



Mayor Robert E. Simison

City Council Members:

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

MEMORANDUM

DATE: January 21, 2025
TO: Mayor Robert E. Simison
Meridian City Council
FROM: Emily Kane, Deputy City Attorney
RE: Overview of proposed updates to Title 2, Meridian City Code

This memorandum is provided to update you on the proposed changes to Title 2, Meridian City Code, which relate to the creation and operation of City commissions.

I prepared this update to Title 2 as part of a greater effort to review and streamline Meridian City Code. The City of Meridian's 2021–2025 Strategic Plan 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.

The updates to Title 2, Meridian City Code, including the attached provisions regarding City commissions and committees, are part of this project. Among other things, the changes to Title 2 will:

- Establish uniformity in the structure of the code – each section covers establishment of the board, duties and powers, qualifications, and meeting times.
- Establish uniformity in substantive provisions for each commission's internal operations (*e.g.*, bylaws, officer titles, annual reports, commissioner rules, appointment process, size, term, vacancies, additional terms, City staffing).
- Move redundant provisions in each commission/committee's codes into one general section for each type of commission.
- Update ordinance language to incorporate, rather than reiterate, the relevant Idaho Code provisions related to the statutorily governed commissions.
- Clarify language related to Commission membership.
- Categorize City commissions into:
 - Advisory commissions, which make recommendations to the Mayor and City Council on specific subject areas (*e.g.*, Arts Commission, Parks & Recreation Commission), and
 - Statutory commissions, which operate pursuant to a statutory mandate (*e.g.*, Planning & Zoning Commission, Impact Fee Advisory Committee).
- Categorize City committees into:
 - Ad hoc committees, which are informally created to work through a specific subject on an as-needed basis (*e.g.*, precious metals task force, golf course committee) and

- Standing committees, which are formally organized for a recurring purpose (*e.g.*, Districting Committee, Compensation Committee, Utility Billing Review Committee).
- Clarify which bodies are subject to open meetings laws, public records laws, and governmental ethics laws.
- Remove references to outdated functions or operational functions that are now handled by City staff.

I presented the proposed changes to each commission. The commissioners' questions and comments are summarized on the following pages.

COMMISSION FEEDBACK ON PROPOSED TITLE 2 UPDATES

Parks & Recreation Commission, 3/13/24

Commissioner Dennington: Does MPRC have members residing in the area of impact as required?

Commissioner Roberts: What is the history?

Kane: We do have a member who lives in the area of impact. Different commissions have different residency requirements and subject matter experts. MPRC is all professions and all walks of life because everyone uses parks; this includes AOI residents. Will review the residential requirement as written.

Siddoway: Commissioners must be City residents or AOI residents to get perspective of future city residents.

Commissioner Greer: Serves on Eagle Design Review board; having an interest + expertise + care about the area where one lives generates beneficial input.

Commissioner Dennington: Do other departments submit annual report to City Council? Are they available?

Siddoway: All other commissions do submit annual reports to City Council in the form of a verbal or PowerPoint presentation. MPR Department does a written annual report, but most other departments do not. Finance also does a quarterly report.

Commissioner Bobo: Projects like the code update are time consuming; appreciates acknowledgement that MPRC stays on top of its requirements. Any changes to flag that will make a difference for the future?

Kane: MPRC very functional, reliable so changes will not impact MPRC, no big recommended changes in conducting business.

Siddoway: Draft does add clarity regarding attendance provisions – calendar year v. rolling 12 months.

Commissioner Roberts: Changing from president to chair?

Kane: Yes, this will be a change for all commissions, for uniformity.

Commissioner Roberts: Is there a legal reason to delete appointing members of MPRC to subcommittees? Is it a good idea to have subcommittees?

Kane: The provision being deleted refers to the Mayor's appointment of commissioners to bodies other than MPRC. Mayor can do that without this provision. MPRC can still have subcommittees even absent this provision.

Planning and Zoning Commission, Email update 3/25/24

No questions; no feedback.

Arts Commission, 4/11/24

No questions; no feedback.

Solid Waste Advisory Commission, 4/24/24

No questions; no feedback.

Historic Preservation Commission, 4/25/24

Commissioner Johnston: Can HPC still have special meeting in November and December?

Kane: Yes, can meet once or both months via special meeting.

Commissioner Johnston: Changing from president to chair?

Kane: Yes, this will be a change for all commissions, for uniformity.

Commissioner Freeze: OK for commissioners to research available grants? OK to make phone call or email inquiry?

Kane: Research is OK. Applying for grants is not. Only City staff can apply for grants, because grants can be a heavy lift for the City with regard to tracking, accounting, reporting, contracts, etc. City does have grant policy that applies to City staff regarding management of internal resources that are used to comply with grant requirements.

Commissioner Giacomo: How will we address commissioner Johnston?

Commissioner Johnston: Mr. Chair.

Transportation Commission, 5/6/24

Commissioner LeClaire: Draft says that commissioners must be reappointed by unanimous vote of Council. Is that how it is now?

Kane: Yes.

Commissioner Lewis: New code and bylaws say different things regarding meetings. Can language in bylaws be copied into code?

Kane: All commission bylaws do need an update. Recommend that we keep code general and when meetings fall on holiday, cancel meeting and notice a special meeting on another day if the commission wishes to still meet that month. Will look at bylaws and determine how best to match them up.

Commissioner Steed: The bylaws were created by the TC. The code is created by City Council. Which governs?

Kane: The City Attorney's Office wrote the model bylaws and customized them slightly for each commission. We need to go through and eliminate overlaps in code and bylaws because when the code changes, the bylaws become inconsistent. Would like to avoid reiterating in bylaws that which is in city code. Where there is a conflict, the city code supersedes.

Commissioner Steed: Who does this?

Kane: I do; will involve TC when it is time.

Commissioner Steed: TC follows the 2-hour meeting limit. Would like to talk about that when the bylaws are updated. What happens when we have meeting on holiday?

Hood: We cancel that meeting and notice a special meeting for the reschedule one. Typically try to do tour/mobile workshop then. Or just cancel.

Commissioner LeClaire: The ordinance review subcommittee will look at bylaws. Should qualifications of office be a preference instead of a requirement? How much does mayor follow that? Can put preferences in bylaws rather than qualifications in the code. Concerned that someone will file a complaint.

Kane: Will provide this feedback to mayor and Council. The mayor's office does follow the code in making appointments.

Commissioner Lancaster: How are ordinances like this revised?

Kane: I will present the proposed ordinance to City Council. When they are ready to move forward, the statute requires 3 readings before City Council, or Council may waive. Public hearing is not required.

Commissioner Steed: Why delete “at the time of appointment” regarding age of youth commissioner?

Kane: These are extraneous words because appointment is the moment at which the qualification attaches; not disqualified if turns 18 during service.

Commissioner Steed: How are vacancies handled? Does a newly appointed commissioner complete vacating commissioner’s term? Does it say that?

Kane: Yes, the newly appointed commissioner completes the vacating commissioner’s term.

Commissioner Steed: Why remove section 6 [regarding maintaining a list of commission members]? List still kept somewhere?

Kane: Yes, the City Clerk tracks this information. This function is moved to Title 1 and will be listed as a duty of the City Clerk.

Commissioner Steed: Struck 5 lines of establishment of purpose. Agree with “other federal and state agencies, etc.” but wants to leave in that purpose is “transportation planning and the safe and efficient movement, etc.”

Kane: Thank you, will move that forward.

Commissioner Song: Termination clause – if miss half of the meetings, mayor can terminate commissioner’s membership. Does this apply to Zoom attendance?

Kane: Zoom attendance does not count as absence. Commissioners can attend meetings via Zoom or over the phone per Idaho Open Meetings Laws.

Commissioner Song: Disqualifying absence from half of meetings is in calendar year?

Kane: Yes, this is attempt to make that more clear.