

Meridian City Council Work Session

April 2, 2024.

A Meeting of the Meridian City Council was called to order at 4:33 p.m. Tuesday, April 2, 2024, by Mayor Robert Simison.

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

Also Present: Chris Johnson, Bill Nary, Kim Warren, Mike Barton, Caleb Hood, Shawn Harper, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Liz Strader	<input checked="" type="checkbox"/> Joe Borton
<input checked="" type="checkbox"/> 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 the meeting to order. For the record it is April 2nd, 2024, at 4:33 p.m. We will begin this afternoon's work session with roll call attendance.

ADOPTION OF AGENDA

Simison: Next up is adoption of the agenda.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Oh. Sorry.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

Cavener: Second.

Simison: 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: ALL AYES.

CONSENT AGENDA [Action Item]

1. **Final Plat for Modern Craftsman at Franklin (FP-2023-0021), by Bailey Engineering, generally located on the north side of W. Franklin Rd., approximately 1/4 mile east of N. Black Cat Rd.**
2. **Approval of Agreement for Contracted Services to Eurofins Eaton Analytical, LLC for Annual Non-Micro Water Sampling Testing for the Not-To-Exceed Fiscal Year 2024 amount of \$135,650.00**
3. **Mini Heavy Equipment Rodeo Agreement with Western States Equipment Company for Public Works Week Expo 2024**
4. **Approval of License Agreement with Discovery Co-Operative Gardeners for a Community Garden in Discovery Park.**
5. **Memorandum of Understanding Between the City of Meridian and the Idaho Transportation Department for grant funding of the Linder Road Overpass Project**
6. **Memorandum of Agreement between Western Ada Recreation District and City of Meridian for Transfer of Assets**

Simison: Next up is the Consent Agenda.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

Cavener: Second.

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

MOTION CARRIED: ALL AYES.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

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

DEPARTMENT / COMMISSION REPORTS [Action Item]

7. **Rail with Trail Pathway Project Update and Funding Request**

Simison: So, we will move on to Department/Commissioner Reports. Item 7, Rail With Trail Pathway Project update and funding requests. We will turn this over to Ms. Warren.

Warren: Thank you, Mr. Mayor, City Council people. May I commend you on your quick transition. I am here with a relatively straightforward question, but I would like to walk you through a bit of history on the Rail With Trail Pathway. So, I would like to provide an update and I will try to abridge this, so it's not -- so we don't get bogged down in it. But I know we have new faces and this project's been going on a while, so I appreciate your attention. So, as a reminder, the Rail With Trail is a plan for a multi-use pathway adjacent to the rail line, south of Broadway, just west of City Hall, between about 3rd Street and 8th Street. We have had an easement to complete all of the pathways shown in the kind of pinkish red line, except for those two properties that are highlighted at the end. FOCAF, which is Friends Of Children And Family. It's our local Headstart program and, then, the orange property, more about that in a minute. So, we have been working on completing the right of way, but as of now we still don't have access to Northwest 3rd Street. So, the Friends Of Children And Family property behind their fence line -- this is kind of labeled where the pathway would go. We would pipe the lateral. There is a -- there is a section of property, a linear piece of land, that we would really like to be able to build our pathway on. It's not usable by the Friends Of Children And Family. They have kids and the play yard. Really, the only uses that can occur on this property are, you know, maybe utilities or pathways. So, it's valuable to us. We approached -- and, again, the white property -- we approached FOCAF and said could we just buy an easement from you and -- for our pathway. They were not opposed. They were also not able to sell us one. The -- had to do with being a federal organization and just not wanting to encumber the property. It was complicated. But they said that we might be able to trade property and so, again, just seeking to get that access out to 3rd Street we did purchase a property, the city did, that was one of the times we came to you and asked for guidance on this project. What if we purchased this lot. That gives us access onto 3rd and it gives us a parcel to trade with the neighbor to the west. That way we complete the right of way for the trail and it's a benefit for the Headstart organization, because they get some access onto 3rd Street and, then, you know, we get this pathway project. We were needing to wait until the end of 2023. They had some bonds ending on that project that matured and so this was what the land trade looked like. I won't go into all the details. But we had purchased the property in green and it had -- and we were looking to do a property boundary adjustment again, so the city could have a linear parcel for a pathway and, then, there is that L-shaped piece that would result for FOCAF to -- to have access and just a little more room on their parcel and, then, most recently when we came to you our question was we would like to trade this property, but we had had some appraisals done and the property behind the fence that's encumbered by irrigation easements isn't really valuable in terms of market value. That is something we really do find value in, but it didn't appraise as high as the parcel that the city was trading. So, there was a bit of an inequity there and our proposal was maybe we trade equal areas. So, properties of approximately the same size, because the value, whatever it is, on the market is really valuable to the city for this project. So, we were moving forward with that trade option

and I will just back up a little bit and talk about Friends of Children and Families. I don't know how much you know. They are early childhood education and care and we have partnered with them for a long time, especially on the holiday classic volleyball tournament Parks and Rec puts on. My neighbor over the cubicle Maggie runs this volleyball tournament around Thanksgiving every year and they earn several thousand dollars worth of proceeds that, then, we have volunteers shop for Christmas lists that are provided by kids from the Boys and Girls Club and from the Headstart programs. So, we shop, we wrap the presents, they get delivered. It's been going on for 14 years. They are doing good things in the community. They are a good partner. They have been very patient with us, because we have been back to visit them about every year and just kind of working on this trade. So, we like the idea that it's advantageous to them. It's advantageous to us. We talked about sharing parking on that parcel. So, it's 2024 and the bonds are mature and we ended the due diligence phase of the project and start looking specifically at what's needed. Pull some title reports. And in one of the title reports there is a mention, if you want to look at the property that's highlighted in yellow, there is a mention -- and Kurt Starman, one of our city attorneys, has a real eagle eye and I -- you know, it was -- it was just a very -- I hint to the mention, but it got us looking -- it referenced some land on the south side of those properties that had been deeded to the Bureau of Reclamation. So, we did some research, we, yeah, consulted the title companies, Ada county. There is a bit of a -- what they call a hole in the map. The taxable properties are very well documented, but this was all nontaxable and so it was assumed that it was railroad property and it was quite hard to find out who actually did own it, but if it's Bureau of Reclamation land it was -- it was a -- kind of an en masse deed of several easements to Nampa-Meridian several years ago. So, if it's Nampa-Meridian who was owning and managing the parcel, we can go across it and that was kind of exciting news, because it might -- we might not need to do the land trade, which was doable, but also kind of complex. So, here was what we just -- here is kind of a quick overview of the proposed alternate alignment where we could use that irrigation easement in the cross-hatched area and skirt the FOCAF parcels and not need to do a trade and maybe just keep that parcel on 3rd Street. It would require us to pipe just a little bit of the Nine Mile Drain, but, otherwise, you know, we would be free to go ahead without -- without needing to do the land trade and with some of the savings and that we use in the land trade maybe that could be applied to some Trailhead development. We talked -- we don't owe FOCAF anything, but they are a good partner and we have been talking to them for years about shared parking and so we would like to possibly honor the spirit of kind of the agreement we looked to make and discuss that -- and I believe it was -- I believe in the community center in Kleiner Park -- was that the one, Mike? There is -- there is an agreement that they pay the city some money annually to help maintain parking. Anyway, so we are looking at some kind of a possible sharing of parking and they could make a future improvement to their site to pass through if they want it. There is still a few questions and considerations we need to get through. We think, you know, we are in a pretty good position, but we do need some additional funding for the project and part of that is it's just been many years since the funds were -- these are funds that COMPASS administers. It's federal funding. The transportation of the TAP TMA funding. So, we have had that and because it's been several years, just like our property appreciated, cost of construction have risen and so

our Altec project manager advised us to ask for some more money. I think it would be available for us to -- to request additional funding to complete construction of the entire scope of the project, but with that additional funding the city has a required match of -- it's about seven and a half percent. It's a little less than that. But we are kind of keeping numbers fairly round. So, would obligate us. If we were to accept additional funds we would need to provide that additional match. We aren't asking for a budget amendment, because we have money in that account to build this project or to build it and, then, get reimbursed for it. So, at this point we are just curious to know if -- we would like -- to request funding we need the Mayor's official ask and we need your direction or permission for the Mayor to sign that layer -- letter, pardon me, if, in fact, that's the direction you would like to go in supporting this project. So, are there questions that I could stand for or clarify?

Simison: Council, questions, comments, feedback?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Can you refresh my memory? How -- how much have we spent on this project to date? Is it the 70,000 that's -- or I guess 38,000 that was listed in the city portion? I seem to feel like that we have spent more than that on kind of the totality of this kind of conceptual project.

Warren: We have -- Mike, I might need help with this, because it was a while ago. We have spent some on some preliminary concepts. I think I'm going to have Mike answer this. I came into this just as I was starting my position and he would probably have a better handle on it. Thank you.

Barton: Mr. Mayor, Councilman Cavener, great question. So, about six years ago we budgeted 500,000 dollars for this project from General Fund. We thought that we needed the entire amount, because at that -- at that time the rules were that we would build the project, pay everything and, then, be reimbursed. The rules have changed now where it's more of a revolving type situation where you can -- as pay applications come in you can pay those bills and, then, submit for reimbursement right away, so, then, that money goes back into our budget. So far to date we have that original 500,000. We have spent about 34,000 on it for some preliminary design, some fit plans. These were done maybe five years ago, but the current amount that we have in our budget for this project is about 474,000.

Cavener: Thank you, Mike. That's helpful.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Kim, thanks for the presentation. It was good to kind of put all the pieces together. I did have a question. Is the -- with the status for what we are being asked to approve, are we required to submit another application for an additional federal grant or is this sort of like an extension on the current grant that you have already received?

Warren: Councilman Taylor, it's a great question. Mr. Mayor. We -- we initially thought we did need to submit a separate application, but, then, determined with COMPASS that it's really just an additional request kind of under the same terms. So, no, we don't have to fill out a whole new application. They think the money is available. We just would need to formally ask for it in order to get it and I think in part because we are tacking it onto this project, it's not a new project. It's just to complete it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just to thank you, Kim. Fantastic presentation and I thought it was all pretty straightforward. But a question I had. If something changes with COMPASS and that federal funding extension or additional federal funding were not coming through, I assume at that point you all would be back in front of Council to discuss; right? I just want to make sure I'm kind of on the same page about how you are going about it, because you are not asking for a budget amendment; right?

Warren: Correct.

Strader: Because you already have it -- an amount budgeted that has covered the work done so far. The -- the project was approved a while ago, but the cost has doubled. So, it is a real concern. Is there any chance of COMPASS not awarding this or things changing? What -- what have been your conversations with them? Is it -- is it a competitive situation where we are competing with others for the dollars or --

Warren: Council Person Strader, Mr. Mayor, I -- you know, the money that was awarded to this project originally has been -- they kind of have their balancing sheets and they move it around, but as I understand it it is identified and dedicated to these projects. So, I haven't had those conversations, because I haven't had any -- there hasn't been any information that wouldn't be available. I mean I suppose that might be a possibility, but it's been presented to us as, you know, this is available, we can schedule it for your project for 2025. So, you know, there -- previously -- I mean we talked about an alternative, simply building the project ourselves. It can cost more money to build with federal dollars, because you are building to federal standards. It's also a lot of money that we have -- you know, it's a small match relative to what we are getting. So, I guess there are pluses and minuses to both. But I don't -- I suppose nothing is guaranteed, but in my -- I haven't worried that it wouldn't be available, because the money that we have been trying to spend has been there for years.

Strader: Mr. Mayor?

Simison: Maybe -- maybe we could have Mr. Hood come up and -- Kim is not our COMPASS knower of things, so Mr. Hood.

Hood: Mr. Mayor, Members of Council, it is competitive, although I will say this project is further along than some of the other projects that may be competing for some of these and at COMPASS they typically will fund cost overruns for projects that are already in design and going into construction. So, when you are this far along you -- it is scored better. So, again, like Kim, I can't guarantee that we will get that match from COMPASS, the -- yeah -- 7.34 percent. But we are in really good shape. Hopefully that helps.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. That's very helpful and I assume that part of the process would be once this letter is sent, you will get a response from COMPASS, you will inform the Council of the response. If things change or this goes a different direction we will all have a discussion, so I'm comfortable with that.

Hood: Yeah. Mr. Mayor, if I can just -- the obligation, then, the city's match, then, would -- if we aren't successful there will have to be another conversation, because, obviously, our skin in the game won't cover the cost of this project, so --

Strader: Thanks.

Taylor: Mr. Mayor?

Simison: Councilman Taylor.

Taylor: Caleb, just a quick question. To clarify. Is this grant something that COMPASS will apply on our behalf or is it part of a larger grant wherein other communities that are under the COMPASS sort of footprint are also receiving part of it? So, I'm trying to decide is it a federal government that's deciding if we receive this new additional request or is it COMPASS that's deciding we get the money?

Hood: Mr. Mayor, Councilman Taylor, it is COMPASS resources, although it does come through the federal government. So, the TAP TMA program is our region. So, it is, again, competitive against just our internal -- other cities and the like. But it is awarded through COMPASS, so we are really -- COMPASS -- it's a scoring committee of COMPASS and through their board that gets to choose essentially -- depending on how much money is in the pot they, then, allocate through the federal government. At the end of the day the money does come from the feds, but it is, again, allocated through local resources, if that makes sense.

Simison: And maybe just to put some perspective on this, this has been in the budget for a plan for COMPASS for years and because of the delays the funds have been moving around. The board could have at any point in time or the staff said we are not going to do it and removed it, but they have not chosen to take that path. So, I can -- we will assume that they are committed to continue the funding through this process. But, yes, if anything changes we won't move forward.

Hood: Or find the funding for that; right? I mean they may have some identified funding sources now, but help us continue to look for other sources that -- that can complete this project.

Simison: Maybe back to Kim. So, you are off the hook for -- for now. Kim, I just -- just maybe -- if Council was to say, no, don't send the letter, what would be our option at this point in time?

Warren: Our option? Let me just add one thing and that is we are not guaranteed the funding, but we have been in close contact with COMPASS and we are sort of led to believe that it would be available.

Simison: I guess my -- let's just assume we would stay with 500,000. Don't get any additional --

Warren: We don't get --

Simison: -- or Council says, no, we don't really like this alignment, stay with -- with plan one. Can we still do plan one or is this the route that we need to go in order to accomplish the outcome we want to accomplish?

Warren: We could do it locally, but we would -- you know, with city funds. We would probably need more.

Simison: Okay. I guess I'm saying even the alignment, can we do this without going into the alignment change? I don't know if that's cheaper than -- is that more expensive to do the alignment on the outside or less if you were to stay with your current -- because the original plans didn't have this as a trailhead or did it?

Warren: It -- there was some parking. Trailhead amenities would be covered by that funding. So, it would be minor, but kind of need to do some treatment at the edge of the street and green the property or clean it. So, yes, we have -- that's kind of been added in, but to a minor degree. We don't -- we don't have a project without those two parcels. We would need to just probably -- if it was a no go we would get back the money and decide if it was a local priority. But we could complete -- theoretically we could complete the work under a different funding source.

Simison: Okay.

Strader: Mr. Mayor?

Simison: Council Woman --

Strader: Strader.

Simison: -- Strader. Thank you.

Strader: Like cake. A lot of emotions flying around. Thank you, Kim. I personally feel like this is still a great project. It made good sense years ago when we started the process. I think it still makes sense. I'm a little bit concerned about the cost -- kind of the magnitude of the cost is exploding. I'm appreciative of these potential dollars from COMPASS. I hope that comes through. If it doesn't I think we will have to really have a conversation. But unless -- and I don't know if anyone has a different feeling, but I'm happy to make a motion. Mr. Mayor, I move that we move forward on the Rail With Trail project request with COMPASS.

Overton: Second.

Simison: Have a motion and a second to authorize the Mayor to send a letter to COMPASS requesting -- or providing additional funds for the revised project. Is there further discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and I will sign a letter.

Warren: Thank you, Mr. Mayor. Council.

Simison: Thank you.

Warren: And Councilman Borton. Your Honor. Your Honor.

Borton: Ominous. Mr. Mayor?

Simison: Councilman Borton.

Borton: I move we adjourn the 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 4:57 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

ATTEST:

DATE APPROVED

CHRIS JOHNSON - CITY CLERK