



Mayor Robert E. Simison

City Council Members:

Luke Cavener, President
Liz Strader, Vice President
Doug Taylor
John Overton
Anne Little Roberts

MEMORANDUM

DATE: April 10, 2024
TO: Solid Waste Advisory Commission
FROM: Emily Kane, Deputy City Attorney
RE: Overview of Updates to Title 2, Meridian City Code

This memorandum is provided to update you on some upcoming proposed changes to Title 2, Meridian City Code, which relate to the creation and operation of City commissions. A draft of the proposed changes to Title 2 that are related to the Solid Waste Advisory Commission are attached.

These proposed changes to Title 2 are part of a greater effort to review and streamline Meridian City Code. This effort is motivated by the City of Meridian's 2021–2025 Strategic Plan, which includes this goal: “[U]pdate ordinances and simplify processes in order to improve effectiveness and provide premier services to our citizens.” One of the enumerated strategies supporting this goal is to “perform a complete review of all ordinances, codes and policies in the City of Meridian to assess their value and relevance to the community.” To that end, the City Attorney's Office is undertaking a comprehensive overhaul and restructuring of the City Code, in order to improve the Code's clarity, consistency, effectiveness, and navigational utility.

Among other things, the proposed changes to Title 2 are designed to: establish uniformity in the structure of the code provisions for each commission; update the language of the ordinance to reflect current practices; eliminate outdated provisions; and clarify language related to Commission membership.

The updated Title 2 provisions will also categorize City commissions into advisory commissions, which make recommendations to the Mayor and City Council on specific subject areas (*e.g.* Solid Waste Advisory Commission, Arts Commission, Transportation Commission), and statutory commissions, which operate pursuant to a statutory mandate (*e.g.*, Planning & Zoning Commission, Impact Fee Advisory Committee).

The updates to SWAC's provisions consolidate some redundant provisions and clarify the Commission's duties and powers. SWAC will not experience any changes to its operations as a result of these proposed updates; they generally reflect the commission's current practices.

Following my update to all City commissions about the upcoming changes to Title 2, I will present the changes to City Council for their review and potential approval. I look forward to reviewing the proposed code updates with you at your meeting on April 24, 2024. Thank you!

**4/24/24 DRAFT Updates to Title 2, Meridian City Code:
Solid Waste Advisory Commission**

Title 2 - COMMISSIONS AND COMMITTEES

CHAPTER 1. - ~~ADVISORY COMMISSIONS; COMMITTEES, BOARDS, COALITIONS.~~

2-1-1. - ~~Advisory Commissions.~~

A. All advisory commissions. The following provisions shall apply to all city advisory commissions, which shall be defined as commissions created by City Council for the purpose of advising the Mayor and City Council on specific subjects, pursuant to and as enumerated in this chapter. Advisory commissions shall include including, but not limited to, the Meridian Arts Commission, the Historic Preservation Commission, the Parks and Recreation Commission, ~~Planning and Zoning Commission,~~ the Solid Waste Advisory Commission, and the Transportation Commission.

B. A. Provisions-Creation of advisory commissions.

~~1. The Mayor has the authority to create various commissions to advise the Mayor and City Council on the specific subjects established for the Commission.~~

~~2. Advisory Commissions shall be created may be established by ordinance, and may be eliminated by repealing the establishing ordinance. and approved by the City Council and shall be subject to the Idaho Code provisions in regards to open meetings including, but not limited to, taking of minutes and shall be open to the public to attend.~~

~~3. The City Council may eliminate any commission at any time by repealing the commission's enabling ordinance, unless a different procedure is required by the Idaho Code.~~

CB. Roles and responsibilities/Duties and authority of advisory commissions.

~~1. Advisory to City Council. All commissions, except for the Planning and Zoning Commission, shall be deemed advisory and shall report and The advisory commissions shall be recommending bodies, and shall make recommendations to the Mayor and City Council, within the scope of each commission's respective duties, as set forth in this chapter. All actions of the Commission shall be subject to approval by the Mayor and City Council and after such approval shall have the force and effect of this title.~~

~~2. Each advisory commission shall adopt bylaws for the proper conduct of the commission's business. All commission bylaws are subject to approval by the Mayor and City Council after recommendation by the Commission.~~

~~3. Annually, each advisory commission shall elect a chair and vice chair, who shall serve in such roles for twelve (12) months.~~

~~24. Annual report. The In addition to duties set forth in the respective commission bylaws, the Commission Chair chair of each commission shall submit an annual report to the Mayor and City Council regarding the Commission's activities and accomplishments in the furtherance of the objectives of this title. This shall not apply to the Planning and Zoning Commission.~~

Commented [EK1]: Updated provisions create categories for City boards and groups:

1. Advisory commissions. Established/operate per City Code + focus on general City functions – e.g., Arts, Historic Preservation, Parks & Rec, Solid Waste, Transportation.
2. Statutory commissions. Established/operate per Idaho Code + focus on statutorily enumerated functions – e.g., Planning & Zoning Commission, Impact Fee Committee.
3. Ad hoc committees. Established/operate informally as needed + focus on specific objective or interest area – e.g., MYAC, dog park committee, UTV committee.
4. Standing committees. Established/operate per City Code + focus on specific City actions – e.g., Assessments Review Committee.

Commented [EK2]: Moved to 2-1-1(C)(1)

Commented [EK3]: Covered by Idaho Code (Open Meetings Law)

Commented [EK4]: Consolidated with 2-1-1(B)(2), above.

Commented [EK5]: Reworded and made uniform throughout Title.

Commented [EK6]: Moved these provisions to this section for all advisory commissions to promote uniformity and eliminate redundancy:

- Bylaws
 - Chair/vice chair
 - Annual report
- Added prohibitions for Commissioners:
- Entering into contracts (including verbal agreements) on City's behalf
 - Applying for grants
 - Entering private property

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5. Volunteer commissioners are not and shall not be authorized to enter into any contract on behalf of the City, to apply for or accept any grant or other funds on behalf of the City, or to make any verbal or written agreement binding the commission or the City. Subject to City policy, City staff may apply for or accept grant or other funds on behalf of the City and/or in the name of a commission or committee.

6. Volunteer commissioners are not and shall not be authorized to enter private property, buildings, or structures in the performance of their official duties without the prior, express consent of the owner or occupant thereof.

7. Advisory commissions and the respective commissioners thereof shall comply with the Idaho open meetings laws, Idaho Public Records Act, and Idaho Ethics in Government laws.

CD. ~~Membership~~ Advisory commission membership and qualifications.

1. ~~Appointment.~~ Commission members shall be appointed by the Mayor and approved by the City Council on a vote of a majority of the City Council members, and commission members may, in like manner, be removed or replaced.

2. ~~Size. Commissions~~ Each commission shall consist of up to nine (9) members.

3. Commissioners shall be ~~that are~~ over eighteen (18) years of age, at the time of appointment, ~~with except that one (1) member who of each commission~~ may be designated to represent youth, which commissioner ~~er member~~ may be at the time of appointment, under eighteen (18) years of age.

34. ~~Compensation.~~ All Commission members and the officers thereof shall be volunteers, and shall serve the City without ~~salary or~~ compensation for ~~their such service on the commission~~. This shall not apply to ~~paid city or other governmental City staff appointed to a commission within the scope of their employment on commissions as part of their work assignment.~~

45. ~~Terms.~~ All Commission terms ~~Each commissioner's term~~ shall be ~~for a period of~~ three (3) years, except that each youth commissioner's term shall be one (1) position that may be designated to represent youth, for all commissions except for planning and zoning, which commission member shall serve for a term of one (1) year. Commissioners appointed prior to the passage of this title may serve the full term that they were appointed to initially and the number of terms shall not be counted toward any subsequent limitations.

56. ~~Partial terms.~~ CA commissioners may be appointed to a partial term ~~when they are appointed to fill an existing seat that has been vacated due to resignation or removal. Commissioners may also be appointed to a partial term to complete a vacating commissioner's term, or when a new seat is established to allow the term expiration to align with the other seats on the commission's expiration time period. Partial term appointments shall not be counted toward the limitations of successive terms.~~

Commented [EK7]: Update clarifies which bodies are subject to Idaho Code Title 74, Transparent and Ethical Government (open meetings, public records, governmental ethics).

Commented [EK8]: Moved these provisions to this section for all advisory commissions to promote uniformity and eliminate redundancy:

- Appointment
- Size
- Minimum age
- Commissioners are volunteers (uncompensated)
- Commissioner term is 3 years
- Youth commissioner term is 1 year
- Process for partial terms
- Process for vacancies
- Process for additional terms of service
- Attendance requirements
- City staff assignments to support commissions

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- ~~6. *Maintaining list of members.* The City Clerk shall maintain a record of the current and future commission seats with the starting and ending dates of each respective term identified. Any new seat added as a result of this title may be for a partial period of time for the initial appointment to allow the seat to align with the other seats on the respective commission.~~
 - ~~7. *Expiration of terms and reappointments.* When a commission term expires, if a commission seat is or will be vacant, the Mayor's Office shall publicly notice the opportunity to apply for the seat. The incumbent commissioner may reapply for the same seat. Appointments shall be done as described in this section.~~
 - ~~8. *Successive terms.* Commissioners may serve up to two (2) consecutive full terms, and including any partial term they may serve prior to appointment to a full term, without separate approval. A third or all successive terms must be approved by a unanimous vote of the full City Council unless otherwise provided by law or ordinance. A partial term shall not count as a term for the purpose of this provision.~~
 - ~~9. *Termination.* Any commissioner may have their appointment terminated in the same manner as they were selected, unless required otherwise by law. Additionally, The mayor shall remove any commissioner that who misses one-half (½) of the meetings that are held by the commission to which such commissioner was appointed in any twelve-month period shall have their appointment automatically terminated calendar year, as of December 31.~~
 - ~~10. *City staff members.* The City Attorney or designee shall be assigned to each commission to provide legal advice and oversight, and a designated staff member shall be assigned to each commission to provide administrative and operational support.~~
- ~~D.E. *Budget; expenditures; staff support.*~~
- ~~1. A commission may be provided a budget with the approval of the City Council.~~
 - ~~2. The City Council may provide commission's budget may be created funds for an advisory commission's activities through the legally required budgetary process and as determined by the Idaho Code, Meridian city ordinance or city policy may receipt and expend funds, goods, and services from the federal government or agencies and instrumentalities of state or local governments, or from civic and private sources, and may contract with these entities and provide information and reports as necessary.~~
 - ~~3. The budget and any expenditures or contracts related to a commission's activities shall be administered, consistent with the city's policies, by the designated city department or City staff liaison member assigned to the commission, subject to City policy(s) and as when required be forwarded to the City Council for approval. No volunteer commissioner shall be authorized to enter into contracts on behalf of the City, including those related to services, goods, or the acceptance of grant funds.~~
 - ~~4. The City Attorney or designee shall be assigned to each commission to provide legal advice and support, and designated staff member(s) shall be assigned to each commission to provide administrative and operational support.~~

Commented [EK9]: Moved to Title 1

Commented [EK10]: Clarified to avoid confusion, aid tracking, and provide clean slate at each new calendar year.

Commented [EK11]: Updated for clarity and simplicity. Reiterates that volunteers may not bind City via contract.

Commented [EK12]: Moved from membership section, above.

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~~F. Meetings. Regular meetings of advisory commissions shall be held at Meridian City Hall, at the date and time specified by City Code. If the regular meeting date falls on a holiday, City election day, or primary or general election day, the meeting shall be canceled or rescheduled, as the chair directs. If a quorum of the commission is not available for a regularly scheduled meeting, the meeting may be postponed to a different date and time, or may be canceled.~~

Commented [EK13]: Moved this provision to this section for all advisory commissions to promote uniformity and eliminate redundancy.

CHAPTER 6. -- SOLID WASTE ADVISORY COMMISSION

2-6-1. Establishment.

2-1-3. Solid Waste Advisory Commission.

~~A. Establishment; purpose. There is hereby established a Solid Waste Advisory Commission, the purpose of which shall be to propose and recommend to advise the Mayor, and the City Council, and Public Works Department staff on matters regarding solid waste collection and disposal. any new or amended rules, regulations, policies, and fees as such may relate to the orderly and efficient administration of the city's fully automated solid waste collection system.~~

Commented [EK14]: Structure for each advisory commission's code:
A. Establishment – Why is the commission established?
B. Duties and powers – What is the commission authorized to do?
C. Qualifications – Who may serve on the commission?
D. Meetings – When does the commission meet?

Commented [EK15]: Reworded for clarity and uniformity with other advisory commissions' provisions.

2-6-2. Duties and powers.

~~A. Commission authority.~~

~~B. Duties and powers. The Solid Waste Advisory Commission shall be authorized to support, provide input, represent the public interest, and make recommendations to the Mayor, City Council, and City staff regarding:~~

Commented [EK16]: Reworded and reformatted for clarity and uniformity with other advisory commissions' provisions.

- ~~1. Review and recommend to the Mayor and the City Council rules, regulations, Ordinances, policies, and fees related to improving the orderly and efficient administration of the city's automated City's solid waste collection system; and disposal services.~~
- ~~2. Review and recommend pPrograms and projects designed to encourage, that promote, and improve the residential and commercial solid waste and recycling management practices in the community, helping that help reduce the amount of waste that ends up in divert waste from the landfill;.~~
- ~~3. Review and recommend ordinance changes for the purposes of ensuring that the automated solid waste collection system results in a cleaner, safer community and allows for more cost effective services;~~
- ~~4. Review and recommend rules, regulations, policies, and fees necessary and desirable to enhance the equitable distribution of the cost of solid waste collection and disposal services in the community;.~~

Commented [EK17]: Consolidated into section (1), above

Commented [EK18]: Consolidated into section (1), above

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- ~~5. Represent the public interest in making suggestions and recommendations to the management of solid waste and make such information available to the City Council and all interested agencies and persons;~~
 - ~~6. Provide recommendations and suggestions for the future growth, development and regulation of solid waste and recycling facilities and services of the city;~~
 - ~~7. Cooperate with the federal, state, and local governments in the pursuance of the objectives of this chapter;~~
 - ~~8. Review, and make recommendations due to, changes in economic conditions, industry trends, and regulatory measures relating to the cost, operation and management of the city's automated solid waste management system;~~
 - ~~93. Hear and review escalated solid waste management initiatives and concerns or issues brought forth by citizens of Meridian, or franchisee or staff, and provide recommendations on such matters to City staff to be forwarded to the Mayor and City Council;~~
 - ~~104. Manage Disbursement of funds in the Community Recycling Fund program including establishing program periods and verifying funding availability; receive and review program and funding updates; review and evaluate program applications and changes.~~
5. Matters relevant to the commission's purpose in provisions of the City Comprehensive Plan and other planning processes undertaken by local, State, or Federal agencies.
6. The development of solid waste initiatives that promote clean, safe, cost-effective solid waste management within Meridian.

Commented [EK19]: Covered by section (1), above

Commented [EK20]: Covered by section (1), above; operational function of the Solid Waste Coordinator

Commented [EK21]: Moved to/reworded in section (5), below

Commented [EK22]: Covered by other provisions in this section

2-6-3. Membership; qualifications.

C. Qualifications. All members of the Solid Waste Advisory Commission shall have a demonstrated interest, competence, or knowledge in recycling and solid waste management. ~~Commission membership shall be selected from the following groups: Up to two (2) members may be solid waste industry experts, who may or may not reside in the City of Meridian; one (1) Meridian resident shall be under eighteen (18) years of age at the time of appointment to represent youth; and a All remaining members shall be Meridian residents. There shall be two (2) nonvoting ex officio members made up of a representative from the Meridian City Council and a representative of the current solid waste franchisee shall serve as an ex officio member.~~

2-6-4. Organization:

- ~~A. Officers. At the first meeting of each calendar year, the members of the Solid Waste Advisory Commission shall meet and organize by electing a Chair, Vice Chair, and such other officers as may be necessary. The Commission may request assistance from the City Clerk.~~
- ~~B. Rules and bylaws. The Solid Waste Advisory Commission shall adopt bylaws, rules and regulations for the proper conduct of the business of the Commission. All commission bylaws, rules and regulations are subject to the approval of the Mayor and City Council after recommendation by the Commission.~~

Commented [EK23]: Moved to Meridian City Code section 2-1-1(C)

2-6-5. Meetings.

D. Meetings. The Solid Waste Advisory Commission shall convene regular meetings at Meridian City Hall, 33 East Broadway, Meridian, Idaho, at 4:00 p.m., on the fourth Wednesday of each month. ~~regular meetings at the Meridian City Hall, 33 East Broadway, Meridian, Idaho, at least quarterly. At the first meeting of each calendar year, the Commission shall establish a meeting schedule for the calendar year in which event the published schedule shall apply. All meetings of~~

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the Commission shall be open to the public, and shall follow the requirements of Idaho's Open Meeting Laws. The Commission shall keep minutes and other appropriate written records of its resolutions, proceedings, and actions. The Commission shall allow and promote public participation in the meetings of the Commission. Additional meetings of the commission may be scheduled as necessary to carry out the business of the Commission.

Commented [EK24]: Covered by Open Meetings Law.