West Ada School District enrollment capacity and so I would be curious what the rest of Council thinks, but I feel like I need like a pre-COVID number to wrap my head around, in the hopes that one day the COVID situation is over. That's just me.

Carson: I could try to get a percent for a high school, middle school, and elementary school. I wouldn't want to do a percent across the board, because it's going to be pretty drastic. There is going to be a difference between the three levels. High schoolers can stay home and do their work online, so you might be more online, but we could get a percent of high schoolers that are virtually enrolled versus total enrollment and, then, do some estimating and assumptions. But I would also note that a lot of the things in this -- these columns -- these columns -- anything that says estimated is based on a lot of assumptions already. So, this is something where we have to make assumptions in order to have any kind of total, so to add even more assumptions, just keep in mind that that will -- that end result will get blurrier and blurrier, which is fine, but you just want to note that when you are considering the information.

Simison: And --

Perreault: Mr. Mayor?

Simison: -- Council, that was going to be at least my perspective as one, is the more we second guess what the numbers are based upon their programs or -- I mean there is no guarantee that those people -- 4,000 will ever come back into real school or the charter schools get built and they siphon off and -- you know. I think that all we can really do is year over year what we know for a fact versus what we think is going to happen with any school the following year because of a boundary change, another school opening, or -- that's at least my opinion is go with the facts for what we -- what they tell us and, then, we can make assumptions on what we believe on the data we input to supplement their facts. That's at least my opinion. Council Woman Perreault.

Perreault: Thank you. So, if I'm understanding Council Woman Strader correctly, I think what she was getting at with the pre-coded numbers is that there is a lot of parents that are taking their students completely out of the district and homeschooling them. So, there isn't even going to be like a virtual enrollment number for those individuals. So, I don't want to speak for her, but I think that's kind of what she's getting at and, I agree, I would like to see those numbers as they were. Maybe 2019-20 school year is sort of our baseline for that figure, because they are -- I know many people who are just completely taking them out of the district altogether and going through a homeschooling program, like K-12 or another private program. But I would anticipate that at some point they would be returning into the district and I would guess that the district is able to track that based on how many people disenroll from -- from the schools. So, there is that. And, then, I also wanted to say, first of all, Miranda, this is incredibly impressive. Thank you for that. This is -- I mean this is amazing. This -- this chart is the best thing I have seen so far to get a feel for it. For me the -- the building permit numbers are important maybe for the last two or three years, but what's really important to me as far as using this data to make land use decisions is what has been permitted, but what isn't -- or what has been pre-platted, but what isn't permitted yet, because that's where it really comes to us getting a grasp on exactly how many new students are going to be coming into a particular school and so, hopefully, you will get an opportunity to find a way to gather that information and I know that -- I don't know if that is really labor intensive where you have to go through each individual project and -- and look at it, but -- so, as far as the chart goes, if -- if the 2016 building permit numbers really aren't helping reflect what is coming, then, maybe -- maybe it's not necessary to go four years back on the building permits. But just -- now, there -- you know, so the building permit chart I assume means that we can most definitely count those units, they are built, they exist or they are going to exist. I know in the decision making process what still is yet to exist is -- is what is the most -- you know, is that information that's just kind of out there without -- without a figure behind it.

Carson: Yeah. I definitely want to get the build -- the permit -- the preliminary plat data in. It is more labor intensive than pulling building permits and I wanted to be able to show you some of what we have been working on thus far. Also I wanted to know as well -- as far as students being pulled out for charter or homeschool, currently that is reflected in the student generation rate. So, we did extensive research -- I did extensive analysis with the school district on how many students in the West Ada District -- not necessarily just the City of Meridian -- how many students in the West Ada District are being generated per household and looking at how many of those might be private or charter versus how many students the census says. So, those kinds of things are already in the student generation rate. If we were talking about next year maybe pulling out some of that, we could look at recalculating the student generation rate and that would probably be a better way to do it than to say this is our current enrollment and let's take off ten percent, because we just kind of think ten percent might be going out. So, that's already a very detailed analysis that went into that .7 and .1. So, if you would like me to use 2019 enrollment for the rest of 2020, that's, you know, the Council's decision. I can use what number you want me to use. And, then, for the next year for still in COVID times, which it looks like we will be, we can look at -- if we need to adjust the student generation rate. I can tell you, though, that .7 and .1 is what the school district plans on using and I haven't

heard anything so far. It doesn't mean they won't. But I haven't heard anything saying that they are going to adjust how they plan to build based on COVID.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah, Miranda, question. This is a good example to use. How can we -- how can you display information if -- if Prescott Ridge development comes online and the kids are going to go to Meridian High School at the start, but we know Owyhee High School is going to open maybe a year later and it's going to siphon off those kids to the -- to the new high school and it could be a middle school, elementary school, or sometimes we have developments we know -- we have had where Owyhee High School is going to be opening and those -- that new development kids will be going to that high school, how are we going to show that -- that information?

Carson: Definitely. So, that's a very good point. And I think this data that is displayed is more of the quantitative data. There are the hard facts in there with the permits and, then, some assumptions that we can make based on some good analysis -- analyses for the estimates. As far as more qualitative, these students might be rezoned. Those are the kinds of things that I would say you should look to your West Ada agency letter, because they do generally include some of that information. For example, for Prescott Ridge, Pleasant View doesn't have an enrollment count, but it says Pleasant View will be built, some of these students will go there. So, the more qualitative what's coming on board, that's the kind of place you are going to want to find that is the agency letter. The chart that would be put into the staff report would just be more of that quantitative data based on estimates and assumption.

Hoaglund: Okay. Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: One question on the assumptions that -- we live and die with those in a model like this. Is there also an assumption that within a particular zone a residential unit generates a .7 student in perpetuity?

Carson: Yes. So, that's where we would look at if we need to adjust the student generation rate, but the school district has used the same student generation rate historically and they have been pretty on mark. This is the first time it's been updated in quite some time. Largely that's because we have so many more multi-family coming on and the school district now has a staff capacity to update the number and they were willing to sit down with me and update that. So, they were a really good partner in that. But because it's based on census data, historical census data, historical things like what percentage of -- what percentages of dwelling units are multi-family versus single family,



historically it's not based on just one year. So, it can be assumed, again, back to the assumption, that it will be a .7 and .1 in perpetuity and, then, if we start seeing some drastic changes, then, we can adjust that.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I guess what we see -- and Meridian High School is a great example in some of the neighborhoods that -- that did, in fact, have houses that generated .7, but, you know, the kids are long gone and all the students are gone and neighborhoods now no longer are filling the high school anymore. Certainly not at the same ratio as new development. So, I'm wondering if -- if there is -- do we need to factor in any adjustments that -- so, for Meridian High School, for example, it has students in older neighborhoods that will graduate and leave and those residential units aren't replacing it with a new .7 to fill that school. How do we factor that in?

Carson: Right. So, that's a great question. So, for current -- for current neighborhoods you can think of it as the students generated in the current neighborhoods are the current enrollment. So, we are not saying this neighborhood has 50 houses, so it generates .7 students per house, we are saying this neighborhood is getting ten new houses and it already has X number of students. So, this is how many students we think will come from that neighborhood. So, neighborhoods that have already aged out, their current enrollment will be less and we are not looking at the -- we are not looking at the number of units when it comes to those older population housing, we are only looking at the units when we are looking at new houses. Does that answer the question?

Simison: Mr. Borton, maybe this would -- that -- that number is reflected in the enrollment number. What you are really getting into is as that enrollment number modifies, it does change and update and it can go up or down based upon the same boundary for that very reason. So, you got -- yeah, you just have to look at them in conjunction. That's why this is such a point in time scenario where -- and that was really my -- my caution to using assumption numbers about where students are at any point in time or what may or may not occur, because the school district can adjust the boundary, they can change the programs that are at that school. You know, those are types of things where if you are looking at numbers that were based upon -- well, we -- this is what we thought or this was the number last year, that the whole situation could be greatly modified if we start putting in our own assumptions about numbers and you just got to go with the hard data facts for any given year and intuitively know that COVID maybe is putting a different spin on the number this year, but as a -- as a standard practice I think you just got to get to a very -- a set way of looking at the numbers. So, you are not making your own assumptions on every application, that you can say that's what the number is in terms of what the program or capacity is and this is what will be generated and knowing that, you know, it could be changed different than the next year if you see an application for that same area because of what may have occurred. You know, ten families all decide to leave now and they all had ten kids, now your -- now your enrollments are down for that area just from a natural

decision made by the consumer.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Well, I wanted to say, Miranda, thanks so much for the work so far. I mean that column D looks like the closest thing to a pro forma number that we have ever seen. So, that's awesome. And I'm not trying to be nitpicky, I just like to be nerdy about it and I was thinking, though -- I have heard anecdotally, for what it's worth, that there -- there are some schools that year end enrollment from the past school year this spring was drastically higher than the beginning of the year. So, maybe I would just ask you to try to follow up on what -- at least for informational purposes, you know, what was the -- the baseline, if you will, for the end of academic year 2020 and, then, we can keep in mind the virtual schoolhouse piece, but if we had a drastic change in enrollment in certain high schools, for example, toward the end of the year I think I would want to know that, because I don't think the school district was reporting data from the end of this past year to us, from what I know.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Council Woman Strader, for bringing that up. That -- that's very helpful. I think that -- that helps. That baseline is really important. So, that's a lot more clear as far as year end versus year beginning 19-20 enrollment. So, Miranda, it's my understanding that the district in general has only adjusted boundaries if there is a new school that's built. That's kind been their practice over the past several years. Is that right?

Carson: Not necessarily. Sometimes a new development is coming in and they will preemptively rezone that -- that portion to another school. So, it might not affect any current students, but it does change boundary, even if there is not necessarily a new school coming in.

Perreault: Mr. Mayor, follow up.

Simison: Council Woman Perreault.

Perreault: And so do they do that mid school year or is that always done at one particular time of the year and is there -- or has there been any conversation about them looking at boundaries districtwide and doing like a big picture or a comprehensive assessment?

Carson: So, when the attendance area committee meets -- and I should also clarify that when I first came to you I said there was not a standing attendance committee and there is. There is four members that are standing members. So, when the attendance area

committee meets they do look at the district as a whole, but because we are in such a time that we are growing so fast and a school is being built every year, that means that boundaries are already changing every year and the district tries really hard not to do what -- what they call bounce kids. So, they don't want to move a kid while they are in second grade and, then, have to move them again in fifth grade and, then, do some big comprehensive thing and now suddenly they are not with their friends when they are going into their middle school. So, they really try hard to make sure that the kids aren't bounced and that also they feed into the middle school with -- I believe the percentage is 30 percent -- with at least 30 percent of their current classmates. There is a lot of little things that go into it that would make any kind of big district -- let's just do it all at once comprehensive change. For one, I don't think that the community would take it very well and, then, also there would be a lot of kids I think that would get bounced from that.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Miranda, this is -- this is great data. I'm so grateful for it. I think it's going to help us out a lot. Sometimes I find myself wanting to flip flop in my mind in regard to, you know, am I here or am I over here. It's really -- this data is going to really keep us in check and going in the right direction. So, it's data we have always wanted, but, you know, we never had. So, it's extremely valuable. So, I want to say thank you for your time and for your efforts. I know it takes a -- a big chunk of what you do, so --

Carson: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thank you, Mr. Mayor. Miranda, again, this is a great resource for us and Council Member Strader I think asked a question about virtual schoolhouse. That kind of put an idea in my mind about will there be a point where we feel like that we can make some assumptions about what charter schools, virtual schools, private schools, what that utilization development may create or does that current number, that .7 students take into account that some percentage of students are also going to be going to a nontraditional school of some sort?

Carson: So, it does. So, when we first talked about student generation rate when I came to you, I think it was my second week, and we talked about that .8 number, that was school age population. So, looking at census data, how many school age kids are we realistically and historically producing per housing -- per household. The .7 and .1 is how many West Ada students we are producing per house -- for housing unit.

Cavener: Perfect. I appreciate you making that -- that clarification, because I know -- sometimes when I look at, you know, open space or amenities, I look at that particular

number that you generated and being able to kind of determine how many young people are going to be living in that neighborhood. So, having that distinction is -- is very very helpful. I appreciate it. Thank you for the clarification.

Simison: Council, any further questions or comments?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Again, Miranda, I just want to say -- I have just been so impressed with this and excited -- really excited about it and the school district -- the factor involving with our students has been such a significant part of our conversations this year. I know that the city tracks its demographics from year to year. We have an annual report that -- that tries to get an idea of the ages of our residents and I wonder -- I'm wondering if that -- any of that information is helpful. Are we seeing that we are having an older population of residents move into the city and is that part of what went in -- what went into adjusting the number of students per unit? Are we seeing our age -- ages increase here in Meridian and will that allow us to -- I mean will there be some capacity that will be freed up in a decade or something like that?

Carson: That's definitely something we can look at. The -- I use -- so, we do have a growth committee with the city. Because this was more specific to areas and I didn't want to be cherry picking data from the growth committee and all these different sources and also because I really wanted to kind of look with West Ada at what they were having as a district, because it's not realistic for them to say this city generates this and this city generates this. So, I'm looking at -- we looked at census data, rather than what the City of Meridian growth committee puts out. So, I looked at historical census data and the historical census data actually did, for the areas that we looked at in West Ada, was -- I think it was like .703 and City of Meridian was like .701. So, even though this is based on West Ada as a whole, the City of Meridian data was close enough. You know, it was a thousandth of a point off, but I'm comfortable using this data for the City of Meridian. But I could look at, you know, historically if we are aging more if you would like.

Simison: I think we will have the real answer to that in about six to seven months when we see the actual new census data that can provide the best information for us, rather than guessimating.

Carson: And I think that's something that -- I don't want to speak for them, but you alluded to -- I think that's something the growth committee is already looking at, so I wouldn't want to double their -- their effort.

Simison: All right. Miranda, last question is -- based upon the feedback that you have received and where you are, at what point in time would you expect Council will start to see -- assuming you are not making any -- don't have to go get more information, that you could start putting this into development applications moving forward?

Carson: So, would -- I do want to ask before I answer that -- would you like me to take out the 2016 data, just so it's a little more concise or as the Council would you like me to leave that?

Cavener: I would prefer that you leave it in.

Carson: Okay. So, leaving in -- leaving in the 2016 data -- and I'm going to have to do a little bit of research to get those into 2019 numbers, if you would like me to use that for enrollment, the November 2019 enrollment is posted on the State Department of Education website. So, I will go pull that and use that for the enrollment and I don't see any reason that this can't begin going into some of the applications as they come up. I'm not sure that they will be backfiled into any staff reports that have already been written, but as applications come up I can look at adding this in without the preliminary plat data. I think Caleb has some input.

Simison: Mr. Hood.

Hood: Mr. Mayor, thank you. Just to add to that, yeah, that's -- I think the Planning and Zoning Commission, those staff reports, I mean we would want to share this information with the Commission first, so there would be a little bit of a lag in that information getting to them and, then, to you. I guess the other question that we have for you all -- the expectation -- you know, if it's a four lot subdivision are we -- are we going to have Miranda do this analysis? Is there a threshold for which you want this table included? If we have her do it for all staff reports it's going to be pretty time consuming. So, I guess is there a threshold level, a number of lots -- obviously commercial we don't need to do it for, but I would like some direction on that of, again, a threshold, 25 lots, 40 lots, 50 -- you know, whatever that number is and some direction to say when you get X number of lots please -- please include this table in the staff report. I think that's -- that's important information for us to have as well.

Miranda: And I would propose that be at 50, but it is you all's decision.

Hoaglund: Mr. Mayor, I was going to ask Miranda --

Simison: Councilman Hoaglund.

Hoaglund: -- about that. I heard her say that earlier and just curious what -- what -- what -- why is 50 the good number? I don't disagree with it.

Carson: So, I went in and actually looked at -- just kind of for some reference I went in to say how many kids -- how many units would have to be built into let's say Pleasant View, for example, what would be the threshold that would -- suddenly they would need an extra classroom. So, I thought about how many students are generated by a development and in an elementary level when does that become a new classroom, because when you are talking about adding a classroom to a school, it's not even -- it's not always possible. It's not just squeezing a couple extra kids into a room, you need a whole new classroom. So,

that number was around -- I think it was around 45. Or I'm sorry. It was around 55 or 60 and so I just wanted to be on the safe end, so I dropped down -- well, let's just calculate up from 50 then. So, if there is 50 units, then, that's where it would start kind of tipping the scales on how many classrooms are needed in an elementary setting. High school, middle school is different, because they move around.

Simison: Council, just to play a little bit of -- I don't want to say Devil's advocate to that number, but one of the things I did talk to them -- and I at least want to bring this up for your consideration -- is does it matter what the current threshold of the school is? What if the school is already at 125 percent capacity, would you want to know that even for -- and I'm going to go back to a development application that was on five acres in an area where Council is concerned about the amount of traffic a five acre development was going to make on an otherwise completely one hundred percent developed mile of land from a traffic perspective. So, I think that there is -- a general threshold may be okay, but what if the schools are all currently overcrowded, over capacity. And I see Council Woman Strader was going to speak to that thought.

Strader: Thanks, Mr. Mayor. I was having the same thought. I was hoping, Miranda, perhaps what you could do as to not create extra work, would be something like a running list of those known schools that are clearly over capacity and approximately how far they are and, then, you could put that estimate in without doing the full analysis. But to the Mayor's point, I -- if the school is already over one hundred percent capacity and we already know generally how far over it is, I don't need you to review all the math, but I do think I would want to know that. I have a strong preference to try to get the year end -- the academic year end 2020 spring enrollment numbers, as opposed to the November 2019, again, because I have heard some individual information that there may be schools that are very far off of what the beginning of that year was.

Carson: So, you want me to get -- I'm sorry. Instead of November of 2019, you would rather me have spring of 2019? I'm sorry. Spring of 2020?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Like what the year end was right here before we started the summer. I think most schools should have that and I have heard on an individual school level that there are many schools that were very far off at year end compared to where they were in the beginning.

Simison: My only advice is -- for Council to consider is just make sure we get the same data from the same location for each time we do this, whatever that -- where ever you can get it or where ever you can find it. I don't want to have Miranda calling and getting individual data from different sources -- is the one stop shop for consistency.

Strader: Yeah.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Since each application is so different, the -- the threshold of 50 makes sense, but, you know, 50 units that are, you know, a quarter acre is going to be entirely different to some extent than -- you know, so density plays a role in this, I guess. So, if -- have -- have you considered the idea of maybe only creating the chart if -- if the amount of students is going to go -- it's going to change the student population of those schools by a certain percentage, rather than like the residential unit. So, if -- if this development is going to cause this elementary school to increase its student population by say five percent or -- I don't know. Because the 50 units if -- you know, obviously, we are talking about 50 single family units, not 50 multi-family, because the metric for measuring that is different. So, I'm just wondering with as many different types of applications as we get is that -- like if we have a 55 plus community or even some of the applications we get where the houses are really built for retirees, but they are not calling it a 55 plus community, it's going to -- there is going to be a lot less student enrollment for that. So, I just hate to have you do a whole lot of work on something just based on it being 50 units or more. I don't know how to filter that out, but --

Carson: I mean we could say 50 single family and, then, set a different number for multi-family. We could also look at the agency letter, it may or may not come before I start my analysis, but if it's showing that a school's already at capacity, then, definitely run the numbers. If -- you know, there is so many little factors that could come into play to start having to make some kind of rubric on when would we even run this table would be a whole other piece of work, which I'm fine doing, but if the point of the rubric is to reduce the work, then, it would be counterproductive to make a rubric that I would, then, have to run to decide if I was going to do the work, if that makes sense. I appreciate that you all are trying to reduce the amount of the output that I have to do, but the rubric might be more time consuming than if I just ran the table. I say that with the knowledge that I haven't looked at -- I haven't finished looking at the preliminary plat data and that is very labor intensive. So, my -- yeah, let's do it for 50 units might sound a lot different once I start looking at that.

Simison: Yeah. Miranda, maybe for now we could just start with you doing it for all of them and you can track and see what it is and Council can see the value and we can readjust in a month and see what that looks like.

Carson: Okay.

Simison: At least that way you track the actual time it takes for you to do the work and I think as we -- as you develop the data and the knowledge, it will go quicker and I'm -- hopefully we can get to some sort of automation, but we are going to start there and -- and you and I can chat on what -- what the level of effort really is and we come back to Council if we need to. Okay. All right. Well, we will start seeing this after she gets the P&Z we will update and we will go from there. So, thank you.

Carson: Thank you. Have a good night you all.

## **ORDINANCES**

- 15. Ordinance No. 20-1892: An Ordinance, Pursuant to Idaho Code §50-1002 and §50-1003, Providing For a Title and Findings, Providing for the Adoption of a Budget and the Appropriation of \$129,364,101 to Defray the Necessary Expenses and Liabilities of the City of Meridian, in Accordance with the Object and Purposes and in the Certain Amounts Herein Specified for the Fiscal Year Beginning October 1, 2020 and Ending on September 30, 2021; to Levy all Such Appropriate Taxes and Levies as Authorized by Law Upon Taxable Property; and to Collect All Authorized Revenue; to Provide for a Waiver of the 2nd and 3rd Readings Pursuant to Idaho Code §50-902; and Providing for an Effective Date and the Filing of a Certified Copy of this Ordinance with the Secretary of State**

Simison: Okay. Council, we are moving on to Item 15, Ordinance No. 20-1892. I will ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This ordinance is pursuant to Idaho Code Section 50-1002 and 50-1003, providing for a title and findings, providing for the adoption of a budget and the appropriation of 129,364,101 dollars to defray the necessary expenses and liabilities of the City of Meridian, in accordance with the object and purposes and in the certain amounts herein specified for the fiscal year beginning October 1st, 2020, and ending on September 30th, 2021; to levy all -- all such appropriate taxes and levies as authorized by law upon taxable property; and to collect all authorized revenue; to provide for a waiver of the 2nd and 3rd readings pursuant to Idaho Code Section 50-902; and providing for an effective date and the filing of a certified copy of this ordinance with the Secretary of State.

Simison: Council, you have heard this item read by title. Is there anyone who would like it read in its entirety? Seeing none, do I have a motion?

Strader: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Sorry, I didn't have the printed version of the agenda in front of me. I move that we approve Ordinance No. 20-1892 with a suspension of rules.

Bernt: Second.

Simison: I have a motion and second to approve Ordinance No. 20-1892 under suspension of the rules. Is there a discussion on the motion? If not, all those in favor signify by saying aye. Those opposed nay. The ayes have it.



MOTION CARRIED: ALL AYES.

- 16. Ordinance No. 20-1893: An Ordinance of the City of Meridian, Idaho Amending Ordinance No. 19-1849, the Appropriation Ordinance for the Fiscal Year Beginning October 1, 2019 and Ending September 30, 2020 (FY2020), Appropriating Monies that are to be Allocated by the City of Meridian, Idaho in the Sum of \$(9,126,407); to Provide for a Waiver of the 2nd and 3rd Readings Pursuant to Idaho Code §50-902; and Providing an Effective Date**

Simison: Item No. 16 is Ordinance No. 20-1893. I will ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This is an ordinance of the City of Meridian, Idaho, amending Ordinance No. 19-1849, the appropriation ordinance for the fiscal year beginning October 1st, 2019, and ending September 30th, 2020, fiscal year 2020, appropriating monies that are to be allocated by the City of Meridian, Idaho, in the negative sum of 9,126,407 dollars; to provide for a waiver of the 2nd and 3rd readings pursuant to Idaho Code Section 50-902; and providing an effective date.

Simison: Council, you have heard this item read by title. Is there anyone that would like it read in its entirety in the public? But there is no public on the line, so, if not, do I have a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I move that we approve Ordinance No. 20-1893 with the suspension of rules.

Bernt: Second.

Borton: Second.

Simison: I have a motion and a second to approve for Ordinance 20-1893 under suspension of the rules. Is there discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it and the motion is agreed to.

MOTION CARRIED: ALL AYES.

## **EXECUTIVE SESSION**

- 17. Per Idaho Code 74-206A(1)(a) To deliberate on a labor contract offer or to formulate a counteroffer; and (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet**

**being litigated but imminently likely to be litigated.**

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

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

Hoaglund: Second the motion.

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

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

Simison: All ayes.

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (6:10 p.m. to 8:01 p.m.)

Bernt: I move we come out of Executive Session.

Cavener: Second.

Simison: All those in favor say aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

Bernt: Move we adjourn.

Cavener: Second.

Simison: All those in favor?

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 8:01 P.M.  
(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

\_\_\_\_\_  
MAYOR ROBERT SIMISON  
ATTEST:

\_\_\_\_\_  
DATE APPROVED

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK