

A Meeting of the Meridian City Council was called to order at 4:30 p.m. Tuesday, December 17, 2024, by Mayor Robert Simison.

Members Present: Robert Simison, Luke Cavener, Liz Strader, John Overton, Doug Taylor, Anne Little Roberts and Brian Whitlock.

Other Present: Chris Johnson, Bill Nary, Kurt Starman, Debbie Hoopes, Todd Lavoie, Tracy Basterrechea, Steve Taulbee and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Brian Whitlock
<input checked="" type="checkbox"/> Anne Little Roberts	<input checked="" type="checkbox"/> John Overton
<input checked="" type="checkbox"/> Doug Taylor	<input checked="" type="checkbox"/> Luke Cavener
<input checked="" type="checkbox"/> Mayor Robert E. Simison	

Simison: Council, we will call this meeting to order. For the record it is December 17th, 2024, at 4:30 p.m. We will begin this City Council work session with roll call attendance.

ADOPTION OF AGENDA

Simison: Next up is the adoption of the agenda.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

Overton: Second.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

1. **Approve Minutes of the December 3, 2024 City Council Regular Meeting**
2. **TM Creek Subdivision Water Main Easement No. 1 (ESMT-2024-0167)**

- 3. Watts Meridian Medical Partners Subdivision Full Release of Sanitary Sewer and Water Main Easement (ESMT-2024-0168)**
- 4. Watts Meridian Medical Partners Subdivision Release of Water Main Easement (ESMT-2024-0169)**
- 5. Watts Meridian Medical Partners Subdivision Full Release of Water Main Easement (ESMT-2024-0170)**
- 6. Calvery Chapel Sanitary Sewer and Water Main Easement Partial Release (ESMT-2024-0171)**
- 7. Final Plat for Alexander's Landing Subdivision (FP-2024-0023) by KB Homes, located at 4574 W. Quarterhorse Ln.**
- 8. Findings of Fact, Conclusions of Law for Addison Circle Subdivision (H-2024-0040) by Centurion Engineers, Inc., located at 4635 N. Black Cat Rd.**
- 9. Findings of Fact, Conclusions of Law for Apex Phenomenal (H-2024-0041) by Brighton Corporation, generally located on the north side of E. Lake Hazel Rd. approximately 1/4 mile west of S. Locust Grove Rd.**
- 10. Findings of Fact, Conclusions of Law for Black Cat East (H-2024-0047) by Sawtooth Development, located at 935 S. Black Cat Rd.**
- 11. Approval of Agreement for Supply to Western States Equipment Company of Caterpillar Generators, Generator Parallel Switchgear, Controls, Software, and System Upgrade Services for the Not-To-Exceed amount of \$211,914.12**
- 12. Approval of Construction Contract to Cascade Enterprises, Inc. for Well# 29 Pumping Facility Upgrades for the Not-To-Exceed Amount of \$233,000.00**
- 13. Approval of Construction Contract to Irminger Construction, Inc. for Well 31-Water Treatment Facility-Construction for the Not-To-Exceed Amount of \$1,599,528.00**
- 14. Approve the agreement to Motorola Solutions for the Not-to-Exceed amount of \$788,290.47 and authorize the Procurement Manager to execute the contract and issue the Purchase Order for the amount Not-to-Exceed \$788,290.47**

- 15. Dog Licensing Designee Agreements Between the City of Meridian and Meridian Veterinary Hospital, Pet Care Clinic, and Settler's Park Veterinary Hospital**
- 16. Fiscal Year 2025 Net-Zero Budget Amendment in the Amount of \$5,000.00 for Water Tower Championship Sponsorship**
- 17. Resolution 24-2496: Approval of lease of Meridian City Hall office space to Congressman Russ Fulcher for District Office for the Not-To-Exceed Amount of \$1,881.00 per month**

Simison: First up is the Consent Agenda.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

Overton: Second.

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 agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

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

DEPARTMENT / COMMISSION REPORTS [Action Item]

- 18. Discussion of Request from Ada County and Ada County Emergency Medical Services District concerning Countywide Development Impact Fees**

Simison: So, with that we will go on to Item 18, which is Department/Commission Reports and first item up is discussion of request from Ada county and Ada County Emergency Medical Services District concerning countywide development impact fees and I will turn this over to Kurt.

Starman: Thank you, Mr. Mayor, Members of Council. This is a topic familiar to some of you, but it's been a couple years since we had this discussion, so I will take a little bit of time to provide some context and we have guests from the county here today to go

into more detail about the content of their proposal and the request of the city. Let me just kind of start with about -- kind of paint the -- the broad brush of what we hope to accomplish today. This is not an action item for the Council, it's an information item and we are seeking some direction. Again, this is a new topic for the City of Meridian. It's been a couple years or perhaps a bit longer and so the county is looking to implement on a countywide basis development impact fees for some particular services. One of which is not relevant to the incorporated cities and that pertains to the Sheriff's Department, but the other three do require the cooperation and participation of all the incorporated cities in Ada county and so they -- perhaps when they make their presentation they can sort of tell you more about their process and where they are with respect to communications and discussions with other -- some of our fellow cities elsewhere in Ada county as well. This is a request from two entities. It's Ada county, but it's also the Ada County Emergency Medical Services District. For ease of discussion I'm just going to refer to both entities as the county, but just for clarity we are really talking about two entities that would require the city's cooperation and participation with. As I mentioned it's countywide development impact fees that would be relevant to Meridian, but the other incorporated cities as well in three particular areas of the coroner's office, EMS and the jail facility and, again, the county will get into some more detail about that in a few minutes here. The -- in some ways on a -- sort of really basic level at the ten thousand foot level this is somewhat similar to the city's relationship with the Ada County Highway District and you are -- Council is likely aware that the city collects impact fees for itself and with respect to police, fire and parks and, then, we also through our development process collect impact fees on behalf of ACHD. That's -- this is sort of a similar concept with -- with some significant and perhaps profound differences as well and so I want to focus on those differences. I am not sure that was clear in 2022. Unlike ACHD, which has the statutory ability to pass an ordinance -- a development impact fee ordinance on a countywide basis and collect those fees on a countywide basis, Ada county does not have that ability. Courts have long held that county ordinances are only effective in the unincorporated area. City ordinances are only effective within our incorporated area. And so to the extent the county wishes to have a fee program that covers the entire county, both unincorporated and incorporated areas, they need the cities -- all cities to participate and to assist with that process. So, that's a fundamental difference between the ACHD model, if I can refer to it that way, and what the county is proposing before you today and they did in the past as well and more specifically what they need from all -- all the cities, including Meridian, is the cities to agree to an intergovernmental agreement, which is required by state law. They need all the cities to adopt the county capital improvement plans that are relevant to -- to form the basis for the impact fees that are being proposed. Those get incorporated into each city's comprehensive plan and, then, lastly each city needs to adapt -- adopt a development impact fee ordinance similar to the ordinance that we have adopted to collect impact fees for parks, fire and police, we would adopt -- if the Council was so inclined we would head down that path of adopting an ordinance that would be specific to the fees I mentioned earlier for coroner, EMS, and jail. I think a tricky part of this process is that we have so many jurisdictions involved and really we are not quite first out of the chute, but in some ways I think we are -- we are farther along than others. I know the counties had some discussions with mayors of different

jurisdictions, in some cases with the development impact fee advisory committees of different jurisdictions, but there is still some initial work with all of our fellow cities. So, we are a little bit ahead of the game and I think importantly, therefore, we need to be thoughtful if the City of Meridian wishes to participate or continue to explore participation we need to be sort of careful and thoughtful how we do that and in the -- in your memo before you today we outlined sort of a four step conservative approach that we think would -- if Council is inclined to go in that direction would provide -- would help the county achieve its goal, but also provide protections from the city, as also importantly -- and I will talk more about that near the end of our presentation today, so I won't elaborate more right at the moment, but those steps are outlined in your memo as well. Really the goal -- and we can't quite get there one hundred percent, but from the staff perspective at least the goal is to contractually make this as close to the ACHD model as possible. So, we can't get quite to the ACHD model, because we have to adopt the CIPs, we have to adopt an ordinance and we have to be involved in all those activities. But contractually the goal is to make it as -- that we become more of a facilitator and that the county does the heavy lifting, just like ACHD does the heavy lifting for its fees. The accounting, appeals, the work on the CIPs, update to CIPs, making use of the county's existing development impact fee advisory committee, which knows these topics, our committee does not, you know, we don't know anything about jails, we don't know anything about -- or that's a bit of exaggeration. We don't know as much about EMS and some other areas as others. So, the goal here, if we head down this path, is to do an incremental approach and also contractually to make us more of a facilitator to the greatest extent possible and to have the county sort of carry the more heavy burden, which is appropriate, because the fees are being used to build -- to build county facilities. We also think the four step implementation plan in your memo is helpful in the sense that -- I think it would -- from a staff perspective there is concern that we don't want to have it create unlevel playing fields where Meridian, for example, elects to participate and a different or one or more other cities choose not to, that's just an unlevel playing field. If we are collecting fees on behalf of the county and others are not, that's not a fair situation. So, the implementation plan before you that we will talk about more after the county presentation, provides a solution for that where potentially we would adopt the county CIPs, enter into an intergovernmental agreement and, then, pause and, then, once the county gets the other cities on board and they do what they need to do, only at that time would the City of Meridian take the final step, which would be the ordinance that would actually allow us to collect the fees on behalf of the county. So, I think that's a way to avoid that unlevel playing field problem and I think it also is a way for us to be good partners with the county to show support and to be helpful to them and help advance the ball. So, that's kind of the game plan for today. The county is going to now present on kind of the detail of what they are proposing and the detail of how the numbers were generated. Once they finish that I will come back and talk a little bit more about those implementation steps that I alluded to. I'm happy to answer questions now or Mr. Rutherford from the county is prepared to kind of introduce his team and -- and kick off that part of the presentation.

Simison: Thank you, Kurt. Council, any questions? All right. Good afternoon, Steve. Nice to see you.

Rutherford: Mr. Mayor, Members of the Council, thank you very much. It's kind of bizarre being here. I have a history in Meridian. Before I got here I used to wrestle Tracy Basterrechea in wrestling. This -- like in grade school. In the late '90s I was a prosecutor and Mr. Overton -- Council Member Overton trained me, handed me off to -- to Council Member Cavener's dad, who finished my training as a prosecutor and, then, I got handed off for -- for real finishing school to Council -- or to City Attorney Nary who taught me how to be a city attorney. So, it's full circle. Really glad to be here. So appreciate the opportunity. As Kurt mentioned, this has been kind of a stop-start. We have been at this for some time. When we were here in '22 we had to pause because we had to do some updating to our CIPs, particularly in EMS related to some -- some fire stations we worked on with you all and we decided at that time, because we were almost two years into our CIPs, that we better stop, redo all the CIPs and, then, start again in earnest and so -- so here we are. I have all the folks I think in the room that can answer the questions that you might have tonight. We have Leon Letson from our Development Services, he is kind of the timeline process guy. We have Colin McAweeney, who is our consultant, who helped us do all the CIPs and the impact fee study and he is going to give the presentation tonight. We also, for those of you interested in how the coroner's office operates, you have your elected Ada County Coroner Rich Ripples in the room and he is happy to answer any questions as well. I do want to let you know we really do appreciate your staff. Kurt has been great. We have met with Todd Lavoie. Understandably they are nervous about this whole thing. It's like countywide trust circle and the -- the -- the county commissioners are not interested in a countywide impact fee where one city doesn't participate. So, we all go together and we don't go at all. So, just to alleviate any fears, we will shut this thing down if the city decides to balk. We haven't gotten to that point yet. There are positive signs. We have got -- and Leon can talk to you about a couple of the cities have already started through the process. I'm not sure they are ahead of you, but probably -- well, they probably are a little bit, but -- and we have a couple stragglers that we are still working through some fine details, so -- but we will -- we are undaunted and we are going to keep pressing. So, I'm going to hand off to Colin for the presentation. Thank you.

McAweeney: Will I be able to operate it here? Okay. Wonderful. Mayor, Council Members, I'm Colin McAweeney with Tischler Bice. I got a handful of slides to sort of run through with you, more high level than -- than sort of the -- the whole report. I want to take time to make sure that you are comfortable with the numbers and -- and understand where -- where we got there. How we got there. The firm Tischler Bice Colina, based over in Boise, we have -- sort of the foremost impact fee specialists in the state. You are seeing about 78 I believe communities throughout the state here that we have worked with to do impact fees and other revenue strategies up through Bonner County, throughout the Treasure Valley and, then, out east as well. Now, we got a pretty good overview of -- of the process. We did sort of restart things in '23 to update CIPs and -- and demand factors. We went through a lot of growth and so wanted to sit down with department heads to understand different priorities and -- and -- and how those CIPs reflect that. Also sort of elevated costs because we went through a big, you know, inflationary period as well and as mentioned we are -- the full report included

sheriff facilities, jail, coroner and EMS, but as we are engaging with the cities we are only looking to hopefully have the cities participate for the jail, EMS and coroner services -- or services that the cities don't provide, but the counties are providing or the sheriff facilities, you know, station expansion. We are hoping to have those collected within the unincorporated area, so -- so, really, we are just focusing on those three fee categories there. The approach we have taken for -- for all of that analysis is called incremental expansion approach and it's actually the same methodology that your impact fees are under. A gentleman, Dwayne Guthrie, he used to be a Tischler Bice employee and so he used the same methodologies that we have used here on -- on the City of Meridian impact fee studies. You know, just wanted to sort of spell out kind of the -- the sort of building blocks of these studies. Here is the growth projection for Ada County countywide. We started this process to sort of update in '23. At that time we had 544,000 people throughout the county, growing a little over one percent, 23 percent over the next ten years. So, that's 125,000 new residents. Again we are looking at these facilities as countywide benefiting facilities, so we are looking at countywide growth. On the commercial side we had 239,000, residents growing at a pretty good clip as well, 18 percent over the next ten years, 43,000 new jobs or 17 million new square feet of nonresidential development. So, I want to touch on the jail methodology. Again it's called incremental expansion of approach and what we do here is look at current levels of service. So, that's beds per thousand residents or square feet of facility space per thousand residents. We set the impact fee to that current level of service looking at current construction costs and as new folks come into the community, into Ada county, they pay an impact fee to keep up with levels of service. So, we are not overcharging growth. We are just sort of really protecting current levels of service and we will expand our facilities as we are collecting those dollars to -- to ensure that we are at least keeping up with current levels of service. Real changes from '21 where there was a Pod E and F expansion in the '21 study, as right at this moment we are just looking at Pod E and so there is actually a slight reduction in the CIP there and also took a little bit more analysis on the -- the inmates within the jail. So, I wanted to sort of hash that out a little bit further. So, the Ada County Jail also -- you know, it -- it -- it, you know, houses folks that live within Ada county or folks that -- that, you know, commit a crime within Ada county, but they also hold state prisoners as well, either those that are sort of waiting for transport or sort of going through pre-trial elements, you know, with -- with the state and the -- the jail capacity is six -- sorry -- 949 inmates, sort of normal day-to-day holding is 200 state prisoners, but vast majority of those state prisoners are Ada county residents and so we didn't want to reduce out the full 200 from that level of service, because a vast majority -- 95 percent of the state prisoners are actually Ada county residents. So, attributing sort of that residency to Ada county demand and -- and -- and growth. Now, ten percent -- or, sorry, five percent or ten of those inmates were out of county prisoners and so we actually reduced the level of service just by one percent, but -- but just ensuring that we are only look at that Ada county demand. We also use call data from the Sheriff's Office to determine residential versus nonresidential demand and, you know, very similar if you -- if you looked at your police and fire impact fee, we start -- start looking at functional population or call data to understand where -- where your demand is coming from, residential and nonresidential. In this case it boils down to 63 percent of that demand on -- on the -- the jail is from residential uses and,

then, 37 percent from nonresidential uses. Here is a call out provided by the -- the jail staff. This was prepared at the beginning of the year of '24, so slightly outdated, but it's basically showing by the mid 2024 they were going to hit capacity. So, really just sort of driving home the point, hey, we are reaching or at capacity, we need to expand our capital facilities justifying the collection of -- of impact fees to make sure that we can support the program. Level of service analysis, tons of numbers here. You know, just to sort of walk you through, we have occupational capacity 949 beds being, you know, assumed that all those beds are being occupied right now, because we are -- we are sort of through '24. Now 99 percent of that is Ada county beds reducing out that one percent, so about 940 beds. Value of 105 million dollars. Then you are going to see that 63/37 percent split comparing that to current or 2023 population to get current level of service and so that's about one bed per thousand residents. Then we get that cost per person by applying level of service and cost of construction, which is about 112,000 dollars per bed. Combine those two you get a 121 dollars per person. We also examine jail ancillary facilities. So, that's sort of what we were looking at is just the pods where the inmates are held, but there is the medical units, work release, juvenile detention center. Also vehicle maintenance areas. So, sort of working through levels of service there. Smaller numbers, but really ensuring that we can help support their growth related capital plan and you are seeing that here ten year CIP, just Pod E jail expansion, 294 beds, you know, we have those locker rooms, warehousing, secured entrance, all that related growth as we are needing to accommodate future residents. Fifty-three million dollars there over the next ten years at the maxim portable impact fees if all the -- if all the cities are participating we are projecting about 36 million dollars to help support that CIP. Here is the breakdown by land use category. So, you have the cost per person and, then, in cost per nonresidential vehicle trip, which is used to calculate the nonresidential fee. Overall sort of countrywide average for a single family home is 2.62 people per single family home. We have our cost factor of 197 dollars per person, demand factor of 2.62 people to get us a maximum payroll fee for a single family home of 516 dollars. Three hundred fifty-seven dollars for multi-family unit. You build a 20 unit apartment building you pay 20X at that number there. On the nonresidential side, 649 dollars per a thousand square feet of retail development, all the way down to 163 dollars for industrial development, giving you an example -- or just comparison here of what the 20 study indicated and actually kind of dropped on the non -- or on the residential side. We saw some increases on the nonresidential side just -- just attributed to that call -- calls for service analysis. And I will walk through EMS and coroner a little bit quicker. EMS we did the same analysis -- same approach. Incremental expansion. We just looked at station space of Ada county paramedics throughout the county. Compare that to current population to get current levels of service. Based on that information the growth related need was 12,000 new square feet of station space, one and a half acres of new land, six new units and some equipment. here. That 12,000 square feet equates to about four and a half or five new stations. That growth related need is ten million dollars to -- so to keep up with growth over the next ten years the paramedics would have to expand by about ten million dollars. Here is the CIP. So, we have actually five stations listed there, 16,000 square feet. Current cost is about 581 dollars per square foot, slightly less than a fire station, but still significant. So, that -- that total there is 9.5 million dollars in station. CIP, we need new

land, we need new vehicles to accommodate growth. Also a little bit of equipment that we can collect for in Idaho. Total cost here is 15 million dollars and actually meets and exceed that growth related need. So, importantly, the CIP justifies collecting at today's level of service onto new growth. Smaller numbers here, but -- but collecting for facilities, land, vehicles, equipment and -- and the fee study, gets us 66 dollars per person. Demand factors gets us the maximum fee amount. That's 117 dollars for a single family home and that's kind of actually right -- right where we fell in the '21 study. Coroner, same approach, incremental expansion by just examining that current level of service, but for new facility and so there is a little twist here that they just constructed a new facility. Issue debt and we can service debt with growth-related debt with impact fee collection and so that's what they are planning to do here in the coroner. Updated a couple of assumptions here and I will walk through that here. So, they moved to the Touchmark facility. That facility in total is going to be 40,000 square feet, but it's been expanded to accommodate 30, 40 years of growth and there is large sections of this -- of the facility that the lights are turned off and so they -- they will -- they will be able to push out admin space, autopsy areas of this -- you know, all the other areas. Training areas, locker rooms, those sorts of things that the coroner office is going to need. But importantly a little sort of layer of complexity here is that Ada County Coroner also provides service to partner counties and so there is about 20 -- 19 or 20 counties in Idaho that actually don't have their own coroner's office and so they actually partner a contract with Ada county to do those autopsies. So, importantly a part of that current facility is actually being used by non-Ada county residents and so we have to reduce out that demand to make sure we are only finding that -- that Ada county demand and of that partner workload that was 21 percent of their total autopsies with partnerships. So, we remove out that 21 percent. Currently they are occupying 40 percent of the total space. So, you got sort of current utilization of 12,500 square feet. Recalculate the current level of service off of that. Smaller number here even, 59 dollars for single family home, 39 dollars for per thousand square feet of retail and it's actually slightly less than what we projected out for '21. In summary, you can see Sheriff being blanked out here. So, the jail, EMS and coroner, total maximum supportable fee amount 750 dollars for a single family home, 1,256 dollars per thousand square feet of retail down to 12 -- to 217 dollars for industrial development and I will open up for any discussions on the -- on the calculations here.

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

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Quick question. On -- when you say maximum supportable impact fee, that's the maximum that you can take or is that the recommended impact fee that the county would be asking for? Could you just clarify that for me? That's a --

McAweeney: Yeah. Councilman, that's a great question. So, the study supports this maximum. So, Ada county can't go above that maximum. We certainly can adopt lower

than the maximum. It -- you know, it's important to note that the maximum essentially represents in dollars the cost to serve new growth at current level of service. Any reduction from the maximum would, you know, indicate one of two things, either we need to have other revenues coming in to keep up with growth, because we are not using impact fees for that or we are saying we are okay with lowering levels of service, because we are not collecting at the maximum.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: This is a very general question, but what actions have or will the county commissioners take? Like what -- what is their role exactly in the process? Do they adopt the CIPs? Have they adopted this recommendation? Help me understand their role in the process.

McAweeney: Yeah. I believe the county commissioners have -- yeah, have adopted the CIPs. Yes.

Strader: Okay. Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. Just to further clarify, so have the Ada county commissioners adopted the CIPs that reflect the maximum supportable impact fees? Like what -- I kind of want to just to like really level with you is I just want to hear have the Ada county commissioners agreed that this is what they are moving forward with or will the amount be recalibrated depending on their feedback? I just kind of want to understand where they are at with the process.

McAweeney: Yeah. Council Member, that's a great question. I think we have kind of come to the conclusion that we really would like to -- and -- and I don't think we can really move forward without all the cities coming together. The county is ready to adopt and -- and sort of have included this -- the CIPs at the maximum levels in their comp plan, but they haven't -- they are not currently charging the impact fees yet on unincorporated development. We are just hoping to sort of do this -- show basically with -- with every city to sort of get all of us on board before everyone sort of takes that jump forward together.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I think maybe what my -- my good colleague is asking is should all the cities agree and all the cities want to move forward what is the intention of the commissioners is to adopt the -- the maximum supported fees or something less than?

McAweeney: Oh, yeah. Yeah. Councilman, yeah, yeah, yeah. To plainly say it -- yeah, to plainly say it they will -- they will adopt the maximum. Yeah, they are seeking the maximum.

Simison: So, one of the questions I had -- and I don't know how it impacts -- if you -- well, it says -- if you could easily scroll back to the population growth projection numbers and it -- you know, it kind of, you know, 4.3, 4.2, and, then, we hit a cliff in the projections. Talk to us about what that means and how does that impact -- you know, because what if those numbers were three, you know, that -- you know, I think those are well personally. So, I don't know what that means, though, in terms of the impact fee study, if the amount of percent increase is below target in terms of permits and fees.

McAweeney: Mayor, that's a great question and -- and importantly the -- the reason why you -- we use this incremental expansion approach is actually kind of future proofs the fee collection and so if we actually accelerate in growth, we have collected more dollars, but we have to provide more, because we have to keep up with levels of service and so that will accelerate the CIP. We can collect more and, then, move to, you know, the next project, right, the fourth -- the fourth EMS station might -- might occur in year five instead of year seven and -- but, you know, on the -- on the flip side if it actually decreases the growth is not as high as what we are projecting, we have collected less dollars, but we are obligated to do less with that -- with those dollars.

Simison: Okay. Any other questions, Council? Okay. And maybe one last question. I don't know if this is for you or for Steve or who wants to step up, but is there any reason why the county hasn't adopted the one only for unincorporated currently?

McAweeney: Yeah. That's a great question, Mayor. You know, there is a concern even just from a theoretical standpoint from impact fees, that we don't want to start collecting jail impact fee, coroner impact fee, sheriff impact fee on -- on unincorporated development if we are not going to, you know, do that within city limits and with impact fees we actually -- you know, the moment you start collecting an impact fee you are obligated to make capital expansions and -- and only ten percent of this growth that you see here is going to happen in unincorporated area and so 90 percent of that revenue would come from the -- the incorporated area. So, their CIP would be well underfunded.

Simison: I'm just referencing the sheriff line item, which doesn't -- and so, you know, in some regards, you know, I think maybe I'm following a little bit of what was being said over here is in good faith from the county that they are just going to go start collecting that one right now to show that they are serious about collecting the fees, instead of waiting for the next three, six, nine, year -- can they go separately or can they not go separately? Can you do one? Can you not do one? But that's kind of where I -- you know, be great to see the county take the steps for the ones that they can, rather than saying, well, if we all don't go we are not going to do any, when you got one that's just on you. So, I -- I'm not going to -- I'm not going to put you on that, because you are the consultant, but I'm looking back over there at the -- those that are employed by the

county to maybe articulate if there is a desire or not by the county to move forward on the ones that only apply to the unincorporated areas.

Rutherford: Mr. Mayor, thank you for that question. We have -- we just haven't talked about decoupling them. We could. We certainly could. Just have not thought about that. It really kind of -- when we talk about impact fees, we talk about all of them, but we could. I was just asking Leon, because he has been in those hearings, where they have adopted those CIPs in the comp plan and that conversation has not come -- come up.

Simison: All right. Thank you. All right. Kurt, we will turn it back over to you.

Starman: Thank you, Mr. Mayor, Members, of Council. So, the last part of our discussion for today -- and, again, this is not an action item, we are just educating the Council on what the county is requesting and kind of the background behind that. But to the extent the Council is prepared to press forward and learn more and partner with the county in some form, we had outlined some potential -- a potential implementation plan and so I just want to cover that very quickly and maybe reiterate the rationale behind a four step plan, as opposed to just jumping in head first. I talked about that a little bit when I was up here earlier. So, that that plan that we have in mind or had suggested that the Council is interested in -- in heading down this path with the county and being the partners, I think the first two items in your memo kind of go hand in glove, but they are sequential. The first is under state law we do have to have an intergovernmental agreement between the city and the county that puts in contract form how this is going to work and who is doing what, which advisory committee is going to be used for these countywide fees and things of that nature. So, we use the county's existing model and revised it to fit the City of Meridian's needs. That's attached to your memo. That's not in the final form, that could change, but that would just give you a feel and flavor of what that intergovernmental agreement might look like. I think importantly that's -- that's a step that is concrete. I think it would be helpful to the county to show momentum with other jurisdictions and help them advance the ball, but I think importantly as that document is crafted basically it makes it very clear that our commitment is to consider the possibility of adopting the county CIPs, but it makes it clear that the City Council is not obligated to do so. So, it basically says we are going to -- we are going to proceed in good faith, we are going to consider the CIPs, but the ultimate decision -- you know, you can't make that decision until you hear from the public and you have a chance to really dig deeper. So, if we went down that path the intergovernmental agreement provides the parameters and a framework to proceed, does not commit the Council to adopting the CIP and certainly not the impact fees themselves, which will be a discrete step later in the process. To the extent we enter into an intergovernmental agreement the way I just described and we provide a sample in your packet, the next step would be, then, to consider the potential adoption of the county's CIPs. We have looked at this from a staff perspective from a couple different angles and came to the conclusion that for a couple reasons. One is the city -- we are not experts in some of these areas, like jails as an example, or the coroner's office and so for us to truly, you know, jump into the detail of these CIPs is difficult, number one, and so I think we are inclined to, again, try to be that -- be a facilitator, but not -- but let the county carry the -- carry the weight and the heavy burden. So, our proposal -- our thought is that we would want the county

existing or perhaps a modified version, but the county's development impact fee advisory committee to serve the role required by state law, which is an advisory role to the planning commission and to the City Council as to these county fees, so we would use the county's advisory committee, instead of our typical committee, which has expertise and knowledge and background on things like fire, police, and parks, not much on jails. I think that's allowed in the law. The state statute specifically provides for intergovernmental agreements that allow the participating government entities to designate how those advisory committees are formed and how they take shape. So, we would approve the -- the intergovernmental agreement. We would look at the CIPs, that's a multi-step process, we would first under state law require a written -- requires written comments from the advisory committee that initially goes to the Planning and Zoning Commission. The Commission hears the item, takes public testimony, some public hearing process, then makes a recommendation to the Council. Another public hearing process. You will have the benefit at that point of advisory committee's written comments, as well as your Planning and Zoning Commission recommendation as well. The Council at that time -- you are not obligated to approve the CIPs, but should you choose to do so they actually get incorporated into the City of Meridian's Comprehensive Plan, that becomes -- another document that gets incorporated into our larger Comprehensive Plan. If we -- if -- and, then, for the reason I mentioned earlier, because I think we are a little ahead of other jurisdictions in terms of being willing perhaps to look at an intergovernmental agreement and the adoption of CIPs sooner rather than later, the thought process is we would pause at that time and let the other jurisdictions catch up. I like Mr. Rutherford's description of the trust circle. I'm a trust but verify kind of guy, so my recommendation to you all is that let's proceed cautiously and make sure we have an even playing field. I don't think we want to be first and adopt the ordinances that go with the fees and, then, find out other jurisdictions -- other jurisdictions choose not to participate. I think that puts us in an awkward spot, creates an unlevel playing field that's really not fair to, you know, the developers and property owners within our jurisdiction. So, the idea is if we did adopt the CIPs we -- we would pause, let the other cities catch up and when they do so and if they do so at that point we consider adopting the actual ordinance that would implement the development impact fees on the countywide basis, but in our case for our jurisdiction in particular and we would try to craft a more comprehensive intergovernmental agreement at that point that, as I mentioned earlier, contractually we try to get as close as possible to the ACH -- the ACHD model where really we are collecting fees on behalf of the county and in this instance, because of quirks in state law we do have to adopt an ordinance, we have to adopt the CIPs, but we are going to contractually try to make it very clear that we are really sort of the -- an intermediate, a facilitary -- a facilitator and that we are collecting those fees and that they are really benefiting the county facilities, the jail, coroner's office and EMS, and we will structure that where the county would provide identification to the city, would do all the heavy lifting in terms of the administrative work, updates to CIPs and things of that nature and we really want to have them in the driver's seat and we are just trying to be good partners to get them where they need to be. So, that's really the presentation for today. All of us are available to answer more questions you may have on any of those. Really the goal today was to update the Council on what the county is thinking and what their proposal or request is of the city and, then, to get some

direction from you as a body as to do we have an interest in learning more and proceeding. Do we need more information? However you would like to proceed if at all. So, I'm happy to stand for questions.

Simison: Thank you. Council, questions, comments?

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Kurt, really quick question. Outside of what you have already articulated are there any concerns that you have of city liabilities with collecting county impact fees?

Starman: Thank you, Mr. Mayor, Members of Council, Council Member Taylor. I want to be a bit circumspect about that, not only to provide legal advice on -- at the podium and on the fly, but I will say there is some areas -- let me just -- at the very high level let me just highlight a couple of examples. One is for -- to the best of my knowledge this is the first countrywide impact fee program in Idaho. There are some smaller models out there. The county, for example, collaborates with the rural fire districts and they collect fees. The county is kind of playing the role we would play. The county collects fees on behalf of some of the rural fire districts. So, there is a -- kind of micro model that's available. I have heard that there are some -- maybe in east Idaho, maybe some little niches like that as well, but to the best of my knowledge and, you know, if my colleagues from the county or consultant knows differently they can educate me as well, but we are kind of plowing new ground here. State law clearly allows for it. There is explicit language that allows for intergovernmental cooperation and programs of this nature, but this is new territory. That always gives me pause and I want to be extra careful when we are kind of on the bleeding edge of a new idea or topic of this nature. The other area that gives me a bit of pause -- and, you know, might be a good idea to hear from our elected coroner today to -- so I can be educated, as well as the public in general and the Council, but, you know, that we can only collect -- cities and counties can only collect impact fees for certain things. It's codified in state law and there are specific categories. Roads, for example. Parks, for example. And public safety, for example. So clearly -- and there is some examples given in state -- state law with public safety means and it means things like jails and sheriffs and police departments and fire departments. There is no reference to coroners. I think the county makes a fair case that coroners have a law enforcement function and that they arguably fit within that category, but I'm sure there are other people that might have a different opinion about that and perhaps may want to challenge whether a coroner's fee really qualifies under Idaho's development impact fee statute. Those are two -- two just high level examples of areas that have not been -- have not been flushed out in terms of others haven't done it for -- I will say once again that -- I mentioned earlier that to the best of my knowledge there is no other county in Idaho that does this on a countywide basis similar to what Ada county is proposing. That's not a bad thing. Credit to Ada county for being proactive and -- and trying to do good things for their constituents, but I'm also -- I'm not aware and I don't believe there is a fee -- an impact fee in Idaho that's specific to

coroners. I think this would be the first of its kind in Idaho. So, again, gives me pause and I want to make sure we are careful and deliberate and in terms of using contract language I really like identification requirements says if we get challenged, the county is going to defend and, you know, carry that water.

Simison: And I was going to save my comments, but I think I will jump in, because they kind of fall into that context. I mean, you know, by my personal belief is we have a legislative session coming up and I wish the county would have spent the last two years trying to fix this in state law to get the same authority that ACHD has so that they could charge countywide and/or clarify these issues. So, I might look at my good friend from the county and just take back to his team, I think it's worth a conversation with the state legislature, because I don't think that we are going to get this done in Ada county before the state legislative session is over and why risk it either way? Go to the legislature and get clarification that the EMS is part of it or not. That way, you know, we have confidence in what is ultimately adopted here in the county and -- and why can't you get the same authority that ACHD has to adopt it countywide, where we just, then, are the collectors on your behalf. Those would be things I would encourage you to go back to the good commissioners and encourage them to do that, but at the same time I would also encourage you to decouple the other one and move it forward. Show some good faith that you or the county is committed to impact fees. Don't sit around and wait for everybody else when you are losing out on growth every single day by not having an impact fee in place on the one thing that is only subject to unincorporated. City of Meridian has long supported growth paying for growth, so on a personal level I -- I have no issue with the impact fees and being a partner in the collection, but I think that there are better ways that we could have been using our time to get this -- over the hump and if the legislature is not there for it on either issue, then, I kind of have to say, then, why are we going to do it this way? If the legislature doesn't believe in that approach, then, I have -- I just have some questions, so they would have to be answered on my level. But I support growth paying for growth. I support impact fees. I support the county. But let's have conversations.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I -- I agree with that. I think it's -- it's really a process question and I think if there was a way to clarify the process with the legislature and -- and clarify and have the existing law changed, so that you could function that way, I think it would make the most sense. It feels like this is a -- I think you can kind of tell it's a little bit convoluted and you can tell it's the first time because of this kind of holding hands concept. I'm not against that, but, again, if there is a cleaner way of doing this and a more straightforward way I think it's better for us to try to establish that. Just generally speaking I mean we need jails, we need EMS, we need the coroner. All these things are -- are extremely important. So, you wouldn't get any argument from me on that and I think that growth should pay for growth as well, but I do think it's important to take a look at that and also, you know, take a look at the impact fees. You can -- you can

implement those now. I think that's a really productive suggestion and would go a long way in kind of demonstrating that that's the direction that the county wants to go. I'm okay with -- you know, if -- if we get all the way through the process and for some reason, you know, having the legislature clarify and change things isn't a viable path, willing to talk about more, but, yeah, it -- it does sort of feel like that would be a good first step is establishing a better process. It feels very convoluted as a -- as a decision maker to have us review and adopt the CIPs, even if it's kind of indirectly on your behalf, I find that a bit clunky. So, if there is a way to improve that process I -- I definitely recommend that -- that you pursue that. I guess that's my feedback so far. You know, yeah, if -- if -- and, again, if -- if -- if it just for whatever reason can't be accomplished through the legislature I think that's important to just have an honest conversation about that and kind of understand that and it's certainly possible everybody could, you know, continue. It looks like you guys got some feedback for us, Mr. Mayor.

Rutherford: Thank you very much for the suggestions. I will say I think it's a constitutional issue. It's the fact that ACHD can -- can collect impact fees is because they are authorized to do their work in your -- in your city and so I can have a side conversation with Bill Nary, but I don't think it's something that the legislature can make happen just by -- by changing the law. They are just a different entity. It's a -- it's a kind of a constitutional powers issue. We are always a little anxious to go to the legislature, because you might get an answer you don't want and we just as soon not lose the authority to get what we have here. But absolutely understand this is a clunky, cumbersome process and it's asking you all to -- to step out on a ledge with us and it's not ideal, but I will take your feedback back to the commissioners and, then, see where we can go from here and I will have conversations with -- with Bill and Kurt about the -- the idea of getting the authority that ACHD has, but I -- but they are just different.

Simison: Yeah. But especially on the one that's not clearly articulated in the statute.

Rutherford: Yes, sir.

Simison: I don't think -- you know, we can be clunky through those if we -- if we can't make those changes, but we don't need to be clunky and risky.

Rutherford: Okay.

Simison: That's not good for anybody.

Rutherford: Yes. Thank you. And I mean, you know, we -- I think we could have a really good discussion about whether the coroner's in or not. I -- I -- I don't have concerns. I know Kurt does. We have had those discussions. I -- I don't share those concerns, so -- but I will carry those back to the commissioners. So, thank you.

Simison: Council, any other comments? Okay. All right. Thank you very much. Appreciate you all.

19. Shift Differential Policy Discussion

Simison: Okay. With that we will move on to Item 19, shift differential policy discussion. Good evening, Debbie.

Hoopas: Good afternoon, Mayor and Council. I'm here today to lead the discussion on a new policy. Policy and Procedures 3.4.6, shift differential duties and compensation. This policy is a new addition for the City of Meridian and provides the ability to compensate for shifts outside of what is considered a normal business schedule. As you are aware -- as you are aware operating a 24/7 365 organization presents unique challenges, particularly in hiring and retaining staff for nontraditional hours. After collaborating with the departments affected by shift consideration, the results of our collective efforts is the policy you see before you today. Joining me for this work session to answer any questions are our police chief, our Public Works director, and our Chief Financial Officer. As subject matter experts they will be available to assist in addressing any questions or providing additional clarity. I want to thank you for your time and attention to this discussion. So, with that I assume that everybody's had the chance to look through the policy and we will stand for questions.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Question for you or our CFO. We build our budget based on a lot of salary assumptions. These assumptions shift and change. Should this policy be enacted with a subsequent budget amendment, follow to cover potential salary changes, or help me understand kind of the -- should this be adopted what the financial flow would look like.

Lavoie: Mr. Mayor, Mr. Cavener, normally I would say the answer is we would present a budget amendment for ongoing needs to pay for this ongoing expense. We still can. I don't think the monetary values of need -- for an example wastewater treatment plant, we have a total of seven individuals that we have identified now. We expect that expense to be about 19,000 dollars a year. Divide that by when this becomes implemented and we got what -- implemented January, February, so you got seven, eight months. So, you are talking 10,000 dollars. So, I don't think that's a financial concern on their end, so -- but normally, then, I'm with you a hundred percent. The police department, they have a few more individuals, they are implementing 21 individuals as of last reported and they have an expectation of about 66 and -- so about 90,000 dollars, divide that by, you know, two-thirds, multiply by two-thirds, I apologize, so you are talking 70,000 potential. So, again, I don't think there is a financial concern, but, again, we could, but I think there is going to be enough wiggle room between the salary savings that are in the vacancy positions in the police department to cover theirs and, then, the ten grand is going to be a nonmonetary concern at this moment. But it's a fair question.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Quick question. On the three percent versus swing -- five percent for night shift, is that -- where did we come up with those numbers? Is that kind of a standard in the industry? Was this something that we thought would help us be competitive with retaining? I'm just kind of curious where we came down with -- with that.

Hoopes: The three percent for swing shift is pretty standard and, then, a five percent for grave or the night shift is pretty standard. Not just industrywide, but -- but nationwide.

Simison: Council, additional questions, comments? Team, anything that needs to be added from your perspectives?

Overton: Mr. Mayor?

Simison: Councilman Overton.

Overton: Not a question, but a comment. Speaking as one who worked many swing shifts and many graveyards for this city, it's important for us to recognize that when we ask our employees to do that we are asking them to be upside down from their families for those periods of time and when you work a four ten shift and you are working graveyard and you are working when they are sleeping, you don't just wake up that next day on your day off and resume your normal life. You end up almost being upside down for the full week, which could be a four month run on those shifts. It's pretty standard in the industry. It's something that I'm really glad to see in front of us now that we can address something. I think it also helps us to stay competitive with other agencies that have already adopted these policies, but I think it's a fair thing to do for the people that we are asking to do those jobs when we are all sleeping at night and I fully support it. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I really appreciate the effort in terms of recruitment and retention as well and agree with those comments that I think it makes really good sense and appreciate everybody's hard work on it to bring this forward. Thank you.

20. Resolution 24-2495: A Resolution of the City Council of the City of Meridian Adding City of Meridian Standard Operating Policy 3.4.6, Regarding Shift Differential Duties and Compensation; and Providing an Effective Date

Simison: Okay. Anything further? Okay. Then with that we will move on to Item 20, which is Resolution 24-2495. Ask the clerk to read this resolution by title.

Johnson: Thank you, Mr. Mayor. It's a resolution to City Council of the City of Meridian adding City of Meridian Standard Operating Procedure 3.4.6 regarding shift differential duties and compensation and providing an effective date.

Simison: Thank you. Council, you have heard this resolution read by title. Is there anybody that would like it read in his entirety? If not, do I have a motion?

Little Roberts: Mr. Mayor?

Simison: Council Woman Little Roberts.

Little Roberts: Mr. Mayor, I move that we adopt Resolution 24-2495.

Overton: Second.

Simison: Have a motion and a second to adopt Resolution 24-2495. Is there discussion on the motion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the resolution is agreed to.

MOTION CARRIED: ALL AYES.

Simison: Thank you very much.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Move we adjourn our work session.

Simison: 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 5:25 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK