

A Meeting of the Meridian City Council was called to order at 4:35 p.m., Tuesday, November 9, 2021, by Mayor Robert Simison.

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

Also present: Chris Johnson, Bill Nary, Todd Lavoie, Karie Glenn, Brian Caldwell, 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 Hoaglun	<input checked="" type="checkbox"/> Treg Bernt
<input checked="" type="checkbox"/> Jessica Perreault	<input checked="" type="checkbox"/> Luke Cavener (5:03 p.m.)
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, I will call the meeting to order. For the record it is November 9th, 2021, at 4:35 p.m. We will begin this afternoon's Council work session with roll call attendance.

ADOPTION OF AGENDA

Simison: Next item is adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

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

Hoaglun: Second the motion.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

1. **Approve Minutes of the October 19, 2021 City Council Special Meeting**
2. **Approve Minutes of the October 26, 2021 City Council Work Session**
3. **Approve Minutes of the October 26, 2021 City Council Regular Meeting**

- 4. Overland Daycare Water Main Easement**
- 5. Precision Storage Water Main Easement**
- 6. Prevail Subdivision No. 3 Pedestrian Pathway Easement**
- 7. Rock & Armor Physical Therapy and Sports Performance Water Main Easement No. 1**
- 8. Southridge Apartments Phase 2 Sanitary Sewer and Water Main Easement**
- 9. Final Order for Quartet Northeast No. 2 (FP-2021-0050) by Brighton Development, Inc., Located Approximately ¼ Mile South of W. McMillan Rd. and East of N. Black Cat Rd.**
- 10. Findings of Fact, Conclusions of Law for Hatch Industrial (H-2021-0026) by Hatch Design Architecture, Generally Located on the East Side of N. Linder Rd. and the North Side of W. Franklin Rd., South of the Railroad Tracks, and at 160 N. Linder Rd.**
- 11. Findings of Fact, Conclusions of Law for Trust Storage Subdivision No. 2 (SHP2021-0007) by B&A Engineers, Located on Parcel R8535800100 at the Southeast Corner of the S. Locust Grove Rd. and E. Overland Rd. Intersection**
- 12. Development Agreement Modification Between the City of Meridian and Endurance Holdings, LLC (Owner/Developer) for Briar Ridge Subdivision (H2021-0036), Located on the West Side of Meridian Rd. Between W. Lake Hazel Rd. and W. Amity Rd. (Existing DA Inst. #2016-007070)**
- 13. Agreement Between the City of Meridian, Ada County, and the Ada County Sheriff's Office for Use of Sheriff's Community Service Participants**
- 14. Cost Share Agreement Between the City of Meridian and the Idaho Transportation Department (ITD) for Utility Modifications in Conjunction with the ITD SH-16, I-84 to US 20/26 and SH-44 Project**
- 15. Project Agreement Between City of Meridian and the Nampa and Meridian Irrigation District for Future State Highway 16 Water Main Improvements**
- 16. Purchase Order 22-0114 to DMH Enterprises for Fiscal Year 2022 Plumbing Plan Review and Inspection Services in the Not-to-Exceed**

Amount of 455,555.00 and Authorize Procurement Manager to Sign Purchase Order

- 17. Purchase Order 22-0106 to Fire Code Consultants Northwest for Fiscal Year 2022 Fire Plan Review and Inspection in the Not-to-Exceed Amount of \$530,000.00 and Authorize Procurement Manager to Sign Purchase Order**
- 18. Purchase Order 22-0111 to Keller Associates for Fiscal Year 2022 Electrical Plans Examining in the Not-to-Exceed Amount of \$255,000.00 and Authorize Procurement Manager to Sign Purchase Order**
- 19. Sole Source Purchase of G&W Insulated Pad Mounted Switch Gear and Associated Parts Through G&W Electric Company**
- 20. Task Order 11147.F to Brown & Caldwell for Digester 6 Services During Construction in the Not-to-Exceed Amount of \$882,227.00 and Authorize Procurement Manager to Sign the Associated Purchase Order**
- 21. Task Order 11230.E to Brown & Caldwell for WRRF Aeration Basin 1-4 Retrofit and 9-10 Upgrade Project in the Not-to-Exceed Amount of \$494,185.00 and Authorize Procurement Manager to Sign the Associated Purchase Order**
- 22. Task Order 11278.a to J-U-B Engineers for Sewer Master Plan Updates for the Not-to-Exceed Amount of \$244,300.00**
- 23. Finance Department: Fiscal Year 2022 Budget Amendment in the Amount of \$10,000.00 for Additional Funding to Complete the Annual Audit for the City of Meridian**

Simison: Next item up is the Consent Agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

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

Hoaglund: Second the motion.

Simison: I have a motion and a second to approve the Consent Agenda. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it and the Consent Agenda is adopted.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

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

DEPARTMENT / COMMISSION REPORTS [Action Item]

24. Meridian Police Department Report and Idaho Humane Society Presentation on Fiscal Year 2022 Animal Control Services and Animal Shelter Agreement

Simison: So, we will move on to Department/Commissioner Reports. First item up is Item 24, Meridian Police Department report and Idaho Humane Society presentation on fiscal year 2022 Animal Control Services and Animal Shelter Agreement and turn this over Mr. Colaianni. Or -- would you like to say your first -- introduce yourself with your new title officially?

Bernt: El Capitan.

Colaianni: Is this one --

Simison: Yes.

Colaianni: Okay. Scott Colaianni with the Meridian Police Department. Thanks for having me tonight.

Simison: Is that Captain with the Meridian Police Department? Okay.

Colaianni: We will say that. I'm just Scott. We have a report tonight from the Idaho Humane Society and before I bring them up I want to kind of tee some information up and just give you a quick overview of how we got here and talk a little bit about some history before I bring them up. For those of you that haven't been here for a long time -- not all of you, but some of you, in 2013 we operated animal control shelter and animal control in this city. Over time it evolved up to a couple of people and we had a truck and we impounded animals only -- or dogs only and our impound was out at the wastewater treatment center. In 2014 the city negotiated a contract with the Idaho Humane Society to take over animal control operations for the city to include shelter services and we were no longer in the animal control business. We worked with the Humane Society, in concert with Boise, Kuna, Eagle and Ada county, and contracts with all those agencies that the Idaho Humane Society had and it was kind of one unified agreement that they developed for all the cities and provided services to all those cities. Same agreement went on for

years. In this particular year they reached out to us, kind of late in the game after the budgetary process had been fully vetted, with a contract where there was a cost increase and so once we had that information, myself and Captain Berle Stokes and Emily Kane from the attorney's office went out to Idaho Humane Society and paid a visit to look at their operations and understand more what they did and why costs were increasing and talk about communication, talk about expectations moving forward when it came to budgetary things and, you know, I think it's safe to say, you know, we own this a little bit on our side, they own a little bit of it. They admit to that. We have to do better. One of the things we have done is working with Karen Wooddell in Finance to make sure we put a tickler out there, so moving forward in the future there will be a placeholder where we can reach out and have those communications with IHS to understand where the contract is at as we plan for the budget of the police department. But there -- as you will hear from the presentation, there is a lot of information we gathered about their labor costs, vet services, overhead, how they triage their calls that come in from citizens, service expectations -- all these things we had some pretty high level conversations about and I walked away, to be honest with you, fairly impressed with all the changes that they have made over the years with their service delivery and the things they are trying to do to reduce their overhead to try and reduce their response times and do things more efficiently, more effectively and I will -- I will let them discuss that with you. They have looked at the contract and as I will let them discuss is they have reduced the cost and so tonight I have Dr. Jeff Rosenthal, the chief executive officer. Leann Gilberg. She's the chief financial officer. And Tiffany Shields, she's the director of animal control services and we also have Andrea here, who is our resident animal control officer, who lives in the city. So, she's here as well. So, I'm going to go ahead and turn it over to them and we will go from there.

Simison: Thank you. Doctor, thank you for being with us.

Rosenthal: I am Jeff Rosenthal. I'm the CEO of the Idaho Humane Society and I live in Boise, Idaho. Thank you, Mr. Mayor and Council, and thank you for the staff that came out and met with us. That was a very helpful meeting as well. In starting off I just want to tell you the status of our current contracts. As of last week we have agreement with all of our municipal partners, I guess with the exclusion of Meridian. That's why we are here tonight. And the status of that is that we recognize this timing issue and we do take the lion's share of -- of -- of those mistakes. As was pointed out, there were a number of factors leading to the delay this year, including in some of our municipal partners -- not necessarily Meridian, but in particular Boise, a lot of turnover, everything from people being out from COVID to et cetera. Anyway, we got the message. This can't happen again. We will be back at the table very early next year and working with all of the communities. You know, we did a lot of work a couple years ago when we transitioned into a two facility model, meeting with all of the municipal partners pretty much monthly for about a year and a half and that's kind of where the -- the current contract was modified and we need to get back to that table. I think the last couple of years things have fallen off for various reasons. In point of fact, the Idaho Humane Society, because we are going to keep with the current contract until the end of the first quarter, so into the beginning of next year. We will be feeling quite a bit of pain from that delay and that mistake. We will

be taking on an additional 50,000 dollars in cost on our behalf -- on our half. I wanted to spend a minute just with a broad overview of how the contracts work, because I recognize it's been a few years and we have quite a few new faces around the Council and I know that the typical perception might be that -- that the communities are paying the Idaho Humane Society to provide a service. I think from my perspective it really is more of a cost sharing agreement. Let me pull up that the document. The Idaho Humane Society, as I mentioned, now runs two facilities. Our overall budget for FY-22 -- yeah. So, we are in operation in fiscal year 2022 of 8.9 million dollars. We have a Bird Street facility. It's a facility we completed two years ago. And no part of that facility was paid for by city contracts. That's the Idaho Humane Society's main facility. It has a 5.3 million dollar budget. It comprises a facility, staff and vehicles. Again, that's all paid for by the Idaho Humane Society. Then we have our Dorman Street facility. That's our admission facility. That's where we run animal control out of. That's where all the strays come to. That's where we have a limited medical clinic that provides care for strays and animals that are brought in and redeemed by the public and that consists of a facility, staff, and vehicles and the overall budget for that building and -- and staff is 3.6 million dollars roughly. IHS pays for about 25 percent of that operation. We are kicking in 920,400 dollars in FY-22, leaving the contracting parties, Kuna, Meridian, Boise, unincorporated Ada county, et cetera, paying 3.7 million dollars. So, it's about a 75-25 percent split. The animal control specific payroll -- these are folks that -- that just do animal control services, just municipal services, represents 796,000 dollars in FY-22. That's about 40 percent. And, then, the rest of that payroll that is part of this program at Dorman Street, that makes up about 60 percent of that payroll and that's a shared cost, so we are -- we are all splitting the cost of those. The municipalities are splitting that with the Idaho Humane Society. It makes a lot of sense. So, one animal caretaker in a kennel, you don't have to fully employ that, we are sharing those expenses. Kind of important to I think understand that, that 40 percent, 60 percent. From time to time we talk about what if -- what if the cities decide to do their own field enforcement and they could certainly do that and in many communities that's how it happens. That would alleviate about 40 percent that would be made up by the communities, then, employing that part, but you still got that roughly 60 percent of the back end, the hospital, the facility and everything else there. So, payroll as a percent of the animal control budget makes up about 75 percent. That's the cost driver. This is a highly labor intensive operation and the main expense that we -- that we incur is on payroll. Operating costs about 25 percent. How do we derive the contract -- the contract? And this is done very transparently with our liaisons in -- in the city finance. We look at the overall expenses. We have various allocations, generally based historically on how many strays we take in versus how many owner-relinquished pets historically the Humane Society has said, you know, when people from the public bring their pets in, we typically take care of that end of it. Strays are more a government responsibility. That's one of the things. There is various assumptions and allocations. A field animal control officer, like I said, is going to be fully costed to the city contracts and, historically, that split over the past two years has had Meridian, in terms of the animal control budget that's not covered by IHS, at about 21 percent. So, I wonder if we could just switch over to that next one, because I don't seem to be able to control it here. This next document just tracks the history of the contract and you will notice that those expenses and animal contract revenue from FY-16, which is starting in this first column, and, then, heading over to about

FY-19, are pretty comparable. They look like the typical annual increases that you see in departments and that's what we experienced during those years. You will also see that at the end of the day that loss of contracts, that's that increased subsidy that at least by our allocation method we ended up putting in over and above what I guess we thought we should have based on the math and, then, this -- this transition from 2019 to '20, that's where we moved -- or '19 to '20, that's where we moved into this two facility model and that required a reallocation of expenses where the municipalities in unincorporated Ada county, we are going to need to fund a larger percentage of the Dorman Street facility, because we had basically vacated with a lot of our programs that used to cover some of those costs and that came about, like I said, through about a year and a half of negotiations. Boise city hired a facilitator to help drive the process. We had a lot of interaction and we worked out the agreement and so that was about a 34 percent jump in one year. After that, the following year -- and this was largely due to some of the reductions in service that we had because of COVID, we actually experienced a decrease in the contract of about three percent and I guess one of the things that occurred with that timing issue this year was that -- I'm not sure we ever really got back on track after the big transition and I think it was not as noticeable, because everybody's costs went down and so no one cared, frankly. At least from my perspective. And so now this year going into FY-22 we have an 8.9 percent increase and about 161,000 dollars of that is the payroll. Let me just mention a couple things about the payroll. I don't think it's a surprise really. I think all of you are aware of the wage inflation we have seen over the last year and how difficult it has been to keep employees and it's especially been the case for the Idaho Humane Society. In August of 2020 the average hourly wage we were paying our shelter positions, animal care attendants -- these are the folks that care for the animals in the kennels and do various functions, was 11.35 and last year we were able to increase that to 14.06. Animal control officers in 2020 were making 13.50 on average and this year we have been able to increase that to an average of 16.63. I will just note that nine years ago when Meridian contracted with the Idaho Humane Society the average pay for a Meridian animal control officer was 16.50, just for some perspective. Our front desk staff was making 11.58 average in 2020. Now we have got them up to 13.34. Vet techs have gone from 13 to nearly 16 dollars. Veterinarians, which are part of the shelter payroll, went from 36.96 to 46.44. We are in the midst of a massive veterinary shortage. Succinctly, in 2020 we had about 23 percent of our employees making ten dollars or less. So, those wages had to increase and they increased rather quickly. In an ordinary year I would have been very proud of what we were able to accomplish for our employees, but, frankly, in an environment where folks drive by fast food restaurants that are paying more, it's hard to feel that good about it, but that is the reason for this jump. It is almost -- it -- it is in most -- for the most part the necessity to get payroll up to a living wage and I'm afraid for some of the employees this is as close to a living wage that we can at the moment. Looking at the operational costs, I think we have actually done a really good job containing expenses. Overall increase of about 6.8 percent, which is about 43,000 dollars overall. And if you look down there at repair and replacement, you see an 81,000 dollar budget number that's being ascribed to the contracts and that number -- we are going to see that increase here over the years, because we now have a building that is aging and it's primarily serving a municipal purpose. It's going to have to be maintained in large part by the -- the communities. So, that results in that overall animal control budget of 2,697,401

for FY-22 and if we look at this next sheet drilling down -- specifically to what you are interested in is what's going on with the City of Meridian. So, in FY-21 here on the right hand we had the contract in FY-21 of 511,903 and the number we are asking for for FY-22 is 576,827. That has been reduced 21,641 from the original request. We will be funding that for this quarter, which, of course, we are already in. So, that number represents 22 percent of the overall contract, what's being split among all the communities, and that is to serve 26 percent of our total population that we serve. For this community that makes up about 22 percent of field calls annually based on last year and, then, initially the average for the past three years. That's how that was derived. By the way, when we talk about payroll, we have held our FTEs at exactly the same as the previous year. We are not adding any additional employees onto the work -- to the workforce. This is all wage increases. As was mentioned, I have Leann Gilberg here, the CFO, so she is here to answer any detailed financial questions you might have that I might not be able to answer, but I also have Officer Shields here and Tiffany Shields took over our animal control operation -- how long has it been, a couple years now? Yeah. She has made some significant improvements in processes and efficiencies. She runs animal control day to day and runs the admissions facility, so she's here to provide you some information about performance measures, about some of the questions you have about response times, and, really, anything else, but I will stand for any questions that you have at the moment.

Simison: Thank you. Council, just one quick thing. Just to bring everyone up to speed, the -- also the facility that you are using in Boise is the Boise city facility that you are on a lease on anymore for the --

Rosenthal: No.

Simison: That's no longer the case?

Rosenthal: Yeah. And kind of a trigger for me. No. It's --

Simison: Understand --

Rosenthal: It was often perceived, Mr. Mayor and Council, that this is a Boise city facility. We have a 40 year lease on the property that we built the facility on. We built the facility with almost all Idaho Humane Society funds. Because I kept hearing this from folks who were just maybe a little misinformed, I re-read the lease recently just to firm in my mind there is nothing in that lease that requires us to do anything for the municipalities. It really is our facility. We often refer to it as the community's facility, the municipal facility, but in point of fact we own and operate that facility and we still have another 16 years to do that and there is nothing in that lease I think that suggests --

Simison: So, the lease is the property only, but you --

Rosenthal: Yes. The property belongs to the airport and, to tell you the truth, that is why we -- when we did the capital campaign, because we didn't have support from the

municipalities at that time, we did choose to buy a separate piece of property that is our own and that's where we invested 16 million dollars, basically, in a new facility. So, I think moving forward, because we really are viewing this as kind of a joint powers operation, a partnership -- yeah, the facility belongs to us, but I think we all need to work together and come up with the best long-term strategy to maintain, improve, or transition that facility. I think we are open to getting around the table and looking far into the future, because the building does have a finite life before these systems begin to fail and, in fact, we are investing quite a bit into the HVAC system, because for a number of years we have really been on a razor's edge in terms of things failing at the hot time of year.

Simison: Thank you. Councilman Hoaglund.

Hoaglund: Yeah, Mr. Mayor, thank you. Mr. Rosenthal, just -- as I'm listening I'm, you know, trying to process and get all this information coming back on Council. When I served previously it was under the old -- old system. So, it's taking me a while to connect some of the dots, but you had mentioned something about 40 percent, that if we were to do the animal control portion -- can you explain that a little more? I wasn't --

Rosenthal: Yeah.

Hoaglund: -- sure what that --

Rosenthal: Sure.

Hoaglund: -- entailed.

Rosenthal: And that's a ballpark. But, essentially, when you look at the field enforcement staff, these folks out in the field, you look at some of the front-end staff that pretty much do nothing but deal with the public for animal control business, the dispatchers and the administrator, that's that proportion, that if I were to extract field enforcement from my operation that's what I would experience, basically, at Dorman is a reduction in payroll of about 40 percent. But everything else -- all that care that goes into those animals that you really cannot -- you can't operate field animal control without a place to go. I think we all understand that. The animals have to go someplace. The people have to go someplace. They have to have a place to reclaim their animals. We have to have a place for medical care. That still makes up the larger portion of the contract. So, I guess arguably it is true, many communities work with Humane Societies that simply do sheltering operations and, then, the -- the animal control officers work for city and county and it's that kind of a relationship. But if you project for it -- I think what I was trying to get to is sometimes I get the impression from folks in government that they think they can just easily replace all this by just hiring a couple of officers and getting code enforcement to do a few extra dog calls and -- and that's just not the case. You are -- unfortunately, you are stuck with having to have some responsibility for facility and animal care, along with picking animals up, writing tickets and et cetera. And in terms of the cost sharing agreement, I think the other perception is it really is a shared responsibility based on some allocations and assumptions, which are always going to be imperfect. We all got

around the table in 2019 and agreed, well, it's not perfect how we are divvying this up, but it's the best we can come up with at the time. I think the other perception I would like to get away from is there is sometimes the -- we go out and pick up Fluffy and Sparky and Rover in Meridian and we accumulate a lot of data. There is a lot of data that goes behind that. We know each of the animals has a digital record that includes where it came from, what happens to it, all the care. Every single person who laid hands on it. It's, basically, all there in the record and, then, what happened to the animal. Did it get euthanized? Did it go back to the owner? Did we adopt it out? All that's there. But at the end of the month we don't generate an invoice based on what we did with Fluffy and Sparky and neither do we, if we come out to Meridian, and deal with Mrs. Jones' dog who is going after Mrs. Smith's chickens. Yes, we have a lot of data behind that. We know when the person was dispatched. We know how long it took. We know who did what and how long it took. But we are also not generating a bill for that service. It's just each of us parties around the table contributing what we think is a fair share for keeping the thing going.

Hoaglund: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. I just was running some percentages here on Meridian's specific costs and it looks like our portion -- dollar amount of our portion from '18 to '22, which is really about four years, has gone up about 34 percent, but our population increase has only gone up 33 percent and our calls have gone down 18 percent. So, I'm trying to understand that 30 percent -- 33 percent increase to our contract in four years, when our -- yes, we have had a population increase, but the actual calls being responded to are less, but the percentage of the contract is staying the same. So, can you help me understand that? It seems like that's a really significant -- almost 200,000 dollar jump in four years to the city, when the number of calls have decreased by almost 20 percent.

Gilberg: Mr. Mayor and Councilmen, my name is Leanne Gilberg and I'm the chief financial officer. As I was sitting here listening, one of the things that I realized that somebody might pick up on is that FY-18 and '19 numbers actually look really low and the reason for that is that when we took over the animal control contracts we basically purchased the vans that Meridian had for animal control services and so you guys got a credit to the tune of like 60 or 80 thousand dollars per year for those first couple of years towards your bills, so that 380 and that 390 is not reflective of the total cost of the service. It's actually more like, you know, four -- let's say 464 -- 440 to 460, I don't remember the exact number. So, the increase isn't quite as bad as what you are seeing and thinking it is. It's because those animals -- those vans were there. And, then, to your question and your point about fiscal year '19 to fiscal year '20, there was a significant jump, about 60,000 I believe it was, from '19 to '20 and, again, that goes back to what Dr. Rosenthal was saying about we went to a two facility model and when we were in one facility we had our adoption center, our public veterinary center and our animal control services running out of that one facility. So, animal control was picking up approximately one third

of the cost of the facility. So, the utilities, the lease and that kind of stuff. Well, when we went to a two facility model animal control is really the primary function out of that building and so that's where the cost allocation went up and that's when we did the series of meetings in order to walk through that and explain that it was becoming a municipal facility -- a more municipal based facility and so instead of -- instead of IHS taking on approximately two-thirds of the cost of that building, we are now taking on a much lower portion of it. Does that answer your question?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. The first portion of my question, yes. I guess what I don't understand is in the presentation. You had said that the -- the building on Bird Street is entirely paid for by contracts, but -- or not paid for by contracts. Excuse me. So, then, what -- how would the two facility model be affecting the fees that are collected?

Gilberg: So, the Dorman facility is completely -- and I shouldn't say completely. As Dr. Rosenthal noted, the Dorman facility is now at 75 percent paid with the contracts. Bird is not covered at all under the contracts. But prior to us opening the Bird Street facility we shared in a much larger portion of the cost of the Dorman facility, because we were running adoptions out of that and our public veterinary practice. Whereas now those functions are done at Bird Street. So, because we are not using the Dorman facility to the extent that we were, a much larger portion of the Dorman Street facility cost is allocated to the contracts, which is why you saw the increase from '19 to '20. I'm not doing a very good job of explaining myself.

Perreault: So, then, was there a change in the service that was provided to us? Because location is important, but it's -- that's what I guess what I'm not tracking. It seems to me like if our cost is going up it's because we have either additional demand or we have additional services being provided to us or the facility is -- expenses are higher and you are just passing that on to the municipalities.

Gilberg: Well, it's kind of a combination of all. I mean as I believe -- Tiffany, do you want to -- as Tiffany will get into, we have increased our service level.

Rosenthal: Mr. Mayor and Council, the negotiation that occurred was, essentially, that the responsibility for the physical plant needed to be passed on to the municipalities. Arguably we could relocate all of our operations -- quote, unquote, Humane Society operations to this new facility. So, essentially, we just simply could not afford to subsidize the municipal operation to the extent that we had in the past and I could not take this facility and my board would not allow me to take this facility and say, hey, we are going to continue to fund it to the extent we have using our donation dollars to fund basic government responsibilities. So, that's just the reality of how that -- that worked out and I guess I would argue, based on the previous years prior to that shift, that we were oversubsidizing from our donor dollars and I realize there is a gray area in there always

between what's the mission of the municipalities in providing services and caring about animals and wanting a good community and what's the mission of the Idaho Humane Society and in most parts it's -- it's interlocked. We are all on the same page. The bottom line is that if you go to most communities that are probably peer communities to Meridian around the country, they are pretty much -- if they are running their own operation they are doing almost as much as the Humane Society is doing. In other words, you are just taking on the -- they just take on everything, including a lot of the things that, frankly, we pay for on your behalf. That's kind of how I would say that in a rather candid manner.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Would it be possible for Tiffany to come up? Because I have seen her try to come up I think four times and I feel like we need her voice in this discussion.

Simison: As long as -- that's up to the presenter on how they use their time. For the record, Councilman Cavener did join us at 5:03.

Rosenthal: Yes. Officer Shields has done a fantastic job for us. Came to us from a major animal control operation in San Diego. Just an amazing place. And -- yeah. Sorry, you are a Californian. I grew up here. That's why. But -- but just to -- on that annual report from Meridian, which is in your -- I just want to point out that per capita number of 451 -- there is always questions about why are the costs going up? Why is this? It's also important to look out to your peer communities and see what does it cost to do it yourself and I will just leave that in your hands.

Shields: As he said, my name is Tiffany Shields and I am the director of animal control services and I just want to say up front I'm so excited to be here to talk to you guys and I appreciate your time and I hope I'm not going to take too much of it, but one of the things I wanted to direct is that what extra services are we getting? What -- what are we getting for this money and what changes we have made for that and one of the things that Dr. Rosenthal talked about was the mission; right? And before I came here I read Meridian's mission that says Meridian will deliver superior service through committed, equipped employees dedicated to the stewardship of the public's resources, while being a vibrant, livable and connected community. I think that's what we want. That's what I want to provide for you guys. So, I took over this in the middle of COVID, so I didn't really get the chance to come out and meet people. I don't know if you guys have seen, but we have revamped animal care and control a little bit. This is our new design that we have on our vehicles, our new designs in our lobby, because the Dorman facility is animal care and control. So, when you come into the Dorman facility you are going to see this sign, because we are there for the surrenders, we are there for the strays, we are there so people can redeem their animals. If you didn't know, that facility is open seven days a week, 8:00 a.m. to 6:00 p.m. We have been open like that through this whole thing, no matter what our staffing was or what we are doing. Dispatch answers the phones seven days a week 8:00 a.m. to 6:00 p.m. We are a 24 hour operation. So, you do have animal

control officers on call from 8:00 o'clock at night until 6:00 a.m. also. So, those are services that the Meridian citizens get through these contracts. So, some of the improvements that we have made since separating the shelters -- have you guys ever been to Dorman when they were together? And maybe you came in and there was a long line for adoptions out the door and you just want to drop off the stray that's in your car that you are hoping is not chewing up the back of your seat; right? Well, we don't have that problem anymore, because we are not doing adoptions out of there. We don't have people going in there looking at the animals, walking through. The cats that we need to supervise anymore. We don't have that. So, we are very dedicated just to intake. Okay? One of the things that we have done to improve service is to be more efficient. We have changed our priority levels and priority calls. We have new programs for handling certain calls. Like, for example, a barking dog call. Those are really fun. You can ask the captains. I'm sure they have been out on a few of them. Citizens are very passionate about it. It disturbs their peace. They want officers out there right then. But there is other calls. There is Fluffy getting attacked by the neighbor's dog. There is someone who got bit by a dog and we need to do a quarantine. So, we have changed our procedures, where now we have a barking dog letter that we send out initially, because most of the time when you go out on a barking dog no one's home. That took the time of the officer to drive all the way over there. You know, gas, the vehicles, everything. But now we got a letter that they are going to get in their mailbox and that letter is informative to them. It tells them ways to change it -- that change the behavior. It tells them the codes that they are violating, that sort of thing, to try to gain compliance that way. We also have assigned areas. So, the officers are assigned certain areas and they stay in those areas to help with our response times. The other thing about the Dorman facility being the animal control facility, that also means that the front desk staff is answering phone calls. In the past I know that there was complaints about communication in the past, that you could get voicemail when you called in; right? Well, now I have a dispatcher answering the phone. If he's on the phone that phone rolls over to the front desk people. They answer that phone call. They have been trained to take bite reports, they have been trained to take animal control calls. So, again, the increase in their wages, they are doing additional duties, so we can be sure that everybody is getting good customer service and reaches someone. The other thing that the Humane Society has invested in that we didn't have previously is all the officers have cell phones now. So, citizens can reach the officers directly. No more going through dispatch or trying to go through, see which day they are on duty. They have voicemail, you can leave a voicemail for them. They also all have e-mail. So, if you have -- if you got bit by a dog and the officer wants your report, you can e-mail it to them and you can be in communication with them on your case directly. You don't have to go through the dispatcher. We invested in radios. All the officers wear radios now. So, dispatch can reach an officer directly for a priority one call and get them rolling as fast as they can. We also added -- this was actually a request by Ada county, but we have a night drop kennel. So, if Meridian PD has a stray late at night and they don't want to wait for the officers, ETA, maybe my officer lives way downtown in Boise, they can go to the shelter and place the animal in the night drop kennel. We will give them the code. And, then, the officer comes directly to the shelter to bring the dog inside. So, that was another time saving thing that we did. I have also been working really hard with improving our relationships with BPD, Meridian PD, Eagle and the Ada County

Sheriff. I went to briefings -- at all Meridian PD briefings to go over with the officers what we are doing, how our services improved. How do you reach my officer? What my expectations are for my officers to be there. I did that with BPD, Ada county, all of them. So, we also have been sending our officers to training right beside your MPD officers and code enforcement officers. So, we have also invested -- we now have an FTO program that has three phases before an officer goes out into the field. The other big investment that I don't know if you guys know about, but prior to January 2020 all we had for reporting was PetPoint. So, they were unable -- PetPoint was unable to provide the kind of stats that Boise city wanted. So, we invested in Omnigo, which is a patrol software. So, it records every call that we go out on and I send monthly reports to the city clerk every month and I'm also including the captains now, that is part of our accountability and every month you can see what our average monthly response time is to priority one calls for all jurisdictions. You can see in those reports how many calls we had for Boise city if you want to look over on their page and see how many calls we service for them and the calls are all listed by category. So, you can see how many barking dog calls we did. How many aggressive dog calls we did. How many check conditions. You can see that in those reports and you know how many there are. And, then, we have the most detailed report -- there is one report that just has everything. You can see the time my officer arrived on the call, when they left the call, how much time they spent on the call. And there is code for how they resolved the call. So, you can see that. And if you need me to look that up -- if you are like -- if you were -- happen to look at those calls in Meridian, there was a call and it says the result was a citation on an injured animal and you are like why would they cite someone with an injured dog? Well, I can look up that call for you and I can let you know, oh, the officer went out there, the dog wasn't injured, but it was at large, so we issued a citation to the owner for that. We have also developed community policing. So, we try not to resort immediately to citations, we try to educate, we try to warn and, then, that makes our citations stronger in the end if we can tell the judge, look, we have tried to work with this owner, we have told them they have got to keep their dog confined, so -- we have also invested in a lot of equipment and if you also didn't know that citizens can file reports for animal control online 24/7 and all the animals that we have impounded are on our website. So, the citizens that are missing pets can go on our website, see if their dog is at our shelter with a photo posted. That happens immediately as soon as they are impounded.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I have a question -- just general question, being a newer Council Member. Is there an element of cost recovery? And, I'm sorry, Director Shields, you may not be the right person. I don't know who the right person is to answer that. But, you know, do we have an element of cost recovery? Are we offsetting the dog and pet licenses and that revenue to the city with the cost of this? If an owner -- sometimes it's not your fault, like if a crocodile appears in your yard; right? But like if your dog is attacking another dog you are responsible for that. Like does that owner pay for that to help offset the cost of service? Or how does that work?

Shields: So, with citations the fee goes to the court and that's why we are like it's -- it is punitive. We -- I guess we could bring up impound fees for Meridian. Your guys' impound fee, if we pick up a dog in Meridian city, we take it all the way back to the shelter. We may house it for five days and the owner comes and gets it, it's ten dollars. The city of Boise, if your dog is unlicensed and unaltered, it's 90 dollars, so -- and that's true if I pick up that dog six times, the owner is like no big deal. It's ten dollars and they licensed it -- we do charge them licensing and stuff and I do believe she would know -- Boise does get those impound fees back. We do pay that back. I think with licensing I think we share it 50-50, but, yeah, I would love for you guys to look at your impound fees, because sometimes when we impound a dog we want that to -- I mean have an impact so they want to keep their dog home. Dogs that are running on the street unaltered cause more bites. They also can breed while they are on the street, causing more unwanted puppies that could be on the street at another time. So, it is definitely something that I hope you guys would look into and maybe there could be cost recovery in that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. That was really helpful. That was eye opening. I -- I don't want -- I don't want to take the discussion down a different road it wasn't meant to go, but I'm sort of looking at --

Simison: For another -- for another day.

Strader: Okay. Another day. We noted that. Thank you.

Simison: Council, any additional questions at this time? Okay. Thank you very much.

Shields: Thank you. If you guys ever see my reports and want them explained or one on one, please, don't hesitate to reach out to me.

Simison: Council, from a -- from a process standpoint just trying to -- I'm going to look at Mr. Nary. The contract is being worked on by your office. It's not been put on an agenda yet, to my knowledge.

Nary: I think -- Mr. Mayor, Members of the Council, I think we are waiting to get the direction tonight.

Simison: Right.

Nary: And, then, see where we go from there. I think it's -- I think it's been --

Simison: Yeah. So, from a practical standpoint when the contract comes forward and you all agree to it, you know, I will look to our CFO and police department, but we could probably GL the money from personnel savings to offset the costs and not do it unless

Todd tells us we need to do it a different way and come back with the budget amendment. If you approve the contract for those additional funds. So, one way or the other, we either can use money we have spent or come back and do a budget amendment and do it either way. But that would be the next steps, so you all are aware.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a couple of thoughts on that. My first reaction is a budget amendment -- I think it's just more transparent, for better for worse, to show that as an expenditure, but the new contract, I assume, would have language which gets us on the right schedule that it's, you know, through --

Simison: That was included, yes.

Borton: -- September 30 that we are going to be provided requests before an X date, so it all happens in April and May of every year as part of our budget process, so we get on the --

Simison: And that has been included in the contract.

Borton: All right.

Simison: All right. Thank you very much.

Strader: Mr. Mayor? Sorry.

Simison: Council Woman Strader.

Strader: Would the issue of the impound fees be included within that contract or is that a totally separate discussion that Meridian sets?

Simison: I would argue it's a separate policy conversation with Council --

Strader: Fair enough.

Simison: -- in a lot of different ways. But yes. Captain?

Colaianni: Before we wrap up here I wanted to -- I didn't give you an opportunity if you had any questions from the police side of the house before or after the presentation. Your point that is a discussion we had -- a different discussion as far as costs and impound fees and that is a separate thing that we have already talked about with Emily. But if you had any questions or anything from the police side of the house for me.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just in general are there any issues that you are running into that -- that the Humane Society isn't able to service or help with?

Colaiani: No. I -- you know, from -- like was talked about, we went up there to look at their operations. Animal control -- and this goes way back when I started in '96 and I'm not going to go clear back there, but it can be a very contentious thing collecting animals. I mean I always joke that you could write someone a ticket for speeding or parking, but take their dog and it's on and -- and so we are happy with the service. It's never going to be a service where you don't have complaints or there aren't things that get missed or it takes a while to get there, but I feel comfortable after touring and seeing how they are dispatching calls and they are prioritizing, there is logic there. There is a lot of logic in how they are -- on how they are approaching their business for us and so we are comfortable with where we are at now with animal control. We have run the numbers before years ago about, you know, should we do this thing ourselves? Can we do the whole thing, build a building, you know, hire a few people and do it someplace else and the numbers just didn't run out -- it didn't work. It was -- it was more for us to do it and there is a lot of pain points and a lot that goes into doing your own thing. A lot of pain points and stuff that you wouldn't even think about and so, you know, anytime that that discussion comes up it's just like, you know, hiring your own janitorial service, rather than contracting that out. Hiring prosecutors, rather than contracting that out. The devil is in the details and right now what they are doing and the services we are getting from them is working for us.

25. Finance Department: Third-Party Billing Proposal and Discussion

Simison: Okay. Council, anything else? Thank you very much. Our next item on the agenda, Finance Department third-party billing proposal and discussion. We will just kick this off. You have seen paperwork coming from Mr. Lavoie, so I don't know how much he wants -- you want him to go over all that again or just have a conversation over what is being considered at this point in time?

Lavoie: Mayor, Members of Council, again, appreciate you giving us opportunity to continue our discussion and dialogue on third-party billing. To get us kind of where we are today, this is a follow up to our October presentation. So, we have presented this topic to you twice now. We have had plenty of discussions. We have had collaboration. We have answered questions. You guys have provided us input on where we are today. So, middle of October we presented to you. Since, then, Karie and I have reviewed both workshops, notated things -- about 15 or 16 comments and questions presented by you, the legislative branch, to us for consideration and thoughts. We have actually met with a handful of you or -- you Council Members in person to get more input, more collaboration and more dialogue on what we are presenting and there was a comment by Jessica just today on an e-mail. This seems to have changed a lot and the answer is yes. That's what this process is for, is to discuss our proposal, get input from you guys, go back and work out a proposal that might work best for the city and the citizens. So, that's where

we are today. We have taken your input, we have listened to your thoughts, we have engaged you and we have reviewed the questions and that's where we are today. I presented to you a one-page document that I think summarizes where the changes are. A couple of weeks ago I put an e-mail out that this represents -- the e-mail was a little rough. I mean I -- again, trying to put this all in words is a little difficult. So, I tried a different approach, more visual approach. Hopefully this one makes more sense. In general we have four major changes as the document that I provided you today. Four major changes that I will discuss with you. The original proposal is on the left. The new proposal that we would like to present to you for consideration is on the right. The major changes. We used the term let's disband all third-party billing last time. We want to kind of use that word, but not use it as drastic as it was originally. We would like to continue to offer third-party billing services to our customers in the form of only with a property management company. So, that's that first line segment. So, instead of just eliminating the whole proposal, we will continue to offer third-party billing services to property management companies. With that the property management companies that have an existing third-party billing agreement, no changes to them, other than one -- one minor change, what we think is minor. When a property management company is acting on behalf of a property owner and there is a tenant or tenants -- multiple tenants -- in the past they have asked us to conduct a final read. So, if there is a tenant swap they can kind of do a mathematical calculation on the best estimate of what monies are due to the existing or the prior tenant versus what the new tenant would be. We would like to eliminate that process and allow the tenant to move in and out as they need and allow the property manager to determine what value of expenses to collect from the previous tenant or the future tenant. So, it would eliminate that process. But the third-party billing would still be intact. Any existing third-party billings that currently exist would stay in existence until a property is sold or a property -- change in a property management company. So, if a property owner has a renter for seven more years, we are still going to acknowledge the property third-party billing as it is. We are going to let them run out until there is a transition in the property. Those are the three major changes that I can talk about on those top three. The fourth one is delinquency notices. Again, we worked with you guys and said, hey, can we get delinquency notices to our physical addresses and the answer is yes. So, we will go ahead and conduct that change, because currently we do not provide that extra service. We will go ahead and add that to the to do list. And, then, the last three items are no changes from our original proposal that we started a couple months ago to today and those were the -- no changes to the commercial properties or those multi-unit complexes with multiple dwelling units with only one water meter type of situation. Eliminate the 20 fee. We are still promoting that -- elimination of that fee. And, then, water -- utility billing would reallocate the current staffing resources that we have and allocate them to other services to be more proactive in our customer service. So, again, that's the quick four minute version of what changes occurred. And, again, I tried to give you a visual of it. We provided an e-mail a few weeks ago of these changes and we are here to discuss this. Again, we are open to any ideas. That's what we are here for and we are eager -- we are happy to answer any questions, address any questions and present to you any thoughts or concerns. So, again, Mayor, stand for any questions.

Simison: Mr. Nary, could you speak to the property management company element? Last time we spoke I know there was concerns over how that would be defined, applied, or otherwise.

Nary: So, Mr. Mayor, Members of Council, so when I spoke with -- with Karie and Todd I said one of the concerns I would have is really is no universal definition of what a property manager did and so there is always the potential that the property owner is going to say Bill Nary is my property manager for this address and I have really no way to combat that. So, to me that's a concern, because if it's not a concern to MUB they don't anticipate that being a significant impact to them. That's certainly their call. But we don't have any other way to define it. If we want to try to define it. I imagine there is probably lots of definitions out there. I don't know what they are, but there certainly isn't in the state of Idaho. So, right now if a person said I'm entitled to do this, because my tenant is really my property manager, I don't really have a way to context that, so I think they would be entitled to get an agreement. So, if that's not an issue that's certainly not a legal problem from our end.

Lavoie: Mr. Mayor. Again, Bill, when we talked about this we would like to try to find some definitions. Would it be a registration with the state of Idaho? Simple as that. We would be able to recognize that. If you -- in this example if Bill would like to make his renter a property management company, then, we will have to acknowledge it. Is it going to create an issue for us? We don't think so. But we would like to see if we can maybe utilize the state of Idaho's registration of businesses as a -- maybe a leaning point. If so, then, we can validate that Todd Lavoy is a registered owner of a property management company in the state of Idaho and works on behalf of Mr. Nary. Are there other options? Yeah. I agree with Mr. Nary that defining it would be very difficult to do. But we don't see much of an issue with property owners asking every tenant to be their own property management company. Again -- but we will find out. It's all speculation. We are all trying to figure out what the right answer is.

Perreault: Mr. Mayor?

Simison: And just one more thing, just -- Council knows where I am on this issue, so I'm not going to belabor my points, but I do think the issue of no fee whatsoever is an underlying concern that I -- that I have, because there is still a cost to whatever we do in this element and while -- if Council is fine with having no fee for the next year until Todd figures out -- Mr. Lavoie figures out how many of these there are, but people are going to change property management companies. There is a cost, even to those -- those elements, because I -- you know, that is what people are going to do and it will have a -- some impact. So, waiving all fees and not having any fees for any of this would be an underlying thing that -- at least in this proposal, if you were to go that direction, ask you to reconsider that element. Council Woman Perreault.

Perreault: Thank you very much. But I agree with that. That was -- there is about three things I want to mention. I agree that -- to keep the fee. I don't think that's prohibitive in any way and I think it's very fair to request that if -- so, there is a cost, obviously, to us servicing that, even on the property manager's behalf. Is it possible, instead of having

property manager have to prove that that's what they do or having a registration with the state, that property manager would sign some sort of agreement that they will take responsibility for communicating the bill to the -- to the occupant. They are not necessarily taking responsibility for the payment of the bill, obviously, but they are taking responsibility for communicating that bill to -- or making sure that the -- you know, something in writing from them that says, hey, so information is going to get passed onto the occupant and every one of the property managers knew -- knew going forward -- obviously, we can't go back and do it with the existing ones -- or we could, but that would be too complicated. So, that was a thought. And I don't know whether it actually solves the problem or not, but it seems to me like if you have direct responsibility taken by the property management company to communicate with the occupant, that's even cleaner than just them saying that they -- that they operate as a property manager. The other thing is I personally don't think it's necessary to send the delinquency notifications to the occupants that have a property manager. My concern was that there are landlords that will opt out of that, not have a property manager at all and that those would be the individuals -- they are not required to have one. They can continue to have that bill sent to themselves, but that's where I have concerns that the occupant would not know about the -- the bill not getting paid. Not the -- not the occupants that actually have property managers overseeing it. So, from a cost standpoint, a staffing standpoint, it doesn't seem to me like there would be that many notices -- we wouldn't need to send on a regular basis to -- if we are basically saying, hey, you have to have a property manager to do this and it's going to take time for us to eventually get there, but when we do, then, essentially, those delinquency notices are going to be very nominal. Am I understanding that correctly?

Lavoie: Right now the City of Meridian does not have a large delinquency issue. So, agreed, so that we don't see this expanding our delinquency concerns in the future. So, we agree with you there. Again, we think it -- it would be just go ahead and be best practice that we send delinquency and notices to all physical addresses, regardless of ownership or not. It's just a customer service thing we can do.

Perreault: Okay.

Lavoie: But we think that's the case.

Perreault: How much staff time do you anticipate this changing? So, right now we are at 1.25. Do we anticipate keeping that allocation to stay servicing this?

Lavoie: If the proposal regarding -- if we went to this proposal -- it's a fair question. We don't know what the answer is. Yes, we think the paperwork associated property management is going to be very nominal and hence why we proposed the zero dollar rate. You know, Karie can come up here and expand. I think we spend maybe ten minutes on that process. So, we can calculate a ten minute fee for you. Again, we can do that. But we don't spend much time. The biggest fee was always collected for the chasing of the individual tenant and finding the property owner who might be in Florida, trying to get them to coordinate -- coordinate the proper paperwork, whereas if I'm working with just a property management company, they are pretty quick on going here -- here it

is and, really, we are done. It's only ten minutes of work, but -- so, we don't see a lot of time there. 1.25 FTEs, you know, we will reallocate and always look at. If we need the resource we keep the resource. If we don't need the resource going forward we present to you we don't need the resource and we eliminate a staff. We have no problem going all the way to that extreme. But right now we still need the 1.25 FTEs for this.

Glenn: And I just wanted to reiterate the question regarding the property management verification. I am already in the works of creating --

Simison: Karie, can you just get closer to the mic.

Glenn: I am currently working on a one page document for property managers to accept that role and their responsibilities. So, that will be what I can add that bullet point to verify that they are sharing the information with their tenant.

Lavoie: On that, again, we still will have to work with Legal on. We just want to make sure that the property manager does not have the ability to start subletting the property. So, there is a lot of concerns and once a property owner gives that right to somebody we need to make sure that we protect our residents at some level. That's why we are leaning on his property management company, because they have that restrictions or that rights to it. But once you give those kinds of rights to an individual, like me -- we want to make sure we protect the resident, because we don't want me to start managing the property in what I believe is right and we want to protect them as well. But we will work with Legal on all that language.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a couple things. I think overall it makes sense. I like the updated proposal. I guess I just have two questions. Not sure if we are allowing existing third-party agreements to stay active and keep that going. If the incentives really make sense, I would think for the ones that continue a processing fee is appropriate. Maybe that would help incentivize them to move off of that or some sort of a time frame. You can always come back and we can always figure it out later if you find you have a hundred that are still in that bucket of like the third -- the second column, number three --

Lavoie: I'm happy to address that. So, the fee itself would only be used when you transition. So, we don't -- actually don't want to charge an ongoing monthly service fee. It's only when a property changes. That's the only time we would -- we incur extra costs and that's the only time we would charge a fee to the property owner. So, we want to stay away from a monthly fee. Once Joe Borton has a property third-party agreement with somebody and it lasts for ten years, we actually have really limited expenses, because they have a working relationship, we don't really spend any extra time. It's when the property owner changes hands multiple times.

Strader: That makes sense. I guess -- maybe just a quick follow-up question. So, maybe -- and maybe this is sort of getting into the verbiage of the definition of property manager. I guess maybe a question I had is is there a reason that we can't say, you know, it's -- we are more making a transition as a city and it's property managers approved by the city and some level of discretion? Is there a reason legally that we can't, you know, take that approach? Sorry, Bill, I know you are -- is there a reason we can't say we are making a transition and the category that's allowed to do this are property managers approved by the city. They have to sign the form and, you know, submit -- declare a certain number of things and we can Google them on the Secretary of State's website and make sure they are property managers.

Nary: So, Mr. Mayor, Members of the Council, Council Member Strader, there is no registration today. There is nothing. There is no regulation of property management in the state by the state. So, there isn't any place to register to do that and we don't require business registry either. So, there really isn't that check that we are talking about that exists. So, we would either have to define it or what a court normally does -- because if it's not clearly defined, they just look in the dictionary. What's a property manager? A person that manages property. That's probably what a court is going to do. So, we are not going to probably get very far unless we want to be more specific. But, again, we don't license it, the state doesn't license it, there was a very large criminal investigation that ended up with people in prison for fraudulently managing property out of Meridian. So, it is something that is out there. It doesn't happen much. This one was very significant. It was investigated by ISP. So -- so, there really isn't that backstop. So, it really is -- I mean, again, we can tell probably -- can use the term property management company, but I don't know legally if I can define that beyond a person that manages property.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just to further clarify, though, I guess my question is is there a reason that can't -- we can't have within the city's discretion to approve property managers who are eligible for this service? Like can we put that within our discretion to approve them? In the very very unlikely event -- I -- this seems so far removed; right? Like someone's going to have their tenant register as -- like it just seems really far removed to me.

Nary: Well, in theory -- Mr. Mayor, Members of the Council, Council Member Strader, that's what it is now; right? Technically the -- when we do these -- these billing arrangements the owners are saying that person will accept the bill and pay it. If they don't I will pay it. So, they are accepting that responsibility. So, they are kind of already doing that. It's -- it's -- we can certainly -- I would like to do some research first, because we do have to have a governmental nexus to just create a regulatory scheme. We can't just regulate it because we feel like it. We actually have to have a reason to be able to do that. The problem you are going to have is, again, what's the problem you are trying to solve and if the state doesn't choose to do it, why do we need to do it? And that's what

you are going to get pushback from is why do I have to pay a fee or register or anything to do something that nobody else regulates anywhere. So, we certainly could look into that if that's the direction of the Council, if you want us to do that, to create a method to license or register for these types of activities, but I couldn't give you an answer today.

Glenn: Mayor and Council Woman Strader, I believe in my mind that's why I was developing the payment -- or property management acceptance is to have at least a one page form, a document that acknowledged that they were taking on that role, regardless of whether it be a customer or an individual. But it has not -- I mean I'm currently working on it to replace the renter's addendum, but I have not presented it to -- to Bill to have Legal review it yet. But it's a lot of the same terminology. Rather than saying tenant -- rather than saying as a tenant I agree to -- it's as a property manager I agree to -- with the bullet points.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Just some feedback. And that seems to make a lot of sense to me. So, since it's an agreement or voluntarily entering into to do future agreements, you designed this form; right? That just makes sense. I don't think we need to create like an in-depth scheme to regulate property managers, Mr. Nary. I think we are good.

Simison: I guess I would go back to the question, though, then. If every tenant is going to be able to enter into these agreements themselves, which they will be able to -- I'm sorry, they will be able to, I don't think that you are going to be able to exclude them to do it. How are we doing this and, then, say we are not going to charge people for basically doing what we are currently doing, even though we are not charging an adequate amount for what we are currently asking to be done. Yeah. That was a circle. But it's -- it still begs the question. Where are we going and what are we trying to do and/or why? Or is it better to keep doing the service and just recover our costs for it? You know, the full way. Council, the last time we talked you talked about doing this in a public hearing, inviting the community to -- to come. That was the direction that you wanted them to come back and put this in front of you. I don't know what this ordinance looks like at this point in time personally, if it's written or so still needs to be written, but was our intention to do outreach, so the people -- once we wrote it, do the outreach, and, then, schedule the public hearing. So, that probably will be after the new year would be my guess. Just as we are coming into where we are with what do we even have scheduled with other Council meetings. So, we can continue down that path if that's the way you would like to go at this point in time.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: It was my understanding -- and Finance is welcome to correct me, but the purpose of bringing this before us was to eliminate the chasing down of -- really acting as the property manager in the sense of trying to collect those funds and, then, doing the third readings. If -- if I'm understanding this updated proposal correctly, we are still, essentially, taking out those -- those activities that were causing the most heartache. Is that true or is that not the perception that -- that your department's at?

Glenn: That is correct.

Perreault: Okay. So, we are still accomplishing what it is that you, essentially, set out to accomplish?

Glenn: Yes.

Perreault: With the updated proposal.

Simison: Until tell every person who is in the house registers as a property manager and now we are in agreement with them and going through these processes.

Borton: Mr. Mayor?

Simison: Yes, Councilman Borton.

Borton: I guess to close -- or until they don't.

Simison: Yeah.

Borton: It might not ever happen.

Simison: It might not happen.

Borton: So, to answer that question, let's schedule a public hearing. I thought that's where this was headed. I thought all of the design and purpose behind the original proposal made sense and we are going to track and we will see what works and what doesn't and now that it's -- it's been modified to try and create some compromise and consensus, I'm supportive of the updated proposal as well. At least to be presented at a public hearing. We can argue this all day long. It's just -- I trust your judgment from my perspective. This solves more things than it might hurt, but if there is unforeseen problems that arise, like the Mayor's describing, we will revisit this and bring it up in the summer and the fall and say, hey, we made this one change, it's not working like we intended, let's pivot back and we will be responsive. But, by all means, let's move on with it.

Perreault: Mr. Mayor?

Simison: Council Woman Strader.

Perreault: I don't -- I don't think --

Simison: I'm sorry. Perreault.

Perreault: I would be honored -- I'm honored to call -- be called by her name. I don't think that the -- that the property manager taking responsibility has to be that complicated. You have the owner sign the document. You have the person taking responsibility to send the document and it says on there that it can't be the occupant. That doesn't seem to me like it has to be that complicated.

Lavoie: All good discussions for -- yeah. We will see where it goes.

Strader: Mr. Mayor?

Simison: I think from -- just from a practical -- we are moving forward. They will continue to work on the ordinance. There will be outreach to the community before public hearing is scheduled or in time for people to get the information for the public hearing. So, if Council is still interested in moving forward, that's where we are going. We don't need to go any further tonight. Okay. All right. Do I have a motion?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn.

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

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 5:51 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK