



CITY COUNCIL WORK SESSION

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Tuesday, December 14, 2021 at 4:30 PM

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Agenda

VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/89698091279>

Or join by phone: 1-669-900-6833

Webinar ID: 896 9809 1279

ROLL CALL ATTENDANCE

___ Jessica Perreault

___ Joe Borton

___ Brad Hoaglund

___ Treg Bernt

___ Liz Strader

___ Luke Cavener

___ Mayor Robert E. Simison

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the November 30, 2021 City Council Special Meeting](#)
2. [Holiday Inn Express Sanitary Sewer and Water Main Easement](#)
3. [Holiday Inn Express Water Main Easement](#)
4. [Skybreak Subdivision No. 1 Emergency Access Easement Agreement](#)
5. [TM Creek Apartments Private Road Sanitary Sewer and Water Main Easement No.1](#)
6. [Findings of Fact, Conclusions of Law for Fast Eddy's at Eagle \(H-2021-0068\) by Steve Eddy, Located at 3775 N. Eagle Rd.](#)
7. [Findings of Fact, Conclusions of Law for Denial of Regency at River Valley Phase 3 \(H-2021-0059\) by Bach Homes, Located at 3270 and 3280 E. River Valley St. and 2480 N. Eagle Rd.](#)
8. [Development Agreement Between the City of Meridian and Ronald Hatch \(Owner/Developer\) for Hatch Industrial \(H-2021-0026\), Located at the 160 N.](#)

Linder Rd. (Parcel No R3579000045 & R3579000040); Lots 8 and 9 of Heppers Acre Subdivision

9. Resolution No. 21-2299: A Resolution by the Mayor and the Council of the City of Meridian, Idaho, to Provide for an Intergovernmental Agreement for roles and Responsibilities Under Idaho Code Section 50-2906(3)(B) Between Ada County, Idaho and the City of Meridian, Idaho; Providing for Areas Outside the City Limits to be Included Within an Urban Renewal Area; and Providing an Effective Date
10. Resolution No. 21-2301: A Resolution of the Mayor and City Council of the City of Meridian to Amend the Future Land Use Map of the 2019 Comprehensive Plan for 3.5 Acres Known as Intermountain Wood Products, Generally Located at 255 and 335 South Locust Grove Road and 1.32 Acres Located at 381 and 385 s. Locust grove road in the Northeast ¼ of the Northeast ¼ of Section 18, Township 3 North, Range 1 East, Meridian, Idaho; and Providing an Effective Date

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

DEPARTMENT / COMMISSION REPORTS [Action Item]

11. Mayor's Office: Meridian Youth Advisory Council Quarterly Activity Update
12. Resolution No. 21-2300: A Resolution of the Mayor and City Council of the City of Meridian to Repeal and Replace the City of Meridian Standard Operating Policy and Procedure Manual to Establish a New Standard Operating Policy Manual; and Providing an Effective Date
13. Legal Department: Discussion of Draft Ordinance Concerning City Council Districts

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the November 30, 2021 City Council Special Meeting

Meridian City Council

November 30, 2021.

A Meeting of the Meridian City Council was called to order at 6:00 p.m., Tuesday, November 30, 2021, by Mayor Robert Simison.

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

Members Absent: Luke Cavener.

Also present: Adrienne Weatherly, Bill Nary, Kurt Starman, Cameron Arial, Bruce Freckleton, Sonya Allen, Tracy Basterrechea, Joe Bongiorno and Dean Willis.

ROLL-CALL ATTENDANCE

| | |
|---|--|
| <input checked="" type="checkbox"/> Liz Strader | <input checked="" type="checkbox"/> Joe Borton |
| <input checked="" type="checkbox"/> Brad Hoaglun | <input checked="" type="checkbox"/> Treg Bernt |
| <input checked="" type="checkbox"/> Jessica Perreault | <input 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 November 30th, 2021, at 6:00 o'clock p.m. We will begin tonight's Special City Council Meeting with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next time is the Pledge of Allegiance. If you would all, please, rise and join us in the pledge.

(Pledge of Allegiance recited.)

ADOPTION OF AGENDA

Simison: Next item up is the adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

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

Hoaglun: Second the motion.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the November 16, 2021 City Council Regular Meeting**
- 2. Approve Minutes of the November 23, 2021 City Council Regular Meeting**
- 3. Small Talk Clinic (Verona Subdivision No. 3) Water Main Easement**
- 4. Findings of Fact, Conclusions of Law for Red Aspen (H-2021-0066) by KM Engineering, LLP, Located at the southeast corner of S. Linder Rd. and W. Overland Rd.**
- 5. Agreement Between the City of Meridian and Brighton Development, Inc. to Accept Payment in Lieu of Installing Streetlights at Bainbridge No. 11 and No. 12 Subdivisions**
- 6. Agreement Between the City of Meridian and Challenger Development, Inc. to Accept Payment in Lieu of Installing Streetlights at Cache Creek Subdivision**
- 7. Agreement Between the City of Meridian and Triple D Development, Inc. to Accept Payment in Lieu of Installing a Streetlight at Prevail No. 3 Subdivision**
- 8. Animal Welfare and Enforcement Agreement Between the City of Meridian and the Idaho Humane Society**
- 9. Master Interagency Governmental Agreement Between the City of Meridian and the Meridian Library District for Waiver of Costs and Fees**

Simison: Next item up is the Consent Agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

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

Hoaglund: Second the motion.

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

10. Mayor's Office: Recommendation of Appointment of Bruce Freckleton to Community Development Director with an Effective Date of December 21, 2021

Simison: So, we will move on to Department/Commissioner Reports. First item up is Item No. 10, Mayor's Office recommendation of appointment of Bruce Freckleton to be the Community -- Community Development Director, with an effective date of December 21st, 2021. Council, before you is my recommendation to make Bruce Freckleton the City of Meridian's Community Development Director with the departure of Cameron Arial later this month. Bruce is a known quantity to all of you, maybe some more than others, but he's a known quantity to the community as well. He spent the last 41 years here in the Treasure Valley working in the development community, 12 years in the private sector and 29 years for the City of Meridian and he has served in his current role since 2004. I say served in his current role since 2004, but that does not mean his role has not grown, evolved, matured in a lot of ways and I think as we have seen the work that Cameron started in bringing a lot of services in house, there was really Bruce doing the implementation of those efforts, leading those teams, leading those changes. That is one of the things that I can say is I know he is committed to continuing those efforts, working at our processes, whether they are internal or external, to ensure that we have the premier community development department here in the Treasure Valley. He knows the community. The community knows him. They know the expectations. He's able to pick up the phone and call and make things happen, whether it's with our neighbors to the east or west, others within the state, to get things moving forward. While it is a growth opportunity and there is some things that he's going to have to learn, it's also something that I think that he can step into right away without the department feeling that learning curve and continuing to highly achieve and perform well. I have learned a lot about Bruce over the last couple months as we have been having conversations and learning from current and former employees management style, how he leads, how he interacts and I say that right now he is the right person for the job in order to continue this process. So, it's with my pleasure that I recommend him for your consideration to lead the department and I would be happy to answer any questions or take comments from Council at this time.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a comment. I think that's a great recommendation. People really benefit from his experience and his leadership and I'm very supportive of that nomination.

Simison: Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I wholeheartedly agree with Council Woman Strader. I'm excited to see Bruce in this role. I had the opportunity to work with him as the Council liaison last year and he definitely knows his stuff. So, I appreciate the recommendation very much.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I am sick as a dog, but I wouldn't want to miss this. Bruce is a champion of the Meridian Way. He's shown that for decades. He's such a great pick and, I, too, am totally supportive of it and appreciate seeing how it will grow with great talent within and the whole community development team is going to be in good hands with Bruce's leadership.

Simison: Thank you.

Hoaglun: Mr. Mayor, I had a question for you.

Simison: Councilman Hoaglun.

Hoaglun: You said he's been in development work for 41 years.

Simison: Forty-one years.

Hoaglun: Forty-one years. Okay. Can I continue?

Simison: Yes.

Hoaglun: You want yours? If I can continue?

Simison: Yes.

Borton: Okay. Great. I appreciate that. I didn't realize that we had a prodigy, because I thought Bruce just turned 50, so he started at nine years old. Wow. It's a long time -- a lot of great experience and a great way of doing business. I have been able to see that

over the years and it's wonderful to see. I think you are right, Mayor. He is -- it is a growth experience for him and stepping into that role is a big step, but he is more than up to the challenge. So, I think it's a great appointment and I look forward to what Bruce can do for the department and for this community and definitely want to eagerly support this.

Simison: Thank you.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Great choice. Sorry you're not able to see me. It's kind of a special occasion. Bruce is a champion for Meridian. He knows the department. He knows his -- his team that he will be working with and I wholeheartedly support him and grateful for his efforts in the past and currently and going forward. So, thanks, Bruce.

Simison: Thank you. With that, Council, do I have a motion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move we approve the recommendation and the appointment of Bruce Freckleton to be the Director of Community Development for the City of Meridian with an effective date of December 21, 2021.

Hoaglund: Second the motion.

Simison: I have a motion and a second. Is there any discussion? If not, Clerk will call the roll.

Roll call: Borton, yea; Cavener, absent; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, yea.

Simison: All ayes. Motion carries and the item is agreed to.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Simison: Congratulations, Mr. Freckleton. Would you like to come up and say a few words?

Freckleton: Well, thank you, Mr. Mayor and Members of the Council. I -- I am deeply honored by this appointment and your continued confidence in me to lead the Community Development Department into the future. I want you to know that I don't take these responsibilities lightly at all and I promise you that I will work every day to live out and to

instill the CARE values that we promote. I have been very very fortunate in my career to have so many great influencers. Councilman Hoaglund, I was a junior in high school when I started in this field. I was working for a small land surveying engineering firm doing drafting. So, it does take me back a little ways. But as far as the influencers, throughout my years I mean I have had so many good leaders that took me under their wing and taught me a lot. Cameron Arial has been just stellar. He's done so much for our department and I'm going to really really miss him when he's gone, but I'm extremely humbled by the support and encouragement that I have received from -- from staff and everyone and -- but I especially want to thank my wife Connie, who is here with me tonight, and our family. They have always been my rock and I just so greatly appreciate that. I'm excited for the future of our department and for the City of Meridian. Our employees are the absolute best in their field and I can't think of a better group of people that I would rather be in the trenches with every day. I also look forward to working with each of you and getting to know you better and forwarding our work. Forward the vision and mission of the City of Meridian. So, again, thank you for your support and it's going to be fun. I appreciate it. Thank you.

Simison: Thank you. Council, if you could join us in a round of applause for Bruce. With that, Mr. Borton, thank you for your attendance and feel better and we will see you soon.

11. Legal/Police Department: Presentation Regarding Idaho Opioid Settlement Intrastate Allocation Agreement

Simison: Okay. Next Item up is the Legal/Police Department presentation regarding Idaho Opioid Settlement Intrastate Allocation Agreement and I will turn this over to Kurt.

Starman: Thank you, Mr. Mayor, Members of Council. Kurt Starman at the city attorney's office. The item before you this evening pertains to two settlement agreements that relate to or intended to resolve a number of opioid-related claims against Johnson & Johnson and three large drug distributors as well. So, I'm going to talk a little bit more about those agreements, as well as a funding agreement or allocation agreement that's been proposed by the state of Idaho and the chief is here tonight, then, to also talk about the impact that opioids have had in our community, as well as how the funds from this settlement -- from these two settlement agreements could potentially be used within our community to help mitigate some of those impacts from the opioid crisis. As I mentioned, there are two settlement agreements. These are nationwide agreements that most states have agreed to, including Idaho. They involve Johnson & Johnson, as well as three of the largest drug distributors in the nation as well and when Idaho agreed to participate in the settlement agreements that also opened up funding opportunities for all of Idaho counties, as well as some Idaho cities, including the City of Meridian, and so that issue is not quite ripe for your consideration tonight. We think we will probably have something on your agenda maybe in a week or two that would actually deal with the settlement agreements themselves, so I will talk more about that in a moment, but tonight is just sort of to present the idea to the Council, but also to get your approval for the -- or at least your consideration of the proposed allocation agreement that the state has proposed. So, the -- the agreements -- the settlement agreements themselves contain a default

funding mechanism or formula that talks about absent a -- a different agreement amongst the state and the local government entities in that state, there is a default formula that basically says funds received under the settlement agreement, 15 percent go to the state of Idaho, 15 percent go to cities and counties and, then, 70 percent go to -- or are placed in a trust fund that is administered by a committee consisting of state and local officials. So, absent some type of other agreement, that's how the funding would be allocated. Under that formula we anticipate that Meridian would receive, if we choose to participate, Meridian receive about -- would receive about 431,000 dollars over a 17 year period, but the settle arguments also contemplate that states may want to adopt a formula that -- or funding allocation formula that might be more suited for their particular needs and their particular state and so Idaho has proposed such a form -- funding formula and that's really what's before the Council this evening. The state has proposed what is called an intrastate allocation agreement that would allocate 40 percent of the settlement funds to the state of Idaho, 40 percent of the funds to counties and cities, and, then, 20 percent to the local health districts here in Idaho as well. So, under that formula, that's advantageous for Meridian in particular, because we believe that under that formula the city would receive about 1.15 million dollars over a 17 year period, as opposed to the 431,000 I mentioned earlier. So, obviously, there -- those additional funds could be put to use in our community to help counteract the impact of the opioid crisis. In addition to that it also opens up other potential funding down the road. There are at least two large pharmaceutical companies that are currently going through bankruptcy proceedings, including Purdue, and if we agree to the funding allocation the state has proposed, Meridian would be entitled to a share of those funds as well. Without that funding agreement that's proposed by Idaho that would not be the case. So, there are a number of advantages associated with participating in the funding agreement, the allocation agreement that's been proposed. The potential pitfall or a downside to it is it does come with some additional strings attached in that the state is proposing some additional reporting requirements and also some additional accounting requirements. So, we have met internally with the Finance Department and with the Police Department to discuss those requirements and we think they are manageable, but the Council should be aware that there are some additional reporting and financial considerations that come with that. They are not -- not insurmountable, but something to be aware of. So, ultimately, our recommendation this evening will be -- after the chief is going to talk about opioids -- the impact of opioids in Meridian in particular and, then, how these funds potentially could be used, but also at the end of our presentation the recommendation to the Council this evening is to approve the proposed intrastate allocation agreement. That's step one in our process. And, then, shortly in the next week or two we will be back in front of the Council with the actual asking for your consideration to approve the actual settlement agreements with Johnson & Johnson and with the three distributors and with those two action items that will enable the city to receive the funding I talked about. I'm going to pause there, I'm going to turn the microphone over to the chief and he will talk about those Meridian specific topics and, then, we are both happy to stand for questions you may have.

Basterrechea: Mr. Mayor, Members of the Council, one of the things that brought this lawsuit about was the -- the push by the big pharmaceutical companies with painkillers in

this country. They estimated that they overpopulated the market by about one hundred billion pain pills, resulting in over 400,000 opioid overdose deaths, which is what has brought us here today. As a result of that, what we have seen locally and across the country is more and more people -- as finally we started controlling the prescription pill problem, more and more people turning to heroin and black market pills, which is what we are seeing now. We are seeing a lot of Fentanyl come into Idaho. They are pressing them into pills that look like they are Hydrocodone and other types of pain pills and we are seeing overdoses like we have never seen before in our own community. We are probably averaging a minimum of two overdoses at least a week. This last week we just had a 27 year old overdose and die. We have had several people -- several overdose deaths, which has pushed us to the point where we have partnered with the High Intensity Drug Trafficking area called HIDTA and we are developing a mapping system to go through Meridian as a test platform for Ada county to be able to track our overdoses throughout the city, so that we will be able to track when we believe that we are getting a bad batch of heroin in or a large push of Fentanyl into the area. There is -- there is no identifier as to who the person is that overdosed. It's something that we are going to be able to use to track more accurately and be able to target more towards the opioid problem as an actual public health issue. We keep hearing it called that, but nobody seems to want to do anything public healthwise with that. So, the Police Department that's really where we are pushing. We have partnered with the Fire Department and got them on board, as well as paramedics with that program. Moving forward with these funds, one of the things we are looking at doing is funding a -- we have a part-time position and we are looking into seeing if we can fund that as a full-time position with the Meridian Anti-Drug Coalition. We also are looking into some different programs that we can hopefully bring to Meridian using some of these funds to help with those addiction issues that we are dealing with here and we can also use those for educational purposes as well and with that I will stand for any questions.

Simison: Thank you, Chief and Kurt. Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I'm just curious some of the things that, you know, we think we could use the funding for, if you have identified any potential projects. I assume that we carry Narcan already or --

Basterrechea: We do carry Narcan already. However, it does expire, so that is a funding source as well for Narcan. The other thing that we have looked at is are there other recovery programs or things that we could help prop up in Meridian, so that we can battle it on the front side and the back side of things. There is a lot of really good programs out there that give people a different outlet in their struggles with addiction, so those are some of the things that Kendall Nagy, who is in charge of the anti-drug coalition, is looking at right now.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I mean that's great to hear. There have been several documentaries, too, that have come out about the crisis that was created by the pharmaceutical companies and, you know, I remember the proliferation of pain clinics and stuff around and clearly now we are seeing some horrible effects from that and addiction touches so many families. So, hopefully, we can put that to good use. Thanks.

Simison: And I think, you know, we -- we have such a strong relationship with our educational providers that, you know, there is not enough time for -- there is a lot more need to get into the schools and help engage them and we have people to do that and that's one of the benefits of going from a part time to full time and this is a position that's been vacant for a while and we have been looking for the right opportunity to come to Council, quite frankly, to take that part time to full time, because of that need and this is a great segue into that conversation.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: First of all thank you so much, gentlemen, for working on this. This is great news for this opportunity. I do have a question for Mr. Starman if I may. Are there any other considerations -- other than the -- the additional amount of funds that will be received and the additional reporting obligations, are there any other upsides or downsides that we should know about the interstate allocation agreement?

Starman: Any other --

Perreault: Any other upsides or downsides or any other obligations or is that, essentially, how those two items are the -- the main effects that it has on us or is there anything else that we should take into consideration?

Starman: Thank you, Mr. Mayor, Council Woman Perreault. I think the two -- the two major issues you have already touched upon -- one is there are additional reporting requirements with the state proposed allocation agreement, so that largely will fall upon the Police Department and our partners to generate the annual reports and to be able to prepare that and submit that to the state of Idaho. In addition to that there is some additional accounting and auditing requirements. Our Finance Department estimates that if we were required to do a special audit it could be as much as 7,000 dollars per year. So, that's something to take into consideration as well. But there are two other potential downsides. We have looked at the agreements pretty thoroughly and I think we are satisfied that, really, that there is nothing significant there that would be to the city's detriment. There is always administrative burdens that come with grant funds, but I don't think there is anything significant there that -- that would, you know, impact our

recommendation to the Council. The upsides -- I think the one I will highlight a little bit more than I did in my initial comments is the -- the impetus for being here tonight largely is the two settlement agreements -- two settlement agreements with Johnson & Johnson and with the three distributors, but the other really strong upside for Meridian is that by entering into the allocation agreement it also opens up potential funding from the two major pharmaceuticals that are currently in bankruptcy. That could be several hundreds of thousands of dollars more than what we have talked about tonight. We don't know the answer to that quite yet, but without the allocation agreement Meridian would not be eligible for those funds at all. So, that was a significant potential upside.

Perreault: Mr. Mayor, follow up?

Simison: Council Woman Perreault.

Perreault: Thank you. So, are there a certain number of entities that need to agree to the interstate -- Intrastate Allocation Agreement in order for -- I mean do a certain number of cities or counties have to sign on in order for it to go into effect?

Starman: Thank you, Mr. Mayor, Council Member Perreault. Yes, what the state is looking for is basic -- basically it's population based, based on counties, as well as those cities that are eligible to participate and the magic threshold for the state is 50 percent plus one. So, based -- weighted based upon population. When I spoke to our point of contact with the Attorney General's Office about a week or ten days ago they were at the high 30s and they fully anticipated that they would meet the 50 percent threshold, so -- but it was possible -- I mentioned two things. One is it's possible that 50 percent plus one does not agree, in which case the allocation agreement we are not going to place, number one. Number two is even once the allocation agreement is in place and if Meridian and others agree to the settlement agreements at a later date, there is also a touch point for Johnson & Johnson, as well as for the three distributors, that after the first of the year, like after January 2nd to be more precise, they will do another assessment to see if there is sufficient participation to work -- to proceed with the settlement. So, actually, there is a -- to us in the -- in a vernacular, an offering up for Johnson & Johnson and the distributors that there is not enough participation nationwide, but my understanding is that the participation has been pretty strong so far.

Perreault: Thank you. One more question?

Simison: Council Woman Perreault.

Perreault: Thank you. So, sometimes these -- these lawsuits and settlements go on for years and years. So, are we at the end of that process? I mean when -- when -- when will these funds actually be distributed? I mean can't they not often take a really long time to actually receive funds?

Starman: Mr. Mayor, Council Member Perreault, that's a very accurate statement and we have all experienced probably in our professional life and perhaps otherwise lengthy litigation. The good news here is this litigation has been ongoing for quite some time and

we are at the tail end and so as opposed to going into trial, the defendants here have agreed to a settlement agreement with the states that are participating and so if after that January 2nd date if Johnson & Johnson and the three drug distributors decide to proceed, there is enough mass to proceed that really does bring that litigation to a close, the settlement agreement goes into place, and, then, funding that starts -- there are actually two installments in 2022. The first is in the March time frame and there is a second installment in the July 2022 time frame and, then, there are annual installments thereafter.

Perreault: Thank you very much. I appreciate that detail.

Starman: You are welcome.

Simison: And just to kind of follow up on the things, I don't know if this was ever identified -- if necessary can we use these funds to do the audit?

Starman: Thank you, Mr. Mayor. The agreement still -- the settlement agreement, as well as the allocation agreement, don't specifically say that, but my answer is yes, because both agreements say that a minimum of 85 percent of the funds have to be used for direct opioid related activities, which in my mind means that up to 15 percent can be used for administrative purposes. So, there is no explicit language to that effect, but my reading of the agreements is that the funding -- the funds up to 15 percent can be used for administrative purposes.

Simison: Well, hopefully, the defense can pay for themselves for the work that we are asked to do to utilize them, because they are asking us to do the work.

Starman: I think that's a fair statement.

Simison: Council, any further questions? Okay.

Starman: Mr. Mayor, that completes our presentation. The next item on your agenda -- this was Item 11. So, presentation Item 12 is an action item relative to the allocation agreement and we ask for your consideration tonight. Thank you.

Simison: Thank you, Kurt. So, with that, Council, we will move on to Item 12, which is as stated -- request to approve the Idaho Opioid Settlement Intrastate Allocation Agreement between the state of Idaho health districts and eligible local governments.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Since our police liaison is not feeling well this evening I will make the motion. I move that we approve the Idaho Opioid Settlement Intrastate Allocation Agreement between the state of Idaho, the health districts, and the eligible local governments, including the City of Meridian.

Strader: Second the motion.

Simison: I have a motion and a second to approve the allocation agreement. Is there any discussion? If not, all in favor signify by saying aye. Nay? All ayes. Motion carries. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

ACTION ITEMS

13. Public Hearing and Second Reading Continued from November 23, 2021 of Ordinance No. 21-1954: An Ordinance of the City Council of the City of Meridian, Idaho, Approving the (Option A) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project, Which Plan Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to County and State Officials and the Affected Taxing Entities; Providing Severability; Approving the Summary of the Ordinance; and Providing an Effective Date

Simison: So, Council, with that we will move on to our Action Items this evening. First item up is Item 13, which is a public hearing and second reading continued from November 23rd, 2021, of Ordinance No. 21-1954. Mr. Nary, should we do the second reading first before the public hearing?

Nary: Yes, sir.

Simison: Okay. I will ask the clerk to do the second reading.

Weatherly: Thank you, Mr. Mayor. This is Ordinance No. 21-1954, an ordinance of the City Council of the City of Meridian, Idaho, approving the (Option A) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project, which plan includes revenue allocation financing provisions; authorizing the City Clerk to transmit a copy of this ordinance and other required information to county and state officials and the affected taxing entities; providing severability; approving the summary of the ordinance; and providing an effective date.

Simison: Thank you. Council, you have heard the second reading done by title. Is there anybody that would like it read in its entirety? Seeing none, we will, then, move on to the public hearing for this item. Do we need to have a staff presentation on this item? I didn't know if we -- I didn't think we did. Okay. All right. Then --

Conrad: Hello. Okay. Thank you. Sorry about that. Oh. Thank you. Thank you.

Simison: So, Meghan, are you going to be doing a presentation for both items?

Conrad: I will be, Mayor. Thank you.

14. Public Hearing and Second Reading Continued from November 23, 2021 of Ordinance No. 21-1956: An Ordinance of the City Council of the City of Meridian, Idaho, Approving the First Amendment to the Urban Renewal Plan for the Union District Urban Renewal Project, Which First Amendment Seeks to Annex Certain Parcels to the Existing Union District Project Area; Which First Amendment Includes Revenue Allocation Financing Provisions; Authorizing the City Clerk to Transmit a Copy of This Ordinance and Other Required Information to County and State Officials and the Affected Taxing Entities; Providing Severability; Approving the Summary of the Ordinance; and Providing an Effective Date

Simison: Okay. Then why don't we go ahead and open up Item 14 as well, which is a public hearing and second reading continued from November 23rd, 2021, of Ordinance No. 21-1956, and ask the Clerk to read this ordinance by title.

Weatherly: Thank you, Mr. Mayor. This is Ordinance No. 21-1956, an ordinance of the City Council of the City of Meridian, Idaho, approving the First Amendment to the Urban Renewal Plan for the Union District Urban Renewal Project, which First Amendment seeks to annex certain parcels to the existing Union District project area; which First Amendment includes revenue allocation financing provisions; authorizing the City Clerk to transmit a copy of this ordinance and other required information to county and state officials and the affected taxing entities; providing severability; approving the summary of the ordinance; and providing an effective date.

Simison: Thank you. You have heard this ordinance read by title. Is there anybody that would like it read in its entirety? Okay. Seeing none, Meghan, if you would state your name and address for the record and be recognized for your presentation.

Conrad: Thank you, Mayor. Meghan Conrad. I am an attorney at Elam & Burke, 251 East Front Street, Boise, Idaho. 83701. So, before you today for public hearing the Urban Renewal Plan for the Northern Gateway Urban Renewal District. On your screen now you have the map of the proposed project area, which includes parcels north and south of Fairview Avenue and generally east of -- east of Meridian Road and north of Pine Avenue. It is 126 acres. On this slide you will see the plan that is at Idaho Code specifically 50-2905. This is a slide that you have seen before as this plan has come before you a number of times at this point. However, in bold text beside each bullet point you will see this reference in the plan where the statutory obligation is met. For parcels that have been used as an ag operation, which is a defined term under the law and the act, there is one parcel that required property owner consent. That is a 17 acre parcel that is located at Meridian Road and Cherry. That property, when we started this process, was actually located within unincorporated Ada county. As you know that parcel is referred to as the McFadden property that has since been fully annexed into the City of Meridian and the property -- an agricultural operation consent was obtained from that property owner. In terms of the projects that are identified in the plan, they were specifically informed by the city's Comprehensive Plan, Destination Downtown, both city

and MDC staff, the Trivium Planning, as well as the owners within the boundaries of the proposed project area. Here you will find the specific list of the projects that are anticipated to be undertaken during the life of this project area, which, under current statute, is permitted to be in place for 20 years, but recognizing that revenues will be received in the year following the termination date. Most of these dollars will be used to support infrastructure improvements and buy right of way, specifically streets. There will be also sewer and water system improvements. There is pedestrian improvements, facade improvements, public parking plazas, open space, environmental remediation and some planning studies. The estimated cost of these improvements using 2021 dollars and based on similar projects that have occurred in the -- in the broader community. It's estimated the grand total is about 34 million. So, 33,925,000 dollars. On this slide there is a more defined list of the roadway improvements that were identified by the Trivium Planning in its review of the project area and also some estimated construction costs and you will see that for the construction of these right-of-ways it's about 11 -- just slightly over 11 million for the scope of these improvements. Also included in the plan is a list of potential sewer and water lines and new sewer and water line infrastructure to be added that are located within the boundaries of the project area. In the plan it's noted as Attachment 5, which is the economic feasibility study. The tax increment revenue projection is anticipated to be a little over 35 million for the 20 year life of the project. The private investment that's anticipated to occur based on the communications that have been held within the boundaries of this project area are estimated to be 310 million. The economic feasibility study included a number of specific assumptions. In generating that revenue figure, specifically based on recent history with value increases, land values are anticipated to increase eight percent a year for the first five years and, then, it will be four percent a year for the balance of the term, which is pretty conservative. Similarly, the improvement value increase is estimated to be ten percent for the first five years, with a reduction of five percent for the balance of the term. The levy rate was reduced by ten percent, which is also a fairly conservative estimate when we are looking at revenue generation. Homeowners property tax exemptions were anticipated to increase about five percent a year. The significant new development projects were analyzed to -- or anticipated to occur during the years of 2024 to 2035 and there are an allocated 500,000 of new development that would occur in the -- in the off years. Finally, the other consideration under new statutory changes, in order to receive the allocation from Ada County Highway District an agreement between the agency and ACHD is necessary and that step has also been completed at this point, so -- and just skipping ahead pretty -- oops. There is a timeline in here that shows the process that has been undertaken to date and you will see that there has been a robust opportunity and presentation on this plan several times over the -- this process. So, happy to stay in for any questions on Northern Gateway.

Simison: Thank you. Council, any questions on this item?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I don't have any specific questions. Thank you very much for -- for all the information. Is it possible for us to get a copy of this presentation e-mailed to us?

Conrad: Thank you, Mr. Mayor, Council Member. It actually is here and that is not going to be a problem at all. I can get that to you.

Simison: Council, any additional questions at this time?

Conrad: I'm sorry, can you help me get back to the -- the slide view? I'm not a tech person. Nope. Not that one. Thank you. All right. Mr. Mayor, okay to jump into the first amendment? Thank you. So, you also have before you for a public hearing the First Amendment to the Urban Renewal Plan for the Union District Urban Renewal Project. The Union District was adopted in 2020. The area that we are talking about today was de-annexed from the existing downtown area and represents 1.461 acres. So, it's a very small area and you can see in the photo -- in their slide that it does border and is appended to the existing Union District. Similar to the presentation on Northern Gateway, there are the statutory requirements of what must be included in an urban renewal plan pursuant to 50-2905. Those bullet points have been identified here in the bold parentheses behind shows the specific sections of the plan amendments or the original plan that addresses this specific area. As you will note this -- if we get to number seven below, this amendment does not extend the life of the existing revenue allocation area, it still is intended to terminate in 2040, recognizing that revenue allocation proceeds will be received in the year following termination. There are two issues at play when you have a post-2016 amendment to an existing revenue allocation area. The first is whether or not such amendment constitutes a modification that would result in a resetting of the base assessment roll. Under Idaho code there are four exceptions, the definition of what constitutes a modification, and one of those is specifically an amendment to add area pursuant to 50-2033. That statute stands for the proposition that you can annex into an existing project area no more than ten percent of the existing acreage and that acreage must be contiguous to the existing boundary. This is the case in this area. The original Union District project area is just short of 16 acres, it's 15.8, I believe, and we are annexing 1.461. So, we fall within that ten percent limitation. For that reason this does not constitute a modification under the 50-2903(a), that would require a base reset of the -- of the original project area. Again, the project list here was formed by the city's Comprehensive Plan, Destination Downtown, both communications with city and MDC staff, as well as property owners slash developers that are within this area. On this first slide we have shown what the original union district project improvement list was, mostly centered around some public infrastructure improvements on the top half, improvements at 3rd and Broadway, and you will also see references to the civic block improvements, as well as some structured parking. This slide identifies the additional improvements that are contemplated as a result of this particular amendment. The subtotal for these new improvements is going to be 13 million. So, it brings the total of the original proposed improvements, together with these improvements, to 28 million. These improvements include the improvements to the facade, property acquisition, improvements to public plazas, parks and open space, any environmental remediation. A portion of Idaho Avenue is included within this project area, as well as planning studies. In conducting the revenue

analysis of this proposed project area it was taken into consideration facts that have occurred that would somewhat change the revenue allocation based on development that had or had been delayed in the existing union district, as well as the potential for new development occurring within this 1.461 acres. So, the total increment yield over the 20 year life of this district is estimated to be a little over 25 million dollars. The private development that is anticipated to occur as a result of urban renewal efforts in this area is about 225 million dollars. The assumptions are very similar to those that were used in the Northern Gateway analysis, particularly the percentage increase year over year of the assessed values. For land eight percent and, then, reducing to four percent after five years. For the improvement value ten percent, again, reducing to five percent after five years. In this example the tax rate is also reduced by ten percent and when we are talking about the tax rate we are talking about the eligible tax rate for those levies that do generate revenue for the urban renewal agency, which, as you know, is not the entire levy. It's those that qualify under the statute. The new development occurring in this district is really intended to be -- or estimated to be focused on the years 2024 to 2028. For this one as well, because of the statutory changes the law requiring an agreement between the agency and the Ada County Highway District would apply to this amendment area and that step has also been completed here as well and here is the timeline that is similar -- similarly undertaken for both the First Amendment, as well as the Northern Gateway project area. As you know there is two phases to this planning process, the eligibility phase and the plan approval phase, and so as part of the plan approval phase the plan and its attachments and certain additional information were circulated to all of the effective taxing districts more than 30 days in advance of the public hearing date. The notice of the public hearing was published in the paper. There is -- originally scheduled to occur on the 23rd. On that date that public hearings were continued and the notice of the new publication date for today's date was also published in the paper. November 16th was the date the City Council did the first reading of the ordinance. Today's the time set for the public hearing and the second reading. And the third and final reading is scheduled to -- for your consideration on December 7th and with that happy to stand for any questions on the first amendment.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you very much. Would you mind going back to the slide that was called revenue model and assumptions? So, the tax increment yield of 25 million, how did that figure come to be? Obviously, it's based on the estimate of private development investment and, then, the tax increment yield, but it seems like that that just -- that is a significant amount for that small geographic size, even -- even developed very very well. That just seems like an exceptional amount to generate for that block, so I want to have some more understanding of that. And, then, in addition the -- on -- with both of these the land value increases and the improved -- improvement value increases, the assumptions that are made, what basis are those? Is that an historical basis, it's based

on information that's been collected over a matter of time or is this based on assumptions from commercial real estate industry that's anticipating these -- these gains? Can you give us some background for that?

Conrad: Yes. Thank you, Mr. Mayor, Council Member. Those are both great questions and so for the first question concerning the revenue generation in the First Amendment, there is an Attachment 5.A that is attached to the plan and the 25 million, actually, it's a combined from the existing Union District, plus the addition of this 1.4. So, that's not only the revenue generated from the 1.4. So, specifically it is 5.2 -- my number is cut off, but it's 5.3. A I believe is where you will find this specific table that -- that shows the revenue generation and the development, but it is a combined, it's not just for the 1.461 and I don't -- my understanding is that the -- for your second question the percentages as to the growth, there was a backwards look as to what has occurred historically in projecting forward.

Perreault: Mr. Mayor, a follow up?

Simison: Council Woman Perreault.

Perreault: Yeah. I -- I assumed that that included that all of the geographic area of the -- the existing and new acreage. It's still a very small -- it's a city block. So, if you have anymore thoughts on how that city block should yield 25 million dollars in tax increment over 20 years, I'm -- I'm -- my ears are wide open.

Conrad: Thank you, Mr. Mayor, Council Member. I mean there is intended to be some significant development on those blocks in terms of, you know, higher density residential rental, as well as office, and those ultimately will have fairly significant value. Again, we are projecting into the future and so it's -- those are anticipated to come on the tax roll about 2025, 2026 and some of those numbers are based on data that we obtained during the drafting of the Union District plan and those were numbers that were also provided by the development group at that time. So, that helped inform the data that -- that was carried forward here as well.

Simison: Council, any additional questions? Thank you very much.

Conrad: Thank you.

Simison: Council, this is a public hearing. Madam Clerk, do we have anyone signed up to provide testimony on these items?

Weatherly: Mr. Mayor, we do not.

Simison: Okay. This is a public hearing. If there is anybody that would like to come forward and provide testimony on any of these two items you can do so now and if you are online and would like to testify, you can use the raise your hand feature and we can bring you in for visual comments. Council, seeing no one wishing to come forward in the

room or raising their hand online, do I have a motion to close the public hearing? Hearings.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing for Ordinance No. 21-1954 and the public hearing for Ordinance No. 21-1956.

Perreault: Second.

Simison: I have a motion and a second to close the public hearings for Ordinance No. 21-1954 and Ordinance No. 21-1956. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearings are closed. I guess you are looking to me, because we are not taking any action tonight on these items. So, with that -- with the public hearings being closed, we will have the third reading on the -- on next week's City Council agenda. So, thank you everyone, Meghan, Cameron, Tori, for being here this evening.

15. Approval of Johnson St Right-of-Way Vacation (H-2021-0079) by Hawkins Companies, Located on the south side of W. Waltman Ln. approximately 1/8-mile west of S. Meridian Rd., between 235 and 295 W. Waltman Ln.

- A. Request: Vacation of an Ada County Highway District (ACHD) right-of-way (i.e. Johnson St.) located between 235 and 295 W. Waltman Ln.

Simison: Next item up is Item No. 15, which is approval of Johnson right-of-way vacation, H-2021-0079. I will turn this over to Sonya for any comments.

Allen: Give me just a minute, Mr. Mayor. Let me get the presentation up here. Alrighty. The first application before you tonight is a request for a vacation of ACHD right of way. The right of way proposed to be vacated lies on the south side of West Waltman Lane between 235 and 295 West Waltman Lane. The applicant proposes to vacate .43 of an acre of ACHD right of way consisting of Johnson Street. The reason is because the applicant owns the parcels adjacent to the subject right of way and wishes to develop the area with commercial uses. As is the location of the road interferes with the development plan. With development of the area the access driveway or street is proposed to be relocated approximately 50 feet to the west as shown. A relinquishment letter was received from Idaho Power stating that they have no facilities in the area proposed to be vacated. The Public Works Department verified that there are no water or sewer mains located in the area proposed to be vacated. Therefore, the proposed vacation will not impact city utilities. The ACHD commission has already approved the request. Staff is

recommending approval of the proposed vacation and no written testimony has been submitted. There are no outstanding issues for Council. Thank you.

Simison: Thank you. Council, any questions for staff? If not do I have any motions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess a question. Do we need to have a -- open a public hearing for this or does it not fall into that category?

Simison: It's not a public hearing.

Strader: With that I would be happy to make a motion. After considering that ACHD has approved this, it doesn't impact the utilities, I would move that we go ahead and approve this Item No. 15 after considering all staff, applicant, and public testimony to approve file number H-2021-0079 as presented in the staff report for today's hearing date.

Perreault: Second.

Simison: I have a motion and a second to approve the vacation request. Is there any discussion? If not, Clerk will call the roll.

Roll call: Borton, absent; Cavener, absent; Bernt, yea; Perreault, yea; Hoaglund, yea; Strader, yea.

Simison: All ayes. Motion carries and the item is agreed to.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

16. Public Hearing Continued from November 23, 2021 for Fast Eddy's at Eagle (H-2021-0068) by Steve Eddy, Located at 3775 N. Eagle Rd.

- A. Request: Modification to the Existing Development Agreement (H-2018-0006 - Inst. #2018-042029) to remove the requirement for the driveway along the west side of the retail store to be extended to the north property boundary for future extension and interconnectivity in accord with UDC 11-3A-3A; and a cross-access/ingress-egress easement to be provided to the property to the north (Parcel #R4582530202, 13984 W. Jasmine Ln.).

Simison: Next up is Item 16, which was a public hearing continued from November 23rd, 2021, for Fast Eddy's at Eagle, H-2021-0068. I will turn this over to Sonya.

Allen: Thank you, Mr. Mayor, Members of the Council. The next application before you is a request for a development agreement modification. This site is zoned C-G and is located at 3775 North Eagle Road. The Comprehensive Plan future land use map designation for the property is mixed use regional. A little history on the property. Development agreements -- a development agreement was recorded for this property in 2018 that requires the driveway along the west side of the property to be extended to the property to the north for future extension and interconnectivity and a cross-access easement to be granted in accord with UDC 11-3A-3A prior to issuance of the first certificate of occupancy for the site. The UDC requires cross-access easements to be granted to adjoining properties where access to a local street is not available unless otherwise waived by Council. The abutting property to the north fronts on a state highway, North Eagle Road, State Highway 55, and does not have access via a local street. That's the reason the driveway access and easement were required. Without this access the undeveloped parcel to the north would have no access other than the state highway until such time as the property to the west, Delano Subdivision, develops, which has granted a cross-access easement to them through their multi-family development for access via the future extension of North Centrepont Way. Because the applicant did not wish to construct a driveway or provide an access easement in accord with the timing stated in the development agreement, a temporary certificate of occupancy was issued in order for the applicant to apply for an amendment to the development agreement. The applicant proposed to meet with the property owner to the north at the time of development to see if the -- excuse me -- if it makes sense to both of them to install an access at that time. An assisted living facility has been approved by the city of Boise to develop on the abutting property to the north. The approved site plan depicts a driveway access to this site for cross-access and ingress-egress. If these provisions are removed from the development agreement and a final C of O is issued, there is no mechanism for the future -- for the future to require construction of the driveway or granting of an access easement. No written testimony has been received on this application. Because this is a UDC requirement staff cannot waive the requirement and, therefore, cannot support the request. The UDC does allow for a Council waiver to this standard if deemed appropriate by City Council. Staff will stand for any questions.

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

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, Sonya. Am I understanding correctly, then, that there was a -- a deadline in the DA for that driveway to be constructed and it was not done by that time frame?

Allen: Mr. Mayor, Council Woman Perreault, no. That's the reason for the request.

Perreault: Okay.

Allen: A final -- let me clarify. A final certificate of occupancy has not been granted. A temporary C of O has been. So, the requirement was prior to the first C of O.

Perreault: For the Fast Eddy's --

Allen: Yes.

Perreault: -- property that's been there for three years?

Allen: It's been extended several times from what I understand.

Perreault: The -- the -- the certificate of occupancy? Okay.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question, Sonya. These get a little tricky when you are dealing with split jurisdictions here and with that -- what was that, assisted living facility, that was approved by the city of Boise to the property to the north. I was just curious if you know -- was there a requirement requiring any other accesses or cross-access agreements or anything for this? It says the approved site plan depicts a driveway access to the site, so I'm assuming that's the case?

Allen: I'm assuming. I don't know if a cross-access easement was required or received, but I know that a driveway stub was provided.

Hoaglund: Okay. Thank you.

Allen: I shouldn't say it was provided, but is shown on the approved site plan. They haven't started building on the site, so it's -- it's hard to -- you know, hard to tell if they are actually going to go forward and build or not. But so far they have an approved plan.

Simison: Council, any additional questions for staff? Okay. Would the applicant like to come forward?

Eddy: Mr. Mayor and Council, I'm Steve Eddy at 3775 North Eagle Road, Meridian, Idaho. I guess this has been a while and that store has been open two -- two -- a little over two years. The store. The car wash was on a separate parcel and opened earlier than the store was. My biggest concern with this -- and we have talked about this once before -- is -- and one thing that happened with the -- all the submittal of the plans and everything for the site this was never shown on any plans. It kind of slid through and that's one reason. And, then, the property owner that was to the north, which was Wally Hedrick, and I had promised him, you know, nothing would ever happened there until he did something with that property, which he moved because of that access point looked right at his living room and when we bought the property -- part of this property I bought from

him that was one of our agreements that I had brought up to Sonya and staff that we just couldn't do that to him as a residential homeowner adjacent to us. But what's concerning to me now is the site has continued to get busier and we get -- year three is when we kind of get our peak and behind that building we have a double drive-through, so we have a drive-through for the Earl of Sandwich and a drive-through for the store and it's gotten -- you know, back in that area it's -- it's crazy. There is just a lot of traffic. All of our deliveries come in there. The pedestrian path that goes to the Brickyard Apartments, we had it adjoined and come to the front of the store. Well, nobody comes that way. They walk right through that driveway, so from a safety standpoint from all of the homes that are in the Brickyard down with a superhighway going through there it's just -- it's going to be a safety nightmare. The other thing we got is two more things, is the fuel tanks are right in that pathway where, you know, there is a flammable type operation there where they are going to be driving right through and, then, the exit to the car wash right now with the Brickyard development, which is severely underparked. At night they park along that street on both sides, all the way around to Ustick and I think it's -- you know, with what's went on with a lot of the apartments there is more than one family living in an apartment and many times they backup almost all the way to my car wash now and those cars are being pushed out with a conveyor and if that property to the north doesn't go with an assisted living, which we don't know where it's going, we can't get to talk to anybody or know anything that's going on and I just worry that property gets developed as apartments, which seems to be the going thing in the valley, and we have another apartment complex they are underparked and all that traffic, with where the car wash exits, you know -- well, those cars that are in the car wash, I can't have cars hitting each other because it's backed up to there and it backs up almost to there today in the morning time and the evening time when all those residents are back in those apartments. That street is narrow. Centrepont is very narrow and tight and when Hobby Lobby gets busy it's a nightmare right in there already. So, my biggest reason is just a safety concern and not knowing what's going to the north. We hear their -- their application expires in March, but we have no idea for sure what's going to go there. And I -- we set this building up for the deliveries out back there, so -- and I brought that up before. With the delivery trucks and the drive-throughs and having two driver-throughs back there, I watched people again today, they just take out of the drive and take a left and just head out and that's right where that connection is supposed to be. There is no way to put a stop sign or anything there that would stop those people from pulling right out and, you know, we are creating a superhighway kind of through my properties as a shortcut. Now, the application I did see on the retirement center, assisted living, it did have an access off of Eagle Road. It wasn't just through me that they showed on their application. So, I'm assuming that would be a low impact use and they would be adequately served with that. Again, you know, Centre Pointe was supposed to go through to Wainwright, which I think would help this. That got stopped. I don't think I'm against, you know, worst case -- I would like to see it removed, but worst case I think do a pedestrian with the fire department barricades like we did for the Brickyard, so it's more pedestrian friendly, but not vehicular. I just think it's an accident -- it's already an accident waiting to happen there. As we get busier it's going to be worse. I guess what I was going to say is that Centrepont where it went down to Dashwood Street that was supposed to go through, that got stopped with just the emergency barricades down there and I think that's the best case here when -- especially when we

don't know what the use will be and since Meridian isn't controlling that site at this time we have no idea what Boise will approve there and that's -- that's -- that's my concern is just the safety and what will go there. So, I think I would first like to ask that it be removed. Second, I think I would be willing to do the pedestrian access with the bollards and, then, determine if we have to, you know, bond that or whatever we have to do to satisfy -- you know, I would complete what I would say I would do. I think this is our eighth store I have built in Meridian and I think I have tried everyone we have built, even though I have sold them, to do it right and do it first class and tried to be a good resident to the city. That's - - that's all I have, other than questions.

Simison: Thank you. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you. Mr. Eddy, I'm trying to understand the timing of all this. So, when -- were you aware that this was a requirement of the DA when you did your site plan design? Why would there be so many impediments to this if this area was intended to be kept open for an expansion to the north?

Eddy: It was in the DA and when we were going through everything we weren't really thinking what would get done and how things will change over time and the original plans were submitted to the City of Meridian. This was not shown on any plans. Not -- not by choice, it just was missed by my engineer. It was missed by my folks that I hired to do the plans on the site. So, all the drawings that were approved by Meridian per my permit this is not showing on one set of plans. It was forgotten. It wasn't like left off intentionally. So, it didn't get constructed and, then, as I said before, the gentleman that lived in the property here to the north I had promised him when we had bought -- where the store sits I had bought that property from him, that we would put that six foot fence up and keep him somewhat private, because at that time he told me he was going to live there for a long time and he just moved in the last few months. He has been there for that whole time and that was just an agreement that I had made to him that I felt I needed to honor to him with the fence, so --

Perreault: Mr. Mayor, may I ask a follow-up question?

Simison: Council Woman Perreault.

Perreault: Thank you. So, what's the distance from the north property boundary? How many feet was that extension supposed to go? I'm assuming that -- that your -- that the concrete showing in this photograph goes all the way up to your north property boundary and that there was going to be constructed a driveway for a short distance from your property to those?

Eddy: No. All that was supposed to be done, by the way I read the development agreement, was there is about a six foot landscape strip there on the other side of the concrete --

Perreault: A what?

Eddy: There is a curb and grass and trees there currently. That would be -- all I would be responsible for, I believe, as far as the development agreement is to take that curb out, that grass out, and just concrete or pave to my property line. It would be whatever they do to tie into me.

Perreault: Okay.

Eddy: And like I said, I'm just really concerned with what land values have done, that that will get changed from an assisted living to an apartment complex that's three or four stories high and we have a superhighway through what's already a really busy area that will be a nightmare. I think if the property stays a retirement -- and that's something else I guess I would ask. If it stays a retirement and gets developed retirement, I don't have a problem with the access.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I guess just to be really clear about my concern, right, and I think it's laid out pretty well in the staff report, there is the potential that if we don't make sure this access happens in the future there could be a parcel to the north that's orphaned off, that if they don't get that access off of, you know, the adjoining road, then, it could be isolated and we really believe that connected communities are healthier communities. I would hope that if there is an apartment project to the north that the city of Boise would consider making sure there is adequate parking there. You know, what could we -- because our -- you know, you are a good partner. Our kind of discussion point with you is issuing a CO; right? I mean what are -- have you guys had a discussion with staff? Like is there a solution where you could escrow an amount to build this or -- what are you sort of thinking? You mentioned bonding. I guess I would like to understand that. But part of my concern is, you know, you definitely made a promise to the property owner and I understand that, but the city is not a party to that and we can't really solve that for you. I'm just concerned that if we don't have this access we are not going to get it and we are going to have a piece of property that's isolated that shouldn't be where there should be connectivity.

Eddy: Well, I think that -- that piece of property was going to be in Meridian at one time. It's changed with Boise now. Again, if that got developed to a three or four story high -- four story high apartments we could not handle that traffic. It would be a deathtrap for consumers and residents of the Brickyard and, then, the drive-throughs that I have, there is -- there is no way we could accommodate that. Like I said, the plan that Sonya had

and we saw that they did submit to the city -- well, to you guys first and the city of Boise, it showed access on Eagle Road into that complex.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. But I guess just to follow up, I mean from my review I didn't see that that access is a legal right that will be granted. Like so -- if you are aware of something that indicates that they will receive that access or that access has been definitively approved, yeah, that's good information.

Eddy: I don't have -- I don't have access to that today, because we don't know what's going to happen. Like Sonya had said and we have seen, their -- their approval expires in March, so we don't know what will happen with that parcel and that's what concerns me is that and, then, like I said, it's hard to take that size of a piece of property, what we did develop in Meridian, and try to get it to flow correctly and right without having some heavy access user to the north going through my property and, again, it depends upon the user and that's what concerns me is we -- I would love to have the apartment traffic, but it would not be safe through this site and, then, the car wash that I have built there, the way the conveyor pushes cars out, if that was a massive apartment complex I would have a nightmare of cars running into each other automatically that I have really no control over, if that kind of traffic to get to that access point to the south of me to try to get out and, like I said, right now the issue is -- and you guys can go by there anytime, morning or night, that street is lined with cars on both sides. It is really dangerous today to even drive down the street when those residents are home, which I know we can't do anything about that now, but it -- you know, it's what we are dealing with now.

Strader: I'm good for now.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: And so I take it from your comments you don't think having an access point to a road -- and let's say it's similar to what you see in the picture here -- would be a relief, another point that customers can exit quickly, as opposed to going back to the -- to the south of your property. It's -- there is nowhere to go. If there was -- let's say it's assisted living and that -- that property there they are able to access that point, then, turn right and go to Eagle Road and turn right again, that gets them onto the -- without having to go from, you know, the upper store all the way down through where the car wash is and back to that area, I was just trying to look at it differently to see if that was --

Eddy: If you think about that, the problem with that is if you think about the drive through and the drive throughs behind that building both face west. Those people -- I watched him today. They get done doing their stuff, they just head out and they take a left, because

there is -- there is nothing to worry from the right. So, if cars were coming through there and trying to get through both ways, it would -- I mean I would have my own Eagle Road internally, you know. And that's what's -- what's hard. I mean the proposed plan they had, their access point was -- they had buildings up pretty close to the property line and you kind of access through. It wasn't really something they needed, if they had granted access off of Eagle Road, which they showed and I think they would get personally, but you know, that's my thought. They didn't really need that access for me to satisfy the assisted living that they were proposing building in any way.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: A question -- first a comment. Yeah. And, typically, cross-access easements -- I'm more familiar with -- they do look more like roads. They are straight. They allow access to different entities, businesses, and whatnot to each side, as opposed to on the whole parcel, but yet, you know, we do have some that continue on, but usually it's a straight line and more street-like, as opposed to parking lot driveway types of areas. I would like to know more about the -- your storage, your fuel tanks. Where that red arrow is, can you just kind of give me a description? They are underground, obviously, but I don't know if you can make that bigger. I doubt it, but -- yeah. It's a skating mouse. It goes --

Eddy: It's right here.

Hoaglun: Okay.

Eddy: And what's tough here, too, is almost all of my traffic is southbound traffic.

Hoaglun: And, Steve, could you pull that microphone a little bit closer to you. Yeah. Thank you.

Eddy: Almost all of my traffic is southbound traffic, so they -- most of my traffic under that fuel canopy face west and they exit this way out or they make this loop and come back if they want to go to Eagle Road and take a right here. But the fuel tanks are sitting right here. That's --

Hoaglun: That's the next one coming up.

Eddy: Anyway, the fuel tanks are sitting right here and, then, the other thing we have for the future -- right here is a massive transformer for electric cars that we are not utilizing today and this whole line right here was set for electric vehicle charging station of the future, which looks like it's coming quicker than we thought. So, this has a -- you know, a hundred thousand dollar infrastructure of being able to charge electric cars that's super fast already underground and to this site that we are not utilizing today. Again, that all lines up right here right in that driveway that we are talking about, letting possibly become a massive highway and to the north after the -- the Hedrick parcel -- or the -- you know,

the Hedrick parcel is not assistant living, it's -- there is one more parcel, then, it's office buildings all the way to Wainwright. There is no way through to the north that I know of that could possibly line up with mine without tearing down fairly new office buildings from the Yellowstone log home to Wainwright. All those new office buildings. And, then, to the left that access that was going to go to Centrepont to the north to get to Wainwright has now been blocked off and not there anymore.

Perreault: Mr. Mayor?

Eddy: Which when I built here I was told that was going to go through Wainwright and have -- our customers have the ability to use this and they can go to Wainwright to get out, which would have been better for me at that light. So, that's a change that we didn't plan for.

Simison: Council Woman Perreault.

Perreault: Just to clarify, that access to Wainwright has not been blocked, it's just not going to go through until the property just to the south of Wainwright is developed. So, it still can go through at some point, there has just not been a time determined. Whenever that property owner decides they want to develop that property between -- between the application for apartments that was approved earlier this year or last year and Wainwright. Yeah, Dashwood has been blocked off, but the Centrepont will go through to Wainwright once the property just to the south of Wainwright is developed. So, that will happen at some point. Just wanted to clear that -- clarify that for you. My inclination is -- is -- I'm sorry that -- that all -- that your property has been developed and this wasn't taken into consideration on your part and I really feel strongly that we should have that cross-access. However, I am not opposed to getting more information about what's going to happen to the north. If it's possible to do that prior to March when -- when this becomes a significant issue. I -- I'm happy to consider continuing this if you believe that you can get enough information to show that that access is not necessary to our satisfaction. But at this time I can say I'm not inclined to grant the request. And it looks like Councilman Bernt is talking. I don't know if there is something that he is trying to share. So, do you believe that that is feasible?

Eddy: Well, first of all, I went and drove back on that piece that goes through to Wainwright today and you know the roads are all in and they did not leave access. They have a really narrow pathway for like a fire truck to fit through, like just the width of one vehicle to sneak through that and the roads back in there are all completed and done for development. So, I don't see how they would hook Centrepont to that now. I mean there will be dwellings in the way by looking at the roads that are paved and utilities are all in today. I don't know how I could go to Boise and get Boise or ACHD or I guess that would be ITD to say no. I -- just from my years of development I think ITD, if a nursing home facility was built there, they would allow access. This is going to be a right-in, right-out only -- there is already a median there -- that they would allow access to that parcel. I don't think they can legally not grant somebody access for that kind of -- that size of a development personally.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Did I understand that you said there is an application already that's been submitted to the city of Boise?

Eddy: The application that we saw and I think Sonya saw showed an access on Eagle Road on their application, yes.

Perreault: And did you gather anymore information from them on when they are going to have their hearing and make consideration?

Eddy: I think it was approved. It expires in March. It was approved a year and a half ago with access -- it shows off of Eagle Road into their development. That's what you saw, too; right?

Allen: Can't remember -- excuse me, Mr. Mayor. Would you like me to respond?

Simison: Yes, please.

Allen: There is -- I believe that a copy of that is in our public record on this application file. I was just going to look it up real quick. I don't remember offhand. I assume that there was an access. I don't believe Mr. Eddy's property was the only access. I know it did have a stub to his property, but let me look for that real quick.

Eddy: If you look at that application they had a building jammed almost up right against that access point of mine to theirs. It was a really narrow driveway with the building straight ahead. But it definitely had Eagle Road -- their access was off of Eagle Road into the development. Sorry, I should have brought that with me. I didn't think that was material.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Can you guys hear me okay?

Simison: Yes.

Bernt: Perfect. So, thank you, Mr. Eddy, for being with us this evening and thanks for the presentation. I -- you know, normally the path -- obviously conductivity is extremely important, especially in these types of development. Very familiar with this section of our city and it's -- it's -- I have always thought that the parking situation over there along that road south of Mr. Eddy's property going west to where the Brickyard road is behind Kohl's and Hobby Lobby, there is always cars there in the morning time and in the evening, so

that was one of the reasons why I didn't support the Delano project that we heard last year. It takes a high bar in my opinion for us to -- to issue some type of variance or -- like Mr. Eddy is asking for -- or permission from Council to issue what he's asking us to do. I take it extremely seriously, as does every single member of our Council. In this situation I agree with what Mr. Hoaglund said earlier with regard to the -- the -- Wainwright that goes from the road that is north of Mr. Eddy's property to the southern road that's south of Mr. Eddy's property. If it was one straight road where you are not dealing with drive-throughs with Mr. Eddy's property and the other problems that he's mentioned. The fact that he originally -- when we heard this project years ago I think this was mentioned as a concern as well. I remember specifically making a pathway or something -- we are talking about -- where we spoke about issues with -- with -- with public safety. In this regard I just don't see a way -- and I agree with Mr. Eddy with regard to allowing pedestrian access and bicycles and -- and that type of access, but I don't see a way in which you can have a car -- full of cars having access from that northern roadway to the southern roadway in a way that's safe. I completely agree. You're going to have to drive residents to a section of the property where folks are getting gas. I have seen kiddos, you know, buy their -- you know, that are walking, you know, from -- you know, from the area where you get gas over to the C-store and kiddos, you know, going astray. I also know the Eddy family quite well. They are good people and I know that whatever that is to the north, if it makes sense for -- I believe that he could potentially in the future maybe grant no access for vehicles. I doubt that just with the current layout that we are looking at and I understand staff's point of view of requesting denial. I mean it's code. I mean what they are asking for is -- is not in our code and I get why staff made the recommendation that they did, but knowing this property and how its laid out, it would be very difficult for cars to flow freely throughout that property in a safe manner. So, I would be -- from where I stand right now I will be supportive of Mr. Eddy's request.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I have a question for Mr. Eddy. So, you have developed this -- you admit there is a -- a safety issue already on your property with pedestrians. What can you do to make your property safer for pedestrians?

Eddy: Well, the biggest thing is not have that access point and more cars coming through there. I think we try really hard to make it safe. I think the -- the one thing is where that road and where that electrical transformer is and that pinch point where it's this sharp turn is where we have so much action and even down by our -- where our dumpster corral is for the car wash, we are going to have to an internal stop sign there today, because the cars, you know, come out of Hobby Lobby, it's lined up to get out onto Eagle Road, they come flying through me to get to Eagle Road and get out my access point and where the dumpster is at the car wash, which it doesn't show on here, we had a real blind spot there right now that we are going to have to have a stop sign internally. I think everything else with the mass of the site what we tried to do is make the site flow good for the customers we have. The Brickyard has added another element where people let their kids come

over unattended and walk over there and that's what scares me about that highway and that pinch point is they come across their nonstop all day and evening and they don't pay attention and we have a pedestrian pathway that we put in, it's marked, it's with pavers very well, but they just come straight across from that pedestrian way into the Brickyard and they don't pay attention to that, because it's shorter just to come straight. So, with my dumpster corral out there right next to where this access point is supposed to be, there is a -- we have a large dumpster corral to hide all of the crates and the different things we have. We have recycling out there. You walk and you pretty much have to walk right in that driveway before you can see if a car was coming through this access point from where our corral is and this doesn't show it like the other one did, Sonya.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just want to ask Sonya, is this what the current proposal is for that property to the north? Is that what we are looking at?

Allen: Mr. Mayor, Councilman Hoaglund, yes.

Eddy: Sorry. That -- sorry, I wasn't even looking at that. That shows how they came off Eagle Road and what I saw is their drop-off points and so on and it just went straight into a building. It wasn't really going to help their flow and the way they had their parking all the way around that building. You could circulate around that and get right back out to Eagle Road.

Perreault: Mr. Mayor?

Eddy: Thanks for sharing that. That's -- that's what is approved with Boise.

Allen: So, Mr. Mayor, they show the access driveway to the west through the Delano multi-family project that's planned for that site and, then, as you can see the stub to Mr. Eddy's property to the south.

Simison: Council Woman Perreault.

Perreault: Thank you. Mr. Eddy, I'm really trying to understand how you got here in the sense of -- so, you hit -- if I understand what you have been telling us, you had made an agreement with the property owner to the north that you wouldn't put that in, so that -- that the public wasn't trying -- excuse me. The public wasn't trying to access his property. So, you knew that that was going to be a requirement at some point, but yet all these -- all these business decisions were made to add all of these expensive elements to your property in a pathway that leads up to where you knew there was supposed to be a northern access and now coming back and saying, hey, now my property has all these impediments, I put them there, even though I knew that at some point cars were going to have to access this part of my property. Is that -- am I -- am I unfairly describing that?

Because that's what I'm hearing and I -- I -- I want to make sure that I'm not mishearing you.

Eddy: No. You are fairly saying it. But things change and it's changed with how the drive-through is setup and what's happened, you know, and, again, if this was a development that was to happen there, I don't think I have a problem with it, but we can't be guaranteed what's going to go there and with what's happening with apartments today and highest and best use, I could see these guys sell this, because they were all rah rah going to go to apartments and there is -- from a safety standpoint neither one of us would be smart to approve something with an access cutting through my development with that -- that kind of traffic. If it's a retirement home, something like this to where it's minimal traffic, it wouldn't be an issue, but I'm really concerned about what -- since you guys let this property -- didn't approve it in Meridian and now it's in Boise, we don't -- we don't know what's going to go there.

Perreault: Mr. Mayor, follow up.

Simison: Council Woman Perreault.

Perreault: Thank you. We do have a lot of conversations about traffic flow here on almost every application and one of the things we discuss is that usually folks will take the easiest route. They are going to go through somewhere that has the least amount of impediments. So, my anticipation is that you are probably not going to get that many people cutting through this property to get out of -- to get out of that development, because they just don't want to try to drive through your property and, however, if we decide to remove that access now we have removed -- now we have taken out a safety element that should be there in the case of an emergency or in the case of there really needing to be one, but -- but I truly think that with as many -- as many items that you have in that driveway to get out of your property, probably not going to drive through your property.

Eddy: I think people take the path of least resistance just like you said, like the kids that walk over every day, if they think they can get through quicker through me they are going to come through me and that's what -- that's what concerns me. That's what this is all about. I just -- we couldn't buy the property and get a square parcel. I got that dogleg in there and where that dogleg is is where all the fuel tanks are at sitting there and it's not a straight shot. The other part of that is when you come straight from that development you are going straight towards the gas pump and, again, if it was a low impact to use it's one thing, but if it gets into a high impact use, neither one is any good for the community in my opinion. I mean it would be better for me to have the traffic. So, I'm mostly speaking from the standpoint of safety and doing the right thing personally. I would be better to have all the cars come to me and fuel and shop with me, but it's not smart from a safety standpoint with what's already going on the site to have that kind of traffic and have a speedway right through my parking lot.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I know this is a public hearing, but while we have Mr. Eddy up here I would like to ask Deputy Chief Bongiorno about fire access and adequacy of the current site, about this cross-access easement, if there is a need for that. If you could weigh in that way Mr. Eddy could -- could respond as well.

Bongiorno: Sure. Mr. Mayor and Councilman Hoaglund, looking at -- I was just reading through Boise's letter and I'm not going to speak for the city of Boise, but knowing the fire code like I do typically when you have more than a hundred units you are required to have two separate accesses for that property, unless they are fire sprinklered. I believe it's -- you can go up to 200 then. So, my only question would be whether that access to Mr. Eddy's property would be considered their secondary access to the property, because the other two on the east side just go to residences. So, that would be my only question about the -- the accesses. Are they considering that secondary access and if they are I -- I would be agreeable to building the full access and putting up bollards, like Mr. Eddy said, and allowing, you know, classical bollards or whatever to allow foot traffic and bicycle traffic through there and, then, if it needs to be used as a secondary access for the fire department, then, we can remove the bollards, knock them over, whatever type of bollards that Boise would be agreeable to, along with me. So, that's my only question is -- is I feel it should be -- someone should check with Boise to see if the one access is enough for what they are looking for or if they needed that secondary access because of the fire code.

Eddy: Mr. Mayor and Council, I -- that would cost me more money to do that and from a safety standpoint I think I would be agreeable to pay to do that and put the bollards in. I think that size of assisted living it would have to be fire sprinklered, like the fire chief said, but I wouldn't be against doing that, then, that would allow pedestrian traffic from that site into my parcel or through to Hobby Lobby to my sidewalks that are safe that we do have and into my facility from that -- that and it covers the fire issue for myself and that development.

Simison: Council, any additional questions for the applicant? Okay. Thank you, Mr. Eddy.

Eddy: Thank you, guys.

Simison: This is a public hearing. Did we have anyone signed up to provide testimony on this item?

Weatherly: Mr. Mayor, we did not.

Simison: Okay. If there is anybody in the audience that would like to provide testimony, please, come forward at this time and state your name and address and be recognized for three minutes and if there is anybody online use the raise your hand feature so we can also bring you in for testimony.

Martin: David Martin. 23633 FreezeOut Road, Caldwell, Idaho. 83607. And I just happen to work for Stellar Senior Living, who owns the property to the north. So, I don't know that I need to make any comments to you guys. I welcome to answer any questions. I -- I would argue, though, that we at least have that emergency access. Right now it's slated for about 150 living units. It is sprinkled. The access to the west is still on the map -- is going to be -- it's going to be emergency access only. On the -- on the west side -- on the north side that goes to a private residence. That's that parcel that is blocking the Centrepont Way access onto Wainwright. And the access on the west to the south, that goes directly into the Delano Subdivision, which we don't want -- we don't want their traffic coming through an assisted living. It's like Mr. Eddy mentioned, the safety hazards for all of our seniors and everything else. So, we would love to have this access stay open just for emergency access at least. But, again, as Mr. Eddy implied, they come right now. It's crazy. Building costs are crazy. We intend to develop this into assisted living. If not, then, we can look at our options. But we don't -- we don't have any clear exact direction we are going to do that just yet. Right now we are approved for assisted living. That's what we do. That's our wheelhouse and it's a great spot for that. We do have access on Eagle Road. It's right-in, right-out and we barely got that approved with the traffic study, because it's Eagle Road and Eagle Road is crazy, so -- and it's just because assisted livings have very low traffic flow. The trip count was low enough they were able to approve. We were able to get a waiver I believe, too, because the access there is so close to Fast Eddy's and to Wainwright, it was tough with the deceleration lanes and everything else, so that's kind of a tenuous access. It was approved for the assisted living. Something with more units may -- that access may go away, which would, then, require that there would be an access to the south through Fast Eddy's.

Simison: Thank you. Councilman, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I guess a question for staff, but please don't go. So -- just so I understand. So, if the ACHD approval of the access for Eagle Road runs with -- is associated with a property type and, then, we move forward on an emergency access with bollards this evening, then, what would really -- I mean what would happen with all these agencies and Boise if we -- if we approve that, he has no access, can his -- does he have to go for re-approval through the city of Boise if he changes the use or how does that work?

Allen: Mr. Mayor, Council Woman Strader, I'm trying to get all your questions. I'm sorry, I'm a bit brain dead tonight, so cut me a little slack. But -- so, it's ITD that's the road authority for access on Eagle. The city of Boise is the one that approved their site plan. I'm not sure if they -- they -- I'm not sure if they required a cross-access easement to be provided from the assisted living facility to Mr. Eddy's property. It looks like they -- assuming they required the access driveway. Not sure if they would have if we hadn't required it to be a stub on Mr. Eddy's property to their property. I'm not sure of their code requirements. Did I answer all your questions?

Strader: Yes. Mr. Mayor, one more?

Simison: Council Woman Strader.

Strader: Sonya, have you ever seen a situation where we could just say Mr. Eddy needs to put, you know, X amount of money into an account for this purpose and if in the future he doesn't, we could take that money and, then, have a right to ensure that some kind of access is installed to our satisfaction? Have we ever done something like that to try to solve a problem like this?

Allen: Mr. Mayor, Council Woman Strader, I don't believe we can do that. The only -- and only time we can take money is when we are holding up occupancy for a determinant time. From what I understand that's not something we have done in the past nor want to. ACHD sometimes does. It doesn't apply in this situation, but sometimes does road trusts that can accomplish those kind of things, but not in this case. And I -- and I failed to answer one of your other questions. I remembered afterwards. If the land use changes on this site, then, that would be required to go back through the city of Boise for a new approval.

Strader: Mr. Mayor, one more.

Simison: Council Woman Strader.

Strader: Okay. So, if -- if this evening we ended up approving this as an emergency access with bollards, which I'm not sure I'm there yet, frankly, I believe this was within Mr. Eddy's control and he did a little bit of do something and asked for forgiveness later. I'm not like loving that. But if we did that, then, would you be able to communicate with your counterparts in the city of Boise to like let them know the outcome here, so they can calibrate their future decisions accordingly? Or how does that communication work back and forth?

Allen: Mr. Mayor, Council Woman Strader, I can certainly convey that to them. However, they have -- they have approved this site development plan. So, I -- I'm not sure what they would do with that information, to be honest with you.

Strader: Fair enough. Thanks.

Simison: Counsel, any additional questions? Okay. Thank you. Is there anybody else that would like to provide testimony on this item at this time, online or in the room? Okay. Then would the applicant like to come forward for any final comments?

Eddy: Mr. Mayor and Council, I guess all I can say is I have my track record in Meridian. I built my first store in '91. I don't do things that way. I would never do that. I can promise you that. This was a little bit of an oversight by my engineer that didn't show it. It was never done intentionally. You build a site, you do what I did there, and, then, you see the traffic and you see what happens and I can sit and look at you straight up -- it's just a

safety concern for me, because I do care about the community. I care about Meridian and I'm only asking for a request. It's the right thing to do and that's all.

Simison: Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Yeah. I appreciate that. I guess my request back to you would be, you know, things change, I'm not sure what the outcome is going to be, but I would love to have someone who is a community partner, who is doing the right thing, love to see you do anything you can do on your site to try to fix some of the pedestrian safety concerns that you have identified. That would also be the right thing to do. So, I will trust that you will do that.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I wouldn't mind if we had a discussion without closing the public hearing. There might be some questions that might come up or response that we might need. So, if that's okay with the rest of the Council Members to kind of have that discussion as we kick this around.

Bernt: Okay by me, Mayor.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: You know, our Uniform -- Uniform Development Code, the requirement for, you know, a cross-access agreement, easements, and everything is there for a reason and it's a very good one and -- and so when you think through this and take this request, you know, and look at it, it's not something we do lightly. The concern that I have with grant -- with -- with not granting the request to -- and do something other than having a wide open easement for access, is we -- we have got a bad situation there with the apartments, the traffic, the parking and we can't undo that and by granting it it's not going to make it better. Looking at the site and why I wanted to find out exactly where the gas tanks are, now here -- you know, there is -- there is the trash enclosures and he is doing things to make sure that's not visible to folks. It just changes a lot of things that just makes to me the situation worse and, like I said, our code -- it's a good thing to have that access easement, but in this one particular situation I think 99 percent of the time I would probably deny, but I think he meets the high bar of saying this isn't going to work at this particular location. I mean we can get into the reasons why we should have, could have, would have, but it is what it is and I just don't see that improving with -- with anything, even if it

goes to something else. I do agree, I think emergency access with bollards is something that is definitely needed for -- for those safety and for pedestrian access and I think even if you have assisted living you are going to have workers over there that makes it a lot easier for them to access the conveniences that his business offers that they can utilize. So, I think even though it's, again, money out of his pocket, it will certainly come back to him in the long run. But that's just where I am here tonight on -- on this particular issue. I just -- I just don't see it making it -- that situation better and it is a safety issue. It's -- it's not like most of the easements that we -- we have put in that are -- that are typical and for whatever reason it's -- that's what we are dealing with and that's -- that's where I am.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I think -- I think I'm in the same boat. I would like to see the emergency access with the bollards and I am hoping that does improve the situation. It should be a high bar to -- to make these exceptions. Unfortunately, it's just kind of a bit of a conundrum with the Brickyard and I don't think that this will -- providing full access is just going to make it worse, but that being said, I really hope that the assisted living moves forward. I think it could get tough if it -- if it becomes a different use. This area is going to be really problematic. But that's not within our purview tonight, so that's where I'm at with the emergency access with bollards and I appreciate Mr. Eddy's commitment to improve the pedestrian safety in whatever way he can.

Perreault: Mr. Mayor?

Bernt: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, there is four of us here this evening and that's what makes a quorum. I'm not yet at the place where I am comfortable saying that we waive this requirement, so -- however, for the applicant's sake I -- you know, I don't -- I don't want to cause him undue difficulty with us in any way. However, at the same time to be really candid Mr. Eddy has developed multiple properties in our area and he knows how these work and I'm -- I'm sorry for the oversight, I am very concerned about cutting off access to that. So, I'm going to -- I'm going to put that out there and if there is anything else I suppose that could be said or discussed or presented that might help me get over the hump to agree with the emergency only access, I -- my ears are open.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think this evening's dialogue has been crystal clear. I don't think that there is anything more that can be added or anything that can be subtracted from this

conversation at the end of the day. This is no secret. I'm not a big fan of this area of our city. I think that with all of -- with Brickyard and with Delano, this is -- I mean I have -- I have always had serious concerns with this and -- and I completely agree with -- with Councilman Hoaglund's assessment of the situation. To -- to approve what Mr. Eddy is asking for is an extremely high bar. I mean especially in the commercial area where we rely on connectivity. I think it's extremely important. You all know why. In this case it just, honestly, in my opinion, it doesn't make sense and we are making a problem a bad -- I'm going to say a bad problem, but a problem that I don't really like. I think by, you know, opening up this -- this -- this -- this area for -- you know, for -- for traffic use, auto use, I think would make the problem even worse. So, I'm in favor of the development modification that Mr. Eddy is asking for and if there isn't any further discussion, I -- I would be in favor of closing the public hearing and voting on this issue.

Simison: Was that a motion?

Bernt: Oh, more than welcome to make a motion, Mr. Mayor. I move that we close the public hearing.

Hoaglund: Second the motion.

Simison: I have a motion and a second to close the public hearing. Is there any discussion? If not, all in favor signify by saying aye. Opposed? The ayes have it.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Bernt: Mr. Mayor? Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I -- before I make a motion, included in my motion I'm going to include an emergency access with bollards that Mr. Eddy has agreed to. Is there anything else that I have missed that I need to add to my motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor and for legal counsel, is there a time frame that we should be putting on this or, Sonya, staff, is there a time frame? I know those bollards would have to be acceptable to the fire department, but as far as when this would be completed by? I mean if we don't have a date certain it could be five years from now, but --

Nary: So, Mr. Mayor, Members of the Council, as Sonya stated earlier, I mean this is holding the C of O; right? He has a temporary C of O now. If you want to require a date -- I don't know, Sonya, if there is a way to track a specific date, like six months or whatever the time period will be. I have no idea how long it would take to construct the emergency

access there. So, that's a question I have for Planning, because she would be responsible for verifying it was completed by the time period.

Bernt: I can't -- I can't hear. Excuse me, Mr. Mayor. I apologize to interrupt. I can't hear Mr. Nary very well.

Nary: Apologize, Council Member Bernt. What I said was that if we put a specific date -- because, really, right now the burden is on Mr. Eddy if he wants a final C of O to construct this right. Now it -- it can be bonded for, but if you want to put a specific date it really is incumbent on Planning on verifying that it's completed by a certain date. So, I don't know they have a method to do that in the Accella system and that's the only thing I was asking of Planning.

Bernt: Okay. Got it. Thank you, Mr. Mayor.

Bongiorno: Mr. Mayor?

Simison: Deputy Chief.

Bongiorno: I was just going to say I -- I have been typing an e-mail in anticipation as we have been -- as you have been talking. So, as soon as the motion is made and approved I will send the e-mail to Mr. Eddy and Sonya.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Isn't the point of leverage that the city has for -- sorry, it's kind of a crude term, but the issuance of the COs -- I think probably the motion should reflect that this would take place before issuance of the final CO.

Simison: That would seem to be why we are here.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, it sounds like there has been several requests for an extension and temporary certificates approved. Is this the last that will be permitted?

Allen: So, Mr. Mayor --

Perreault: And what have been the -- can you share with us the reasons for the past approvals?

Allen: Mr. Mayor, Council Woman Perreault, Council, this has been the reason for the previous extensions on the temporary C of O there. They currently don't have a C of O. It's expired. I'm not sure why the building department didn't renew it. I know they were waiting to issue a final C of O until this issue was resolved one way or the other. But from what I understand their temporary C of O is no longer current. So, something needs to be done. The temporary C of O needs to be extended or if this requirement is waived, then, the C of O will be issued.

Simison: It sounds like we are going to need a temporary C of O regardless, because they shouldn't be in there if they don't have a temporary even. So, that's a separate issue that needs to be addressed. We can take care of. But one of my initial questions was can you have a temporary C of O forever? So, again, kind of going back to the question like when does the temporary C of O cease to be an option or an opportunity, under what ordinance, code, et cetera? Have we hit that point?

Nary: So, Mr. Mayor, Members of the Council, from -- from my understanding with the building department, I mean they will give specific deadlines and dates to complete these and they are looking for milestones of some sort. So, I don't know whether or not, you know, this winter I don't know whether 90 days would be reasonable. Certainly six months would be reasonable, in my opinion, to be able to complete the work for that. After that, again, if no further C of Os are directed by -- by this amendment that no more C of Os could be granted -- temporary C of Os could be granted after six months, it would require Mr. Eddy to come back within less than six months to say I cannot complete it because of X, whatever that X may be, and you have to hear it again and decide. So, that's -- that's probably your best bet to get it completed within a reasonable period of time, because he could not -- if -- again, if his C of O gets revoked that's a whole different problem that he certainly doesn't want to have and neither does the city. So, frankly, that's probably your best way to do it, to get some finality to this without it being bonded and, then, having to revoke bonding. Mr. Eddy doesn't want that either and neither does the city. So, that probably is the easiest way to move this along, get some finality, get some eyes on it and, again, put some direction both on Mr. Eddy as the owner and the City with him in conjunction to get this done. That would be the best in my opinion.

Simison: So, I'm sorry, Mr. Nary. I am so confused. You said that they weren't eligible for the temporary C of O, but don't they need to have a temporary C of O?

Nary: No. They -- I mean right now from what it sounds like they have expired. So, I mean --

Simison: I guess my question is can you have a business that's in a temporary C of O for 20 years, if the building department continues to issue them?

Nary: In theory under our code it's not specific as the building official's call. Our past practice has been we don't allow that indefinitely. So, they do want finality to it.

Simison: Understood. But it's not illegal.

Nary: It is not illegal.

Simison: Okay.

Nary: The building officials can allow it.

Simison: That's all I wanted to have verification -- okay.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: If the Council waiver doesn't pass what happens with the development agreement modification? How does that affect the C of O? Is the applicant permitted to submit another development agreement modification if they -- if they would have an alternative solution to the problem? Can you help me kind of understand how all that would tie in?

Allen: Mr. Mayor, Council Woman Perreault, if -- if Council denies the proposed development agreement modification then the current development agreement provision stands. It would be up to the building official at that point whether or not they choose to extend that TCO or not. If they don't -- I mean the applicant needs to construct the driveway and provide a cross-access easement. If they still don't wish to and want to provide something alternative to that, as you -- as you mentioned, then, certainly they could submit a new application. From staff's point of view --

Hoaglund: Mr. Mayor?

Allen: -- preferably that we get this handled now and not be back here again in another -- you know. So, I don't know if there is any alternative, though, that the applicant would like to pursue, if it would -- you want to continue this or not? I don't necessarily think it would, but --

Hoaglund: Mr. Mayor?

Simison: Mr. Hoaglund.

Hoaglund: I was just going to say --

Allen: I think a decision just needs to be made, quite frankly, on whether or not a cross-access -- the provision should be waived or not.

Hoaglund: Mr. Mayor -- and I think Sonya is correct. We just needed to deal with the issue that's before us and it is a request to -- to have a development agreement modification to not do that and we are going to require, though, an emergency access with bollards that are acceptable to the fire department. I think a time certain of at least six months -- that's

one of the things we don't control and Mr. Eddy won't control is availability of construction folks and materials and all those things that we know that's going on in the world right now, but if that is an issue he can come back and say that wasn't reasonable, here is the situation I'm dealing with, and we deal with it then. But I think six months and, then, see where we land after that and, then, we just move forward.

Simison: That was close to a motion.

Hoaglund: Well, I thought Mr. Bernt was going to make that motion.

Bernt: Go for it, Brad. Go for it. Go for it.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After considering all staff and applicant testimony -- and public testimony, I move to approve File No. H-2021-0068, the development agreement modification as presented in the staff report for the hearing date of November 30th, 2021, with the condition that an emergency access only is created with bollards that are acceptable to the fire department for their access purposes.

Bernt: Second.

Hoaglund: And -- and that the work be completed, if possible, within six months.

Bernt: I will second again, Mr. Mayor.

Simison: I have a motion and a second. Is there discussion on the motion?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just want to make sure we are formulating it in a way that it technically works. So, the staff report recommended denial. So, I just want to make sure we are approving the waiver and not the staff report, because I think that -- and maybe I'm just -- maybe I'm being overly persnickety. I apologize. Mr. Nary will set me straight.

Nary: Mr. Mayor, Members of the Council, no problem, Council Member Strader. So, what's going to come back to you is findings to that effect is what your motion is and, then, we will prepare an amendment to the development agreement that Mr. Eddy will sign and, then, he will, then, work with the building department on the temporary C of O to get it done and, again, obviously, if he can get it done sooner than six months the better for him, better for the city, but that should cover the -- the necessity, as Council Member

Hoaglund stated, but, no, I think we have it covered that we will be able to bring back the appropriate findings and amendment.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I might answer Council Woman Strader. So, to cut through the legalese, the applicant requested the modification to the development agreement, so that's what we are approving tonight with -- with our additions to it, so -- yeah.

Simison: Is there further discussion?

Bernt: Nope.

Simison: Clerk will call the roll.

Roll call: Borton, absent; Cavener, absent; Bernt, yea; Perreault, nay; Hoaglund, yea; Strader, yea.

Simison: Three ayes. One no. Motion carries.

MOTION CARRIED: THREE AYES. ONE NAY. TWO ABSENT.

Simison: Council, do we need to take a quick break? Okay. We are going to take a ten minute break and we will pick back up at 8:15.

(Recess: 8:06 p.m. to 8:16 p.m.)

17. Public Hearing Continued from November 23, 2021 for Regency at River Valley Phase 3 (H-2021-0059) by Bach Homes, Located at 3270 and 3280 E. River Valley St. and 2480 N. Eagle Rd.

- A. Request: Modification to the existing Development Agreements (Inst.#113005608 – SGI and Inst. #2020-062947 – Bach Storage) to remove the property from the existing agreements and create one new agreement for the development of a 134-unit multi-family project.

Simison: All right. Then we will go ahead and come back from recess and go into our next item, which is a public hearing continued from November 23rd, 2021, for Regency at River Valley, Phase 3, H-2021-0059. We will have staff comments for this public hearing.

Allen: Mr. Mayor, I'm having technical difficulties here. All righty. Thank you. Mr. Mayor, Members of the Council. Make sure I'm on the right project here. This project was

continued from October 19th Council meeting to tonight's meeting in order for the applicant to have time to address concerns discussed during that meeting pertaining to traffic generation from the proposed development, impact to West Ada School District, sustainability of the multi-family development on this property and if the new phase would meet UDC standards for open space amenities, parking, and et cetera. The applicant is here tonight to address those topics of discussion for you.

Simison: Thank you. Council, any questions for staff? Ask the applicant to, please, come forward.

Whallon: Thank you, Mayor, Members of the Meridian City Council. My name is Brandon Whallon. Physical address is 25 South Ruby Street, Boise, Idaho. 83706. This is a follow up for the meeting that we had on October 19th. I'm not sure that this is the PowerPoint that I put together, but we can just talk off the --

Allen: Brandon --

Whallon: No. This is fine.

Allen: No. I have -- I can get it up real quick here. I thought you had one.

Whallon: No. No problem. So, this is a response to the concerns that were raised by the Council at the October 19th meeting, specifically the traffic that would be generated from the new phase and the safety of the existing access on River Valley Drive. The additional student load to the West Ada School District. The existing development agreement modification and the creation of a new development agreement. Suitability for a multi-family housing project located on Eagle Road. And if the new -- new phase could meet the development code requirements, open space, off-street parking, landscaping, open space and site amenities through the conditional use permit review process. So, this is the existing main access point to the Regency off of River Valley Drive and so the first point of discussion is the modification of the development agreement. This is the property that's just north of the existing mattress store. You can see the right-in off of River Valley Drive and there was an A and a B component associated with the development agreement for this parcel. On the right-hand side you can see a retail. It would be just a speculative retail building or to the left you can see a smaller speculative retail building and a restaurant with a drive-through. That was the development agreement that was approved for the southern most piece of property. The other development agreement that is in place was for the self storage unit, as you can see here, on the northern piece of property. Bach Homes has owned these properties for some time. They did try to market them to various commercial entities. They would go under contract, but when it came time to lease and/or sell the property the people realized that there were just limitations and restrictions associated with access that would not make it functional or profitable for them and so they would not close on the contract and so Bach, then, re-examined it and said if we aggregate those two parcels and remove the existing development agreements and come forward with a new development agreement for phase three of the Regency, they could get 134 living units on that property and so

that's what our request is tonight. On the left-hand side you can see the E-shape of the building. That would be five stories in height. On the interior of that you can see areas where they have allocated for amenities, fire pits, barbecue areas and there will also be, as was discussed in the last hearing, an access road that goes from north -- from River Valley Drive northward through our properties to the Great Wall restaurant and, then, the property to the north of that is going to develop and the approval for the Great Wall restaurant is a temporary access point to Eagle Road and when either the backage road, as Caleb called it, develops from River Valley going north or from the property that is north of the Great Wall, when either of those two properties were developed and that backage road was created, the temporary access to Eagle Road would, then, be terminated and so we have had discussions with Caleb and JoAnn Butler was representing the owner of the Great Wall and the property to the north, we told them that we have seen great utility in that backage road and that new access point to the north of the Great Wall restaurant being improved, because as Ms. -- Council Woman Perreault asked at the last hearing, if there is only a right-in, right-out to this phase it's going to be very difficult to get on and off the property, but if people can go north on Eagle Road past the Great Wall into the new development and, then, take a write off of Eagle Road and, then, take a right onto this backage road, that provides them another opportunity off of Eagle Road to get into this property. You also have the right-in, right-out directly off of River Valley and, then, we are also planning to remove three parking spaces between phase one of the Regency, so that direct vehicular access can go from phase three to phase one. So, it really diversifies the number of locations that people can come on and off the property and we have brought -- we did generate a scope -- a traffic study with ITD and it was submitted and approved by ITD and we have the traffic engineer here tonight if you would like to ask him any specific questions with regards to traffic on the property. This slide just shows the amenities that will be provided on the site. Firepits. Hot tubs. Kind of an outdoor picnic area underneath the pergola. We are looking for this -- this development to be for young professionals and so those are the types of amenities that we are trying to provide on the property, but we are looking to provide an easement to phase one and phase two. All amenities that are provided throughout the site, the clubhouse, the pool, the spas, the gym facilities, will be available to any tenant from phase three as well. So, it will meet all of the amenity standards standalone, but they can also use all of the existing amenities provided in phase one or phase two. And this is the backage road that I was referring to. It will be a direct route from East River Valley Street around -- along the backs of the -- the mattress store where we are proposing phase three of the Regency and the Great Wall restaurant go across the slough that's being -- I think being underground at this point in time, that water channel, and, then, there is a proposed access point there to Eagle Road that we think will be a great access point for phase three of the Regency. This is a depiction -- another question that was asked how safe and effective is the main access point to Regency One and so I went and looked at the Idaho Transportation Department's safety dashboard and they show crash history data going from January of 2016 through December 31st of 2020 and there were four documented property incidents at that main access point. So, that categorizes a fender bender and no physical harm or physical injury. So, with that we would respectfully request to remove the existing development agreements associated with the one property that could be retail or retail with a drive-through restaurant and the other parcel, which was identified and approved for self

storage, we would like those two development agreements removed and replaced with a new development agreement for phase three of the Regency at River Valley creating 134 new residential units and with that I would stand for any questions that you may have.

Simison: Thank you. Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Yeah, I have a couple questions. The amenities looked really interesting. Where would those be located? Are those on the roof of the building? Are they in a plaza in between the building? Like help me understand that piece.

Whallon: If I could go back -- remember the building is shaped like an E and so there would be open areas within that building and it was within that area inside of the -- one more slide and I think we are there. Yeah. On the left-hand side there the --

Strader: Okay.

Whallon: So, the building was kind of wrapped around that outdoor amenity area.

Strader: Like kind of a plaza?

Whallon: Yeah. Like a plaza.

Strader: Got it. And, then, I think you mentioned it's going to be five stories tall. So, I'm assuming that that's elevated. Have you worked with the fire department at all in terms of, you know, now it's like a higher building there should be different requirements?

Whallon: Absolutely. Yes. Mr. Mayor, Council Person Strader, yes, it is -- we will meet all UBC, IBC standards and this building -- in the past Bach Homes has built many different buildings and one or two would have an elevator. In this instance one or two elevators would serve the entire building and so it does provide that service and capacity and kind of cut costs as well.

Strader: One more, Mr. Mayor.

Simison: Council Woman Strader.

Strader: So, I'm assuming it's not stick built then. Are you -- just curious what kind of construction materials you are using considering the height of the building.

Whallon: Mr. Mayor, Madam -- Council Woman Strader, I'm not sure if it's type four or type B. The -- because it is five stories that is a threshold where you have to go to a different building type. They are going through the conditional use permit process. Once

they have the conditional use permit approved, then, they will generate the construction drawings, submit for building permit review and the building department will ensure that we are meeting all of the codes for a five story building.

Strader: Thanks. That's helpful.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor and -- to talk a little bit more about the conditional use process, the site amenities will also be part of that consideration when you go through and you are proposing that, you know, have to have cross-access to the other phases, they can use those amenities, and we have talked before about the site and some of the constraints you have space wise for amenities and hoping that -- but if -- if that does not come about, if staff looks at it and says, you know, you need to have, you know, the required amount of amenities, where do you -- how do you -- how do you move forward with that? Is that doable or -- or --

Whallon: Sure.

Hoaglund: -- just kind of concerned about not being able to meet our code requirements if that's -- that's what's required for that particular site.

Whallon: Sure. Mr. Mayor, Council Person -- Councilman Hoaglund, as I understand it through your UBC -- or UDC, Uniform Development Code, the number of amenities required is based upon the number of units you can provide and so our architects are looking at how much area they have and can they get one amenity? Can they get two amenities? Can they get three? They are saying they can get four amenities on the property, which would allow them to get 134 units. So, they are going through the conditional use permit process and they have submitted that material to the staff for their review and so I think that if staff may come to the determination that that doesn't count as an amenity, you only have three, then, our unit count comes down. So, our unit count -- it's a standalone project. It has to meet the requirements of the Uniform Development Code or -- yes. So, based upon the number of amenities that they can provide on site will dictate how many units are able to -- on the property, it stands alone, and we are just saying, hey, you people in phase three if you would like to use any of the amenities in phase one or two you are more than welcome to, but unit three -- or phase three will meet all of the Uniform Development Code requirements through the conditional use permit process.

Hoaglund: Mr. Mayor. Thank you for that response. It sounds like you do have a plan, so thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have several questions, so I would like to ask your permission to go through them back and forth.

Simison: Have fun.

Perreault: Thank you. My first question is now that you -- now that you know that there is going to be a road that's going to access further to the north -- north of Great Wall, did the -- did the owner, developer, applicant -- you and your team make any consideration of -- of potentially taking this back to commercial use? I just -- I want to really understand before we forego this high traffic important corner that we -- that you have exhausted all the options.

Whallon: So, Mr. Mayor, Chairperson Perreault, we have considered it and they still think that the access that is provided -- I looked at the -- the traffic study. There is 55 trips in the peak p.m. hour. Less than a car per minute. That's suitable for somebody who is going to their home, to their residence, they will go through a little bit of a diversion and go a little bit out of their way. Not going to be a big problem. But somebody who is looking for commercial uses, who wants to do some shopping, they are going to make their decision based upon how close they can park to the front door of that business. The path of least resistance I think we have heard earlier this evening. And so it's just our opinion that we are still not going to be able to satisfy the access requirements of a commercial use on that property. They have tried -- they have had -- they have held the property for three, three and a half years. I know this is the -- the backage road going to a new access point on Eagle Road does change things a little bit, but we have talked internally and we just don't feel that it's marketable commercially for retail or services.

Perreault: Can you shed some light for us on that concept plan having been put together in the first place, if there was just not due diligence done or if there is some factors that have changed since then as to why commercial would have been originally proposed. The state regulation for right-in, right-out and difficulty getting access to Eagle Road hasn't changed for quite some time, so -- so, Mr. Mayor, Council Woman Perreault, it was time. They got those parcels at different times and so they got the first parcel and we are looking at opportunities and it wasn't big enough for multi-family residential development and so they started the speculative retail, just a strip and, then, they thought maybe they could entice a restaurant user to come onto the property and so they market it that way. Got the development agreement in place and, then, the other parcel to the north became available and, again, at that point in time it was -- there wasn't -- the access wasn't defined and so they said, hey, it's still not going to function, you know, for -- as a storage unit the access would have been fine, not generating very many trips, but my discussion with Ms. Butler was a week ago and -- and she was asking us to have a uniform -- or a unified request before the City Council for the access to be emergency use only and for there not to be any cross-connectivity from Eagle Road into phase three of the Regency and we said that we -- we don't think that it's -- it's going to be very difficult to get on and off the property without that access -- that right-hand turn off of Eagle Road and so we wouldn't

-- we decided we were not going to participate in a uniform -- unified request of property owners asking for that road to be blocked for general use. We think it provides all of the good reasons why you want connectivity between different uses is present in this location and we just thought it was -- it was paramount, it was very important for the success of this, even multi-family residential development, to have that right-hand turn off of Eagle Road and that's preserved. The Great Wall property loses it, but it moves just a little bit to the north and, then, they can still -- their customers can -- I think that's changing. It's going to be an antique store and something else. So, it's not going to be a restaurant, it's -- it's not going to be a restaurant, but we think it will be a great new neighborhood.

Perreault: When -- what is the timing of the development of that in relationship to what you are planning? The road.

Whallon: Yeah. Mr. Mayor, Chair Woman Perreault, we think they are ahead of us now. We thought we were ahead of them, that we would be further along through this process, but I think that they are looking to develop and have their new store in 2022 -- late 2022 and we don't think that will be even turning around until 2023. So, they are at least a year ahead of us.

Perreault: Thank you. Can you bring up the slide that shows the traffic flow with the arrows? So, over on Records Avenue it looks like there is an access to phase one from that location. Does that loop around and eventually connect to the new backage road? And is that a way for phase three to get out to Records Avenue without having to use Eagle Road?

Whallon: Yes.

Perreault: Okay.

Whallon: Mr. Chair, Madam -- or Council --

Perreault: Council Woman.

Whallon: Council Woman Perreault -- yes. And it's maybe tough to see, but if I can get the -- this drive aisle will be common. People can come around this way, they can come onto the property here, and this is phase two back here or they can drive in this way and this is going to be our connection, we are going to take out three parking spaces and this will be the connection from phase one to phase three. So, people can make a left-hand turn in and come back this way to get into phase one. They can go a little bit longer to make a left-hand turn and come back this way. If they are coming westward on East River Valley Street they can make a right-hand turn in and either one -- any of these three access points they will be able to get across this connection right here to phase one. Or phase three. Excuse me.

Perreault: Thank you. As I shared last time, anyone who is making a left is going to head out to East River Valley Street. That's just -- they are not going to go north on the backage

of the road and try to head out that way and make a U-turn, they are going to use East River. So, I still anticipate a significant amount of traffic through the first and second phase. I don't think that that's going to go away. And we talked about, you know, the traffic -- the traffic study -- first of all, we didn't get a copy of it. We got one little page of it that was in your letter that really didn't provide enough information. Secondly, I had asked about information regarding the traffic flow within the development of phase one and phase two at the last meeting, meaning I wanted to know if there were any concerns with traffic internally, any reports of accidents. I don't know if your property management team keeps track of those things or not, if there is cameras, that -- that watch that, but, again, I have driven through that numerous times. There are sections in there where you cannot get two cars going side by side. It's -- it's narrow and when people are backing out you sometimes cannot see and I just -- I think that just phase one and phase two the -- the drive aisles that go around that are very narrow and I don't -- I just have a lot of concerns about adding potentially 200 more cars coming in there, if they are already narrower as they are. So, I was hoping that I would see more information about traffic flow. Any -- any concerns regarding space accidents, anything along those lines, within the existing development, not just on East River Street. The photograph that you provided of the entrance to the -- of the main entrance is actually taken from across East River Street. If you get up closer to the entrance it certainly isn't that big and doesn't look that big and when you drive around that little loop, you drive around that center piece, it's -- it's not always, in my opinion, the safest way to -- to be accessing that. So, the way the traffic is you are supposed to -- if you are off to the right come around the circle and head back in when you are heading west and so you are going to have individuals that are continuing to do that that are going to be heading towards phase three.

Whallon: Mr. Mayor, Council Woman Perreault, I think that there is a learning curve, much like any roundabout, that people the first time they come onto the property they might be a little bit confused on how it actually operates, but their second, third, fourth time they show up they understand that they go around the circular landscape area and, then, they can stay on the right down a drive aisle. I think that -- I think the development meets all of the drive aisle width requirements. It's not anymore narrow than any other multi-family housing complex, because that's dictated by the fire department meeting their minimum -- I believe it's 24 foot wide drive aisle and so I think that it's similar to any other multi-family housing project in the -- in the city.

Perreault: Thank you. I will ask our -- I will ask Chief Bongiorno if he can comment on whether that drive aisle is the correct width if you include the additional 134 units. Hopefully he will be able to share that with us. Thank you.

Bongiorno: Sure. Mr. Mayor?

Simison: Deputy Chief.

Bongiorno: Mr. Mayor and Council, for a multi-story building like that drive aisles need to be at least 26 feet wide for ladder truck access.

Perreault: Thank you. Is there a way for us to confirm that that's the case?

Whallon: Mr. Mayor, Madam -- Chair Woman Perreault, I don't have the --

Perreault: Sorry. Council Woman.

Whallon: Council Woman Perreault.

Perreault: It's okay.

Whallon: I would assume that Chief Bongiorno ensured that those were 26 foot wide drive aisles when they built that. I think this project was built back in 2014 maybe. Phase one. So, I -- I don't have a measurement and I do have the traffic consultant here and maybe that's something he could speak to, but I was operating under the assumption that when the construction drawings were submitted they were reviewed and it met all minimum standards for drive aisle widths.

Perreault: Well, they -- it would have for that size of project, but now we are adding another 134 units, but we are using the same width of drive aisle. That's the question I'm asking. Do you -- do you understand what I'm saying?

Allen: Mr. Mayor, may I address the question?

Simison: Yes, you may.

Allen: Council Woman Perreault, it -- when we do development agreement modifications -- just to back up a little bit -- we only require conceptual development plans and this is just for the -- changing the use of the property from what was previously approved. Detailed review of the site plan takes place with the conditional use permit application, which is submitted after assuming the development agreement modification for the change in the use and the development of the plan gets approved. So, we will do that evaluation at that time and all the agencies that are involved do submit their comments at that time and any changes will -- will be required to take place before they can develop the site as they want. If they can't comply with those changes, then, we don't approve their development. So, anyway, I just wanted to clarify if that helps at all and at this time it's not a detailed review, but they do have to comply with all of those requirements and life safety stuff at the time of development.

Perreault: Thank you. I appreciate that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: If Council Woman is good then -- I have just a couple that just came up for me. So, I have a question about pedestrian connectivity. I'm a little worried and I think what's

so hard for me with this -- it's so -- it's so backward to me. We are doing a DA modification and, then, we are going to have a CUP process and the City Council may not see this again. That's why you are getting all these like detailed questions that your answer is like, well, in the CUP process we will handle it, but for us this isn't -- this is like the last time we might see this. I like totally hate that as a control freak type personality. So, talk to me about how you are going to try to ensure there is pedestrian connectivity between phase one and phase two and phase three.

Whallon: So, Mr. Mayor, Council Woman Strader, as you can see -- and its light, there is a sidewalk network. You can see the striped painting or the change of use of materials for pedestrian connectivity from the building here over to phase one and, again, there is another pedestrian connection and, then, there is also a direct pedestrian connection out to River Valley, so -- and, then, as well as from the front of the building out to a ten foot wide landscape and pathway that will be out along Eagle Road. So, there is a network of connectivity for pedestrians throughout phase three tying it to phase one.

Strader: Sorry, Mr. Mayor, if you will permit me --

Simison: Council Woman Strader.

Strader: -- a series of questions. So, if you are trying to go from like the pool or like the central amenity in the phase one, phase two part, it looks like there is a pathway, but, then, I'm assuming these are carports or something. I can't really tell. There are white kind of rectangular sections here and, then, it just occurs to me sort of odd that there is no pedestrian entrance that sort of center -- centrally accesses the building. Like I'm just wondering if -- if you are -- if you are in phase three and you want to go to the pool or whatever the central amenity is in phase one or phase two, is there a more direct way of getting there?

Whallon: So, Mr. -- Mr. Mayor, Council Woman Strader, there -- there is breaks in those carports. That's what you are looking at is the roof of carports. But there are breaks that pedestrians can go through and get on to the pedestrian network that's associated with phase one. It is somewhat of a retrofit. There wasn't the intention of tying phase one to the west of a new phase, so we are looking for opportunities to create a network from phase three that will tie into phase one and, as I stated, it is a retrofit, but we are going to do the best we can to make a safe and fully functional non-motorized connection throughout the development.

Simison: Council Woman Strader.

Strader: Thank you. Yeah. I guess I -- I would hope -- because it looks like you have a nice kind of pedestrian connection here facing the middle of the E, if you will, and, then, maybe you could get rid of a couple of these carports or something. A couple things. So, have you thought about -- there seems to be like a traffic situation that Council Woman Perreault has alluded to. Have you guys thought about maybe directing your traffic one way, you know, kind of circulating through this site? I mean it occurs to me as an option

for you. I don't know if that's something you guys have looked at. Maybe like get a circulation pattern going in a clockwise direction or something as a way to help. So, curious if you have thought about that and maybe we could hear from your traffic guy. And, then, the other question for the traffic expert -- maybe just a parking question, you know, how utilized is your parking. Are you charging extra for carports? Do you have full utilization of those? Is that part of why you have so much parking on the street? Help us understand how you are going to try to make sure that the, you know, roads are not totally getting blocked.

Whallon: So, Mr. Mayor, Council Woman Strader, all parking required for the development is on the property and we try to keep it about 1.7 parking spaces per unit. We -- we want it to self park. We don't want to impose our parking on other people's property. That creates contention. Parking under a carport is a premium and so that is something that's an add on as associated with their base rental unit and, then, they can have a reserved parking space, they can have a reserved carport parking space, they can also have a garage or they can just choose to be an open parking. So, it's -- it's -- it's somewhat of a regulated entity within the development and people kind of gravitate towards paying a little extra for a parking space that's closer to their front door and so it's a --

Strader: Yeah. I totally get that. I, myself, have owned like small multi-family units, but what I -- what I want to understand, though, is -- is your parking being fully utilized and do you have capacity -- like do you have the ability to flex your pricing on your carports or whatever people are subscribe -- subscribing to to try to make sure that that parking you have is being maximized in a way that makes sense if you have a traffic issue?

Whallon: So, Mr. Mayor, Council Woman Strader, it is a very fine balance and we try not to overpark, because, then, that's just wasting space time -- or space and money for parking spaces that's underutilized and we also don't want to be underparked, because, then, we run up against imposing our parking on our neighbors. The one thing that does kind of benefit, if there is -- if we have underparked a space -- typically it's full at night when other businesses are closing and, then, everybody's getting up, going to work, typically before some of those businesses open up, but we don't like to rely on that. We do not like to impose ourselves on other people. We try to hit it just right. We are where we are providing just enough parking to meet the demands on the property.

Hales: Mayor, Council Members, my name is Ryan Hales from Hales Engineering. I will be before you tonight and maybe in the future on a couple more projects that we are working on here in the area. I am a civil engineer by background. I'm a -- I also have an AICP certificate, so I also -- we do planning and engineering. So, we do a lot of transportation masterplans. The question that you asked, Council Member Strader, is a great question. When we look at some of the large facilities that we have worked on -- we just finished Key Arena up in Seattle and doing some traffic analysis up there, sometimes we will look at one way circulation where we -- we are circulating a large amount of traffic in one direction and it becomes a very efficient way to move traffic. Through a project like this we are much better to have traffic moving both directions, just because the -- the parking is 90 degrees and so it's more efficient for traffic moving in and

out, but it also creates what we call side friction. I think it's already been noted by Council Woman Perreault? Perreault? Sorry. Is that right? Great comment. When we -- when we look at traffic what we have is that side friction slows the traffic down through a project like this and so if we do have a crash typically those crashes are low impact, low speed and low severity, which is all good and we -- we appreciate that. The question about the amount of traffic going through the project -- typically a two lane road can handle up to about 10,000 ADT. Because we are in a parking lot we are, obviously, a lot lower. You have got a lot more side friction, a lot less things happening. The additional traffic from this project will be somewhat minimal as an addition onto what's already there and we are planning a lot of this traffic mostly to move north-south through the area, except for those left turns that you spoke about. Very astute in your analysis. We have looked at it and we think the traffic will flow fairly well through this project. We know the pinch points are really where we get out to State Highway 55. I grew up in the area here and I used to travel a two lane road up to my grandparents cabin up in Cascade. We would get in the car and travel along and I have seen this grow -- this whole valley has grown in such great ways, but this -- this road is a tremendous road. It's carrying a lot of traffic. We are talking about 40 to about 42 thousand cars a day. That's a lot of traffic. When you look at a five lane road -- a five lane road capacity is somewhere between 30 and 35, thousand ADT. We actually have a lane imbalance on this road. We have three lanes in the northbound direction and two lanes in the southbound direction through this segment. We are handling a lot of traffic, but it is -- it is kind of at its peak. The analysis that we ran was for years 2021 and 2023 and under full build conditions we can handle that traffic. There may be a point in the future where we need to change the timing of the signal in the green phase that is in the westbound direction to clear out the queues to allow left turns to come out. Anybody who is turning left would have to come out the main access of the project and, then, meander over to make a left turn at the light. There are dual left turn lanes in that location, which makes it a lot more efficient and a lot more available to do. There is very few through movements going westbound through the intersection and the right turns move fairly quickly with the light and they can -- they can diminish quickly. That being said, it looks to be a very efficient project getting the traffic in and out and especially with the cross-access easement going to the north. Again, we don't anticipate a lot of traffic cutting through there, but we know there will be some. But, again, with the side friction it will be slow moving. Any other questions, Council Members or Mayor, that I might be able to address?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Is there any anticipation that visitors to the commercial to the south are going to use that backage road to get -- to make a right more quickly? Sometimes that River Valley Street gets backed up, especially during Saturdays and Sundays -- high -- high shopping days times.

Hales: Yeah. Great question. We anticipate there will be some cut through going through, but we think it will be minimal, again, because of the parking conditions. When

you have a lot of side friction -- and you will see this in a residential neighborhood where you have garbage cans that are put out or cars that are parked on the road, it tends to narrow that travel the way -- and that width down. Because it will be at 26 feet, which is the fire code, we know we have a certain width, but people are concerned about others backing out and it just slows traffic down with that side friction. So, we are hopeful that we won't get a lot of people cutting through.

Perreault: Mr. Mayor, follow up?

Simison: Council Woman Perreault.

Perreault: I was speaking specifically to the backage road, so I didn't anticipate you would have those kinds of impediments that there is -- is there going -- intended to be off-street parking -- or, excuse me, offsite parking on that backage road?

Hales: I would consider it on site, because --

Perreault: Is that -- is that a private road that belongs to that site only that's -- that's not for public use?

Hales: No. I think it is -- well -- and I can't answer all the questions, but I do believe it to be for public use. But I do believe there is also cars that will be backing out into that. It's not specifically a roadway from what I understand. It will be cutting through the site. Did I represent that correctly?

Simison: Sir, if you can get on the mic -- microphone.

Whallon: So, Mr. Mayor, Council Woman Perreault, it's -- it will not be in an ACHD roadway, but there will be an access easement from north -- North River Valley Street -- or East River Valley Street to the north where it meets back up to Eagle Road, each property owner conveying cross-access to all patrons and parties -- to all the other properties associated with it. So, everybody is extending a cross-access to everybody else.

Perreault: Mr. Mayor, if I may?

Simison: Council Woman Perreault.

Perreault: We have some other areas of the city where we are just really seeing people cut through neighborhoods, cut through areas that we wouldn't have, especially around Eagle Road and so if that is, indeed, a private road, I would highly recommend that it be -- that there will be signage -- that there be some -- something that specifies, because I don't think people are going to care if it -- who has a cross-access easement, if they see that there is a way to get through it they are going to take it.

Whallon: Mr. Mayor, Council Woman Perreault, I think that's a great comment. It's kind of the -- you know, water goes to the path of least resistance and people driving cars do the same thing and if it will benefit both the safety of the people crossing that drive aisle and people using it, I think there are blue signs that you can put up that say it's -- it's private, but we are all extending cross-access to each other, so we all know that our customers and our tenants -- we can all use this road and, hopefully, it's not super inviting for people who don't live or shop in this area for them to be using it.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Thank you, Mr. Mayor, Members of the Council, again, I don't know if this is the Council's concern. I'm glad that the amenity package on phase three will meet the requirements for the site and not borrow from the other sites. That was kind of the conversation the last time. But you used the word retrofit. So, I understand Bach Homes owns all of it, currently one and two and three, and so putting in cross-access, pedestrian pathways, is totally within your control, allowing access back and forth between one and two and three is totally within your control, but nothing in phase one and two's development agreement requires that in the future. All of it is on three saying everybody in one and two can come here and everybody in three can go there, but we need to amend the other development agreements if the Council thinks that amenity offer that you are making is important to the future of this development. You will likely own this together, I guess, but you may not. You may not own it all in one piece forever or -- or it may not be one ownership forever. So, I don't know if that matters to the Council. If it does we are going to need to amend one and two. If it doesn't matter to the Council, because your amenity package is adequate for your site, then, we don't have to. But right now it's really just your goodwill as the owner of the entire project to create that connectivity, but there is nothing guaranteeing that for the future for the one and two phase.

Whallon: So, Mr. Mayor, Council Members and Mr. Nary respectfully, yes, that is our intent to make this as one unit, to function as one. The clubhouse, all of the amenities that are located within there. A full gym. They have suntanning booths. That's where the hot tub is and the pool. We want to make sure that people that are in phase three are welcome and can use any of those amenities. So, we intend to extend an easement to phase three that all of the amenities that have been provided in phase one and phase two are available to any tenant for phase three, but phase three is a standalone review through the conditional use permit process. We will meet all of the standards, open space, landscaping, off-street parking and amenities based upon the unit count that we are shooting for and so we are anticipating for this to be as if it's one apartment complex, it's just growing in size.

Nary: And, Mr. Mayor, just one follow up.

Simison: Mr. Nary.

Nary: Mr. Whallon, I certainly have no -- no concern about that and, again, it's not a requirement that I think we -- we have to mandate, what I'm saying is if it matters to the Council that you do what they are saying you are going to do, whether Bach Homes owns this forever or another entity owns this, that this all be one unit, the only way to guarantee that in my head is to amend the existing development agreement for one and two to assure that. That's totally a voluntary decision on your part to bring that forward. But extending that still would require a development agreement -- a modification. I mean you could -- you could do it, but the DA mod has to match that. So, I mean, again, if that's something the Council feels is important you want to commit to, but it's not necessarily required today, it doesn't have to be and the Council is comfortable with you saying we will just follow up with that as a future piece, that's up to them. I just want to bring that up if that was important I just want to make sure that was out there. Because right now I think it's important that you have made that clear that to your attention, I just wanted to button up the legal piece of making it an actual permanent requirement for all of it to be used as one.

Whallon: So, Mr. Mayor, Members of the Council and Mr. Nary, I'm not an attorney, but I'm under the impression that the development agreement determines how the property is developed and so phase one has already been developed. So, I'm not sure that we would have to modify the development agreement, but just record an easement on that property conveying to phase three that all amenities located within this property are available to you and record that against phase one, benefiting phase three.

Nary: So, again, I don't want to get two hung up on the legal stuff for everybody. Yes, that's correct, you can do that and that will allow it. The only people that can, then, enforce that is the people that live in three and they would, then, have to take a private cause of action to bring that forward. If you amend the development agreement now it becomes an ongoing existing contractual relationship with the city that one and two will always allow three to access its amenities if somehow you had two separate owners or a future owner says I don't like this arrangement, I just want everybody over here to use this piece, right now we can't force them to do it differently. If it's in the DA the city could help and assist saying, no, this is all one. That's what we wanted. That's what they promised. We want it to remain that way. The city, then, has the ability to do that. So, those are the difference between the two. The easement allows it by private agreement. The contractual agreement with the city allows the city to say, no, our intention was that they would all be one thing. Totally if that's what the Council wants that would be the way we would have to achieve it.

Whallon: Respectfully understood. Thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Mr. Nary, question in that regard. So, the applicant is proposing that the existing DAs go away; right? And, then, a new DA is -- is -- is written. So, then, if one

and two goes away -- or the original DA or the two -- I don't know if there was one or two originally. If those go away, then, would there still be a need to modify them or would that not just become a requirement in the DA that's replacing the original?

Nary: So, Mr. Mayor, Member of the Council, Council Member Perreault, the DAs that we are asking to be removed are the ones for the parcels on the west, not the parcels of River Valley one and two. The one that was a commercial development and storage. So, it's those two that they are asking. What I'm saying is I don't -- if the Council's desire is to move forward with this project you don't have to hold it up by saying you won't move this forward until they bring a DA mod on one and two of River Valley, but if they are going to make a commitment they will do that and you are comfortable with that commitment that they are going to do that within the next period of time, that's up to you. Or if you want to make a condition in the DA for this to say before the final CO of the final product they will bring forward a DA modification for River Valley one and two. But whatever trigger you want to make that's within your purview, if that's your desire.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Love that. It makes perfect sense to me if that's your intention I think that I personally, as one of -- one of the folks up here would definitely want that. I have a question for Sonya. I wish there was a way to kick this to Planning and Zoning and follow the CUP process to have it come before us for final approval. Is there a way we could do that? Maybe a question for Planning and Legal.

Allen: Mr. Mayor, Council Woman Strader, there is no way as -- as code is currently written, no.

Perreault: Mr. Mayor?

Simison: Council Woman Strader -- Perreault.

Perreault: Yeah, I start getting a little bit loopy at this time of night. Has the conditional use permit already been -- application already been submitted?

Whallon: Yes, ma'am, it has.

Perreault: Has a hearing date been set?

Whallon: They are waiting for this process to end before they will put it on the schedule.

Perreault: Okay. So, this -- it does have to go in an order of this happening before the CUP goes before the Planning and Zoning Commission? Okay.

Simison: Can I back up with the transportation elements and its -- I was not here when this was -- I was not here when this first came through, but I don't know if this has been discussed, but Deputy Chief, I'm -- how was the fire department planning on accessing this facility generally as you see it?

Bongiorno: Well, Mr. Mayor and Council, I mean as it sits our only access is that access off River Valley. So, we either have to go around and north or the other reason why we require two accesses is for that -- is that cross-access from phase one to phase three, we need that also if the other access is going to be there. I mean it's going to be hard to get to period. To answer your question. We can get there, but it's going to be a tough route.

Simison: And in what time frame? Have you mapped this one on the response? Because if it's a ladder truck required, it's got to come from Station 1 --

Bongiorno: Correct.

Simison: -- coming down -- and I'm guessing we are well outside of a five minute response with a ladder truck to this location -- I didn't want to use the -- circuitous or -- a circuitous route you are going to have to take in order to serve, because --

Bongiorno: Yeah.

Simison: -- you have got to go down past the Great Wall and come back through that space or you got to come up Records and take a left on East River Valley or a right in because of the challenges that otherwise exist.

Bongiorno: Correct. Yeah. I'm pulling up the map. So, that piece of property falls -- real quick. Yes. That piece of property does fall within our five minute area.

Simison: For Station 1?

Bongiorno: For Station 1, yeah. So, it's just that -- it's going to be an odd shot like -- like you had mentioned to get there. We are going to have to go all the way past, circle back around, once that road -- that backage road is built, but in the interim the only access is to circle all the way through and go through the existing complex to get in there. That's going to be the quickest way, because you can't get that ladder truck to do a U-turn in the middle of East River Valley Street, plus they have curbing up that won't allow it anyway. So, it's going to be a challenge for an engine or a water truck period.

Simison: And that's -- you know, we can all be our own traffic engineers, but I think long term the -- the primary access for this facility is to the north of the Great Wall.

Bongiorno: I agree.

Simison: That's where people are going to enter from. So, even the conversations about this -- you know, when I was looking at this and I'm seeing parking on both sides of what

is, essentially, the road and the conversation about there being -- you know, you are -- with the Great Wall's current location's access going away, you are creating the backage road. It's not a private -- through a residential area 26 foot full access, it is the access for other businesses, whether we like it or not.

Bongiorno: Yes.

Simison: And so when I -- at least when I look at the design with this -- I see a traffic challenge occurring for everybody through this, that's -- I don't -- that doesn't help anything, I just think it exists.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Yeah. And question. You sat here through our previous hearing and dealt with cross-access and those types of things. You know, when I look at this and you see the amount of traffic -- and you are absolutely right from a traffic perspective friction does slow things down. I mean it can be useful and sometimes we forget that, because residents -- we had one over here by St. Luke's where residents -- no more traffic, no -- the parking on the side streets is causing us to slow people -- you know, it's too much, but yet it slows down and they wanted slower traffic, so -- but how -- help me understand how this is not a similar situation where you have a lot of activity and yet this is going to be the focal point for people to get to another business and when this eventually goes through and connects and there is going to be other areas that it won't be a cut-through area in a way that can -- can this remain safe designed as is. Like I said in the earlier hearing, I'm more used to the cross-access -- access agreements that are private and they are set aside for that function and with limited points to these different -- in most cases commercial. So, is that something that's doable or is that something that's completely out of the question? I know you have got five stories, you need adequate parking, but is there a way to get there?

Whallon: So, Mr. Chair -- Chair, Council Member Hoaglun, I would just offer that a residential use generates less traffic than a commercial use and so -- and they are kind of focused, they get up and leave primarily in the morning and don't return until the afternoon, whereas if this was commercial in use there would be people coming on and off the property all day long in higher numbers. But I do think that with -- with careful striping and articulation or different use of materials, those will help calm traffic, slow them down a little bit, which provides a benefit. It might frustrate drivers a little bit, but the slower the speeds are the safer that that development and drive aisle can be. I don't know if you want to add anything to that.

Hales: You know, the only thing that I would add to that is as you look at the access point, the Great Wall, their access is probably going to come primarily from the north. People will pass by on Highway 55, they will see the Great Wall and they will turn through that north access to come back and so what we are hopeful is that we don't have people really

trying to cut through the entire site to navigate to it. What we talk about is we talk about destination retail. You know, a destination commercial of some type and this will become more of a destination site, especially with that right-in, right-out that -- the temporary right-in, right-out removed, it will become more destination based. So, again, people will most likely come from the north, access that area through the apartments. Will still have some coming from the north and around and we will have some coming from the south as well. So, I agree. I understand your question. Your question being it could be a -- its entirely its own road and just be a backage road itself. Unfortunately, the site doesn't permit that with the -- the width of the site. Good question.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just to follow up. Yeah. And your points are good and I think it's a death nail for whatever business goes into the Great Wall, it just makes it so difficult. How do you tell people how to get there. Oh, go through this parking lot of the apartment complex and, then, you are going to turn -- and that's fine. We don't know what's going to happen to the north. I mean, again, from our discussion from earlier tonight, you know, what's going to happen, what does it look like, what are the access points? Is that going to be commercial? Is that going to be apartments? We don't know what. I would like to know, because that would help determine, because I think you are right, that will just become more of a local point for people to go through and I do like the fact you have Records Avenue, that gives you access to Ustick Road, it gives you access to Fairview, you can go right or left, there is a light, you know, so there are some good points about this that open up options for people when -- when they travel, it's just that particular road there -- and I didn't know -- I noticed you had parking slots to the right, if -- if that road could be slid over a bit and keep the parking on the left side to kind of create some separation, but -- I don't know. It's -- it's just a struggle to -- to make sure this is all going to work and -- and again -- and I don't have a problem with the apartments on Eagle Road. I -- you know, they will fit there and people who want to be there will rent those and so that's -- that's not my issue. It's more just how will that flow work and is it going to be something that's going to be a major issue later on, but, anyway, appreciate the -- the answers that you gave.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe we could chat about the schools, too, if that's possible to get into that. So, that definitely has been an issue -- consistent issue in Meridian, consistent issue from the last time you were before us. Centennial is over populated right now. I think it's like 107 percent of capacity. You talked a little bit about your timeline. Have you chatted with the schools and how this would work with your phasing and when you think this project would be delivered?

Whallon: So, Council Chair Simison, Council Woman Strader, I had not reached out to West Ada School District. I think the number of students they said would be coming from phase three were at 14 and I -- I'm not sure that that number is true high or low. They are the professionals in that regard. But I do know that we are looking for this phase to be angled or marketed towards the young professional that's going to, you know, be -- want to be out there on the street, see the activity and they are primarily studio and one bedroom units and so we are not creating too many opportunities for too many students to be generated, but I do know that a lot of people when they make a decision on where they are going to want to live, it's either because of the school district they want to be in or because it's close to work and if those are the two factors that are determining where somebody is going to live and they are looking at this apartment complex, then, if they can't get into this apartment complex they are probably not going too far away from it. So, those 14 students are still going to be within the West Ada County School District.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. And, thanks, I appreciate that. I'm -- I don't know. We have received a lot of different information from the school district lately, so I have a hard time with this formula and everything, but maybe walk me through your unit count and the mixture of how many studios, how many one bedroom, and how many -- really, how many two bedroom are we talking about? I agree that your amenities -- it seems like what you are planning right now is really geared toward young professionals or, you know, empty nesters and so forth, but if you can walk me through the unit mix that you are planning on.

Whallon: So, Mayor Simison, Council Woman Strader, I don't have the final count. The architects are still working on the floor plans trying to figure out exactly what it is that they are going to submit through the construction drawing process, but I'm told of the 134 units approximately 40 of them will be two bedrooms and, then, the rest will be evenly divided between studio and one bedroom.

Strader: Thanks. That's helpful.

Perreault: Mr. Mayor?

Simison: Just real quick, can we see if there is anybody -- are we ready to hear from -- if there is anybody else that wants to testify or are we still --

Perreault: I have got one question.

Simison: Okay. Council Woman Perreault.

Perreault: Thank you. Did you -- so, when the notices were sent out for these hearings they only went to property owners, which means that the city did not require you to notify

any residents that are living in the first two phases. Did you voluntarily do that on your own? Were they invited to ask questions, have discussions and, in addition to that, did you talk with a property management company and get information regarding how many children are -- oftentimes with leases you will list the number of people in your unit and how many -- how their ages are. Maybe their leases aren't requiring them to do that, but that's common. Did you look into any of that information to help determine how many children might be living in those units? How many are currently in phase one and phase two? Are people only parking to the -- I mean I have parked in there in different times of day and night and it's packed. It's packed. Did you use any of that data that you have from the first phases to help determine what's going to happen in the third phase?

Whallon: So, Mr. Mayor, Council Woman Perreault, as to the pre-planning events that happened before we submitted our application I can't speak to. When I was before the Council on October 19th that was my sixth day of employment with Bach Homes. So, I came in somewhat -- the ship had already sailed to an extent. But I know that Bach Homes out of Draper, Utah -- I live in Boise. I have lived here for the last 17 years. But Bach Homes, they are home, townhomes and apartment builders. That's what they do. And they learn through the process and so they have kiddie pools, the -- the smaller wading pool and those kinds of amenities associated with phase one and phase two and they have provided them for enough -- for the child count that's there, they have got plenty of outdoor play opportunities for them. In this instance the phase three, they are really targeting it towards the young professionals and they are making the amenity package compliment that. So, it's -- they are really looking for two different audiences or capturing all of the audience's that may be out there, whether they are more interested in phase one or phase three, depending upon what lifestyle they want to choose. So, they are -- they are not looking to replicate what they did in phase one in phase three. They are looking to do something different. So, the child count in phase one and two is not what they are after in phase three.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I get that, but they -- if -- if somebody -- I understand that, but anybody can rent it. They can't -- they can't not let someone rent it because they are targeting a certain audience, so I think you have to prepare for -- for it anyway no matter who they market it to. And I'm sorry they throw you into the deep end of the pool a week being into -- but I would hope, though, that they would be utilizing the information that they have in the first two phases to benefit the -- the acceptance or approval of this and I'm surprised that they aren't, you know, using that information or that you don't have access to that information to help do that.

Whallon: So, Mayor Simison, Council Woman Perreault, I'm not saying that they don't. They have got two architects on the -- on the staff that are continually updating the plans and are drafting the floor plans as directed by the company owners and so I'm not saying that they haven't taken that into account and that they are -- they haven't learned or know

exactly how they want to build phase three and the unit mix and the amenity package. Those are all things that the owners are taking into consideration before they make this type of an investment in the community and they want to make sure that what they are doing is not duplicating, replicating or redundancy, they want something fresh, they want any -- all -- all audiences to be entertained on the site and so I think that they -- I can't speak to it, unfortunately, in the -- in the terms that you want, but I know that they have got two architects on the staff that are continually updating and making sure that the investment that we are looking to make in this property is not only a good investment today, but ten, 15 and 25 years down the road.

Simison: So, with that let's see if we have any public testimony. We may not, we may get right back into all these questions, but, Madam Clerk, do we have anyone signed up provide testimony on this item?

Weatherly: Mr. Mayor, we had one sign in and it's JoAnn Butler online.

Simison: Okay. We will go ahead and hear from JoAnn. If there is anybody else online that would like to provide testimony on this item, please, use the raise your hand feature, so we can bring you in the conversation.

Butler: Thank you, Mr. Mayor. Can you hear me?

Simison: We can. State your name and address for the record.

Butler: Sure. JoAnn Butler. 967 East Parkcenter Boulevard in Boise representing the owner of the property that is called the Great Wall property. I apologize for not appearing with you or on screen, but think of me as looking very much like Councilman Borton with a hoodie and the Kleenex next to me, just without the beard. So, let me take -- bear with me if I take more than three minutes, but I'm going to answer a lot of questions that I think were raised by some of the Council Members. I'm going to focus only on our concerns with condition number four, which is found on page nine of your staff report and we have a suggestion for a change and thank you, Sonya, for leaving that particular map up showing the drive aisle that people call a backage road, but it is a drive aisle through private property. As it goes north over the South Slough it will continue going north to the commercial property to be developed there and it will also go east to the residential property that will look somewhat similar to what the part of the -- the existing apartments look like. Perry Coles purchased the Great Wall restaurant just a few weeks ago and after reviewing the various development agreements and issues and talking with staff and with Mr. Whallon, which we really appreciated and the neighbors to the north, we brought up this idea of an emergency access only between the Great Wall property and the northern boundary of what is the Regency phase three, because of the change in land use going from commercial to residential and because of the fact that the road is going to be built to the north. We appreciated having those discussions and we want to say that historically there has been, you know, the -- the stage has been set. The master development agreement governing the properties in this area requires backage access roughly parallel to Eagle Road serving properties that front -- properties that front Eagle

Road and Meridian Code limits access in the vicinity of Eagle Road and strives -- strives for backage for properties that front Eagle Road. But we have a large concern with that development agreement condition number four, because this condition appears to premature -- prematurely determine the scope of the cross-access, especially by providing backage access to property that doesn't front Eagle Road. Condition four calls for cross-access to provide -- be provided across our client's private property to allow traffic to come from not only Regency phase three, which is 134 apartments, but also from Regency phases one and two, which don't front Eagle Road, with I believe almost 300 apartments. I'm not sure that this is either appropriate or perhaps even illegal to send all that traffic through the private property. As Sonya said, we understand that the devil is in the details and it typically comes out in the conditional use applications, but we would like to try to see if we can make a demarcation of emergency access, so that traffic from the Great Wall going north goes -- it continues, you know, serving the property north of the North Slough and that the backage access goes -- continues going south for phase three. As one of the Council Members just mentioned, this does look like the death nail to the Great Wall property and several Council Members have speculated how is this even going to work. Do you need to stripe it? Do you need to sign it? How -- you know. And that's -- that's a lot of traffic going north. So, we think that what should be done -- it should not be done today with this condition number four, which says that there will be cross-access, taking all phases one and two through our client's property, but wait until the -- not with the DA mod, but wait until the conditional use project comes forward and more information is known about the traffic, the traffic flow -- perhaps we can avoid a situation like we found in the project that was before you immediately before this one. So, I -- best of all possible worlds for us would be to have an emergency access only at that point where phase three and the Great Wall property meets. Appreciate the fire chief's comments on needing that emergency access and I would -- I guess we would suggest if you go forward with this that we have a change to condition number four, so it reads something along these lines: That the scope of a cross-access agreement for the properties, including Regency phase three, and the properties immediately north and south, shall be identified during the Bach Homes conditional use permit hearing. That will also allow our client the time it needs to perfect its conditional use application that it must make and work further with the folks at Bach Homes and we can also, then, bring more information to you about the schedule of construction as we go north. So, I -- I really appreciate if you have any questions of us, but we -- we just definitely don't think that other -- we are sorry that it's not going to be commercial and it's become residential and that much more traffic will be sent through our client's property and we don't think it's appropriate to send phases one and two through that property and -- but, you know what, we don't have all the information today. We don't have that traffic circulation and those numbers. So, I guess I'm saying that we should at the very least kick the can down the road to address it when that information is known at the conditional use hearing. Thank you. And I will be happy to answer any questions.

Simison: Council, any questions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor and JoAnn, thank you for your comments. I was just happening to be looking on Google Earth before you spoke and I was looking to the -- the properties to the north where the grocery store used to be and where Chili's is and Five Guys and -- and, you know, they -- they have created a specific drive aisles and -- out of parking lots. I mean it's -- it's various distinct, they are separate, but it allows that access and it looked like to me -- and I had in my head all along that it would be like, well, that's kind of what I expect all coming down to the south and that matching up someday and I don't know what's going to go in that property that's just to the north of the Great Wall, but I can see that, someone's -- you know, former Trader Joe's -- I can't remember what's there now -- coming down and saying, hey, we want to go to this establishment and can come down there to that and I'm intrigued by your idea and, then, at that point that's the last commercial or retail or whatever the Great Wall turns into, because, then, it turns into residential. Yes, you have Mattress Firm there at the corner, but that's kind of on an island by itself and it kind of fixes my concerns about the amount of traffic and how that goes through and it was my comment about it being a death nail for that retail -- for the restaurant there with that type of -- type of structure or parking access -- I'm sorry -- drive access to -- to the Great Wall. Do you know what any -- anything more about the property to the north of the Great Wall and how that's going to develop and is it feasible -- and maybe you know somebody can't say, that's fine, but is it feasible to have that type of drive aisle coming down from Five Guys behind there and continuing on that would access to the -- to the Great Wall?

Butler: I can tell you what I do know from talking to GGI, the folks that own the property to the north, they are in the process of extending the -- the -- the south slough there and that would access the Great Wall and that they will continue going north and they will have very similar -- it looks -- their concept plans look very similar to what you see before you on that -- on the page right there where you have got commercial fronting along Eagle Road and residential to the east along Records Avenue and so that is what they were planning and what we have been talking about with them is, you know, that that will allow access from Eagle Road into their property and, then, going south to the Great Wall property. Does that answer your question?

Hoaglund: Yes, it does. Thank you, JoAnn.

Butler: Okay.

Strader: Mr. Mayor?

Simison: Council -- Council Woman Strader.

Strader: Just a question for staff. I -- I really wish that we could see all of these applications come at the same time, see how this would work, really like flush this out. Give this applicant a chance to work with the folks that purchased Great Wall. Is -- is there a way to continue this or run this concurrently with that application? I'm just trying

to brainstorm. Is there a way to -- to take that sort of an approach, because it's like we need a holistic solution for this part of the city.

Allen: Mr. Mayor, Council Woman Strader -- correct me if I'm wrong, Mr. Nary, but as current code reads Chapter Five, Title 11, calls out the procedure for conditional use permit and development agreement modification applications. They both only require public hearings, development agreement modification before Council, and the conditional use permit before Commission. If you wish for a code change to be put into process or conditional use permits to be run concurrently with DA modifications when applicable, we can certainly look at that, but as is I don't think we can change our process outside of our code requirements.

Strader: Okay. Let me just interrupt. Oh, go ahead, Mr. Nary.

Nary: Mr. Mayor, Members of the Council, Council Member Strader, what I was going to say is -- I mean the reason they don't work in parallel is because they can't. I mean right now the reason the DA mod has to be a decision point prior to CUP is because they can't consider the CUP if you're not going to allow them to do it anyway. So, until you allow this use to change and be this new use, there is no CUP to consider. So, that's one problem with the CUP DA mod being congruent. If it's a different application that's being heard for -- for the Great Wall piece or the east-north of that -- well, again, that's a completely different application process that's going to go through the neighborhood meeting, you know, P&Z, Council approval -- I mean those -- there really isn't a method in our code to make them all sequentially unless it's one big project and that, again, doesn't have very much.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yep. Get what you are saying. Maybe just -- I will cut to the chase where I'm at. I'm not comfortable moving forward right now. I just don't feel like I have enough information about how this is going to come together. I would prefer -- like I definitely don't want storage here. Like in the grand scheme of things I would much prefer to see -- ultimately to see a nice residential development here. I think that would look great. But -- or retail. But I -- I think it works. If what they have right now is not viable, but the issue I have is -- I just don't see how this is flushed out with the access and I don't think it's appropriate to approve this now when this is our only bite at the apple. I would prefer to continue this for several months, if needed, to give you guys a chance to work with the owners of the Great Wall and I would like to see that property come before us first. That's just me.

Hoaglund: Mr. Mayor?

Simison: We are -- we have someone -- do we have questions for the person testifying? Otherwise, I'm going to go to the next person who is testifying to make sure we get them

through, because we are still going to have a long conversation. So, is there a question for JoAnn at this point in time from Council? Okay. We do have another person who has signed up to testify. So, we will recognize Alex Dahl for three minutes. If you would state your name and address for the record.

Dahl: Hello, Mr. Mayor and Members of the Council. My name is Alex Dahl. I am the architect of the project. I work for Bach Homes and I live in South Jordan, Utah. 12348 South Little Sahara Drive. And I just wanted to kind of point out some of the things that are written in the staff analysis as to what we are trying to accomplish I guess with this particular conditional -- or this development agreement modification and what the staff has recommended approval for this development agreement modification because the future land use map has indicated that they have desire for high density residential in this area and that the vicinity to the commercial and retail restaurants to the south and, then, also the Kleiner Park and senior center to the southeast indicate that this would be considered one of the desired uses for this particular parcel and that as we continue to develop our plans -- this is currently in conceptual design. We haven't really flushed out any of the details. We are hoping to get a development agreement modification done so that as we move through the conditional use permit application that we might be able to develop this plan further, so that we can meet all code standards and all zoning standards put into place for this parcel. Considering the cross-access agreements that are in place on this site, we are doing our best to be able to adhere to those cross-access agreements and allowing for that backage road to go from the south to the north connecting East River Valley Street all the way up through to the additional retail and commercial properties to the north. As far as some of the other concerns we -- we just want to make sure that everybody is aware that as Bach Homes we are planning to continue to develop this further with the help of the planning and -- the planning department to be able to meet all code requirements and to adhere to the zoning requirements for this particular site. So, if you have any questions for me, please, go ahead and --

Simison: Council, any questions? Okay. Council Woman Perreault.

Perreault: My apologies. I don't have a question for Mr. Dahl, but JoAnn had her hand raised and, then, I'm not --

Simison: I think it was just raised because -- from the original time.

Perreault: Oh. Okay. Thank you.

Simison: So -- seeing -- seeing no one else wishing to testify, would the applicant like to come forward for any final comments?

Whallon: So, Mayor Simison, Members of the City Council, I really do appreciate the dialogue, the questions, the detailed elements of the plan that you want to know about, because it's important, it's a part of the community, and once it's built it's going to be there for 25, 30 years. It needs to work from day one and 30 years down the road. So, I just want to say that Bach Homes has looked very diligently at making this a productive -- not

-- not a vacant piece of land, but a productive piece of land. They did look at different commercial uses, commercial retail, speculative retail, then, they looked at the storage units and then -- then the plan as the thought -- as the acquisition of land grew the thought that a third phase of the Regency, which has been a very successful project for them, it started to make more sense. I appreciated Ms. Butler's comments. We had several phone conversations talking about the type of development that would happen, the timelines in which that would happen, and, then, we just -- we felt that the backage road was something that, you know, really was important, but at this point if -- if making that just an emergency service vehicle access only, in speaking with our traffic consultant we still would be above level of service standards required on East River Valley Street, so it will still function and so we could lessen -- reduce the impact on that new property owner to the north that will be taking over the Great Wall property and they can go in their direction with the backage road and get their functionality out of it. We can have a backage road on our side and there is connectivity for an emergency service vehicle in that instance that they would be able to go north to south or south to north. We can make that concession today. But aside from that the specific floor plans, the materials that we will use for the surfaces, you know, all of those are still being worked on by our architectural team in plans for that conditional use permit and they have to get this development agreement modification in place first before the city's planning department will allow us to move forward with that conditional use permit. So, I know you have a lot of questions still and we did try, honestly, as hard as we could to hear what your comments were on October 19th and respond to them in a way that made the project more clear. It sounds like we still have some questions, but I think that a lot of those questions are really the questions that staff scrutinizes during their review of the conditional use permit process, whether this development agreement was in place ten years ago or we are modifying it and putting a new one in place today, their review for a conditional use permit for a multi-family housing project and this zoning designation is going to be the same review. So, you know, this is -- that's -- that's their opportunity to look at the development standards and look at our plans and make sure that we are meeting all of those requirements and so -- so, I'm standing before you today to consider removing the development agreements on the two existing parcels that face on North Eagle Road, replace it with the development agreement that Sonya has proposed, page nine of the staff report, and allow us to move forward through the conditional use permit process where staff has the opportunity -- allows us to really truly cultivate the plans for that review by staff through the conditional use permit process.

Simison: Thank you. So, I didn't have the benefit, again, of the first meeting and just to help me understand, even based on what we have heard -- so, every single parcel on this mile is going to be retail commercial, except for these two, and so my question from what we are -- tell me why these two won't work as retail commercial? Is it that they won't work or you prefer them not to work? And, again, you are talking about -- you said 30 years. We are really making 75 to 100 year decisions here. Is it that these two won't work tomorrow for commercial or they won't work in three years for commercial when everything else on this entire stretch of road has been built out as commercial and these two parcels need to be the outliers. Can you at least explain to me why that needs to be the case? Is it need or preferred?

Whallon: So, Mayor Simison, as I was told they had these parcels on the market for a long time. Went through the process to get the development agreements put in place through the city and those -- those were years apart in getting those approvals. Then they went out to market trying to do long-term leases or sale and they couldn't get anybody to close on the property and the comments that they got back was it was access. That was the limitation. And so that's when they decided that they had to take another look at what they were going to propose for this property and that's when they decided, hey, it's big enough for another phase of the Regency. So, I think that -- and as Mr. Dahl stated and which was in Sonya's staff report, the future land use map of the Comprehensive Plan does say North Eagle Road or these arterials are a suitable place for high density residential.

Simison: I understand that component. I -- I guess the point -- we understand that this -- this -- these two parcels have been a challenge for years because of not knowing what was going to happen with two other areas, but kind of going back to Council Woman Strader's point, now that you are trying to get more clarity on the access issues, both for the Great Wall and for the additional parcels, do those access issues still exist? And if so, is it because of the East Valley left in not -- is that the issue? Because that to me would be the only thing that I could identify as a potential reason why commercial would not be suitable once you have the parcel to the north come in for application and you, essentially, create the frontage road from Ustick down to East River Valley, you know, so it's -- whether or not Council thinks commercial or residential is appropriate I think is one question, but I'm -- I'm just -- personally I'm not convinced that commercial is not a long-term best viable option in this, because -- in other words, what we are essentially saying this, yeah, except for we -- we really want you to get back out on Eagle Road or go down through Records and come up through one of the other residential areas to get access to the other commercial in that area. If we are putting bollards in to prevent north-south movements what makes it okay to not allow north-south through multi-family, but we are going to allow east-west through other residential areas, which I have driven through those areas when I leave Five Guys and hop on Records to get out. That's how I go through is other people's homes, because that's what you do in a lot of ways. So, some of this is not meant to be responded to. You have answered the question I think to the best of your ability. So, I will leave it at that, more for up here's consideration as they think about next steps. I'm sure you are not going to get out that easy. I'm sure there is more questions coming, so I wouldn't go very far.

Perreault: Mr. Mayor?

Bernt: Mr. Mayor?

Simison: Go to Councilman Bernt.

Bernt: I am listening and I know I haven't spoke very much this evening, but I'm just sitting here in my office at my home and enjoying the dialogue. So, I appreciate what's been said. I appreciate what's been said by the applicant's presentation and by the dialogue from my fellow Council Members. I don't -- I don't mean to bring levity to tonight's public

hearing, but anytime Mr. Nary speaks as much as he does, you know, in a land use application causes me for concern and I completely agree with -- with the Mayor. This -- this application just is just too complicated. It's -- there is -- there is a lot of moving parts that don't make quite -- this doesn't make enough sense for me to be able to vote in favor of it. I do not support continuing this for any amount of time tonight. I believe we need to make a decision. We have already continued to once and with that -- with that said I won't be in favor.

Simison: Council Woman Perreault.

Perreault: Mr. Mayor. Believe it or not I don't have anymore questions for the applicant. No. I have the exact same -- exact same thing that you just -- that you just shared. This is foregoing just an area where commercial -- commercial is really intended. That -- I mean that's -- that's what is existing in this area and foregoing that I really think that it needs to be taken seriously and I think we are taking it seriously to the extent that it needs to be and, you know, a couple of us have asked how long the -- the applicant has marketed that property, not because we are under the assumption the applicant hasn't tried. Obviously they are -- they are trying to make a profit and that's what they do, but we have had applicants come before us that have tried to market properties for 20 years that have not been able to. So, for us, understanding the time frame and the process by which the applicant has really gone to lengths to -- to -- to use the property as is currently approved, it's helpful for us to understand that, because, really, we are being asked to -- what we believe exchange the -- the primary and highest use for this for something that is that -- it's not that residential isn't a high use, it's just about placement: right? And so we are -- we are asking so many questions because this is really critical and I still don't feel like we really truly have an answer on any details -- any specific details on what the applicant has done to try to fulfill the DAs as they currently are in terms of -- I guess, okay, they have -- they have -- they have attempted to do so. There is, obviously, access issues and there is, obviously, access issues whether it's residential or it's commercial. So, I don't feel like putting residential in here solves the access issues. It creates different ones, but they are still there and -- and that's all I had to share.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think I, yeah, kind of said my piece earlier. I -- for me I just -- I don't think it's there yet. I -- the door is not shut with me. I don't think that it's inconceivable, but that -- you guys could figure out a way. I think the right way to go about doing this to really make it work and at least to satisfy all my questions would be to work with the new owners of the Great Wall, figure out the access, figure out this backage road, how it's going to work. I'm actually of the opinion -- like I hate the idea of just closing it and just making emergency access. I think the answer in this situation is more connectivity and more outlets for traffic and not less, but I would just need to see that flushed out more. So, I hate to -- I don't love the idea of totally shutting the door on it. I don't also love continuing things for a long time period. So, I get where Council Member -- Council President Bernt is coming from.

Yeah. I mean my -- you know, again, a lot of detailed questions, but there is a good reason for that, because it's not going to come back before us. You know, I -- I get some of my fellow Council Members' points about, you know, ultimately we have zoned this a certain way for a reason. You know, at the same time, you know, I kind of question is, you know, storage really like what I would love to see there; right? Like another giant storage facility -- like the highest use of this property in Meridian; right? Like -- or just a drive-through restaurant? Like that's not -- like this could be beautiful. I mean I think you are -- I like what you are doing with it. I think you are orienting it toward young professionals. I think there is a need for that type of housing. I could definitely see this working, but it would have to be a lot more flushed out with the access and I think it would have to -- there is -- it's just too complicated with the amount going on in this area of the city. I think there is an order you have to go in. I think the Great Wall and you guys need to work together. They would need to go first. We get through that plan, you know, together and if it -- if it was all coordinated there is a way to do that, but -- yeah. I mean I will kind of -- you know, I would defer to the applicant what they want -- if they want an up or down vote I would vote no tonight. If it was keeping it open to flush it out more with, you know, other property owners in the area I would definitely be open to that.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Along those lines of Council Woman Strader, you know, I agree with her comments, you know, storage, really? And -- and it's a nice storage. Very nice storage. Yeah. But, you know, this is -- this is mixed use regional and, you know, housing is encouraged. Staff is recommending approval, because of the -- for -- for the development agreement modification and my question for staff, for legal, I guess, is, you know, Ms. Butler, you know, talked about in the DA provisions on page nine of the staff report, item six, number four, about the cross-access easement and proposed some other language. That may work, but I don't know. But we can't get to that point unless we do this step here, but what I -- what I need to know from -- from staff is the fact that can you get somewhere if we take that next step, go to the CUP, or is it still going to swirl? Is that -- is the cross-access the issues that we have been talking about -- because I am -- I am intrigued by that proposal. If that's going to be residential and you have that access to and from East River Valley and through the -- their other phases that might work. But, then, it's not true cross-access, but a lot of places do have gaps where it's not continued. You would have the commercial portion coming all the way from Ustick Road down to Great Wall and that's quite a stretch, so -- but I don't know if that's the appropriate place to consider things like that, item number four, in the -- in the conditional use process, Sonya or Bill. I would like your thoughts on that.

Allen: Mr. Mayor, Councilman Hoaglund, I believe it's appropriate to consider as part of the conditional use permit -- permit process. Mr. Nary, do you have any other thoughts?

Nary: I mean I agree. I mean part of it is going to have to be handled through the conditional use process once we get to the use that you are comfortable allowing. What

I'm hearing -- and, again, this is a modification of the development agreement, so this is entitled property. They have a DA with conditions to build a commercial unit there, storage and commercial with a drive-through. So, what I'm hearing the Council say, if -- if the direction this Council would like to go is to deny this request, it -- what I heard was, one, that the Council wasn't convinced that this isn't a viable property for commercial use -- not a residential commercial use, but a pure commercial use. The adequacy of access has not been flushed out with the property to the north and that the access to River Valley and out to Eagle Road through the northern property hasn't been defined well enough at this point, that there is limitations, that the alternative that was proposed as a potential of emergency access only was actually less desired, because it limits the access, but because these are drive aisles and not -- not necessarily backage roads, it's, again, not flushed out on how that will be functioned, how that will be used, how that will be used for parking, access, uses within both this property, as well as both to the north and the south. Those are all the variety of things I have heard that were concerns that can't seem to be addressed through this application or through the testimony you have heard in both hearings. So, if that's the case, then, that would need to be part of your motion, that that's why you are -- would be denying this project, because all of those things have not been satisfied to you versus -- as you know, I just want to avoid us saying we just don't like it. You don't like it for those reasons is what I heard and if there is others, then, certainly you should probably include them. But those are the primary ones I heard. Because, you are right, I don't think we can solve some of these things -- some of it just by our code until we do a revisit, if that's what you would like to do. It is going to be a CUP, not part of a DA modification.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just to follow up with a question to Mr. Nary. However, it doesn't get to a point you raised that I think is -- is relevant is the DA modification of phase one and two.

Nary: Yes.

Hoaglund: And is that something that can be addressed at the CUP level or is that a completely separate process?

Nary: So, Mr. Mayor, Members of the Council, Council Member Hoaglund, no, that would not be a CUP process. So, what the applicant proposed was -- was committing to an easement to allow -- since they own the property they can grant an easement, which is true. As I stated before, that only grants an individual person's right to access. So, they would have to enforce that on their own. If the desire is to create a joint unit that has free access between all the phases of the development, then, it would be required to amend the development agreement for River Valley one and two. If the Council wanted to put a condition in this development agreement that says prior to final CO -- and we would have to determine what that point would be -- an application -- or they will have completed a DA modification of River Valley one and two before final CO can be issued, that would be

your way to at least guard that particular piece. The other one, though, again, I don't think the DA is the tool. I think you are right, if those concerns exist this is too early. It's premature, because it isn't worked out with the other adjacent property owners and -- and, frankly, the road isn't there. I mean it doesn't exist yet and it won't, but it's not even planned yet for north of this piece. So, right now it will stop at the -- at the Great Wall piece today. So, I mean those conditions can't be satisfied through this.

Simison: So, for those scoring at home, looking for either a motion to close the public hearing or a motion to continue. Either one will do.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree with Council Woman Strader. I'm not at the comfort level to -- to approve this this evening, but I -- I also don't believe we should completely close -- that we should completely deny the application. What that looks like as far as continuing -- if we need to hear from the applicant, but I really want to make sure that we give them some direct guidance and/or at least hear from them that they understand the concerns and potential process they are going to take to solve this.

Whallon: Mayor Simison, Council Woman Perreault, I hear you very clearly and I'm very grateful that you are willing to consider our ability to meet your desire to understand fully what the -- what the project will be like and so we have homework to go back and look at our drive aisles. What are our widths in the existing? How have we done with the children? Have there been any incidents with the children there? Have we provided enough play area? You know, what else are we going to do in phase three and the drive aisle alignment? How will that safely convey vehicles north and south and how will that interact with the parking configuration. I haven't seen, you know, a site plan generated yet showing that, because, you know, I think they were waiting for this approval before they got into that level of detail. This was conceptual. So, conceptually we are not there. So, we have a lot more work to do to understand the alignment of that drive aisle, the width of that drive aisle, how it interplays with the parking, you know, to what extent I -- I think that the drawing that we have here shows it lining up with an existing access on the west side of Eagle Road, so -- and it's meeting the -- the half mile -- I think it's the half mile that ITD allows access to North Eagle Road. So, aligning it to the existing one on the west side of Eagle Road is where that access point is going to land. We can work with Ms. Butler and the new owner of the Great Wall property to see how they are going to develop that. What site plan changes are they proposing? And, then, it goes to the property owner to the north of that that's currently going through the process of putting the slough in culverts and, then, they will formulate their road and utility plans and we will see how that ties in, so -- so that it's functional and it works and it's safe. So, I think that we need to go beyond the conceptual plan, we need to invest a little bit of money to further flush these things out, these configurations, so that we know exactly what we are proposing that will be there for the next 75 to 100 years.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just to like really be brutally honest, given the hour, like for me I think -- don't come back unless you have got a road. Like unless you can deliver a road that goes from Eagle Road -- you have a deal with the property owner to the far north and Great Wall, you can tell us what that looks like and how it works for the traffic flow and all the elements that you just mentioned. Just -- and I hate being like that, because I try to be so much more polite usually, but I just want to be really clear. Like for me that's the bar. So, I would say that should probably take months and I would love to hear -- you know, do you want a continuance for a long time period? Do you want an open -- I don't know if we even do an open continuance and, then, let Planning know when you feel like you have that ironed out? How do you kind of want to handle that from a time frame perspective? But I just wanted to like lay out -- just being really honest, like you have to deliver a road.

Whallon: Mayor Simison, Council Woman Strader, it was our discussion with Caleb Hood that when we were talking about our road and the question of when the Great Wall was going to tie into our road and they would lose their primary access or existing temporary access to North Eagle Road, that's when Caleb said, hey, look we are looking for this to be a backage road and we expect it on the back of all of the parcels and we don't want to see it, as was mentioned, be -- be more restrictive and cutting off access points. So, we were always under the impression that that was going to be a requirement of staff through the conditional use permit process that there was a fully developed road through our property that would connect to the north, whether they built before us or after us. So, it's always been our expectation that there would be a road back there, but we can go and we can go -- across our property tying into our neighbor's property. But we can go in and investigate what that site plan looks like and draw it out and show something tangible with the road back there that's going to start at East River Valley Street and go north.

Strader: Mr. Mayor?

Simison: Could you give -- can you give a little -- at least from your perspective -- we say road, you are talking curb, gutter, sidewalk or are you talking what exists in the northern commercial property where you have no cars backing into the space with essentially protected planting strips? Big difference between a width and expectation, Just so that they can hear your perspective.

Strader: Yeah. No. So, like I -- I'm looking for a really macro level solution, not just that -- you have a concept of what your piece of the road will look like. I would like to see either that you have an agreement with those two property owners and you all have come up with a concept and what that concept is or that they have already come before us and so we have approved a concept plan that they have brought. It's got to be -- to me has to be coordinated and I understand there is a constraint around -- I don't think I need to know like exactly what your sidewalk looks like, for example, but it's got to be -- I don't -- I need a high level -- I need to know when I -- when we approve this that in 2023 that that

road will be built all the way from the north property where there is the slough all the way down here to me, just because of the traffic and flow concerns.

Perreault: Mr. Mayor?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just a comment. One of my concerns, though, is with property owners to the north have already expressed -- we don't want that road to go through. I mean that puts them in a very difficult position and as we continue this discussion I keep thinking maybe it is to approve the DA and get it to the CUP process and have that fight happen and let the chips fall where they may and -- because I don't know how it's going to be resolved if -- just by having the continued discussions without having them have any leverage in the game and I -- but, you know, I can be swayed on that, but I -- I'm just trying to figure a way forward. I don't want to have this thing killed because there is viability here, it's just how do we resolve some of these things and what's the path to do that?

Nary: Mr. Mayor? Mr. Mayor, Members of the Council -- and, Sonya, you have absolute free rein to correct me if I mistake the process. So, right now what the applicant has applied for and paid for is a modified -- a modification to the development agreement. That's about 550 bucks. And the cost of that is based on a very overview by Planning does the -- does the DA that exists and the requests that we want fit within our code. So, that's why this report is fairly short. The analysis is fairly small, because we are really looking at a fairly narrow window and the rest of the cost of it is the cost of actually the process of notice advertising and the cost of preparing a development agreement by my office. That's what the -- that's what they paid for. That's what the staff analysis is. What all of you are asking for actually is like almost a full blown application. So, when you make a CUP request that cost is about 12, 13, 14 hundred bucks. That's because there is notices, it goes to Planning and Zoning, there is a full complete analysis by staff on code and how this fits and all of the things that you all are talking about, that's where that's done. So, it's okay if you want to continue this that's within your purview, but understand that now you are really asking staff to review that no one has paid for any of that. That really is staff time to come up with a full analysis for a DA mod that, then, has to be redone again or at least looked at again under the CUP rubric, does it fit the CUP. So, that's kind of our process and so that's what concerns me, because I think what Council Member Hoaglund said is right on the money, what you are asking is going to get reviewed. This isn't the place where it does. If you allow them to do -- if the direction is to allow them to do this, all of that will be analyzed, reviewed, brought forward, Planning, they may have requested to deny it, they may say it doesn't meet the standard, they may say the road should go through, it doesn't go through, the north will not -- whatever it is, it will all be done, but this isn't the process that does it and that's why I understand your frustration, because you are wanting that to be done now and that isn't what they applied for and that isn't what was reviewed by anybody. So, that's why you are missing these pieces. But I

don't have an answer to the chicken and egg that you are -- that you are concerned with, because that's really where we are.

Simison: Well -- and just to get -- I don't know whether it's the chicken and the egg, but I think the Council has been making the comments that sometimes things just aren't ready.

Bernt: Right.

Simison: And we can go back to the Council that first approved the Great Wall several years ago to start this domino of challenges in this area where we tried to allow someone to do something that the area probably wasn't really ready for, that is creating a continuing effort and while I agree from a process standpoint we are chicken and the egg, I don't know that from a practical standpoint it's chicken and egg, I think there is -- maybe these parcels aren't ready to have a full blown decision made upon them. They may be -- instead of being the first two that went into this, maybe they should have been the last two to get any entitlements to allow the rest of the area to figure out what it's going to develop with. I don't know personally. But that to me is as much of the question is now the right time to make a decision on these or is it to deny it and let the other ones come forward and, then, make a decision afterwards. There is cross-access. I know one of the -- that JoAnn talked about the -- they don't want it, but it exists and, honestly, I don't know how a roadway will work through there with how they have their parking lot laid out. I really don't when I look at it. I think you are going to have people backing up into a roadway. What's going to have to happen? Is that okay? I don't know. But maybe -- you know, my personal thing is now is not the time to make a change in direction absent other information in my opinion and that information just will come at some time and when -- we don't know when. We don't control that.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I have been watching our wonderful planner Sonya make presentations for five years and I can almost read her face now and she's over there thinking we are asking all these questions that aren't related to this project and I know we are. Like Council Woman Strader said, we will not get another opportunity to review this and so my expectation as a Council Member is that our Planning and Zoning Commission, who serves at our -- at our will and our request, have this information for their decision. So, whether it's done for us or if it's done for them, the information that's being requested still needs to be provided and one -- one point of clarification on that. As far as -- as far as the discussion regarding the number of children, it has nothing to do with their safety, it has nothing to do with the amenities, it has to do with the school district and whether the -- it's an accurate analysis of the amount of children that will be a part of the district. I don't -- I don't -- I'm not worried about whether their kids -- the pool is big enough. I just wanted to clarify that in the comments that you were making. My expectation is that the -- the items that we have requested, when there is a CUP application in front of our Planning and Zoning Commission, that those items be provided to our Planning and

Zoning Commission, because that's the information that needs to have -- that -- that needs to exist and you have the opportunity and -- you have the great opportunity to sit before us and have these requests made and have those ready and be prepared for them for your CUP with the Planning and Zoning Commission. Not a lot of applicants get that opportunity. So, take all that information, please, and use it to your advantage as you get that CUP heard by our Planning and Zoning Commission. However, this decision goes this evening.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I personally don't want to move forward on the CUP process until -- until it's ironed out a bit more. So, I'm -- if I -- if I have to choose what side it sounds like I will probably be on a denial at this point and if the project changes and they have more information they can come before us again. But, you know, if it's -- if -- if the will of the Council is not a long-term continuance for them to work with the other property owners to come back and instead it's like moving forward on the CUP, I'm not -- I'm not there on that one. I would rather continue it long term while the property owners work it out or just deny it and they can come back again if they modify it.

Bernt: Mr. Mayor?

Simison: Or not.

Hoaglun: Mr. Mayor, to that point. I have questions of Bill or Sonya, the process. If we deny it they have -- they can't come back for one year; is that correct? Or what -- oh, okay.

Nary: Yeah. That doesn't apply to development agreements.

Allen: So sorry, Dean.

Hoaglun: Okay. For a DA --

Allen: Your question to respond that only -- the year only applies with the preliminary plat.

Hoaglun: Okay. Good.

Allen: Not a development agreement modification.

Hoaglun: So, that -- that could come back anytime in the future if it's denied. The other option is they could decide to withdraw and wait to an appropriate time to -- to bring it back? Is that an option?

Allen: They could. I don't know that it gets them anywhere.

Hoaglun: Okay.

Allen: I mean the application still dies. Just keep in mind if you -- all great points, by the way, made tonight. You know, Bill pretty much seconded in more detail what I tried to say earlier, more succinctly about the details, but, you know, all great concerns that have been brought out here tonight and things that you should be thinking about with a -- with a land use change like this, but if we deny this application tonight they still have entitlements to develop this site as a storage facility. So, bottom line I guess, you know, something that's important for your consideration and your decision is whether or not you would like to see the property develop with a storage facility or a multi-family development. I mean that's -- that's what it boils down to at this point. Thank you.

Simison: Councilman Bernt.

Bernt: So, I -- I really appreciate the dialogue that -- that's been made. At the end of the day we just need to make a decision on what's -- what's in front of us and I know that we all have great hearts and we all have -- you know, we don't want to cause extra expense, whatever the case may be, for those who stand before us. But I -- I -- I think it's really important that we make a decision this evening and that we make a decision to not continue this project, that we either approve it or deny it and so I -- I know your comments are spot on. I agree with you one hundred percent. I have already stated how I feel. We can kick this can down the road all night long, but at the end of the day we need to make a decision tonight and -- and I guess that's where I stand.

Simison: So, with that do I have motions to move through -- nothing is prejudicial that's tonight based on what we have heard to delay or otherwise.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move that we close the public hearing for H-2021-0059.

Perreault: Second.

Strader: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Hoaglun: Mr. Mayor, I will kick this off and --

Simison: Councilman Hoaglun.

Hoaglun: -- it may not go anywhere, but we will -- we will start the process. Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: After considering all staff, applicant, and public testimony, I move to approve file number H-2021-0059 as presented in the staff report for hearing date of November 30th, 2021, and that staff consider special -- pay special attention to the provisions in Item 6, No. 4, and the potential of the modifications regarding phase one and phase two and that process.

Simison: Motion dies for lack of a second.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I will give it a try. After considering all staff, applicant, and public testimony, I move to deny file number H-2021-0059 as presented in the hearing on today's date for the following reasons: We don't have adequacy of access flushed out with some of the contiguous properties to the north. The issues with traffic and parking and the associated circulation of traffic have not been fully flushed out and, in addition, I don't think it's the -- it's the right time for the city to change the current zoning on this property.

Bernt: Second.

Simison: I have a motion and a second. Is there any discussion?

Allen: Mr. Mayor?

Simison: Yes.

Allen: Excuse me. Can I clarify? This is not a zoning for tonight --

Simison: Correct.

Allen: -- this is a development agreement modification.

Simison: This is a development agreement modification.

Allen: Thank you.

Simison: Second concur?

Strader: The motion maker concurs.

Bernt: Yes, I definitely one hundred percent concur.

Simison: Discussion on the motion?

Simison: Yeah. Mr. Mayor, I will support this motion. I mean there are issues that we have talked about that I agree with that -- that need to be explored. I still would like to see those being explored at the different level, but the issues are there nonetheless. So, those are things that need to be worked out, so despite my attempt at moving it to the other -- next level, I'm still in support of the reasons for -- for this motion.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I just want to make one more comment. For me this is not necessarily a no, it's an -- but it's definitely a not yet. So, I just want to make that clear, if it hasn't been made clear on my part, so --

Nary: If I could just add one point to Council Member Strader -- sorry.

Simison: Yes, Mr. Nary.

Nary: There we go. Just one point. So, as Sonya indicated, it's not a zone change, but it a huge change and so as part of your motion -- if you are not comfortable with the use change at this time, that -- that that was the basis.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: That's what I meant. It's part of the reason. It's not the whole reason, but I -- I just want to reiterate something which -- for the applicant, which is I'm glad the door is not closed for a full year. You're certainly welcome to come back if you can really flush these issues out. But I think you understand the -- the level you would have to meet to really deliver that, hopefully, through our comments. Thanks.

Simison: Any further comments? If not, Clerk will call the roll.

Roll call: Borton, absent; Cavener, absent; Bernt, yea; Perreault, aye; Hoaglund, yea; Strader, yea.

Simison: All ayes. Motion carries and the item is denied.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

FUTURE MEETING TOPICS

Simison: With that, future meeting topics, Council? Then do I have a motion to adjourn?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn.

Simison: Motion to adjourn. All in favor signify by saying aye. Opposed Nay? The ayes have it. We are adjourned.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 10:24 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM **TOPIC:** Holiday Inn Express Sanitary Sewer and Water Main Easement

Holiday Inn Express
ESMT-2021-0135

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement, made this ___ day of _____ 20__ between
Hotel Developers-Meridian HIX ("Grantor") and the City of Meridian, an Idaho
Municipal Corporation ("Grantee");

WHEREAS, the Grantor desires to provide a sanitary sewer and water main right-of-way across the premises and property hereinafter particularly bounded and described; and

WHEREAS, the sanitary sewer and water is to be provided for through underground pipelines to be constructed by others; and

WHEREAS, it will be necessary to maintain and service said pipelines from time to time by the Grantee;

NOW, THEREFORE, in consideration of the benefits to be received by the Grantor, and other good and valuable consideration, the Grantor does hereby give, grant and convey unto the Grantee the right-of-way for an easement for the operation and maintenance of sanitary sewer and water mains over and across the following described property:

(SEE ATTACHED EXHIBITS A and B)

The easement hereby granted is for the purpose of construction and operation of sanitary sewer and water mains and their allied facilities, together with their maintenance, repair and replacement at the convenience of the Grantee, with the free right of access to such facilities at any and all times.

TO HAVE AND TO HOLD, the said easement and right-of-way unto the said Grantee, it's successors and assigns forever.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that after making repairs or performing other maintenance, Grantee shall restore the area of the easement and adjacent property to that existent prior to undertaking such repairs and maintenance. However, Grantee shall not be responsible for repairing, replacing or restoring anything placed within the area described in this easement that was placed there in violation of this easement.

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor

Attest by Chris Johnson, City Clerk

STATE OF IDAHO,)

: ss.

County of Ada)

This record was acknowledged before me on _____(date) by
Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in
their capacities as Mayor and City Clerk, respectively.

(stamp)

Notary Signature

My Commission Expires: _____

EXHIBIT A

SANITARY SEWER AND WATER MAIN EASEMENT

Part of Parcels A and B of a Deed as recorded in Instrument No. 2020078300 located in the NW ¼ & the SE ¼ of Section 17, Township 3 North Range 1 East, B.M., Ada County, Idaho described as:

Commencing at the Southeast corner of said Parcel B; Thence, N 27° 13' 04" W 248.88 feet along the East line of said Parcel B; Thence, S 62° 46' 56" W 31.20 feet to the point of beginning;

Thence, S 62° 00' 30" W 30.00 feet; Thence, N 27° 59' 30" W 23.46 feet; Thence, S 64° 53' 35" W 6.28 feet; Thence, N 25° 06' 25" W 10.00 feet; Thence, N 64° 53' 35" E 5.78 feet; Thence, N 27° 59' 30" W 222.13 feet; Thence, N 73° 17' 35" W 289.68 feet; Thence, N 56° 00' 58" W 50.22 feet; Thence, N 72° 04' 49" W 268.06 feet; Thence, S 16° 48' 25" W 15.19 feet; Thence, N 73° 10' 12" W 21.54 feet; Thence, S 16° 49' 44" W 241.57 feet; Thence, S 53° 00' 43" W 37.24 feet; Thence, S 87° 46' 26" W 84.86 feet to a point on the Easterly Right of Way of South Wells Street also being the West line of said parcel A; Thence along said Right of Way N 11° 08' 17" W 1.21 feet to beginning of a curve; Thence, 46.69 feet, along said curve to the right (Curve Data= Delta: 24° 40' 41", Radius: 108.40 feet, chord bearing N 02° 51' 14" E 46.33 feet; Thence, N 87° 29' 16" E 5.66 feet; Thence, S 2° 30' 44" E 17.32 feet; Thence, N 87° 29' 16" E 66.36 feet; Thence, N 53° 00' 43" E 17.38 feet; Thence, N 16° 49' 48" E 277.95 feet; Thence, S 72° 04' 49" E 324.40 feet; Thence, S 56° 00' 58" E 49.89 feet; Thence, S 73° 17' 35" E 297.64 feet; Thence, S 27° 59' 30" E 268.12 feet to the point of beginning;

parcel contains 0.90 acres, more, or less.



SHEET NO.

1

3 OF SHEETS

EXHIBIT A INSTRUSTED LLC MERIDIAN

SEC. 17, T. 3 N., R. 1 E.B.M.
ADA COUNTY, IDAHO

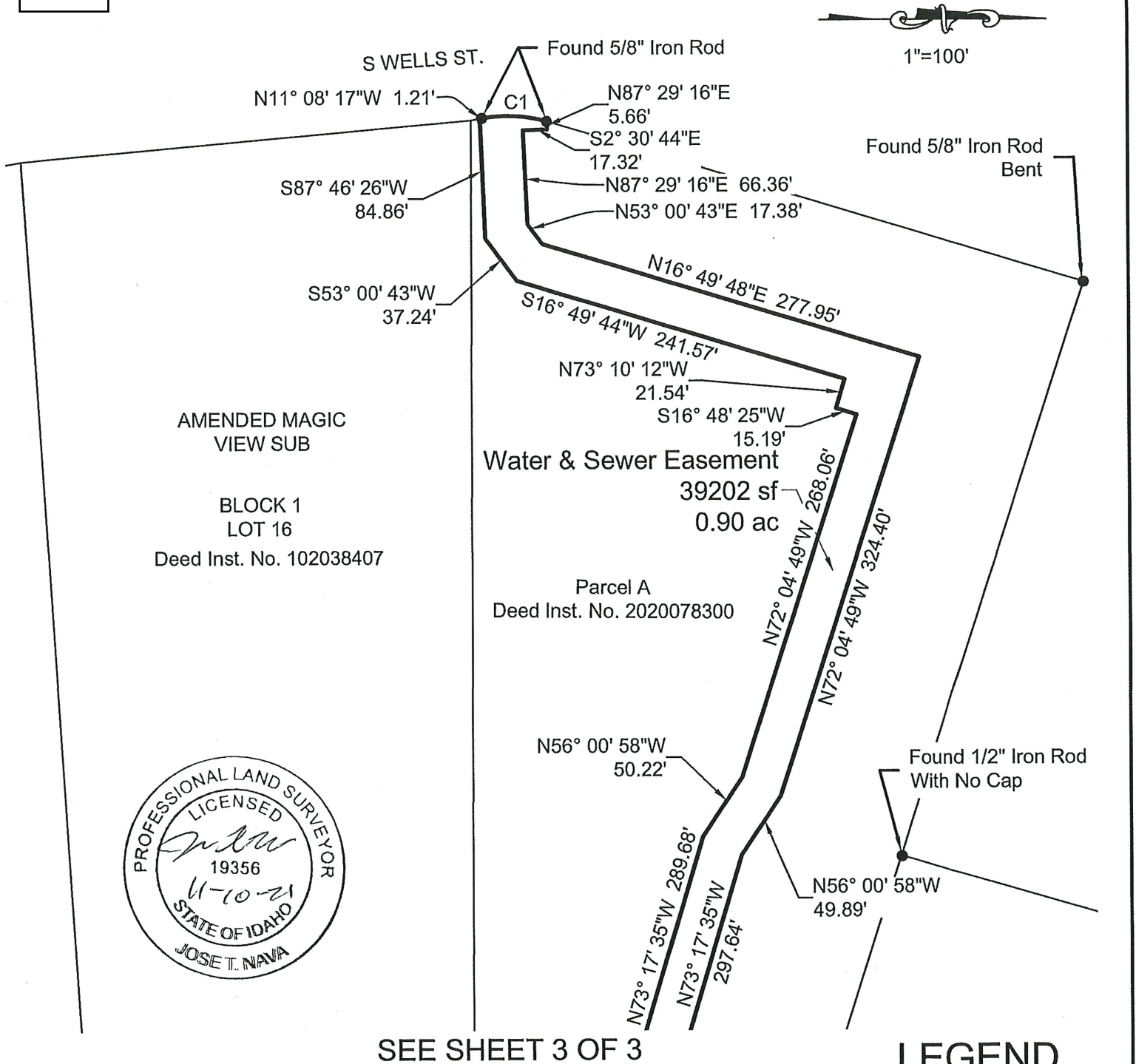
| DRAWN BY | DESIGN BY | CHECK BY |
|-------------------------|-----------|----------|
| SJ | HLE | CGS |
| JOB NO: 2021-335 | | |
| DATE: November 10, 2021 | | |
| REVISIONS | DATE | |
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| | | |



CIVIL & STRUCTURAL ENGINEERING
MATERIALS TESTING & LAND SURVEYING
101 S. Park Avenue, Idaho Falls, ID 83402, (208)524-0212
800 W. Judicial Street, Blackfoot, ID 83221, (208) 785-2977

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EXHIBIT B



LEGEND



Section Corner Control



Placed 1/2" X 24" Iron rod with cap marked P.L.S. 12224



Found Iron Rod as shown

Curve Table

| Curve # | Length | Radius | Delta | Chord | Bearing |
|---------|--------|---------|-----------|--------|------------|
| C1 | 46.69' | 108.40' | 24°40'41" | 46.33' | S2°51'14"W |

SHEET NO.

2

3 OF 3 SHEETS

EXHIBIT B
INTRUSTED LLC MERIDIAN

SEC. 17, T. 3 N., R. 1 E.B.M.

ADA COUNTY, IDAHO

DRAWN BY DESIGN BY CHECK BY

SJ HLE CGS

JOB NO: 2021-335

DATE: November 10, 2021

REVISIONS DATE



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800 W. Judicial Street, Blackfoot, ID 83221, (208) 785-0077

EXHIBIT B

SEE SHEET 2 OF 3

1"=100'

AMENDED MAGIC
VIEW SUB
BLOCK 1
LOT 16
Deed Inst. No. 102038407

N 27°59'30" W 222.13'
S 25°06'25" E 10.00'
N 64°53'35" E 5.78'
S 64°53'35" W 6.28'
N 27°59'30" W 23.46'
S 62°00'30" W 30.00'
P.O.B.
N 27°59'30" W 268.12'
S 62°46'56" W 31.20'
Parcel B
Deed Inst. No. 2020078300

Parcel A
Deed Inst. No. 2020078300

LOT 9
AMENDED MAGIC
VIEW SUB

LOT 10
AMENDED MAGIC
VIEW SUB

Deed Inst. No. 2018106221

LOT 2, BLOCK 1

Found 5/8" Iron Rod
Marked P.L.S. 11120

FALLON GREENS SUB
BOOK 86, PAGE 9870

LOT 1, BLOCK 1

Found 1/2" Iron Rod
CRM

Found 5/8" Iron Rod
Marked P.L.S. 6901

LEGEND



Section Corner Control



Placed 1/2" X 24" Iron
rod with cap marked
P.L.S. 12224



Found Iron Rod as shown

E 1/4 COR SEC 17
POSITION CALCULATED
FROM TIES PER
CP&F INST. NO. 99007476

ROS Inst. No. 98120823

S ALLEN ST.

S 89°39'39" W
736.44'

104.08' 2548.84'
S 0°22'28"E 2652.92'

NE COR SEC 17
POSITION CALCULATED
FROM TIES PER
CP&F INST. NO. 99007475



SHEET NO
3
OF 3 SHEETS

EXHIBIT B
INTRUSTED LLC MERIDIAN

SEC. 17, T. 3 N., R. 1 E.B.M.
ADA COUNTY, IDAHO

| DRAWN BY | DESIGN BY | CHECK BY |
|-------------------------|-----------|----------|
| SJ | HLE | CGS |
| JOB NO: 2021-335 | | |
| DATE: November 10, 2021 | | |
| REVISIONS | DATE | |
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800 W. Judicial Street, Blackfoot, ID 83221, (208) 785-2677



AGENDA ITEM

ITEM **TOPIC:** Holiday Inn Express Water Main Easement

Holiday Inn Express Water Main Easement
ESMT-2021-0136

WATER MAIN EASEMENT

THIS Easement Agreement, made this _____ day of _____, 20____ between _____ Hotel Developers-Meridian HIX (“Grantor”), and the City of Meridian, an Idaho Municipal Corporation (“Grantee”);

WHEREAS, the Grantor desires to provide a water main right-of-way across the premises and property hereinafter particularly bounded and described; and

WHEREAS, the water main is to be provided for through underground pipelines to be constructed by others; and

WHEREAS, it will be necessary to maintain and service said pipelines from time to time by the Grantee;

NOW, THEREFORE, in consideration of the benefits to be received by the Grantor, and other good and valuable consideration, the Grantor does hereby give, grant and convey unto the Grantee the right-of-way for an easement for the operation and maintenance of water mains over and across the following described property:

(SEE ATTACHED EXHIBITS A and B)

The easement hereby granted is for the purpose of construction and operation of water mains and their allied facilities, together with their maintenance, repair and replacement at the convenience of the Grantee, with the free right of access to such facilities at any and all times.

TO HAVE AND TO HOLD, the said easement and right-of-way unto the said Grantee, it's successors and assigns forever.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that after making repairs or performing other maintenance, Grantee shall restore the area of the easement and adjacent property to that existent prior to undertaking such repairs and maintenance. However, Grantee shall not be responsible for repairing, replacing or restoring anything placed within the area described in this easement that was placed there in violation of this easement.

THE GRANTOR covenants and agrees that Grantor will not place or allow to be placed any permanent structures, trees, brush, or perennial shrubs or flowers within the area described for this easement, which would interfere with the use of said easement, for the purposes stated herein.

THE GRANTOR covenants and agrees with the Grantee that should any part of the right-of-way and easement hereby granted shall become part of, or lie within the boundaries of any

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor

Attest by Chris Johnson, City Clerk

STATE OF IDAHO,)

: ss.

County of Ada)

This record was acknowledged before me on _____ (date) by Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in their capacities as Mayor and City Clerk, respectively.

(stamp)

Notary Signature

My Commission Expires: _____

EXHIBIT A

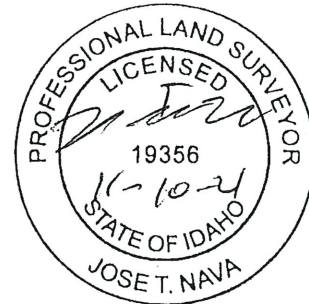
WATER MAIN EASEMENT

Part of Parcel B of a Deed as recorded in Instrument No. 2020078300 located in the NW ¼ of the SE ¼ Section 17, Township 3 North Range 1 East, B.M., Ada County, Idaho described as:

Commencing at the Southeast corner of said Parcel B; Thence, S 53° 30' 37" W 30.31 feet along the North Right-Of-Way line of East Freeway Drive; Thence, N 36° 29' 23" W 15.00 feet to the point of beginning;

Thence, S 53° 30' 37" W 20.28 feet along a line 15.00 feet North of and parallel to the North Right-Of-Way line of said East Freeway Drive; Thence, N 26° 57' 15" W 241.96 feet; Thence, N 62° 00' 30" E 20.00 feet; Thence S 26° 57' 15" E 238.96 feet to the point of beginning;

parcel contains 0.11 acres, more, or less.



SHEET NO.
1
OF 2 SHEETS

EXHIBIT A INNTRUSTED LLC MERIDIAN

SEC. 17, T. 3 N., R. 1 E.B.M.
ADA COUNTY, IDAHO

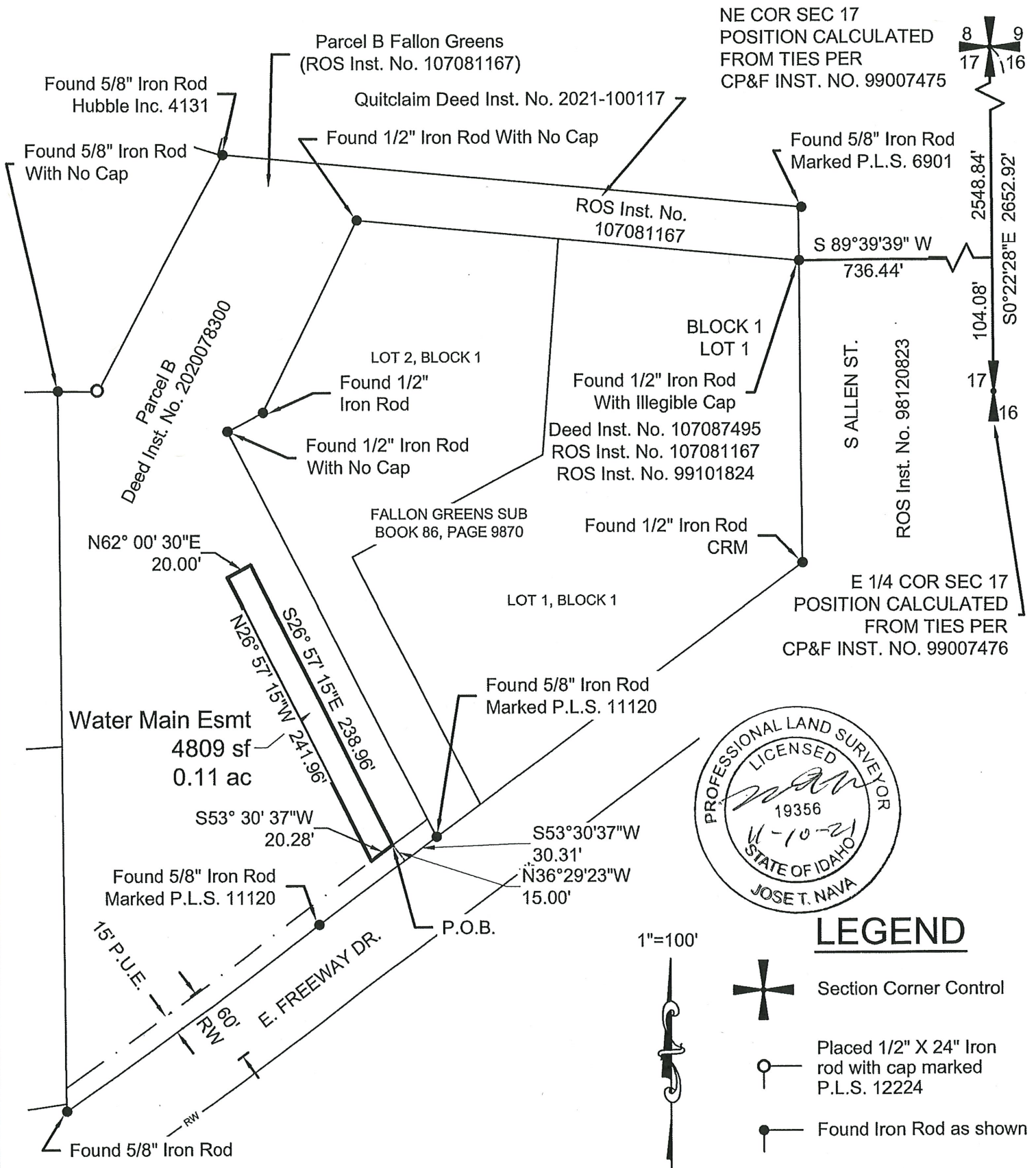
| DRAWN BY | DESIGN BY | CHECK BY |
|-------------------------|-----------|----------|
| SJ | HLE | CGS |
| JOB NO: 2021-335 | | |
| DATE: November 10, 2021 | | |
| REVISIONS | DATE | |
| | | |
| | | |



CIVIL & STRUCTURAL ENGINEERING
MATERIALS TESTING & LAND SURVEYING
101 S. Park Avenue, Idaho Falls, ID 83402, (208)524-0212
800 W. Judicial Street, Blackfoot, ID 83221, (208)785-2977

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EXHIBIT B



SHEET NO.

2

OF 2 SHEETS

EXHIBIT B
INTRUSTED LLC MERIDIAN

SEC. 17, T. 3 N., R. 1 E.B.M.

ADA COUNTY, IDAHO

DRAWN BY DESIGN BY CHECK BY

SJ HLE CGS

JOB NO: 2021-335

DATE: November 10, 2021

REVISIONS DATE



CIVIL & STRUCTURAL ENGINEERING
MATERIALS TESTING & LAND SURVEYING
101 S. Park Avenue, Idaho Falls, ID 83402, (208)524-0212
800 W. Judicial Street, Blackfoot, ID 83221, (208)765-0077

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AGENDA ITEM

ITEM **TOPIC:** Skybreak Subdivision No. 1 Emergency Access Easement Agreement

Skybreak Subdivision No. 1
ESMT-2021-0139

EMERGENCY ACCESS EASEMENT AGREEMENT

THIS AGREEMENT made this ____ day of _____, 20____, between
C4 Land, LLC _____, hereinafter referred to as "Grantor" and the **City of Meridian**, an
Idaho municipal corporation, hereinafter referred to as "Grantee";

WITNESSETH:

WHEREAS, Grantor is the owner of real property on portions of which the City of Meridian is
requiring an access area for emergency vehicles as a condition of development approval; and

WHEREAS, Grantor desires to grant an easement for ingress and egress across those certain
parts of Grantor's property defined herein to allow for emergency vehicle access; and

WHEREAS, Grantor shall construct certain improvements upon the easement described herein;
and

NOW, THEREFORE, the parties agree as follows:

THE GRANTOR does hereby grant unto the Grantee an easement on the following property,
described on Exhibit "A" and depicted on Exhibit "B" attached hereto and incorporated herein.

THE EASEMENT hereby granted is for the purpose of providing a non-exclusive easement and
right-of-way on, over, across and through Grantor's property with the free right of access to such
property at any and all times and for the purpose of allowing egress and ingress to and from the
property for emergency vehicle access. Pursuant to the International Fire Code, this access road
shall be constructed of an improved surface capable of supporting 75,000 GVW;

TO HAVE AND TO HOLD, said easement unto said Grantee, its successors and assigns forever;

THE GRANTOR, hereby covenants and agrees that no structures shall be constructed, erected,
or placed upon the surface of the easement area that would materially impair the normal
operation or use of the easement area for emergency vehicular purposes. No parking of vehicles
within the easement area shall be permitted. THE GRANTOR hereby covenants and agrees that it
will not place or allow to be placed any permanent structures, trees, brush, or perennial shrubs or
flowers within the area described for this easement, which would interfere with the use of said
easement, for the purposes stated herein.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that
the Grantor shall repair and maintain the access roadway improvements.

THE GRANTOR hereby covenants and agrees with the Grantee that should any part of the easement hereby granted become part of, or lie within the boundaries of any public street, then, to such extent such easement hereby granted which lies within such boundary thereof or which is a part thereof, shall cease and become null and void and of no further effect and shall be completely relinquished.

THE GRANTOR does hereby covenant with the Grantee that it is lawfully seized and possessed of the aforementioned and described tract of land, and that it has a good and lawful right to convey said easement, and that it will warrant and forever defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

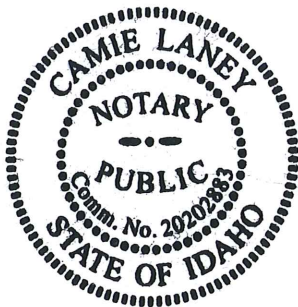
IN WITNESS WHEREOF, the said Grantor has hereunto subscribed its signature the day and year first hereinabove written.


GRANTOR C4 Land LLC


Jim Conger, Member

STATE OF IDAHO)
) ss
County of Ada)

This record was acknowledged before me on 11/30/21 (date) by Jim Conger, on behalf of C4 Land LLC in the following representative capacity: member (type of authority such as officer or trustee)




Notary Signature
My Commission Expires: 8-3-2026

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor

Attest by Chris Johnson, City Clerk

STATE OF IDAHO,)
) ss.
County of Ada)

This record was acknowledged before me on _____ (date) by Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in their capacities as Mayor and City Clerk, respectively.

Notary Signature
My Commission Expires: _____



Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

EXHIBIT A

Emergency Road Access Easement Legal Description

BASIS OF BEARINGS is S. $0^{\circ}12'52''$ W. between a found aluminum cap marking the W1/4 corner and a found aluminum cap marking the NW corner of Section 4, T. 2 N., R. 1 E., B.M., Ada County, Idaho.

A 20-foot wide easement, located in the SW1/4 of the NW1/4 of Section 4 Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at an aluminum cap marking the W1/4 corner of said Section 4;

Thence S. $89^{\circ}48'12''$ E., coincident with the south line of said SW1/4 of the NW1/4, a distance of 1192.50 feet to the **POINT OF BEGINNING**;

Thence N. $00^{\circ}12'52''$ E., parallel with the west line of said S1/2 of the NW1/4, a distance of 151.99 feet to the beginning of a curve to the right;

Thence 70.89 feet along the arc of said curve, with a radius of 48.00 feet, a central angle of $84^{\circ}37'14''$, subtended by a chord bearing N. $42^{\circ}31'29''$ E., 64.62 feet;

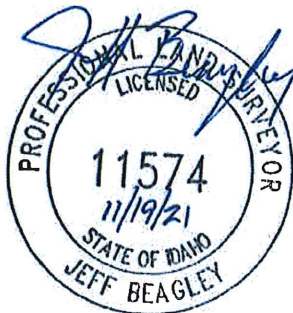
Thence S. $00^{\circ}12'52''$ W., parallel with said west line, 20.15 feet to the beginning of a non-tangent curve to the left;

Thence 39.46 feet along the arc of said curve, with a radius of 28.00 feet, a central angle of $80^{\circ}45'06''$, subtended by a chord bearing S. $40^{\circ}35'25''$ W., 36.28 feet;

Thence S. $00^{\circ}12'52''$ W., parallel with said west line, 151.98 feet to said south line;

Thence N. $89^{\circ}48'12''$ W., coincident with said south line, 20.00 feet to the **POINT OF BEGINNING**;

The above described easement contains 4,143 square feet and/or 0.095 acres more or less.



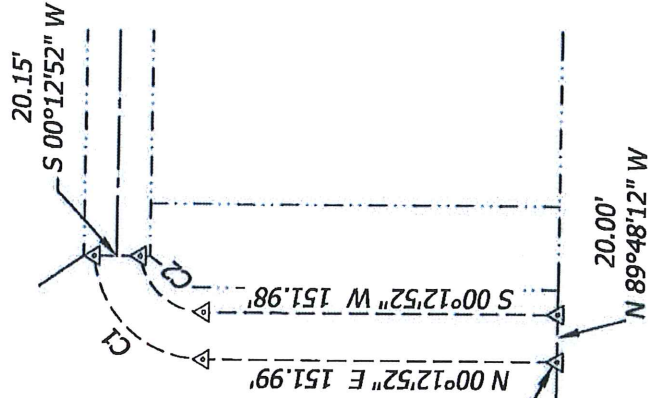


32 33
5 4
NORTHWEST CORNER
SECTION 4
PLS 4431

BASIS OF BEARINGS
S 00°12'52" W 2678.34'
S. EAGLE ROAD

CURVE TABLE

| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|------------|--------|-------------|---------------|--------------|
| C1 | 70.89' | 48.00' | 84°37'14" | N 42°31'29" E | 64.62' |
| C2 | 39.46' | 28.00' | 80°45'06" | S 40°35'25" W | 36.28' |



POINT OF BEGINNING
4,143 SQ.FT. / 0.095 ACRES±

S 89°48'12" E 1192.50'

VANTAGE POINTE SUBDIVISION
BK 80, PG 8575

1/4 CORNER
ILLEGIBLE



NTS

PROJECT:

SKYBREAK SUBDIVISION PHASE 1
EMERGENCY ACCESS ROAD EXHIBIT
THE S1/2 OF THE NW1/4
SECTION 4, T. 2 N., R. 1 E., B.M.,
ADA COUNTY, IDAHO

OWNER/DEVELOPER:

CONGER

DATE: 11/2021



2030 S. WASHINGTON AVE.
EMMETT, ID 83617
P: (208) 398-8104
F: (208) 398-8105

WWW.SAWTOOTHLS.COM

DWG #

19446-EX

PROJECT #

19446

SHEET

1 OF 1



AGENDA ITEM

ITEM TOPIC: TM Creek Apartments Private Road Sanitary Sewer and Water Main Easement No.1

ESMT-2021-0129
TM Creek Apartments Private Road
Sanitary Sewer and Water Main
Easement No. 1

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement, made this ___ day of _____ 20__ between
SCS Brighton LLC ("Grantor") and the City of Meridian, an Idaho
Municipal Corporation ("Grantee");

WHEREAS, the Grantor desires to provide a sanitary sewer and water main right-of-way across the premises and property hereinafter particularly bounded and described; and

WHEREAS, the sanitary sewer and water is to be provided for through underground pipelines to be constructed by others; and

WHEREAS, it will be necessary to maintain and service said pipelines from time to time by the Grantee;

NOW, THEREFORE, in consideration of the benefits to be received by the Grantor, and other good and valuable consideration, the Grantor does hereby give, grant and convey unto the Grantee the right-of-way for an easement for the operation and maintenance of sanitary sewer and water mains over and across the following described property:

(SEE ATTACHED EXHIBITS A and B)

The easement hereby granted is for the purpose of construction and operation of sanitary sewer and water mains and their allied facilities, together with their maintenance, repair and replacement at the convenience of the Grantee, with the free right of access to such facilities at any and all times.

TO HAVE AND TO HOLD, the said easement and right-of-way unto the said Grantee, it's successors and assigns forever.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that after making repairs or performing other maintenance, Grantee shall restore the area of the easement and adjacent property to that existent prior to undertaking such repairs and maintenance. However, Grantee shall not be responsible for repairing, replacing or restoring anything placed within the area described in this easement that was placed there in violation of this easement.

THE GRANTOR covenants and agrees that Grantor will not place or allow to be placed any permanent structures, trees, brush, or perennial shrubs or flowers within the area described for this easement, which would interfere with the use of said easement, for the purposes stated herein.

THE GRANTOR covenants and agrees with the Grantee that should any part of the right-of-way and easement hereby granted shall become part of, or lie within the boundaries of any public street, then, to such extent, such right-of-way and easement hereby granted which lies within such boundary thereof or which is a part thereof, shall cease and become null and void and of no further effect and shall be completely relinquished.

THE GRANTOR does hereby covenant with the Grantee that Grantor is lawfully seized and possessed of the aforementioned and described tract of land, and that Grantor has a good and lawful right to convey said easement, and that Grantor will warrant and forever defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

THE COVENANTS OF GRANTOR made herein shall be binding upon Grantor's successors, assigns, heirs, personal representatives, purchasers, or transferees of any kind.

IN WITNESS WHEREOF, the said parties of the first part have hereunto subscribed their signatures the day and year first herein above written.

GRANTOR: SCS BRIGHTON LLC

By: Brighton Corporation, It's Manager

Robert L. Phillips, President of Brighton Corporation, Manager

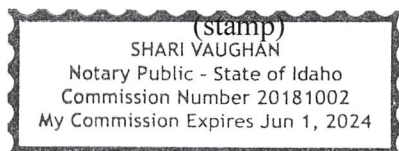
STATE OF IDAHO)

) ss

County of Ada)

On this 17 day of November, 2021, before me a Notary Public of said State, personally appeared Robert L. Phillips, known or identified to me to be the President of Brighton Corporation, the Manager of SCS Brighton LLC, the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WTNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in the certificate first above written.



Notary Signature
 My Commission Expires: 6-1-2024

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor

Attest by Chris Johnson, City Clerk

STATE OF IDAHO,)

: ss.

County of Ada)

This record was acknowledged before me on _____(date) by
Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in
their capacities as Mayor and City Clerk, respectively.

(stamp)

Notary Signature

My Commission Expires:_____

EXHIBIT A

DESCRIPTION FOR

CITY OF MERIDIAN SEWER AND WATER LINE EASEMENT
TEN MILE CREEK APARTMENTS

A portion of Lots 2 and 3, Block 3 of TM Creek Subdivision No. 4 as filed in Book 117 of Plats at Pages 17944 through 17947, records of Ada County, Idaho and a portion of the NW1/4 of Section 14, T.3N., R.1W., B.M., Ada County, Idaho more particularly described as follows:

BEGINNING at the SW corner of said Lot 2;

thence along the West boundary line of said Lot 2 North 00°28'39" East, 15.90 feet;

thence leaving said West boundary line South 89°28'24" East, 187.15 feet;

thence North 62°58'40" East, 57.61 feet;

thence South 89°26'19" East, 216.82 feet;

thence North 00°33'41" East, 15.00 feet;

thence South 89°26'19" East, 10.00 feet;

thence South 00°33'41" West, 15.00 feet;

thence South 89°26'19" East, 181.83 feet;

thence North 00°33'41" East, 5.00 feet;

thence South 89°26'19" East, 10.00 feet;

thence South 00°33'41" West, 5.00 feet;

thence South 89°26'19" East, 178.17 feet;

thence North 00°33'41" East, 15.00 feet;

thence South 89°26'19" East, 10.00 feet;

thence South 00°33'41" West, 15.00 feet;

thence South 89°26'19" East, 22.80 feet;

thence South 00°33'41" West, 31.00 feet;

thence North 89°26'19" West, 78.91 feet;

thence South 00°54'53" West, 35.07 feet;

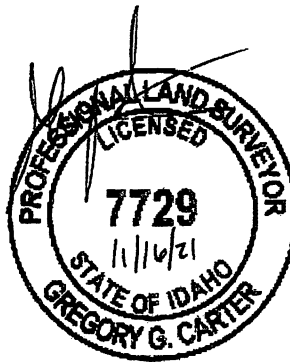
thence North 89°05'07" West, 20.00 feet;

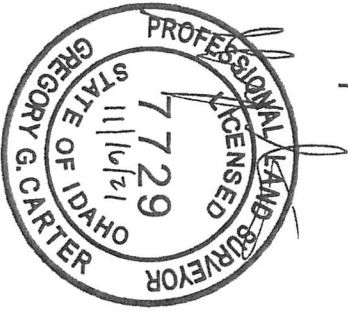
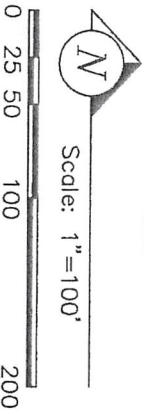
thence North 00°54'53" East, 34.94 feet;

thence North 89°26'19" West, 351.64 feet;
thence South 00°54'53" West, 34.96 feet;
thence North 89°05'07" West, 20.00 feet;
thence North 00°54'53" East, 34.84 feet;
thence North 89°26'19" West, 132.02 feet;
thence South 62°58'40" West, 77.03 feet;
thence North 89°28'24" West, 57.83 feet;
thence South 46°51'21" East, 82.72 feet;
thence South 43°08'39" West, 20.00 feet;
thence North 46°51'21" West, 104.45 feet;

thence North 89°28'24" West, 109.58 feet to a point on the West boundary line of said Lot 3;

thence along said West boundary line North 00°33'33" East, 24.10 feet to the **REAL POINT OF BEGINNING.**

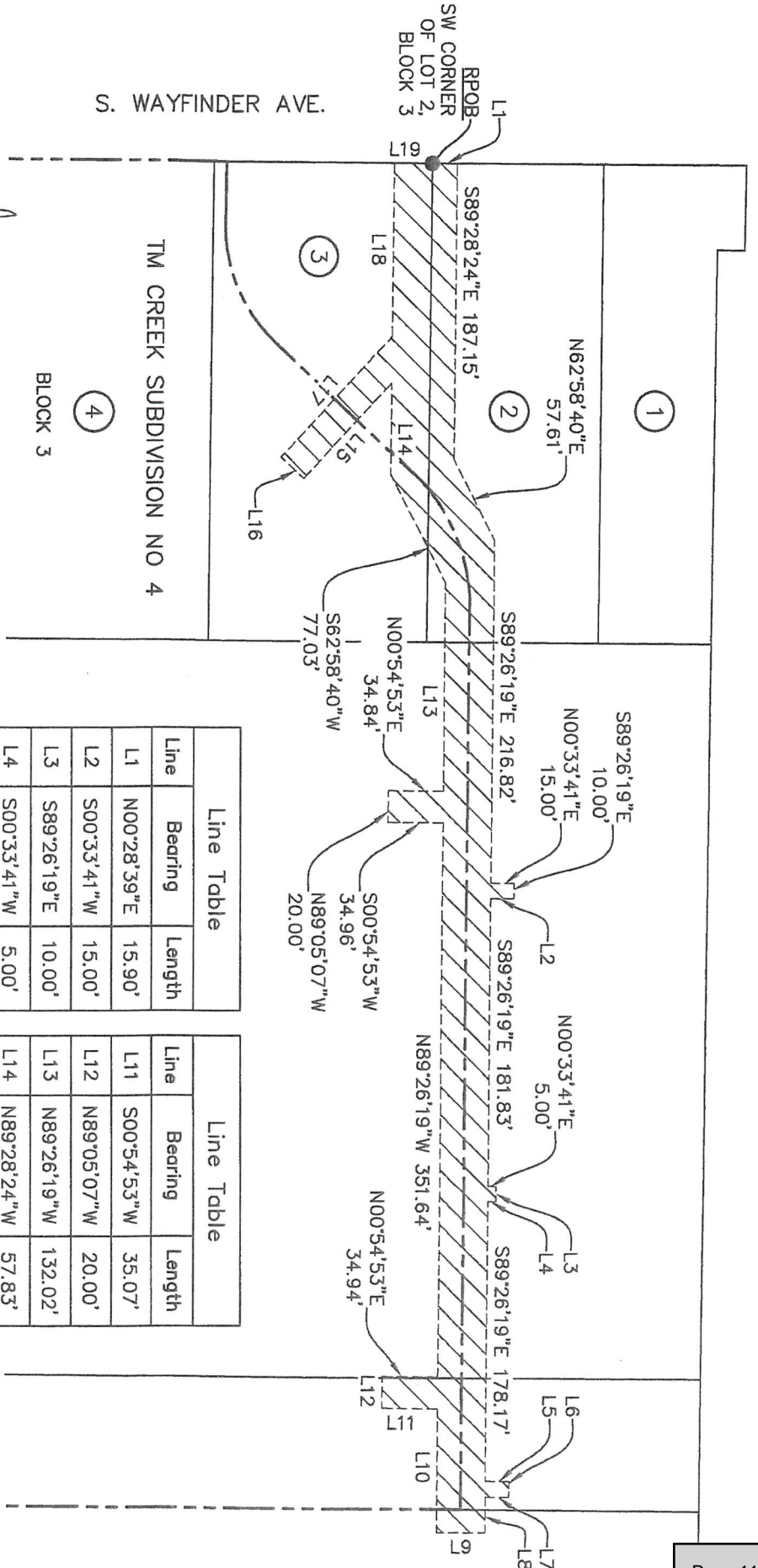




S. WAYFINDER AVE.

TM CREEK SUBDIVISION NO 4

BLOCK 3



| Line Table | | |
|------------|-------------|--------|
| Line | Bearing | Length |
| L1 | N00°28'39"E | 15.90' |
| L2 | S00°33'41"W | 15.00' |
| L3 | S89°26'19"E | 10.00' |
| L4 | S00°33'41"W | 5.00' |
| L5 | N00°33'41"E | 15.00' |
| L6 | S89°26'19"E | 10.00' |
| L7 | S00°33'41"W | 15.00' |
| L8 | S89°26'19"E | 22.80' |
| L9 | S00°33'41"W | 31.00' |
| L10 | N89°26'19"W | 78.91' |

| Line Table | | |
|------------|-------------|---------|
| Line | Bearing | Length |
| L11 | S00°54'53"W | 35.07' |
| L12 | N89°05'07"W | 20.00' |
| L13 | N89°26'19"W | 132.02' |
| L14 | N89°28'24"W | 57.83' |
| L15 | S46°51'21"E | 82.72' |
| L16 | S43°08'39"W | 20.00' |
| L17 | N46°51'21"W | 104.45' |
| L18 | N89°28'24"W | 109.58' |
| L19 | N00°33'33"E | 24.10' |

IDAHO SURVEY GROUP, LLC

9856 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 846-6570

Exhibit B Drawing for
TEN MILE CREEK APARTMENTS
CITY OF MERIDIAN SEWER AND WATER EASEMENT

Located in The NW/4 of Section 14,
T.3N., R.1W., B.M., Ada County, Idaho

Job No.
21-341
Sheet No.
1
Dwg. Date
11/15/2021



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Fast Eddy's at Eagle (H-2021-0068) by Steve Eddy, Located at 3775 N. Eagle Rd.

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DECISION & ORDER**



In the Matter of the Request for a Modification to the Existing Development Agreement (H-2018-0006 - Inst. #2018-042029) to Remove the Requirement for a Driveway to be Constructed and a Cross-Access/Ingress-Egress Easement Provided to the Adjacent Property to the North (Parcel #R4582530202, 13984 W. Jasmine Ln.), by Fast Eddy's.

Case No(s). H-2021-0068

For the City Council Hearing Date of: November 23 and 30, 2021 (Findings on December 14, 2021)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of November 30, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of November 30, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of November 30, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of November 30, 2021, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of November 30, 2021, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the City Council's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for a modification to the Development Agreement is hereby approved as modified by City Council during the hearing on November 30, 2021.

D. Notice of Applicable Time Limits

Notice of Development Agreement Duration

The city and/or an applicant may request a development agreement or a modification to a development agreement consistent with Idaho Code section 67-6511A. The development agreement may be initiated by the city or applicant as part of a request for annexation and/or rezone at any time prior to the adoption of findings for such request.

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of November 30, 2021

By action of the City Council at its regular meeting held on the _____ day of _____, 2021.

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office

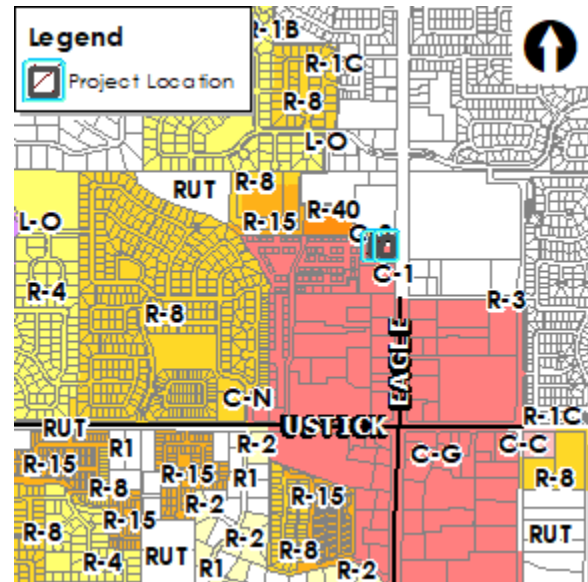
EXHIBIT A**STAFF REPORT****COMMUNITY DEVELOPMENT DEPARTMENT**

HEARING 11/30/2021
 DATE: *Continued from: 11/23/2021*

TO: Mayor & City Council
 FROM: Sonya Allen, Associate Planner
 208-884-5533

SUBJECT: H-2021-0068
 Fast Eddy's at Eagle

LOCATION: 3775 N. Eagle Rd., in the SE ¼ of
 Section 32, Township 4N., Range 1E.

**I. PROJECT DESCRIPTION**

Modification to the existing Development Agreement (H-2018-0006 - Inst. #2018-042029) to remove the requirement for the driveway along the west side of the retail store to be extended to the north property boundary for future extension and interconnectivity in accord with UDC 11-3A-3A; and a cross-access/ingress-egress easement to be provided to the property to the north (Parcel #R4582530202, 13984 W. Jasmine Ln.).

II. SUMMARY OF REPORT

- A. Applicant:
Steve Eddy, Fast Eddy's – 2151 N. Greenview Ct., Eagle, ID 83616
- B. Owner:
Same as Applicant
- C. Representative:
Same as Applicant

III. STAFF ANALYSIS

The UDC (11-3A-3A.2) requires cross-access easements to be granted to adjoining properties where access to a local street is not available unless otherwise waived by City Council. The abutting property to the north fronts on a state highway (N. Eagle Rd./SH-55) and does not have access via a local street. Thus, the reason the driveway access and easement were required. Without this access, the undeveloped parcel to the north would have no access other than the state highway until such time as the property to the west (i.e. Delano Subdivision) develops, which granted a [cross-access easement](#) to them through their multi-family development for access via the future extension of N. Centrepont Way.

EXHIBIT A

The driveway was required to be constructed and an access easement granted with development of this site prior to issuance of the first Certificate of Occupancy (see provisions in Section V). The Applicant did not wish to construct the driveway or provide an access easement at that time so the Planning Division recommended the Applicant apply for an amendment to the DA to remove the requirements. A temporary Certificate of Occupancy was issued in order for the Applicant to apply for an amendment, which has since expired.

The Applicant proposes to meet with the property owner to the north at the time of development to see if it makes sense to both of them to install an access at that time. *Note: An assisted living facility was approved to develop on the abutting property to the north through a Conditional Use Permit ([CAR20-00004](#) & [PUD20-00008](#)) for a Planned Residential Development in the City of Boise. This approval will expire on March 9, 2022 if a building permit hasn't been obtained by that time; or unless a time extension is approved. The site plan approved with the PUD depicts a driveway access to this site for cross-access/ingress-egress.*

Because this is a UDC requirement, Staff cannot waive the requirement and therefore, cannot support the request. The UDC *does* allow for a Council waiver to this standard if deemed appropriate by City Council.

IV. DECISION

A. Staff:

Staff recommends denial of the modification to the DA as proposed; however, City Council has the authority to waive the requirement in UDC 11-3A-3A.2 and approve the Applicant's request if they deem appropriate.

B. The Meridian City Council heard this item on November 30, 2021. At the public hearing, the Council moved to approve a modification the DA as discussed during the hearing.

1. Summary of the City Council public hearing:

- a. In favor: Steve Eddy
- b. In opposition: None
- c. Commenting: Dave Martin, Stellar Senior Living
- d. Written testimony: None
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: Joe Bongiorno

2. Key issue(s) of public testimony:

- a. The owner/developer of the property to the north wants the driveway and cross-access to be provided; or at a minimum, an emergency access driveway and easement provided.

3. Key issue(s) of discussion by City Council:

- a. The possibility of providing an emergency only access instead of a full access to the property to the north;
- b. Concern pertaining to not having an access driveway to the property to the north for cross-access and emergency access.

4. City Council change(s) to Commission recommendation:

- a. Council approved a modification to the DA that only requires an emergency access easement and driveway with bollards acceptable to the Fire Department to be provided to the property to the north. The work associated with the project should be complete within 6 months if possible. Another temporary Certificate of Occupancy should be issued until that time.

EXHIBIT A

V. EXISTING DEVELOPMENT AGREEMENT PROVISIONS ~~PROPOSED TO BE REMOVED~~ MODIFIED:

5.1

- d. The driveway along the west side of the retail store shall extend to the north property boundary for future extension ~~and interconnectivity in accord with UDC 11-3A-3A as an emergency only access with installation of bollards acceptable to the Fire Department.~~ The work associated with the driveway access shall be completed within six (6) months, if possible, from the date of approval of the Findings for this application (by June 14, 2022).
- e. A cross-access/ingress-egress easement shall be provided to the property to the north (Parcel #R4582530202, 13984 W. Jasmine Ln.) with development of this site in accord with UDC 11-3A-3A.2 for an emergency access only. A recorded copy of said easement shall be submitted to the City prior to issuance of the ~~first~~ Certificate of Occupancy for the convenience store on the site.



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Denial of Regency at River Valley Phase 3 (H-2021-0059) by Bach Homes, Located at 3270 and 3280 E. River Valley St. and 2480 N. Eagle Rd.

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DECISION & ORDER**



In the Matter of Denial of the Request for Modification to the Existing Development Agreements (AZ-12-010, Inst. #[113005608](#) – SGI; and H-2019-0121, Inst. #[2020-062947](#) – Bach Storage) to Remove the Subject Property from the Existing Agreements and Create One New Agreement for the Development of a 134-Unit Multi-Family Project (i.e. Regency at River Valley Phase 3), by Bach Homes.

Case No(s). H-2021-0059

For the City Council Hearing Dates of: October 19, November 23 and 30, 2021 (Findings on December 14, 2021)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of November 30, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of November 30, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of November 30, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of November 30, 2021, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
4. That the City has entered an order of denial in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the Applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.

C. Decision and Order

Pursuant to the City Council’s authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION & ORDER
FOR REGENCY AT RIVER VALLEY PHASE 3 – MDA H-2021-0059

1. The applicant's request for a modification to the Development Agreement is hereby denied per the discussion and motion by City Council at the hearing on November 30, 2021.

D. Notice of Final Action and Right to Regulatory Takings Analysis

1. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

E. Attached: Staff Report for the hearing date of November 30, 2021

By action of the City Council at its regular meeting held on the _____ day of _____, 2021.

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A**STAFF REPORT****COMMUNITY DEVELOPMENT DEPARTMENT**

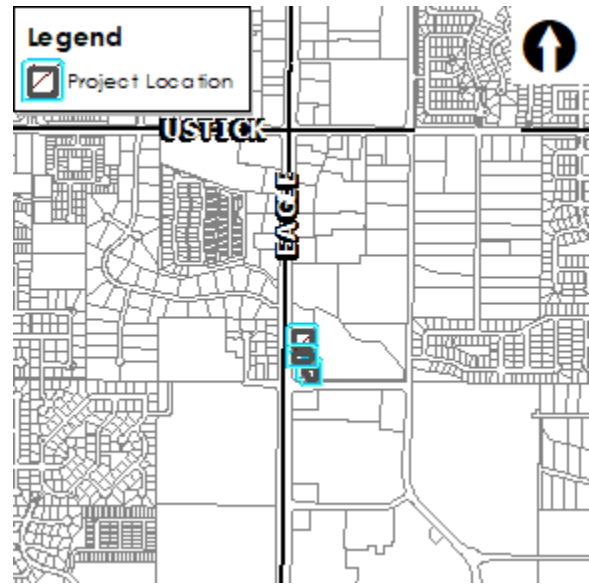
HEARING DATE: 11/30/2021
Continued from 9/28/21, 10/19/21 and 11/23/21

TO: Mayor & City Council

FROAM: Sonya Allen, Associate Planner
 208-884-5533

SUBJECT: H-2021-0059
 Regency at River Valley Phase 3

LOCATION: 3270 & 3280 E. River Valley St. & 2480 N. Eagle Rd., in the NW ¼ of Section 4, Township 3N., Range 1E.

**I. PROJECT DESCRIPTION**

Modification to the existing Development Agreements (AZ-12-010, Inst. #[113005608](#) – SGI; and H-2019-0121, Inst. #[2020-062947](#) – Bach Storage) to remove the subject property from the existing agreements and create one new agreement for the development of a 134-unit multi-family project (i.e. Regency at River Valley Phase 3).

II. SUMMARY OF REPORT**A. Applicant:**

Brian Carlisle, Bach Homes – 11650 State St., Ste. 300, Draper, UT 84020

B. Owner:

Shon Rindlisbacher, Bach Homes – 11650 S. State Street, Draper, UT 84020

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

The existing Development Agreements for the subject property requires the northern portion of the site to develop with a self-service storage facility (Bach Storage) and the southern portion with a 10,150 square foot multi-tenant retail store (Option A) or a 2,879 square foot restaurant with a drive-through (Option B) (SGI).

The Applicant proposes to replace both of those DA's with one (1) new DA for the subject property

with a new conceptual development plan. A multi-family development is proposed to develop on the site consisting of 134 apartment units on 2.57 acres of land in the C-C and C-G zoning districts. A mix of studio, 1- and 2-bedroom units are proposed at a gross density of 52 units per acre. The multi-family structure is proposed to be 5-stories tall with parking and an entry lobby on the first floor.

Off-street parking will be required per the standards listed in UDC Table [11-3C-6](#) for multi-family developments. Qualified open space will be required per the standards listed in UDC 11-4-3-27C; in phased developments such as this, common open space is required to be provided in each phase consistent with the requirements for the size & number of dwelling units. Common open space and site amenities are proposed to be shared between all phases of Regency at River Valley. Compliance with the specific use standards listed in UDC [11-4-3-27](#) for multi-family developments is required and will be reviewed with the conditional use permit application. Adjustments may be necessary to the concept plan to comply with these standards.

A subsequent conditional use permit (CUP) application is required to be submitted and approved for the proposed multi-family development in the C-C and C-G zoning districts. Development is subject to the specific use standards listed in UDC 11-4-3-27 for multi-family developments. A detailed review will take place with the CUP application to determine consistency with the specific use standards and other UDC standards.

High density residential (i.e. apartments) uses are desired in the Mixed Use – Regional Future Land Use Map (FLUM) designation especially when located adjacent to SH-55/Eagle Rd. and employment destination centers such as those along the Eagle Road corridor. The proposed development will be a third phase of the existing apartments to the east (i.e. Regency at River Valley) and will contribute to the mix of commercial (retail, restaurants, etc.), office and civic (Kleiner Park, Senior Center) uses in the area. For this reason, Staff is supportive of the proposed DA modification and has included recommended provisions for the new DA in Section VI.

IV. DECISION

A. Staff:

Staff recommends approval of the modification to the DA as proposed by the Applicant.

B. The Meridian City Council heard this item on October 19, 2021. At the public hearing, the Council moved to continue the subject MDA request to November 23, 2021 (continued to November 30th due to lack of a quorum). On November 30th, the City Council moved to deny the subject MDA request.

1. Summary of the City Council public hearing:

a. In favor: Brandon Whallon, Bach Homes; Ryan Hales, Hales Engineering; Alex Dahl, Bach Homes (Architect)

b. In opposition: None

c. Commenting: JoAnn Butler, Spink-Butler

d. Written testimony: None

e. Staff presenting application: Caleb Hood, Sonya Allen

f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

a. Concern for the required backage road to be providing access over private property to properties that don't front on Eagle Rd. (i.e. earlier phases of Regency at River Valley apartments).

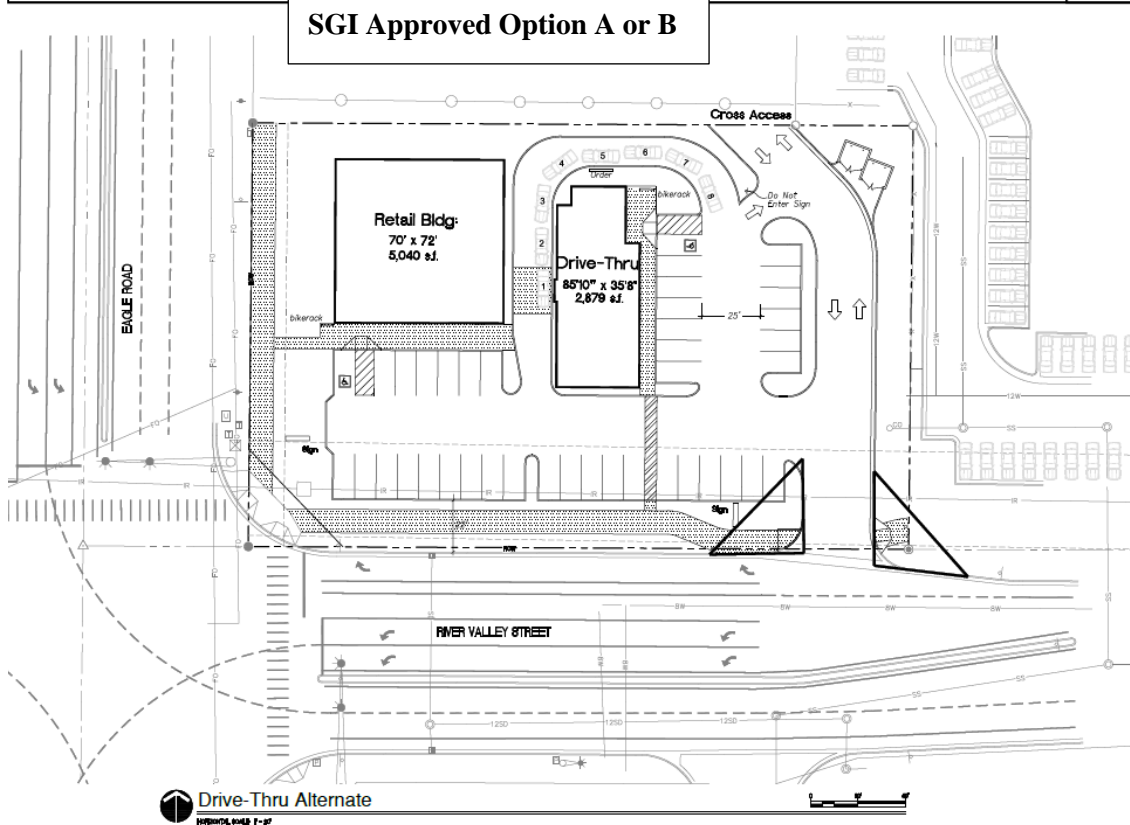
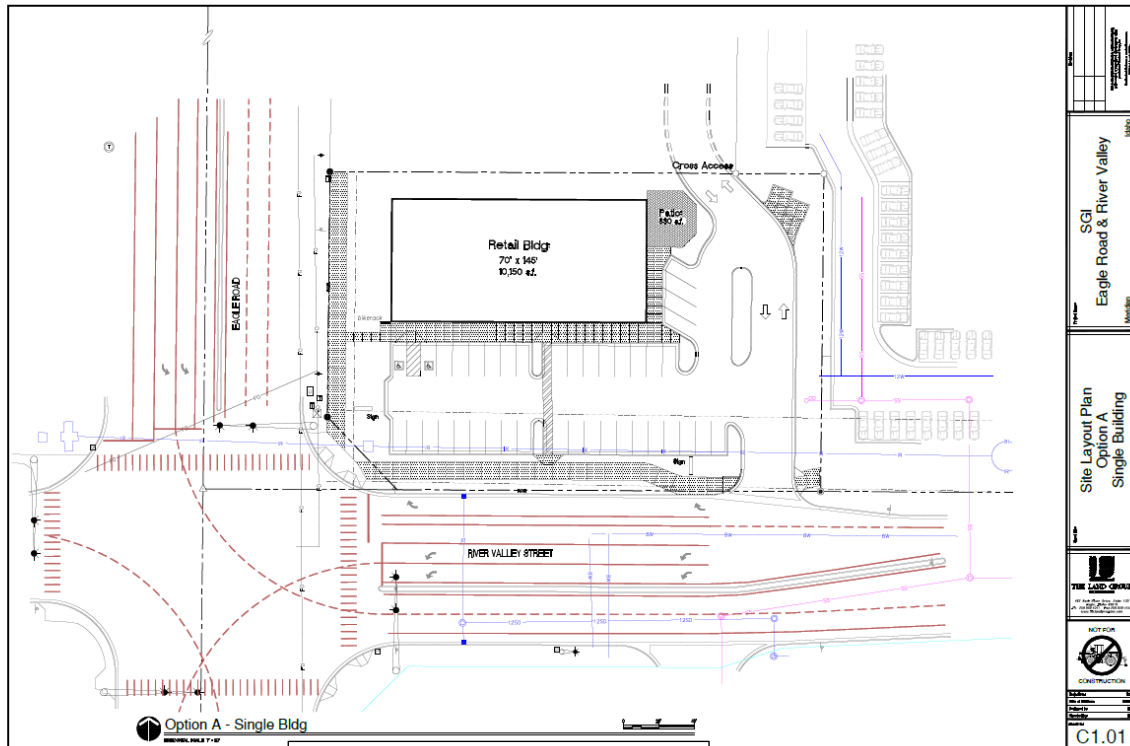
3. Key issue(s) of discussion by City Council:

a. Multi-family use along Eagle Road; entitlement process; open space and amenity provisions; school impacts; sharing of amenities and open space from previous phases

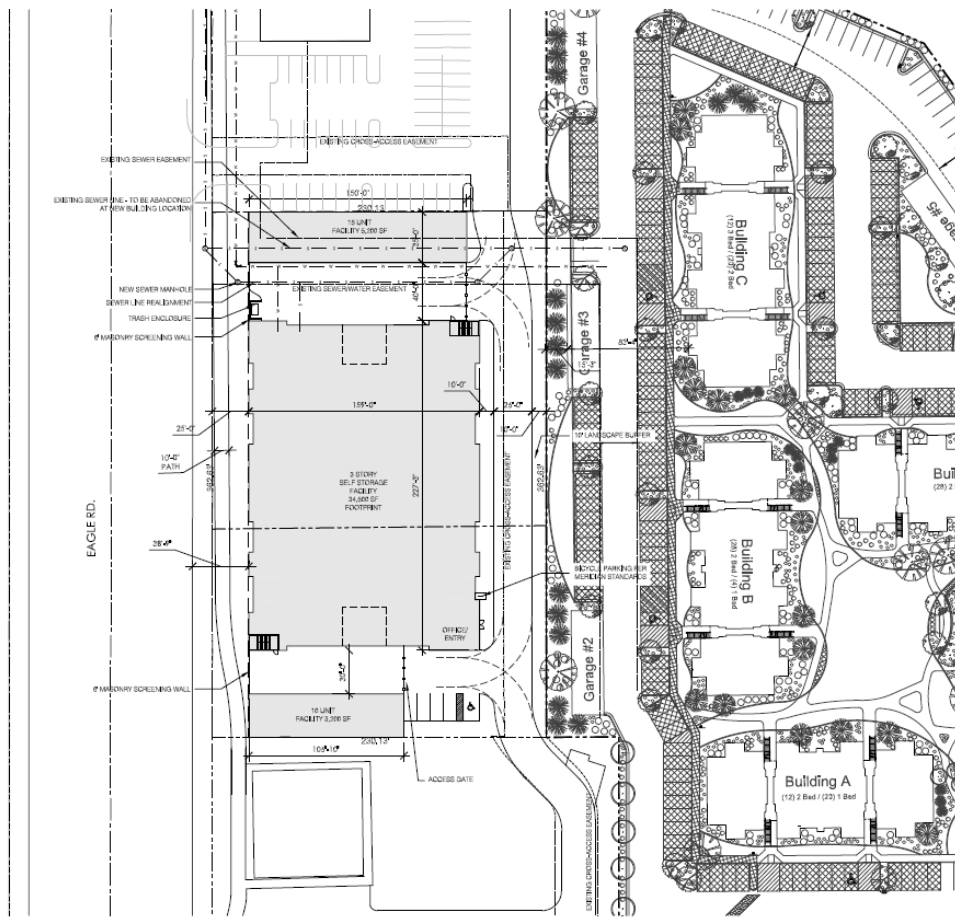
- and how that works; traffic flow, vehicular access/cross-access; and DA modification for the property to the east;
- b. Concern pertaining to what will happen if the required open space and site amenities for the multi-family development can't be provided due to site constraints;
 - c. Question pertaining to timing of extension of the backage road parallel with Eagle Rd. further to the north across the South Slough;
 - d. Questions pertaining to consistency of the proposed site design with UDC standards and Fire Department requirements;
 - e. Questions pertaining to how pedestrian connectivity will be provided between the subject development and the existing earlier phases of the development to the east;
 - f. Discussion on whether or not residential is more appropriate than a storage facility to develop on this site.
4. City Council change(s) to Staff recommendation:
- a. City Council denied the requested MDA as presented during the hearing due the following reasons: not having the access with some of the contiguous properties to the north adequately "flushed out"; issues with traffic and parking and associated traffic circulation; and not the right time for the City to approve the modification.

V. EXHIBITS

A. Existing Approved Conceptual Development Plans (dated: 12/13/18)



Bach Storage Approved Conceptual Development Plan



SITE INFO:

SITE AREA: 83,415 SF (1.91 ACRES)
 NORTH BUILDING: 5,200 SF
 LARGE BUILDING: ~100,000 SF
 SOUTH BUILDING: 3,200 SF

PARKING REQUIRED:
 STORAGE FACILITY - ~90,000 SF - 0 STALLS
 OFFICE SPACE - 1,000 SF - 2 STALLS
 PARKING PROVIDED: 5 STALLS (1 ADA)

BICYCLE STALLS REQUIRED: 1
 BICYCLE STALLS PROVIDED: 1



A PROJECT BY
BACH HOMES

DRAWING

SQUARE FOOTAGE:
 BUILDING: 108,400 SF
 TOTAL: 108,400 SF

DESIGNED BY: [Signature]

DATE: 10-1-2019

SHEET NO.

BACH STORAGE - 2500 N Eagle Rd. Meridian, ID

10-1-2019 SCALE: 1" = 30'-0"

C. Legal Description for Property Subject to New Development Agreement



August 9, 2021
 Project No. 21-159
 Bach Investments, LLC
 Conditional Use Permit
 Legal Description

Exhibit A

A parcel of land being Lot 2, Block 1 of Rivervalley Retail Subdivision (Book 106 of plats, pages 14591-14593) and a portion of the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a found brass cap marking the West 1/4 corner of said Section 4, which bears S00°36'00"W a distance of 2,611.39 feet from a found brass cap marking the Northwest corner of said Section 4, thence following the westerly line of said Section 4, N00°36'00"E a distance of 180.44 feet;

Thence leaving said westerly line, S89°24'00"E a distance of 70.00 feet to a found 1/2-inch rebar marking the Northwest corner of said Rivervalley Retail Subdivision, on the easterly right-of-way line of North Eagle Road and being the **POINT OF BEGINNING**.

Thence following said easterly right-of-way line, N00°36'00"E a distance of 363.50 feet to a found 5/8-inch rebar;

Thence leaving said easterly right-of-way line, S89°23'52"E a distance of 230.02 feet to a found aluminum cap on the westerly boundary line of Bach Subdivision (Book 113 of plats, pages 16608-16611);

Thence following said westerly subdivision boundary line the following four (4) courses:

1. S00°33'50"W a distance of 217.06 feet to a found aluminum cap;
2. S00°36'08"W a distance of 145.00 feet to a found 5/8-inch rebar on the northerly boundary line of Rivervalley Retail Subdivision;
3. S89°45'23"E a distance of 49.86 feet;
4. S00°36'08"W a distance of 180.00 feet to the northerly right-of-way line of East River Valley Street;

Thence leaving said westerly subdivision boundary line and following said northerly right-of-way line, N89°45'23"W a distance of 129.75 feet to the westerly boundary line of said Lot 2;

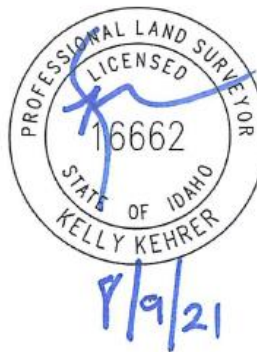
Thence leaving said northerly right-of-way line and following the westerly boundary line of said Lot 2 the following three (3) courses:

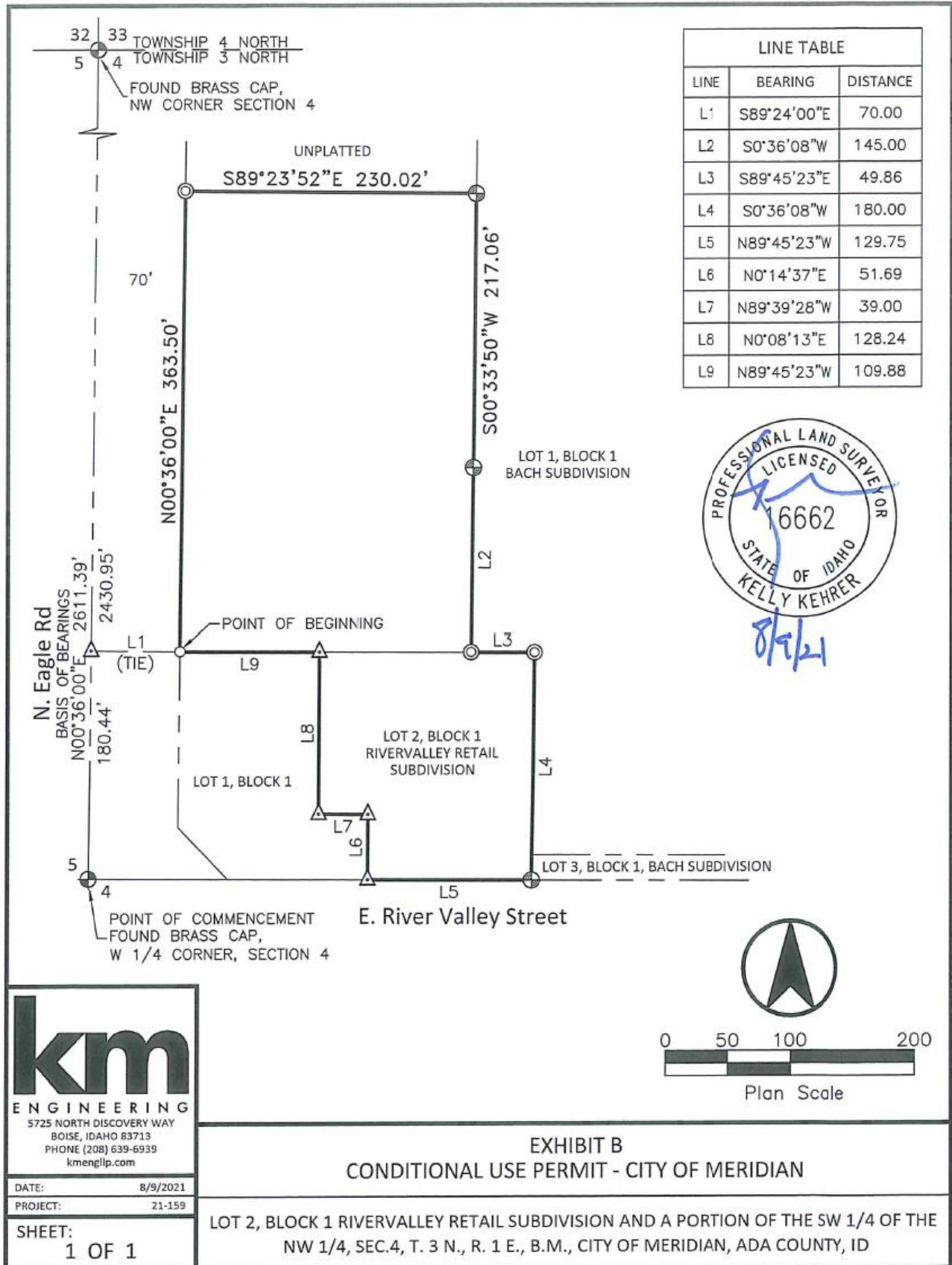
1. N00°14'37"E a distance of 51.69 feet;
2. N89°39'28"W a distance of 39.00 feet;
3. N00°08'13"E a distance of 128.24 feet to the northerly boundary line of said Rivervalley Retail Subdivision;

Thence leaving the westerly boundary line of said Lot 2 and following said northerly subdivision boundary line, N89°45'23"W a distance of 109.88 feet to the **POINT OF BEGINNING**. Said parcel contains 2.570 acres, more or less, and is subject to all existing easements and/or rights-of-way of record.

All subdivisions, deeds, records of surveys, and other instruments of record referenced herein are recorded documents of the county in which these described lands are situated in.

Attached hereto is **Exhibit B** and by this reference is made a part hereof.





VI. ~~DEVELOPMENT AGREEMENT PROVISIONS~~

1. ~~Development of the subject property shall no longer be subject to the terms of the Development Agreements for Bach Storage (H 2019-0121, Inst. #2020-062947) and SGI (AZ 12-010, Inst. #113005608).~~
2. ~~Development of the subject property shall be generally consistent with the conceptual development plan shown in Section V.B.~~
3. ~~Direct access to the site via N. Eagle Rd./SH 55 is prohibited per UDC 11-3H-4B.2.~~
4. ~~A cross-access easement shall be granted to the properties to the north (Parcel #S1104233802), east (Parcel #R0748300100) and south (Parcel #R7476320010) for access via E. River Valley Street. A copy of the recorded easements shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy for this site.~~
5. ~~A 10-foot wide multi-use pathway shall be constructed along N. Eagle Rd. and E. River Valley St. within a public use easement; pedestrian lighting and landscaping shall be installed along the pathway consistent with the Eagle Road Corridor Study per the standards listed in UDC 11-3H-4C.3.~~
6. ~~A public pedestrian easement for the multi-use pathway shall be submitted to the City, approved by City Council, and recorded prior to issuance of the first Certificate of Occupancy on this site as set forth in UDC 11-3H-4C.3.~~
7. ~~Future development shall comply with the design standards listed in the Architectural Standards Manual.~~
8. ~~A conditional use permit is required to be submitted and approved by the Planning and Zoning Commission for the proposed multi-family development in the C-C and C-G zoning districts as set forth in UDC Table 11-2B-2. The proposed use is subject to the specific use standards listed in UDC 11-4-3-27 Multi-Family Development.~~
9. ~~A Certificate of Zoning Compliance and administrative Design Review applications shall be submitted to and approved by the Planning Division prior to submittal of a building permit application(s).~~



AGENDA ITEM

ITEM TOPIC: Development Agreement Between the City of Meridian and Ronald Hatch (Owner/Developer) for Hatch Industrial (H-2021-0026), Located at the 160 N. Linder Rd. (Parcel No R3579000045 & R3579000040); Lots 8 and 9 of Heppers Acre Subdivision

DEVELOPMENT AGREEMENT

- PARTIES:**
1. City of Meridian
 2. Ronald Hatch, Owner/Developer

THIS DEVELOPMENT AGREEMENT (this Agreement), is made and entered into this 24th day of November, 2021, by and between **City of Meridian**, a municipal corporation of the State of Idaho, hereafter called CITY whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642 and **Ronald Hatch** whose address is PO Box 776, Meridian, Idaho 83680, hereinafter called OWNER/DEVELOPER.

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner is the sole owner, in law and/or equity, of certain tract of land in the County of Ada, State of Idaho, described in Exhibit “A”, which is attached hereto and by this reference incorporated herein as if set forth in full, herein after referred to as the Property; and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, require or permit as a condition of zoning that the Owner and/or Developer make a written commitment concerning the use or development of the subject Property; and
- 1.3 **WHEREAS**, City has exercised its statutory authority by the enactment of Section 11-5B-3 of the Unified Development Code (“UDC”), which authorizes development agreements upon the annexation and/or re-zoning of land; and
- 1.4 **WHEREAS**, Owner/Developer has submitted an application for annexation and rezoning of 1.59 acres of land to I-L (Light Industrial) zoning district on the property listed in Exhibit “A”, attached hereto, under the Unified Development Code, which generally describes how the Property will be developed and what improvements will be made; and
- 1.5 **WHEREAS**, Owner/Developer made representations at the public hearings before Planning and Zoning Commission and the Meridian City Council, as to how the Property will be developed and what improvements will be made; and
- 1.6 **WHEREAS**, the record of the proceedings for requested rezoning held before Planning and Zoning Commission and the City Council, includes responses of

government subdivisions providing services within the City of Meridian planning jurisdiction, and includes further testimony and comment; and

- 1.7 **WHEREAS**, on the 19th day of November, 2021, the Meridian City Council approved certain Findings of Fact and Conclusions of Law and Decision and Order (“Findings”), which have been incorporated into this Agreement and attached as Exhibit “B”; and
- 1.8 **WHEREAS**, the Findings require the Owner/Developer to enter into a Development Agreement before the City Council takes final action on final plat; and
- 1.9 **WHEREAS**, Owner/ Developer deem it to be in its best interest to be able to enter into this Agreement and acknowledges that this Agreement was entered into voluntarily and at its urging and request; and
- 1.10 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement for the purpose of ensuring that the Property is developed and the subsequent use of the Property is in accordance with the terms and conditions of this Agreement, herein being established as a result of evidence received by the City in the proceedings for zoning designation from government subdivisions providing services within the planning jurisdiction and from affected property owners and to ensure zoning designation are in accordance with the amended Comprehensive Plan of the City of Meridian on December 19, 2019, Resolution No. 19-2179, and the UDC, Title 11.

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

2. **INCORPORATION OF RECITALS:** That the above recitals are contractual and binding and are incorporated herein as if set forth in full.

3. **DEFINITIONS:** For all purposes of this Agreement the following words, terms, and phrases herein contained in this section shall be defined and interpreted as herein provided for, unless the clear context of the presentation of the same requires otherwise:

- 3.1 **CITY:** means and refers to the **City of Meridian**, a party to this Agreement, which is a municipal Corporation and government subdivision of the state of Idaho, organized and existing by virtue of law of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho 83642.
- 3.2 **OWNER/DEVELOPOER:** means and refers to **Ronald Hatch**, whose address is PO Box 776, Meridian, Idaho 83642, hereinafter called OWNER/DEVELOPER, the party that owns and is developing said Property and shall include any subsequent owner(s) and/or developer(s) of the Property.

3.3 **PROPERTY:** means and refers to that certain parcel(s) of Property located in the County of Ada, City of Meridian as in Exhibit “A” describing a parcel to be annexed and bound by this Development Agreement and attached hereto and by this reference incorporated herein as if set forth at length.

4. **USES PERMITTED BY THIS AGREEMENT:** This Agreement shall vest the right to develop the Property in accordance with the terms and conditions of this Agreement.

4.1 The uses allowed pursuant to this Agreement are only those uses allowed under the UDC.

4.2 No change in the uses specified in this Agreement shall be allowed without modification of this Agreement.

5. **CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:**

5.1. Owners/ Developer shall develop the Property in accordance with the following special conditions:

- a. Future development of this site shall be generally consistent with the conceptual development plan included in Section VIII, Unified Development Code standards, design standards in the Architectural Standards Manual and the provisions contained in the Staff Report attached to the Findings of Fact and Conclusions of Law attached hereto as Exhibit “B”.
- b. Future structure(s) on the site shall comply with the non-residential design standards in the Architectural Standards Manual for commercial districts (i.e. CD).
- c. A cross-access easement shall be granted to the abutting properties to the north (Parcel #R3579000034) and south (Parcel #R3579000050) for access to/from N. Linder Road through the subject property; a copy of the recorded easement shall be submitted to the Planning Division with the Certificate of Zoning Compliance application for this site.
- d. A 5-foot wide buffer shall be provided to residential land uses as required per UDC Table 11-2C-32 and as reduced by City Council at the hearing on October 9, 2021, landscaped per the standards listed in UDC 11-3B-9C.
- e. There are existing trees on this site that if removed may require mitigation per the standards listed in UDC 11-3B-10C-5. The owner/developer shall contact Matt Perkins, the City Arborist, to schedule a site inspection prior to removal of any trees from the site to determine mitigation requirements.
- f. A 14-foot wide public pedestrian easement shall be recorded for the multi-use pathway along Linder Road as required by the Parks Department. A copy of the easement shall be submitted to the Planning Division with the Certificate of Zoning Compliance application.
- g. A minimum of 25-foot wide street buffer, measured from back of sidewalk, is required to be provided along N. Linder Rd., landscaped per the standards in UDC 11-3B-7C.

6. **COMPLIANCE PERIOD** This Agreement must be fully executed within six (6) months after the date of the Findings for the annexation and zoning or it is null and void.

7. **DEFAULT/CONSENT TO DE-ANNEXATION AND REVERSAL OF ZONING DESIGNATION:**

- 7.1 **Acts of Default.** Either party's failure to faithfully comply with all of the terms and conditions included in this Agreement shall constitute default under this Agreement.
- 7.2 **Notice and Cure Period.** In the event of Owner/Developer's default of this Agreement, Owners/Developer shall have thirty (30) days from receipt of written notice from City to initiate commencement of action to correct the breach and cure the default, which action must be prosecuted with diligence and completed within one hundred eighty (180) days; provided, however, that in the case of any such default that cannot with diligence be cured within such one hundred eighty (180) day period, then the time allowed to cure such failure may be extended for such period as may be necessary to complete the curing of the same with diligence and continuity.
- 7.3 **Remedies.** In the event of default by Owner/Developer that is not cured after notice as described in Section 7.2, Owner/Developer shall be deemed to have consented to modification of this Agreement and de-annexation and reversal of the zoning designations described herein, solely against the offending portion of Property and upon City's compliance with all applicable laws, ordinances and rules, including any applicable provisions of Idaho Code §§ 67-6509 and 67-6511. Owner/Developer reserve all rights to contest whether a default has occurred. This Agreement shall be enforceable in the Fourth Judicial District Court in Ada County by either City or Owner and/or Developer, or by any successor or successors in title or by the assigns of the parties hereto. Enforcement may be sought by an appropriate action at law or in equity to secure the specific performance of the covenants, agreements, conditions, and obligations contained herein.
- 7.4 **Delay.** In the event the performance of any covenant to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.
- 7.5 **Waiver.** A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the default and defaults waived and shall neither bar any other rights or remedies of City nor apply to any subsequent default of any such or other covenants and conditions.

8. **INSPECTION:** Owner/Developer shall, immediately upon completion of any portion or the entirety of said development of the Property as required by this Agreement or by City ordinance or policy, notify the City Engineer and request the City Engineer's inspections and written approval of such completed improvements or portion thereof in accordance with the terms and conditions of this Agreement and all other ordinances of the City that apply to said Property.

9. **REQUIREMENT FOR RECORDATION:** City shall record this Agreement, including all of the Exhibits, and submit proof of such recording to Owner/Developer, prior to the third reading of the Meridian Zoning Ordinance in connection with the re-zoning of the Property by the City Council. If for any reason after such recordation, the City Council fails to adopt the ordinance in connection with the annexation and zoning of the Property contemplated hereby, the City shall execute and record an appropriate instrument of release of this Agreement.

10. **ZONING:** City shall, following recordation of the duly approved Agreement, enact a valid and binding ordinance zoning the Property as specified herein.

11. **SURETY OF PERFORMANCE:** The City may also require surety bonds, irrevocable letters of credit, cash deposits, certified check or negotiable bonds, as allowed under the UDC, to insure the installation of required improvements, which the Owner/Developer agree to provide, if required by the City.

12. **CERTIFICATE OF OCCUPANCY:** No Certificates of Occupancy shall be issued in any phase in which the improvements have not been installed, completed, and accepted by the City, or sufficient surety of performance is provided by Owner/Developer to the City in accordance with Paragraph 11 above.

13. **ABIDE BY ALL CITY ORDINANCES:** That Owners and/or Developer agree to abide by all ordinances of the City of Meridian unless otherwise provided by this Agreement.

14. **NOTICES:** Any notice desired by the parties and/or required by this Agreement shall be deemed delivered if and when personally delivered or three (3) days after deposit in the United States Mail, registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

CITY:

City Clerk
City of Meridian
33 E. Broadway Ave.
Meridian, Idaho 83642

with copy to:

City Attorney
City of Meridian
33 E. Broadway Avenue
Meridian, Idaho 83642

OWNER/DEVELOPER:

Ronald Hatch
PO Box 776
Meridian, ID 83642

14.1 A party shall have the right to change its address by delivering to the other party a written notification thereof in accordance with the requirements of this section.

15. **ATTORNEY FEES:** Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney's fees as determined by a Court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

16. **TIME IS OF THE ESSENCE:** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the other party so failing to perform.

17. **BINDING UPON SUCCESSORS:** This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including City's corporate authorities and their successors in office. This Agreement shall be binding on the Owner/Developer, each subsequent owner and any other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed. City agrees, upon written request of Owner/Developer, to execute appropriate and recordable evidence of termination of this Agreement if City, in its sole and reasonable discretion, had determined that Owner/Developer have fully performed their obligations under this Agreement.

18. **INVALID PROVISION:** If any provision of this Agreement is held not valid by a court of competent jurisdiction, such provision shall be deemed to be excised from this Agreement and the invalidity thereof shall not affect any of the other provisions contained herein.

19. **DUTY TO ACT REASONABLY:** Unless otherwise expressly provided, each party shall act reasonably in giving any consent, approval, or taking any other action under this Agreement.

20. **COOPERATION OF THE PARTIES:** In the event of any legal or equitable action or other proceeding instituted by any third party (including a governmental entity or official) challenging the validity of any provision in this Agreement, the parties agree to cooperate in defending such action or proceeding.

21. **FINAL AGREEMENT:** This Agreement sets forth all promises, inducements, agreements, condition and understandings between Owner/Developer and City relative to the subject matter hereof, and there are no promises, agreements, conditions or understanding, either oral or written, express or implied, between Owner/Developer and City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

- 21.1 No condition governing the uses and/or conditions governing re-zoning of the subject Property herein provided for can be modified or amended without the approval of the City Council after the City has conducted public hearing(s) in accordance with the notice provisions provided for a zoning designation and/or amendment in force at the time of the proposed amendment.

22. **EFFECTIVE DATE OF AGREEMENT:** This Agreement shall be effective on the date the Meridian City Council shall adopt the amendment to the Meridian Zoning Ordinance in connection with the annexation and zoning of the Property and execution of the Mayor and City Clerk.

[end of text; signatures, acknowledgements, and Exhibits A and B follow]

ACKNOWLEDGMENTS

IN WITNESS WHEREOF, the parties have herein executed this agreement and made it effective as hereinabove provided.

OWNERS/DEVELOPER:



Ronald Hatch

CITY OF MERIDIAN

ATTEST:

By: _____
Mayor Robert E. Simison

Chris Johnson, City Clerk

STATE OF IDAHO)
 : ss:
 County of Ada)

On this ____ day of _____, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared **Ronald Hatch** known or identified to me to be the person who signed above and acknowledged to me that he executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

 Notary Public for _____
 Residing at: _____
 My Commission Expires: _____

STATE OF IDAHO)
 : ss
 County of Ada)

On this ____ day of _____, 2021, before me, a Notary Public, personally appeared **Robert E. Simison** and **Chris Johnson**, known or identified to me to be the Mayor and Clerk, respectively, of the **City of Meridian**, who executed the instrument or the person that executed the instrument of behalf of said City, and acknowledged to me that such City executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

 Notary Public for Idaho
 Residing at: _____
 Commission expires: _____

Annexation Legal Description



Annexation Description

A parcel of land being all of Lots 8 and 9 of Heppers Acre Subdivision as recorded in Book 19 of Plats at Pages 1298 and 1299, Records of Ada County, said parcel is located in the Southwest Quarter of the Southwest Quarter of Section 12, Township 3 North, Range 1 West of the Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the found 4 inch aluminum cap monument at the corner common to Sections 11, 12, 13 and 14, T3N, R1W from which the found 3 inch brass cap monument in asphalt at the quarter corner common to Sections 11 and 12, T3N, R1W bears N 00° 32' 39" E a distance of 2645.87 feet; thence N 00° 32' 39" E along the section line for a distance of 646.92 feet to the REAL POINT OF BEGINNING;

Thence N 89° 41' 22" E for a distance of 40.00 feet to a found 5/8th inch iron pin labeled PLS 11779 at the northwest corner of Lot 8;

Thence N 89° 41' 22" E along the line common to Lots 7 and 8 for a distance of 315.19 feet to a set 5/8th inch iron pin with a cap stamped PLS 11463 at the northeast corner of Lot 8;

Thence S 00° 46' 31" W for a distance of 192.00 feet to a found 1/2 inch iron pin, replaced with a 5/8th inch iron pin with a cap stamped PLS 11463;

Thence S 88° 31' 38" W along the line common to Lots 9 and 10 for a distance of 314.52 feet to a set 5/8th inch iron pin with a cap stamped PLS 11463 at the southwest corner of Lot 9;

Thence S 88° 31' 38" W for a distance of 40.02 feet to a point on the section line;

Thence N 00° 31' 39" E along the section line for a distance of 199.18 feet to the REAL POINT OF BEGINNING.

Parcel contains 1.593 acres, or 69,379 square feet, more or less.

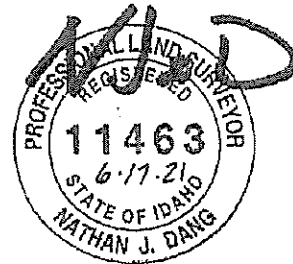


EXHIBIT MAP

LOTS 8 & 9, HEPPERS ACRE SUBDIVISION,
 BOOK 19 OF PLATS, PAGES 1298-1299, ADA COUNTY RECORDS.
 LYING WITHIN THE SW 1/4 OF THE SW 1/4 OF SECTION 12, T.3N., R.1W., B.M.
 COUNTY OF ADA — STATE OF IDAHO

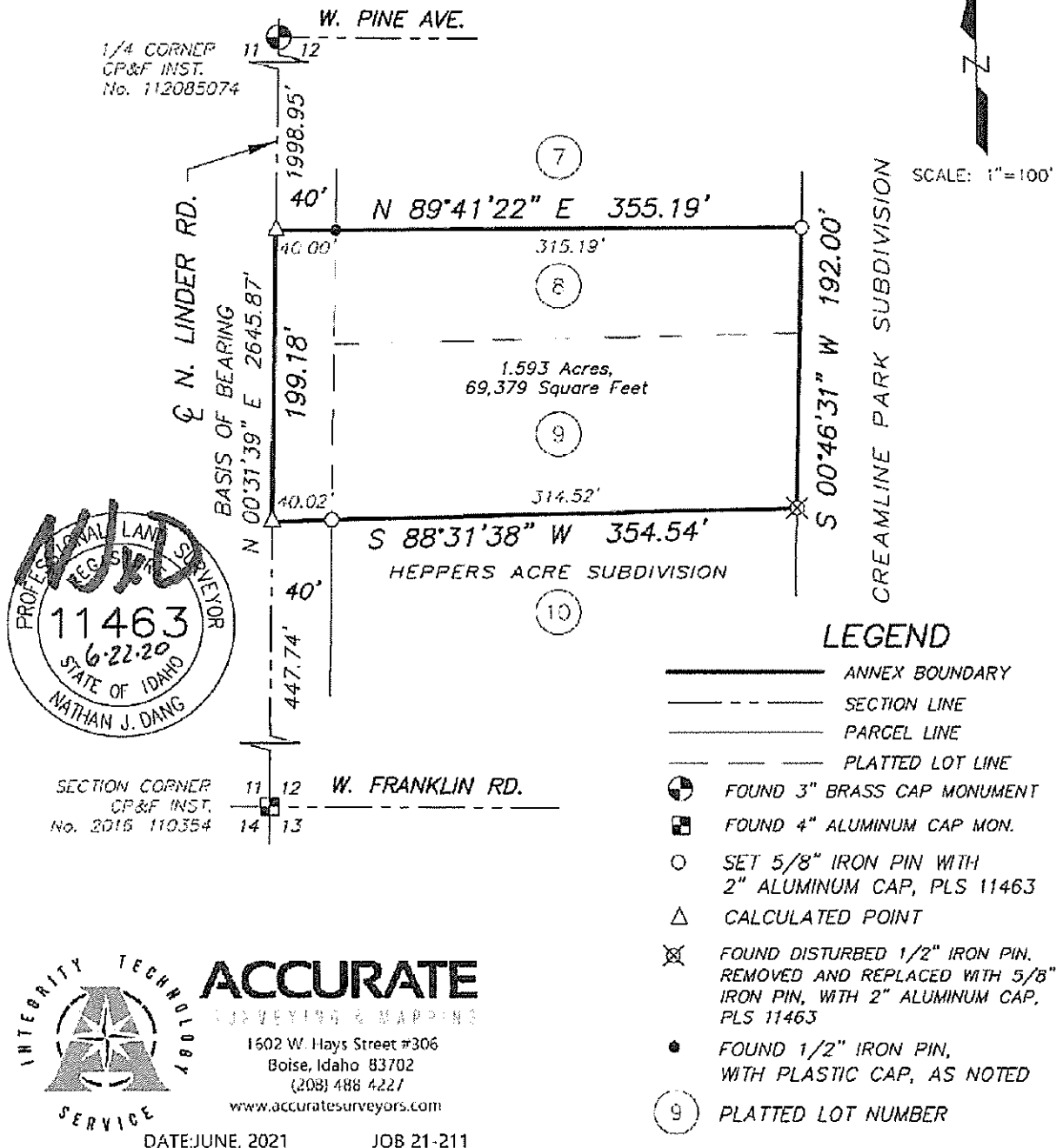


EXHIBIT B

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DECISION & ORDER**



In the Matter of the Request for Amendment to the Comprehensive Plan Future Land Use Map (CPAM) to Change the Future Land Use Designation on 42+/- Acres of Land from Mixed Use – Community to Industrial; and Annexation of (AZ) of 1.59 Acres of Land with an I-L (Light Industrial) Zoning District for Hatch Industrial, by Hatch Design Architecture.

Case No(s). H-2021-0026

For the City Council Hearing Date of: October 19, 2021 (Findings on November 3, 2021)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of October 19, 2021, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of October 19, 2021, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of October 19, 2021, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of October 19, 2021, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of October 19, 2021, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the City Council's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for an amendment to the Comprehensive Plan Future Land Use Map and Annexation & Zoning is hereby approved with the requirement of a Development Agreement per the provision in the Staff Report for the hearing date of October 19, 2021, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Development Agreement Duration

The city and/or an applicant may request a development agreement or a modification to a development agreement consistent with Idaho Code section 67-6511A. The development agreement may be initiated by the city or applicant as part of a request for annexation and/or rezone at any time prior to the adoption of findings for such request.

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of October 19, 2021

By action of the City Council at its regular meeting held on the 9th day of November, 2021.

COUNCIL PRESIDENT TREG BERNT

VOTED AYE

COUNCIL VICE PRESIDENT BRAD HOAGLUN

VOTED AYE

COUNCIL MEMBER JESSICA PERREAULT

VOTED AYE

COUNCIL MEMBER LUKE CAVENER

VOTED AYE

COUNCIL MEMBER JOE BORTON

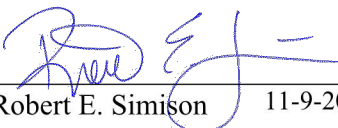
VOTED AYE

COUNCIL MEMBER LIZ STRADER

VOTED AYE


MAYOR ROBERT SIMISON
(TIE BREAKER)

VOTED _____



Mayor Robert E. Simison 11-9-2021

Attest:



Chris Johnson 11-9-2021
City Clerk



Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

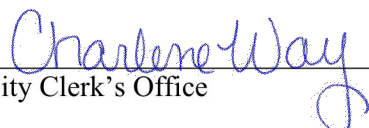
By:  _____ Dated: 11-9-2021
City Clerk's Office

EXHIBIT A**STAFF REPORT****COMMUNITY DEVELOPMENT DEPARTMENT**

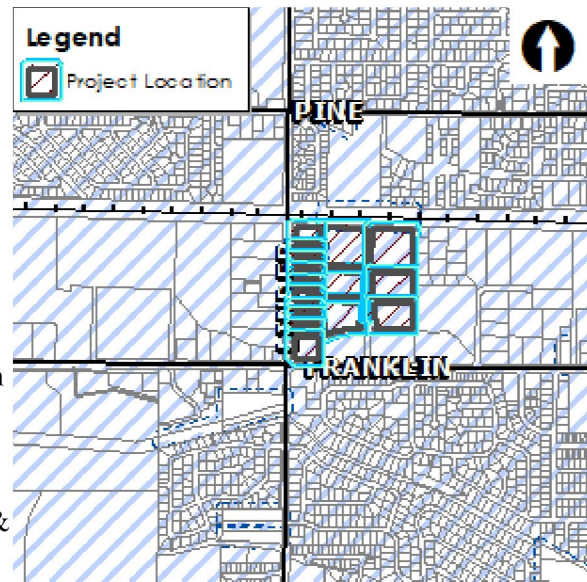
HEARING DATE: October 19, 2021

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2021-0026
Hatch Industrial – CPAM, AZ

LOCATION: CPAM: East side of N. Linder Rd., south of the railroad tracks, and north side of W. Franklin Rd.
AZ: 160 N. Linder Rd. (Parcel No. R3579000045 & R3579000040; Lots 8 & 9, Heppers Acre Subdivision)
SW ¼ of Section 12, Township 3N., Range 1W.

**I. PROJECT DESCRIPTION**

Amendment to the Comprehensive Plan Future Land Use Map (CPAM) to change the future land use designation on 42+/- acres of land from Mixed Use – Community to Industrial; and Annexation of (AZ) of 1.59 acres of land with an I-L (Light Industrial) zoning district.

II. SUMMARY OF REPORT**A. Project Summary**

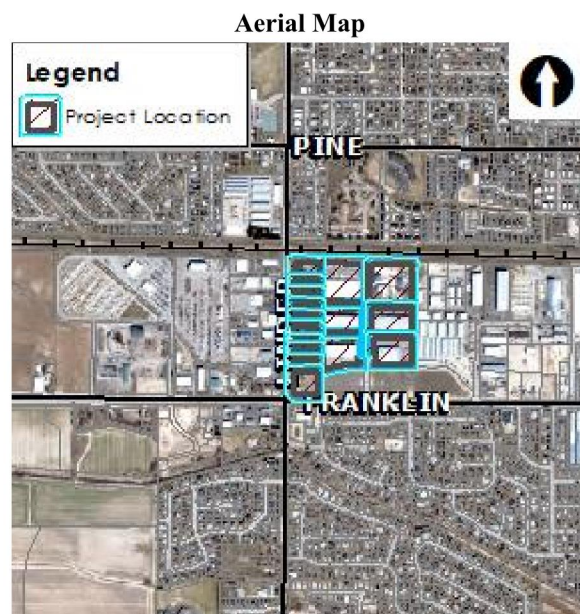
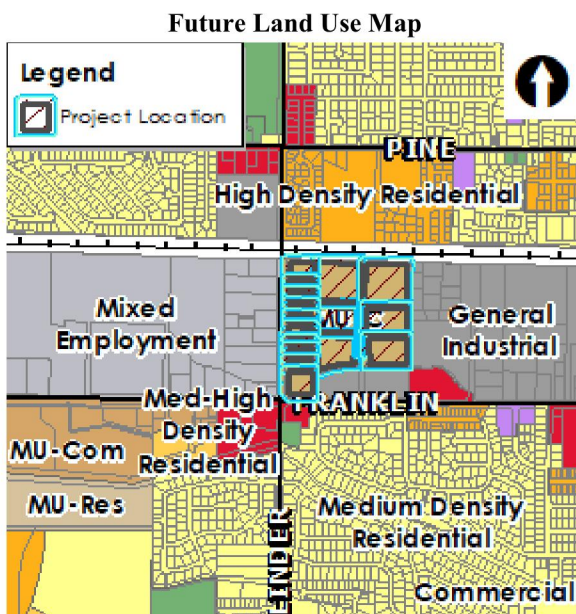
| Description | Details | Page |
|---|---|------|
| Acreage | 42+/- acres (CPAM); 1.59 acres (AZ) | |
| Future Land Use Designation | MU-C (Mixed Use – Community) | |
| Existing Land Use | Mix of residential, industrial, childcare facility and healthcare uses | |
| Proposed Land Use(s) | Storage facility & future industrial uses | |
| Current Zoning | R1 in Ada County, L-O (Limited Office), I-L (Light Industrial) and C-C (Community Business) | |
| Proposed Zoning | I-L (Light Industrial) | |
| Physical Features (waterways, hazards, flood plain, hillside) | None | |

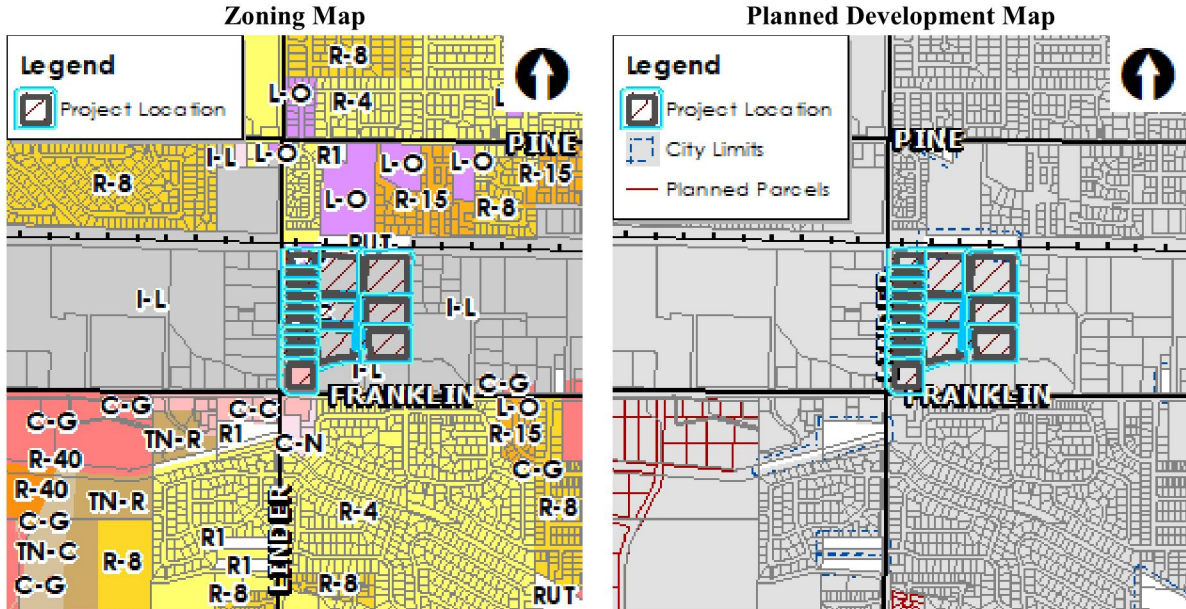
| | | |
|--|--|--|
| Neighborhood meeting date; # of attendees: | 3/30/21; 4 attendees | |
| History (previous approvals) | 270 N. Linder Rd. [AZ-09-004 (Ord. #10-1442); CZC-10-071 – The Baby Place]; Parcel #S1212336031 (Ord. #387 JMK Properties AZ); 444 N. Linder Rd. (AZ Ord #827 – Kathleen & Wendell Lawrence) | |

B. Community Metrics

| Description | Details | Page |
|--|---|------|
| Ada County Highway District | | |
| <ul style="list-style-type: none"> Staff report (yes/no) | Yes | |
| <ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) | No | |
| <ul style="list-style-type: none"> Existing Conditions | Linder Rd. is improved with 5-travel lanes, vertical curb, gutter & 7' attached sidewalk. <i>No additional improvements or right-of-way dedication is required with this application.</i> | |
| <ul style="list-style-type: none"> CIP/IFYWP | No further improvements required. | |
| Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) | Access is depicted via Linder Rd. for the property proposed to be annexed with a cross-access driveway to adjacent properties to the north & south. | |
| Proposed Road Improvements | None | |
| Fire Service | <i>No comment.</i> | |
| Police Service | <i>No comment.</i> | |

C. Project Maps





III. APPLICANT INFORMATION

A. Applicant:

Steve Thiessen, Hatch Design Architecture – 200 W. 36th St., Garden City, ID 83714

B. Owner:

Ronald Hatch – P.O. Box 776, Meridian, ID 83680

C. Representative:

Jeff Hatch, Hatch Design Architecture – 200 W. 36th St., Garden City, ID 83714

IV. NOTICING

| | Planning & Zoning Posting Date | City Council Posting Date |
|--|-----------------------------------|------------------------------|
| Newspaper notification published in newspaper | 8/27/2021 | 10/3/2021 |
| Radius notification mailed to property owners within 300 feet | 8/25/2021 | 9/30/2021 |
| Public hearing notice sign posted on site | 9/1/2021 | 10/5/2021 |
| Nextdoor posting | 8/26/2021 | 9/30/2021 |

V. COMPREHENSIVE PLAN ANALYSIS

EXISTING LAND USE DESIGNATION: This property is currently designated as Mixed Use – Community (MU-C) on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#) (see map in Section VIII.A). The purpose of this designation is to allocate areas where community-serving uses and dwellings

are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use Neighborhood (MU-N) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged. Developments are encouraged to be designed according to the conceptual MU-C plan depicted in Figure 3C. (See pgs. 3-11 through 3-16.)

PROPOSED LAND USE DESIGNATION: The proposed FLUM designation for this property is Industrial (see map in Section VIII.A). The Industrial designation allows a range of uses that support industrial and commercial activities. Industrial uses may include warehouses, storage units, light manufacturing, flex, and incidental retail and office uses. In some cases uses may include processing, manufacturing, warehouses, storage units, and industrial support activities (see pg. 3-11).

There is an existing childcare facility located on the property at 444 N. Linder Rd., zoned L-O; a birthing center/women's healthcare facility located at 270 N. Linder Rd., zoned C-C; vacant/undeveloped land at the northeast corner of Linder/Franklin, zoned C-C; and warehouse/industrial uses on the eastern portion of the site in Creamline Park, zoned I-L. The properties entitled with commercial/office zoning will be allowed to continue to operate as-is and/or develop with commercial uses as allowed by UDC Table [11-2B-2](#). The remainder of the 1+/- acre properties within the CPAM area that front on N. Linder Rd. are developed with single-family residential homes. If the CPAM is approved, the residential properties, when redeveloped, should be rezoned to I-L or I-H and develop with uses allowed in the applicable district as listed in UDC Table [11-2C-2](#).

Staff believes it would be difficult for the residential properties fronting on Linder Rd. to redevelop consistent with the current MU-C FLUM designation due to the depth of the properties at 320+/- feet and the type of development that would likely occur (strip commercial buildings); it's likely these properties would develop on a "piece by piece" basis and not as a larger integrated mixed use planned development. Because industrial uses exist on the eastern portion of the site, residential uses wouldn't integrate well or be compatible with existing uses and interconnectivity between uses isn't feasible. Development would also not be consistent with the General Mixed Use Concept Diagram in the Comprehensive Plan (see pg. 3-12) as the site is not deep enough to provide the transition in uses shown on the concept diagram.

The land on the west side of N. Linder Road and to the east of the CPAM area is designated as Industrial on the FLUM and zoned I-L, except for one parcel abutting the east boundary of the site fronting on W. Franklin Rd. which is designated Commercial and zoned I-L. Because of the industrial nature of the overall area south of the railroad tracks on the north side of Franklin Rd., the need for more industrial land, and Staff's belief that industrial uses would be more compatible with existing industrial uses, Staff is supportive of the CPAM request.

Transportation: The Master Street Map (MSM) does not depict any collector streets across this property.

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- "Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services." (3.03.03F)

City water and sewer service is available and can be extended by the developer of the property proposed to be annexed with development in accord with UDC 11-3A-21. No development is proposed on the remainder of the CPAM property at this time.

- "Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices." (3.07.01A)

The proposed industrial use will be required to provide a landscaped buffer along property lines adjacent to residential uses (i.e. to the north and south) with development per UDC Table 11-2C-3.

- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)

The proposed industrial development should be compatible with existing industrial uses to the east and west. The required buffer to residential land uses to the north and south should minimize conflicts between land uses.

- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)

The proposed infill industrial development shouldn't negatively impact abutting uses as other industrial uses exist to the east and west; and a landscaped buffer is required along the north and south property boundaries to residential uses which should minimize conflicts.

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)

The proposed development will be required to connect to City water and sewer systems with development; services are required to be provided to and though this development in accord with current City plans.

- “Require appropriate landscaping, buffers, and noise mitigation with new development along transportation corridors (setback, vegetation, low walls, berms, etc.).” (3.07.01C)

A 25-foot wide street buffer is required to be provided with development along N. Linder Rd., an arterial street, per UDC Table 11-2C-3, landscaped per the standards in UDC 11-3B-7C.

- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)

Curb, gutter and sidewalk was recently constructed with the road widening project along Linder Rd. Hook-up to City water and sewer service is required with development.

- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)

Development of the subject infill parcel will maximize the provision of public services.

VI. STAFF ANALYSIS

A. COMPREHENSIVE PLAN MAP AMENDMENT (CPAM)

As discussed above, the Applicant requests an amendment to the FLUM to change the future land use designation on 42+/- acres of land from Mixed Use – Community (MU-C) to Industrial. An exhibit map showing the existing and proposed FLUM designation is included in Section VIII.A.

Approval of the proposed amendment to Industrial will accomplish the following: 1) it will allow the existing residential/commercial properties within the site to redevelop with industrial uses which should be more compatible with existing industrial uses on the site and adjacent to the site; 2) industrial uses should be more compatible with existing industrial uses than uses allowed in the MU-C designation, which should minimize conflicts between land uses; 3) for the properties already zoned I-L and developed with industrial uses on the eastern portion of the site in Creamline Park, the amendment will “clean-up” the FLUM for this area so that the land use designation coincides with the existing approved

uses; and the amendment will allow more industrial uses to develop which are needed in the City. For these reasons, Staff supports the request.

B. ANNEXATION (AZ)

The Applicant proposes to annex 1.59 acres of land, including right-of-way to the section line of N. Linder Rd., from the R1 zoning district in Ada County to the I-L zoning district in the City consistent with the proposed FLUM amendment to Industrial. A legal description and exhibit map for the annexation area is included in Section VIII.B.

The subject property is part of an enclave area surrounded by City annexed property. Annexation of this land will provide more efficient provision of City services. Industrial uses exist to the west across N. Linder Rd. and to the east; single-family residences exist to the north and south in Ada County.

The Applicant proposes to develop the 1.41-acre property with a 19,975 square foot 10-unit industrial building to lease to contractors, mostly for storage with the potential for each space to have a small office and restroom. A warehouse use is principally permitted in the I-L district; professional services (i.e. offices) are allowed as an accessory use per UDC Table [11-2C-2](#). Flex space is also a principally permitted use in the I-L district subject to the specific use standards listed in UDC [11-4-3-18](#).

Conceptual Development Plan: The conceptual development plan shown in Section VIII.C depicts the proposed structure, associated parking, driveway access and drive-aisles within the site. An existing 30-foot wide easement is depicted along the east boundary of the site on the Heppers Acre Subdivision plat.

Access: One (1) driveway access to the site is proposed via N. Linder Rd. with driveway stubs to the properties to the north and south for future cross-access upon redevelopment of those properties. **A cross-access easement should be recorded granting access to/from N. Linder Rd. through the subject property for those properties; a copy of this easement should be submitted to the Planning Division prior to issuance of the Certificate of Occupancy for this site.** The minimum drive aisle width for 90 degree parking with 2-way drive aisles is 25-feet per UDC Table [11-3C-5](#).

Sidewalk/Pathway: An attached 7-foot wide sidewalk was recently constructed along N. Linder Rd. along the frontage of this site. The Pathways Plan designates a 10-foot wide detached multi-use pathway in this area. Because the sidewalk was recently constructed, Staff does *not* recommend it's removed and a new pathway constructed in its place at this time; **however, Staff does recommend a 14-foot wide public pedestrian easement is recorded for the pathway.**

Parking: Off-street parking is required to be provided in accord with the standards listed in UDC [11-3C-6](#) for industrial uses (i.e. 1 space for every 2,000 square feet of gross floor area). Based on a 19,975 square foot building, a minimum of nine (9) spaces are required. A total of 30 spaces are depicted on the conceptual development plan, which exceeds the minimum number of spaces by 21.

Landscaping: A 25-foot wide street buffer is required to be constructed along N. Linder Rd., an arterial street, measured from back of sidewalk; the buffer should be landscaped per the standards listed in UDC [11-3B-7C](#).

Parking lot landscaping is required per the standards listed in UDC [11-3B-8C](#). A minimum 5-foot wide buffer should be provided along the east property boundary unless the requirement is reduced or waived by the Director for truck maneuvering areas as set forth in UDC 11-3B-8C.1a.

A 25-foot wide buffer to residential land uses is required per UDC [Table 11-2C-3](#), landscaped per the standards listed in UDC [11-3B-9C](#); residential uses exist to the north and south of this property. **The Applicant requests City Council approval of a reduced buffer width of 5 feet adjacent to residential uses as allowed by UDC 11-3B-9C.2 with notice to surrounding property owners. A reduction to the buffer width shall not affect building setbacks; all structures shall be set back from the property line a minimum of the buffer width required in the I-L district (i.e. 25-feet).**

Landscaping is required along the multi-use pathway adjacent to N. Linder Rd. per the standards listed in UDC [11-3B-12C](#).

There are existing trees on this site that may require mitigation if removed per the standards listed in UDC [11-3B-10C.5](#). **Staff recommends the Applicant contact Matt Perkins, the City Arborist, to schedule a site inspection prior to removal of any trees from the site to determine mitigation requirements.**

Elevations: Conceptual building elevations were not submitted for the industrial building. The design of the structure is required to comply with the design standards in the [Architectural Standards Manual](#) (ASM). **Staff recommends the design is required to comply with the design standards for commercial buildings rather than industrial buildings because the property fronts on an arterial street (i.e. Linder Rd.) and will be highly visible.** Detailed review of the elevations for compliance with these standards will take place with the Certificate of Zoning Compliance and Design Review application prior to submittal of an application for a building permit.

The City may require a development agreement (DA) in conjunction with a annexation pursuant to Idaho Code section 67-6511A. **To ensure the site develops as proposed with this application, Staff recommends a DA is required with the provisions discussed above and included in Section IX.A.**

VII. DECISION

A. Staff:

Staff recommends approval of the proposed amendment to the Future Land Use Map and Annexation with the requirement of a Development Agreement per the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on September 16, 2021. At the public hearing, the Commission moved to recommend approval of the subject CPAM and AZ requests.

1. Summary of Commission public hearing:

- a. In favor: Jeff Hatch, Applicant's Representative
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: Gary Reimer, Joe Olson, Bogdan Martsenyuk, Soerabaia Living Trust.
- e. Staff presenting application: Bill Parsons
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. All of the letters of testimony submitted are in support of the CPAM request.
- b. Mr. Reimer is in support of the requested reduction to the width of the landscape buffer to residential uses from 25' to 5' along their shared boundary line (i.e. project's northern boundary).

3. Key issue(s) of discussion by Commission:

- a. None

4. Commission change(s) to Staff recommendation:

- a. None

5. Outstanding issue(s) for City Council:

- a. None

C. The Meridian City Council heard these items on October 19, 2021. At the public hearing, the Council moved to approve the subject CPAM and AZ requests.

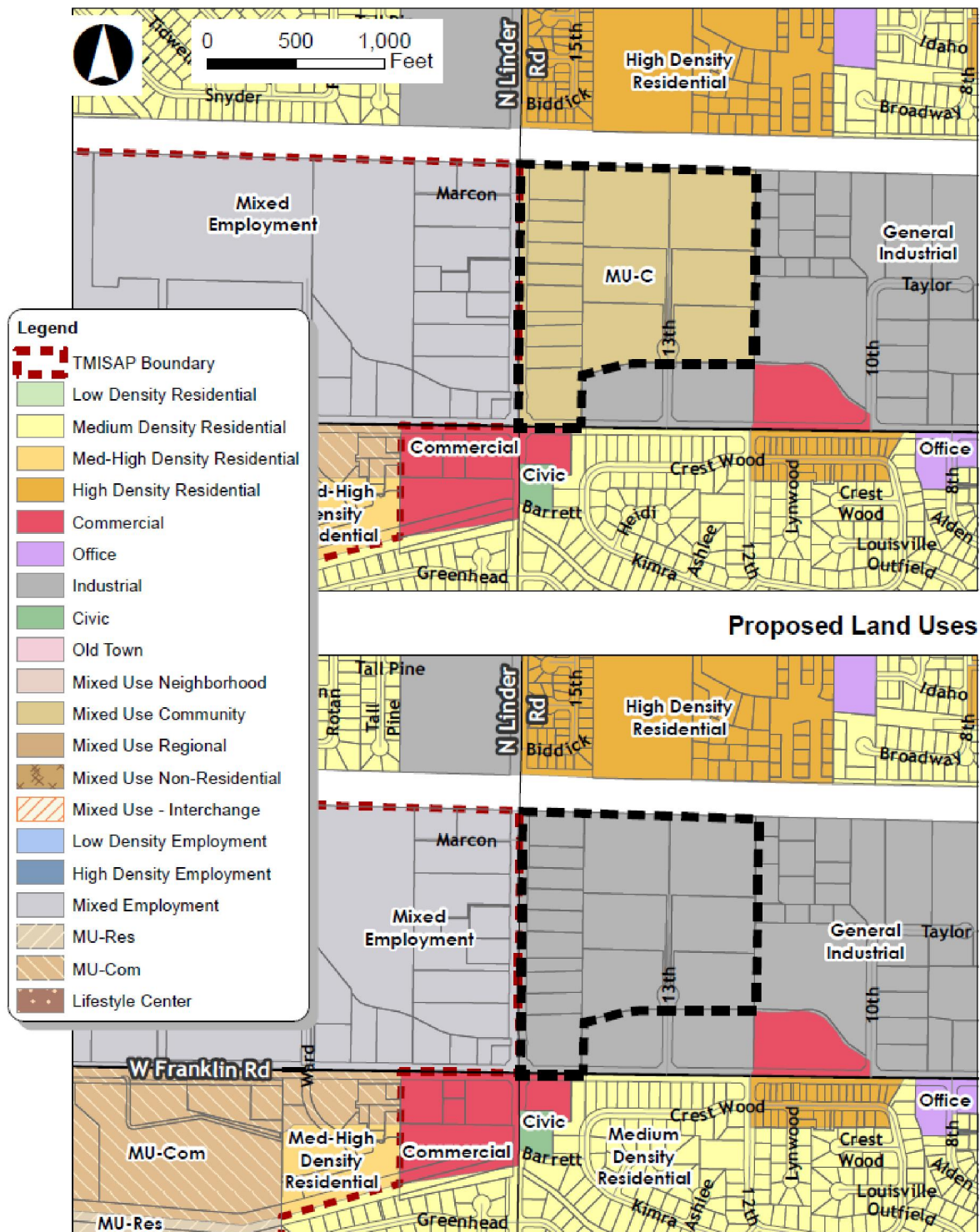
1. Summary of the City Council public hearing:
 - a. In favor: Jeff Hatch
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: None
 - e. Staff presenting application: Caleb Hood
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
 - a. None
3. Key issue(s) of discussion by City Council:
 - a. Landscape buffers to the north and south and redevelopment potential for the roughly 40 acres of property in this area
4. City Council change(s) to Commission recommendation:
 - a. Approve a reduction to the landscape buffer to the north and south to 5 feet. Motion by Cavener; second by Perreault – all ayes.

VIII. EXHIBITS

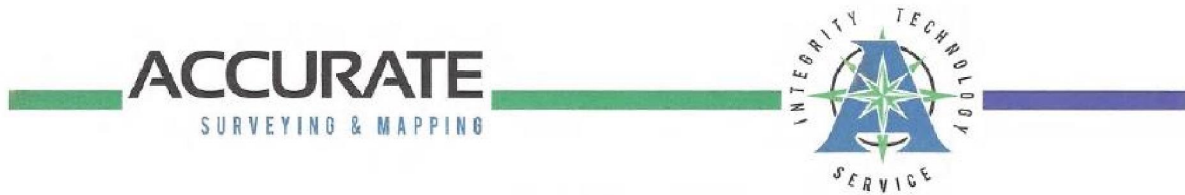
A. Future Land Use Map – Adopted & Proposed Land Uses

Date: 7/30/2021

Adopted Land Uses



B. Annexation Legal Description and Exhibit Map

**Annexation Description**

A parcel of land being all of Lots 8 and 9 of Heppers Acre Subdivision as recorded in Book 19 of Plats at Pages 1298 and 1299, Records of Ada County, said parcel is located in the Southwest Quarter of the Southwest Quarter of Section 12, Township 3 North, Range 1 West of the Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the found 4 inch aluminum cap monument at the corner common to Sections 11, 12, 13 and 14, T3N, R1W from which the found 3 inch brass cap monument in asphalt at the quarter corner common to Sections 11 and 12, T3N, R1W bears N 00° 32' 39" E a distance of 2645.87 feet; thence N 00° 32' 39" E along the section line for a distance of 646.92 feet to the **REAL POINT OF BEGINNING**;

Thence N 89° 41' 22" E for a distance of 40.00 feet to a found 5/8th inch iron pin labeled PLS 11779 at the northwest corner of Lot 8;

Thence N 89° 41' 22" E along the line common to Lots 7 and 8 for a distance of 315.19 feet to a set 5/8th inch iron pin with a cap stamped PLS 11463 at the northeast corner of Lot 8;

Thence S 00° 46' 31" W for a distance of 192.00 feet to a found ½ inch iron pin, replaced with a 5/8th inch iron pin with a cap stamped PLS 11463;

Thence S 88° 31' 38" W along the line common to Lots 9 and 10 for a distance of 314.52 feet to a set 5/8th inch iron pin with a cap stamped PLS 11463 at the southwest corner of Lot 9;

Thence S 88° 31' 38" W for a distance of 40.02 feet to a point on the section line;

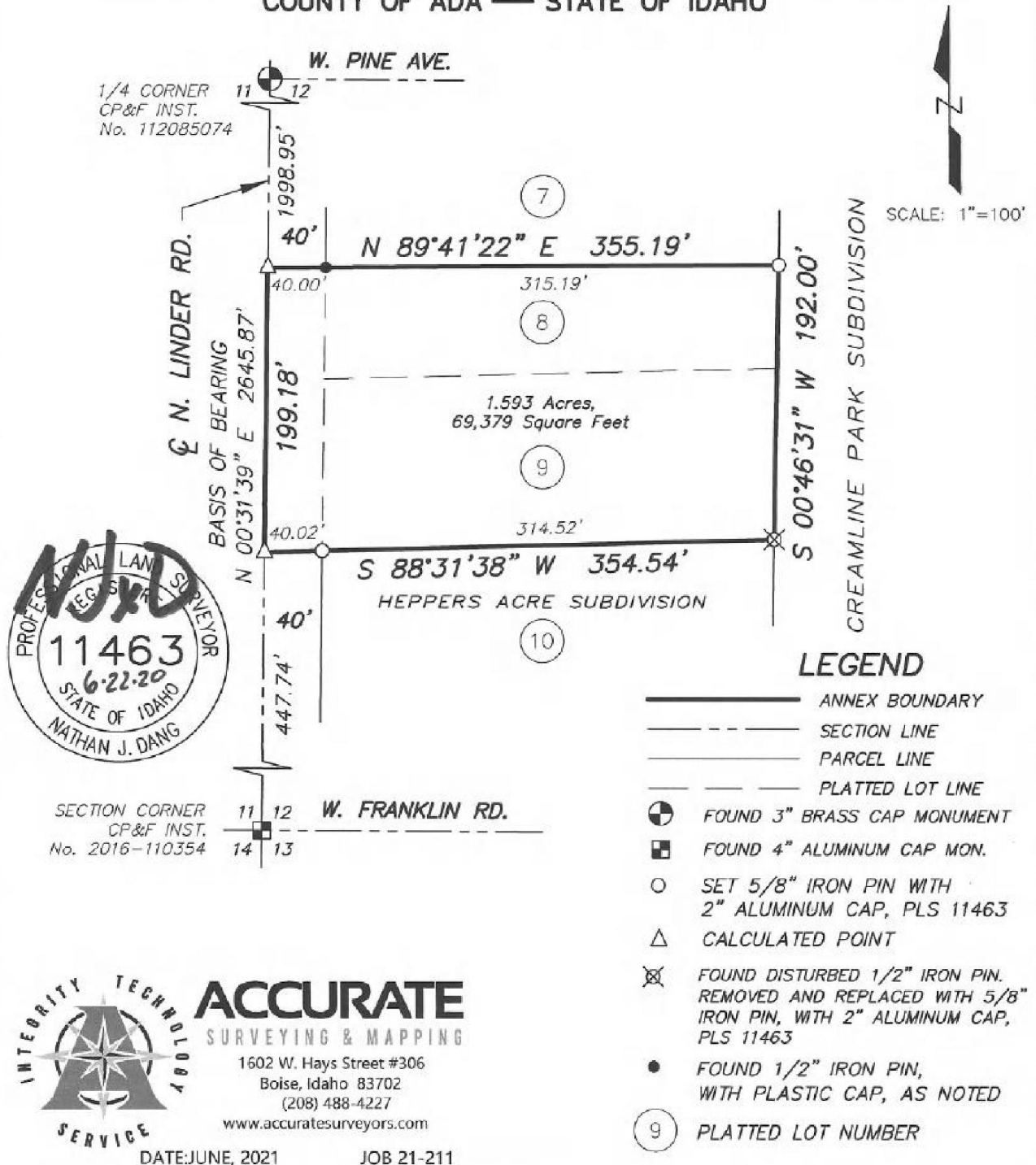
Thence N 00° 31' 39" E along the section line for a distance of 199.18 feet to the **REAL POINT OF BEGINNING**.

Parcel contains 1.593 acres, or 69,379 square feet, more or less.



EXHIBIT MAP

LOTS 8 & 9, HEPPERS ACRE SUBDIVISION,
BOOK 19 OF PLATS, PAGES 1298-1299, ADA COUNTY RECORDS.
LYING WITHIN THE SW 1/4 OF THE SW 1/4 OF SECTION 12, T.3N., R.1W., B.M.
COUNTY OF ADA — STATE OF IDAHO



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the conceptual development plan included in Section VIII, Unified Development Code standards, design standards in the Architectural Standards Manual and the provisions contained herein.
- b. Future structure(s) on the site shall comply with the non-residential design standards in the Architectural Standards Manual for commercial districts (i.e. CD).
- c. A cross-access easement shall be granted to the abutting properties to the north (Parcel #R3579000034) and south (Parcel #R3579000050) for access to/from N. Linder Rd. through the subject property; a copy of the recorded easement shall be submitted to the Planning Division with the Certificate of Zoning Compliance application for this site.
- d. A ~~25~~ 5-foot wide buffer shall be provided to residential land uses as required per UDC Table 11-2C-3 and as reduced by City Council at the hearing on October 19, 2021, landscaped per the standards listed in UDC 11-3B-9C, ~~unless otherwise reduced by City Council.~~
- e. There are existing trees on this site that if removed may require mitigation per the standards listed in UDC 11-3B-10C.5. The Applicant shall contact Matt Perkins, the City Arborist, to schedule a site inspection prior to removal of any trees from the site to determine mitigation requirements.
- f. A 14-foot wide public pedestrian easement shall be recorded for the multi-use pathway along Linder Rd. as required by the Park's Department. A copy of the easement shall be submitted to the Planning Division with the Certificate of Zoning Compliance application.
- g. A minimum 25-foot wide street buffer, measured from back of sidewalk, is required to be provided along N. Linder Rd., landscaped per the standards listed in UDC 11-3B-7C.

B. PUBLIC WORKS

Any changes to public utility infrastructure must be reviewed by the Public Work's Department.

C. NAMP & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=235914&dbid=0&repo=MeridianCity>

D. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=237033&dbid=0&repo=MeridianCity>

E. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=236543&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Comprehensive Plan Map Amendment

Upon recommendation from the Commission, the Council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an amendment to the Comprehensive Plan, the Council shall make the following findings:

1. The proposed amendment is consistent with the other elements of the Comprehensive Plan.

The City Council finds the proposed amendment to Industrial is compatible with adjacent industrial uses in the area and is consistent with the goals and policies in the Comprehensive Plan as noted in Section V.

2. The proposed amendment provides an improved guide to future growth and development of the city.

The City Council finds that the proposal to change the FLUM designation from Mixed Use – Community to Industrial will provide an improved guide to future growth and development in this area and will be compatible with adjacent industrial uses.

3. The proposed amendment is internally consistent with the Goals, Objectives and Policies of the Comprehensive Plan.

The City Council finds that the proposed amendment is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan as noted in Section V.

4. The proposed amendment is consistent with the Unified Development Code.

The City Council finds that the proposed amendment is consistent with the Unified Development Code.

5. The amendment will be compatible with existing and planned surrounding land uses.

The City Council finds the proposed amendment to Industrial will be compatible with other existing industrial uses in the area.

6. The proposed amendment will not burden existing and planned service capabilities.

The City Council finds that the proposed amendment will not burden existing and planned service capabilities in this portion of the city. Sewer and water services are available to be extended to this site.

7. The proposed map amendment (as applicable) provides a logical juxtaposition of uses that allows sufficient area to mitigate any anticipated impact associated with the development of the area.

The City Council finds the proposed map amendment provides a logical juxtaposition of uses and sufficient area to mitigate any development impacts to adjacent properties.

8. The proposed amendment is in the best interest of the City of Meridian.

For the reasons stated in Section V and the subject findings above, the City Council finds that the proposed amendment is in the best interest of the City.

B. Annexation and/or Rezone (UDC 11-5B-3E)

Required Findings: Upon recommendation from the commission, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;

The City Council finds the Applicant's proposal to annex the subject property with I-L zoning and develop industrial uses on the property is consistent with the proposed Industrial FLUM designation for this property. (See section V above for more information.)

2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;

The City Council finds the proposed map amendment to I-L and conceptual development plan generally complies with the purpose statement of the I-L district in that it will encourage industrial uses that are clean, quiet and free of hazardous or objectionable elements and that are operated entirely or almost entirely within enclosed structures and is accessible to an arterial street (i.e. Linder Rd.).

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;

The City Council finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed industrial use should be conducted entirely within a structure.

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and

The City Council finds City services are available to be provided to this development.

5. The annexation (as applicable) is in the best interest of city.

The City Council finds the proposed annexation is in the best interest of the City.



AGENDA ITEM

ITEM TOPIC: Resolution No. 21-2299: A Resolution by the Mayor and the Council of the City of Meridian, Idaho, to Provide for an Intergovernmental Agreement for roles and Responsibilities Under Idaho Code Section 50-2906(3)(B) Between Ada County, Idaho and the City of Meridian, Idaho; Providing for Areas Outside the City Limits to be Included Within an Urban Renewal Area; and Providing an Effective Date

CITY OF MERIDIAN

RESOLUTION NO. 21-2299

BY THE CITY COUNCIL:

BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER

A RESOLUTION BY THE MAYOR AND THE COUNCIL OF THE CITY OF MERIDIAN, IDAHO, TO PROVIDE FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b) BETWEEN ADA COUNTY, IDAHO AND THE CITY OF MERIDIAN, IDAHO; PROVIDING FOR AREAS OUTSIDE THE CITY LIMITS TO BE INCLUDED WITHIN AN URBAN RENEWAL AREA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor (the “Mayor”) and City Council (“City Council”) of the city of Meridian, Idaho (the “City”) have the authority (pursuant to Idaho Code §50-302) to establish resolutions not inconsistent with the laws of the State of Idaho as may be expedient, in addition to the special powers therein granted, to maintain the peace, good government and welfare of the corporation and its trade, commerce and industry;

WHEREAS, the City Council on or about July 24, 2001, adopted and approved a resolution creating the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (“MDC”), authorizing MDC to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the “Law”), and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”) upon making the findings of necessity required for creating the MDC;

WHEREAS, there are currently three existing urban renewal/revenue allocation areas in the City;

WHEREAS, MDC obtained the Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the “Eligibility Report”), which examined an area of operation of the City, in an area known as the Linder District Study Area, which area also included real property located within unincorporated Ada County, for the purpose of determining whether such area was a deteriorating area or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, the MDC Board, on May 26, 2021, adopted Resolution No. 21-024 accepting the Eligibility Report and authorizing the MDC Chair, Vice-Chair, or Administrator of MDC to transmit the Eligibility Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct the Agency to prepare an urban renewal plan for the Linder District Study Area, which plan may include a revenue allocation provision as allowed by law;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency

RESOLUTION FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND
RESPONSIBILITIES UNDER IDAHO CODE §50-2906(3)(b) - URBAN RENEWAL AREAS
OUTSIDE CITY LIMITS - 2

cannot exercise jurisdiction over any area outside the city limits and within its area of operation without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the area considered within the Eligibility Report included certain properties within unincorporated Ada County;

WHEREAS, the MDC Board also authorized the transmittal of the Eligibility Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution accepting the Eligibility Report and determining such area outside the boundaries of the City and within unincorporated Ada County to be a deteriorated area and/or a deteriorating area and finding the need for an urban renewal project for the proposed Linder District Study Area;

WHEREAS, the Eligibility Report was submitted to the Ada County Board of County Commissioners, and the Ada County Board of County Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Linder District Study Area;

WHEREAS, the Ada County Board of County Commissioners adopted MDC's findings concerning the proposed Linder District Study Area by adopting Resolution No. 2676 on September 30, 2021;

WHEREAS, the City Council, by Resolution No. 21-2289, dated October 5, 2021, declared the Linder District Study Area described in the Eligibility Report to be a deteriorated area or a deteriorating area, or a combination thereof, as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed revenue allocation area, that the Ada County Board of County Commissioners adopted the necessary resolutions and directed MDC to commence preparation of an urban renewal plan;

WHEREAS, the City and MDC have undertaken the planning process during 2021;

WHEREAS, MDC prepared the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan"), which Linder District Plan proposed to create an urban renewal and revenue allocation area commonly known as the Linder District project area (the "Project Area" or "Revenue Allocation Area") to develop and/or redevelop a portion of the area designated as eligible for urban renewal planning pursuant to the Law and Act, as amended, located within the City, and a portion of which is within unincorporated Ada County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development;

WHEREAS, the area included in the Project Area is smaller than the area assessed in the Eligibility Report;

RESOLUTION FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES UNDER IDAHO CODE §50-2906(3)(b) - URBAN RENEWAL AREAS OUTSIDE CITY LIMITS - 2

WHEREAS, the required property owner consents for any parcels deemed to be an agricultural operation included within the Project Area have been obtained by MDC;

WHEREAS, the Linder District Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the MDC Board on October 27, 2021, adopted Resolution No. 21-053 proposing and recommending the Linder District Plan;

WHEREAS, the Agency, by letter of transmittal dated October 28, 2021, submitted the Linder District Plan to the Mayor and the City Clerk;

WHEREAS, the Mayor and the City Clerk took the necessary action to process the Linder District Plan consistent with the requirements set forth in Idaho Code Section 50-2906 and Idaho Code Section 50-2008;

WHEREAS, appropriate notice of the Linder District Plan and revenue allocation provision contained therein has been given to the affected taxing districts and the public as required by Idaho Code §§ 50-2906 and 40-1415;

WHEREAS, after notice duly published, the City Council at its regular meeting to be held on December 14, 2021, will hold a public hearing and thereafter may consider the Linder District Plan as proposed;

WHEREAS, Idaho Code Section 50-2906(3)(b) contemplates an agreement between the Ada County Board of County Commissioners and the City Council, governing administration of a revenue allocation financing provision for any area extending beyond the City's municipal boundary and located within unincorporated Ada County, and such agreement must be formalized by a transfer of powers ordinance adopted by the Ada County Board of County Commissioners;

WHEREAS, there are certain properties within the Linder District Plan and Project Area which extend beyond the City's municipal boundaries and into unincorporated Ada County;

WHEREAS, the Ada County Board of County Commissioners adopted Ordinance No. 932, the Transfer of Powers Ordinance, on December 7, 2021, which Ordinance authorized the Chair to sign and enter into the Intergovernmental Agreement for Roles and Responsibilities under Idaho Code Section 50-2906(3)(b) between Ada County and the City (the "Agreement");

WHEREAS, the Mayor and City Council deem it expedient and in the best interests of the City to establish and enter into the Agreement, to confirm the consent of Ada County under Idaho Code §50-2018(18), and to assure compliance with the Act and Law.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, AS FOLLOWS:

RESOLUTION FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES UNDER IDAHO CODE §50-2906(3)(b) - URBAN RENEWAL AREAS OUTSIDE CITY LIMITS - 2

Section 1: That the above statements are true and correct.

Section 2: That the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code §50-2906(3)(b) (the “Agreement”), attached hereto as **Exhibit A**, is incorporated herein and made a part hereof by reference, and is hereby approved and accepted.

Section 3: That the Mayor is hereby authorized to sign and enter into the Agreement. A copy of this Resolution and the attached Agreement shall be held on file in the office of the City Clerk.

Section 4: This Resolution shall be in full force and effect upon the execution of this Resolution by the Mayor.

PASSED BY THE COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this day of _____ 2021.

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this day of _____ 2021.

Robert E. Simison, Mayor

ATTEST:

Chris Johnson, City Clerk

Exhibit A

Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code Section 50-2906(3)(b)

4823-0318-4844, v. 1

**RESOLUTION FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND
RESPONSIBILITIES UNDER IDAHO CODE §50-2906(3)(b) - URBAN RENEWAL AREAS
OUTSIDE CITY LIMITS - 2**

INTERGOVERNMENTAL AGREEMENT FOR ROLES AND
RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b)

This Intergovernmental Agreement is entered into this 7th day of December 2021, by and between Ada County, Idaho (the "County") and the City of Meridian, Idaho (hereinafter, "Meridian"), and is made for the purpose of complying with Idaho Code Section 50-2906(3)(b).

RECITALS

WHEREAS, the County is a duly organized and existing county under the laws and the Constitution of the State of Idaho;

WHEREAS, Meridian is a duly organized existing municipality under the laws and the Constitution of the state of Idaho;

WHEREAS, the Meridian City Council and Mayor of Meridian respectively on or about July 24, 2001, adopted and approved a resolution creating the Urban Renewal Agency of Meridian, Idaho, also known as the Meridian Development Corporation (the "Agency"), authorizing it to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the "Law"), and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (hereinafter the "Act") upon making the findings of necessity required for creating said Agency;

WHEREAS, there are currently three (3) existing urban renewal and revenue allocation project areas in Meridian, which are commonly referred to as follows: the Downtown District, the Ten Mile District, and the Union District. The Downtown District includes parcels located within unincorporated Ada County, which is governed by the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code Section 50-2906(3)(b), by and between the County and Meridian, dated March 18, 2003;

WHEREAS, based on inquiries and information presented, certain interested property owners, the County and Meridian commenced certain discussions concerning examination of an additional area within Meridian and within the unincorporated County as eligible for an urban renewal project;

WHEREAS, in 2021, Kushlan | Associates commenced an eligibility study and preparation of an eligibility report for an area approximately 195 acres in size including properties and roadway, referred to as the Linder District Study Area, which is an area generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south, and what would be an unimproved section of Linder Road on the east. Additionally, the Linder District Study Area included three (3) parcels located west of Linder Road and north of I-84 (the "Study Area");

WHEREAS, the Agency obtained an eligibility report entitled Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the "Report"), which examined the Study

INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES
UNDER IDAHO CODE SECTION 50-2906(3)(b)- 1
(Linder District – Meridian)

Area, which area also included real property located within unincorporated Ada County, for the purpose of determining whether such area was a deteriorating area and/or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, the Agency, on May 26, 2021, adopted Resolution No. 21-024 accepting the Report and authorizing the Chair, Vice-Chair, or Administrator of MDC to transmit the Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct MDC to prepare an urban renewal plan for the Study Area, which plan may include a revenue allocation provision as allowed by law;

WHEREAS, the Agency also authorized the transmittal of the Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution determining such areas outside the boundaries of incorporated Meridian and within unincorporated Ada County to be deteriorated and/or deteriorating and finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits and within its area of operation without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the area considered within the Report included certain properties within unincorporated Ada County;

WHEREAS, the Report was submitted to the Ada County Board of County Commissioners, and the Ada County Board of County Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, the Ada County Board of County Commissioners adopted the Agency's finding concerning the proposed Study Area by adopting Resolution No. 2676 on September 30, 2021;

WHEREAS, the Meridian City Council, by Resolution No. 21-2289, dated October 5, 2021, declared the Study Area described in the Report to be a deteriorated area or a deteriorating area, or a combination thereof, as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such Study Area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed revenue allocation area, that the Ada County Board of County Commissioners adopted the necessary resolutions and directed the Agency to commence preparation of an urban renewal plan;

WHEREAS, the City and the Agency embarked on the planning of an urban renewal project referred to as the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan") to develop and/or redevelop a portion of Meridian, a portion of which is

INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES
UNDER IDAHO CODE SECTION 50-2906(3)(b)- 2
(Linder District – Meridian)

within unincorporated Ada County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development, pursuant to the Law and the Act, as amended;

WHEREAS, the Linder District Plan proposed to create an urban renewal and revenue allocation area commonly known as the Linder District project area (the “Linder District Project Area”);

WHEREAS, the Agency and its consultants have undertaken the planning process during 2021;

WHEREAS, the area included in the Linder District Project Area is smaller than the area assessed in the Report, which Linder District Project Area is illustrated in **Exhibit 1**;

WHEREAS, the required property owner consents for any parcels deemed to be an agricultural operation included within the Linder District Project Area have been obtained by the Agency;

WHEREAS, the Linder District Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the Agency Board on October 27, 2021, adopted Resolution No. 21-053 proposing and recommending the Linder District Plan;

WHEREAS, the Agency, by letter of transmittal dated October 28, 2021, submitted the Linder District Plan to the Mayor and Meridian City Clerk;

WHEREAS, the Mayor and City Clerk are taking the necessary action to process the Linder District Plan consistent with the requirements set forth in Idaho Code §§ 50-2906 and 50-2008;

WHEREAS, appropriate notice of the Linder District Plan and revenue allocation provision contained therein has been given to the affected taxing districts and the public as required by Idaho Code § 50-2906;

WHEREAS, after notice duly published, the Meridian City Council at its regular meeting to be held on December 14, 2021, will hold a public hearing and will consider the Linder District Plan as proposed;

WHEREAS, Idaho Code Section 50-2906(3)(b), requires an agreement between the Meridian City Council and the Ada County Board of County Commissioners, governing administration of a revenue allocation financing provision for any area extending beyond Meridian’s municipal boundary and located within the unincorporated County, and such agreement must be formalized by a transfer of power ordinance adopted by the County;

WHEREAS, there are certain properties within the Linder District Plan and Project Area which extend beyond Meridian’s municipal boundaries and into the County, as illustrated in

INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES
UNDER IDAHO CODE SECTION 50-2906(3)(b)- 3
(Linder District – Meridian)

Exhibit 1, and as more particularly described in **Exhibit 2** attached hereto and incorporated herein by reference;

WHEREAS, the Meridian City Council and the Board of County Commissioners desire to enter into this Agreement to avoid any uncertainty regarding the Meridian City Council's jurisdiction and authority to establish the Linder District Project Area and the Agency's authority to implement the Linder District Plan concerning those properties which are outside Meridian's municipal limits and within the County;

WHEREAS, the Meridian City Council and Board of County Commissioners deem it in their collective best interests to enter into this Agreement covering said properties and assuring compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

NOW, THEREFORE, it is mutually agreed as follows:

AGREEMENT

1. PURPOSE OF AGREEMENT

The purpose of this Agreement is to detail the duties, roles, and responsibilities to be provided by the parties with respect to compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

2. GENERAL PROVISIONS

The Ada County Board of County Commissioners does hereby agree that the Meridian City Council shall have the right, power, authority, and obligation to administer the Law, Act and particularly the revenue allocation financing provisions of the Linder District Plan for that certain property which is contained within the boundaries of the revenue allocation area as defined in the Act and the Linder District Plan, which property extends beyond Meridian's municipal boundary and into the unincorporated County. The property governed by this Agreement is illustrated in **Exhibit 1** and more particularly described in **Exhibit 2** of this Agreement. The County, by passing Resolution No. 2676, has declared the need for urban renewal activity in the area which extends beyond Meridian's municipal boundaries and into the unincorporated County.

By agreeing to the administration of this property by the Meridian City Council for the limited purposes of implementing the Linder District Plan, the Board of County Commissioners agree all revenue allocation proceeds generated from such property shall be available to the Agency for all purposes authorized under the Act and the Linder District Plan. Following the establishment of the Linder District Project Area, the Agency shall administer the revenue allocation provision affecting this property as allowed under the Act and the Linder District Plan. Additionally, the Board of County Commissioners acknowledges the Linder District Plan will be reviewed by the Meridian Planning & Zoning Commission for the Linder District Plan's conformity with the general plan for the development of Meridian as a whole consistent with and

**INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES
UNDER IDAHO CODE SECTION 50-2906(3)(b)- 4
(Linder District – Meridian)**

limited to the requirements of Idaho Code § 50-2008(b). The Board of County Commissioners defers to the Meridian Planning & Zoning Commission's review and recommendations as required by Idaho Code § 50-2008(b) solely with regard to adopting the Linder District Plan. The Meridian City Council expressly acknowledges the parcels located within unincorporated Ada County are subject to and shall be developed in conformity to the 2019 City of Meridian Comprehensive Plan as adopted by Ada County Resolution No. 2620, Ada County Zoning and Development Codes as well as the Linder District Plan, recognizing the intent to seek annexation of the parcels located within the unincorporated County into Meridian prior to development, which development is intended to occur in phases over the life of the Linder District Plan and Project Area. Ada County defers to the Agency to implement and carry out the Linder District Plan.

The Board of County Commissioners shall approve this Agreement by the adoption of a transfer of power ordinance and the Meridian City Council shall approve this Agreement by the adoption of a duly authorized resolution.

Upon approval and adoption of the ordinance and resolution referenced above, the Meridian City Council shall take the necessary steps through the Meridian City Clerk to transmit a copy of the County Transfer of Power Ordinance to the County Auditor, County Assessor, the County Recorder, the other taxing districts of the revenue allocation area, and the Idaho State Tax Commission.

3. SPECIAL PROVISIONS

Public Improvements. In consideration of this Agreement, the Board of County Commissioners hereby consents to those certain public improvements identified in the Linder District Plan which may be acquired, constructed or installed on certain rights-of-way not within the Meridian city limits.

4. EFFECTIVE TERM

This Agreement shall be deemed effective upon the execution of this Agreement by both the Board of County Commissioners and the Meridian City Council and shall remain in effect for the duration of the Linder District Plan. This Agreement shall be of no further force and effect as it relates to any parcel or parcels as illustrated and described in **Exhibit 1** and **Exhibit 2** upon those properties or portions of those properties then being included within the municipal boundaries of Meridian, currently, or through Meridian's annexation process.

5. MODIFICATION

This Agreement may be modified or amended in writing if executed by both the Board of County Commissioners and the Meridian City Council.

6. ENTIRE AGREEMENT

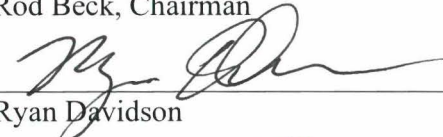
Except as provided otherwise herein, this Agreement and any attachments hereto constitute the entire Agreement between the parties concerning the subject matter hereto.


IN WITNESS WHEREOF, the Board of County Commissioners and the Meridian City Council have executed this Agreement by proper persons thereunto duly authorized as of the date first hereinabove written.

COUNTY:

BOARD OF ADA COUNTY
COMMISSIONERS

By 
Rod Beck, Chairman

By 
Ryan Davidson

By 
Kendra Kenyon

ATTEST:


Phil McGrane, Ada County Clerk
by **Katie Reed, Assistant Deputy Clerk**

CITY:

CITY OF MERIDIAN, IDAHO

By _____
Robert Simison, Mayor

ATTEST:

Chris Johnson, Meridian City Clerk

INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES
UNDER IDAHO CODE SECTION 50-2906(3)(b)- 6
(Linder District – Meridian)

Exhibit 1

(Map of Properties Within Unincorporated Ada County)



Exhibit 2

(Description of Properties Within Unincorporated Ada County)

4848-7171-9628, v. 3

PARCEL NUMBER

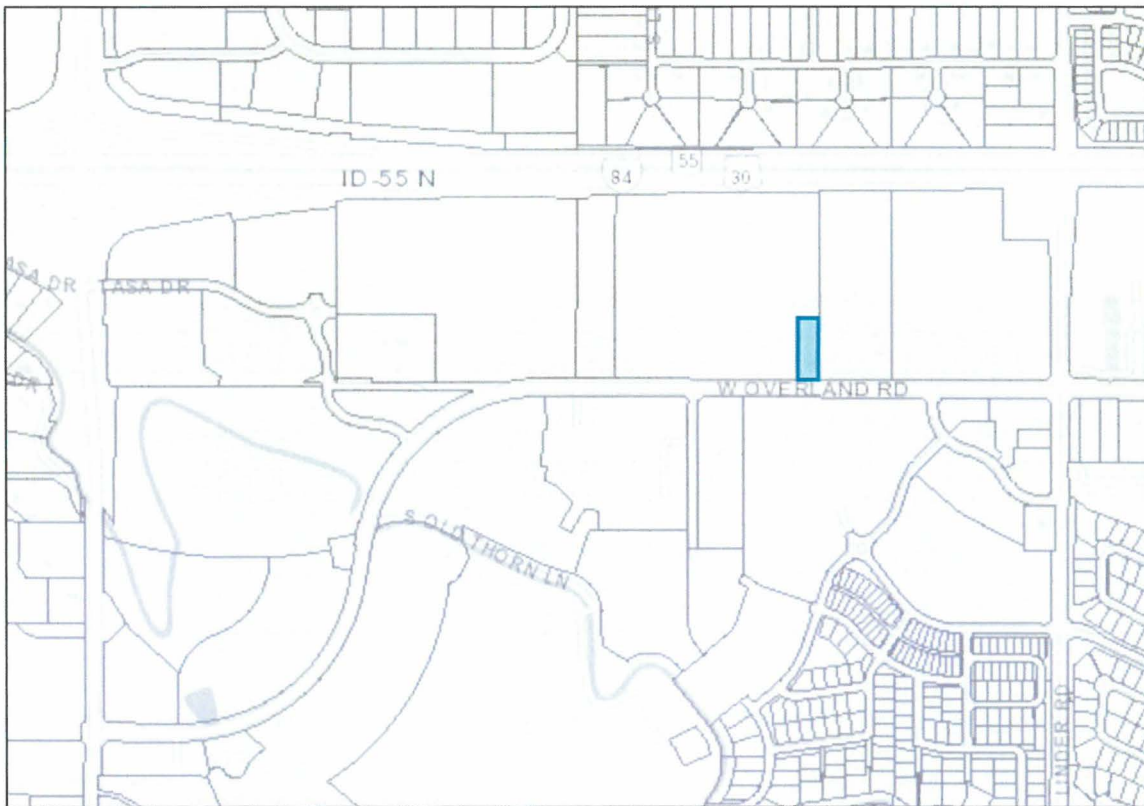
S1214438705

ADDRESS

2010 West Overland Road, Meridian, Idaho

DESCRIPTION

PAR #8705 @ SE COR SW4SE4
SEC 14 3N 1W
#438702



PARCEL NUMBER

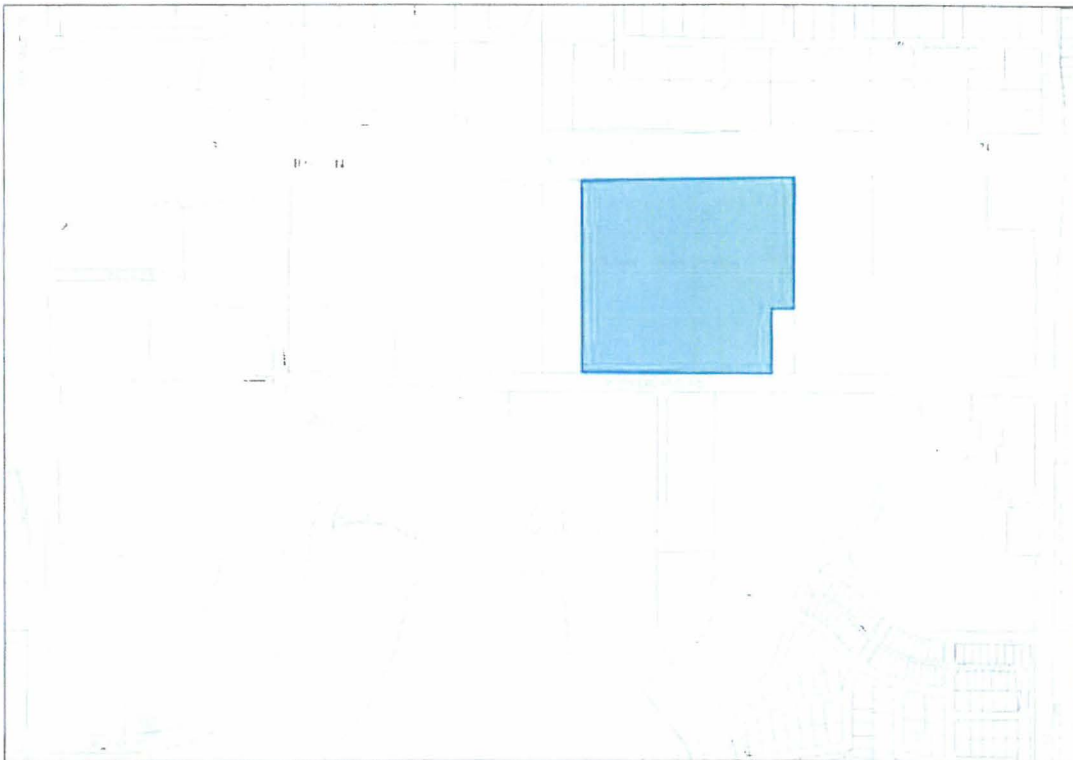
S1214438600

ADDRESS

2090 West Overland Road, Meridian, Idaho

DESCRIPTION

PAR #8600 OF SW4SE4
SEC 14 3N 1W
#438423-B



PARCEL NUMBER

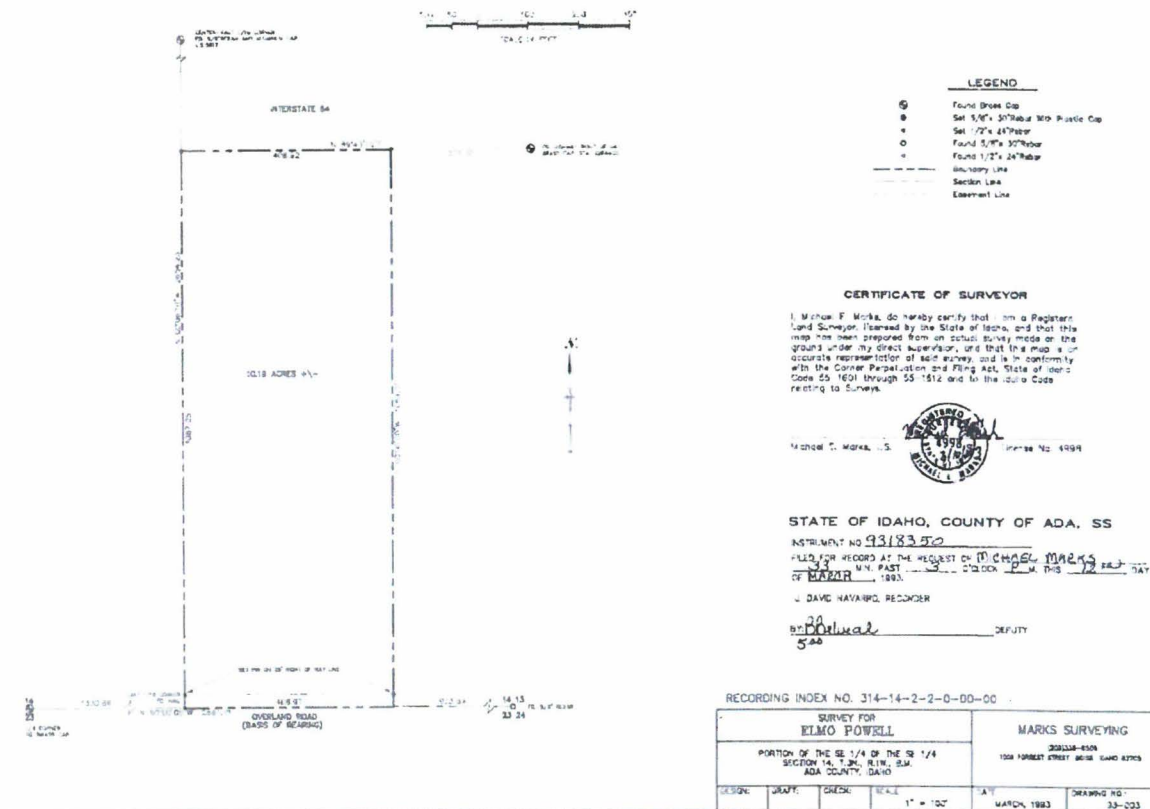
S1214449021

ADDRESS

1940 West Overland Road, Meridian, Idaho

DESCRIPTION

PAR #9021 OF SE4SE4
 SEC 14 3N 1W
 R/S 2412 EXC R/W
 #449020-B

SURVEY RECORDRECORD OF SURVEY NO. 2412

PARCEL NUMBER

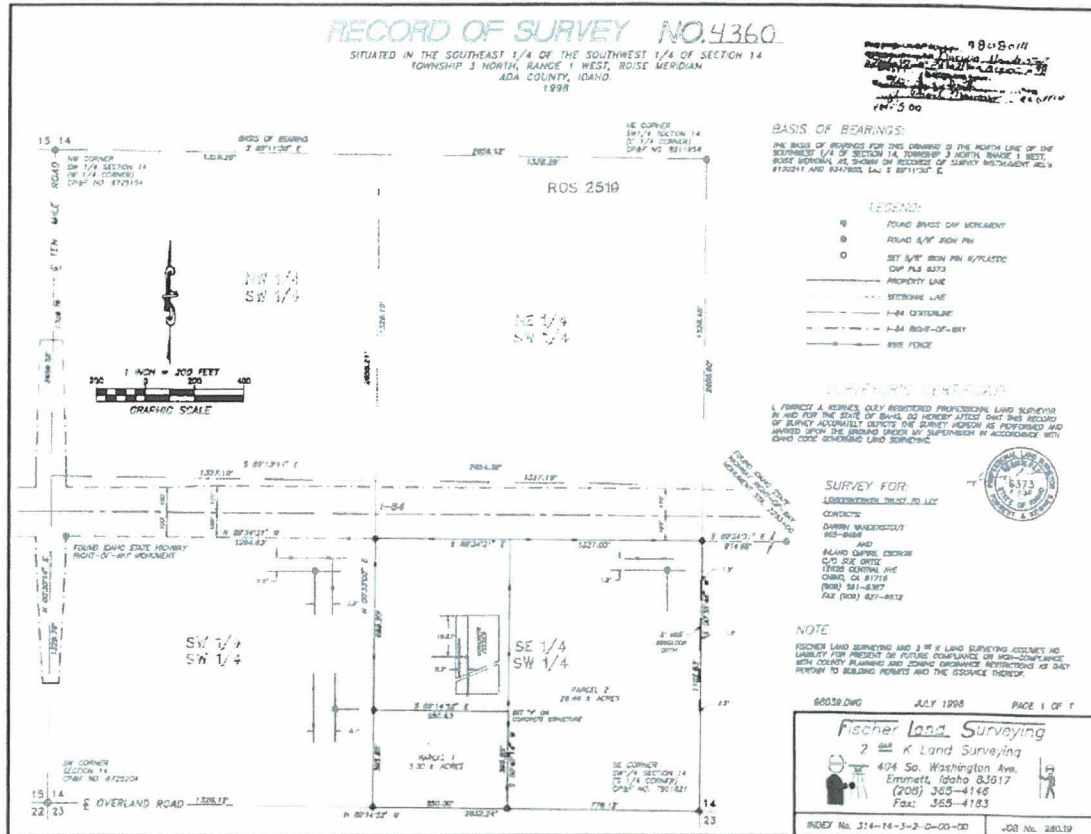
S1214346905

ADDRESS

2960 West Dutch Farm Road, Meridian, Idaho

DESCRIPTION

PAR #6905 @ SW COR SE4SW4
 SEC 14 3N 1W
 PARCEL 1 R/S 4360 EXC R/W
 #346610-B

SURVEY RECORD



AGENDA ITEM

ITEM TOPIC: Resolution No. 21-2301: A Resolution of the Mayor and City Council of the City of Meridian to Amend the Future Land Use Map of the 2019 Comprehensive Plan for 3.5 Acres Known as Intermountain Wood Products, Generally Located at 255 and 335 South Locust Grove Road and 1.32 Acres Located at 381 and 385 s. Locust grove road in the Northeast ¼ of the Northeast ¼ of Section 18, Township 3 North, Range 1 East, Meridian, Idaho; and Providing an Effective Date

CITY OF MERIDIAN

RESOLUTION NO. 21-2301

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN TO AMEND THE FUTURE LAND USE MAP OF THE 2019 COMPREHENSIVE PLAN FOR 3.5 ACRES KNOWN AS INTERMOUNTAIN WOOD PRODUCTS GENERALLY LOCATED AT 255 AND 335 SOUTH LOCUST GROVE ROAD AND 1.32 ACRES LOCATED AT 381 AND 385 S. LOCUST GROVE ROAD IN THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 18, TOWNSHIP 3 NORTH, RANGE 1 EAST, MERIDIAN, IDAHO; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Mayor and Council have the authority pursuant to Idaho Code § 50-302 to establish resolutions not inconsistent with the laws of the state of Idaho as may be expedient, in addition to the special powers therein granted, to maintain the peace, good government and welfare of the corporation and its trade, commerce and industry; and

WHEREAS, the City of Meridian Comprehensive Plan was adopted in December in 2019 as resolution 19-2179; and

WHEREAS, the Mayor and Council have deemed it appropriate to amend the future land use map of the 2019 Comprehensive Plan for approximately 3.5 acres of land from Mixed Use – Community to Industrial known as Intermountain Wood Products and 1.32 acres of land from Mixed Use – Community to Commercial. Said land is generally located at 255 and 335 South Locust Grove Road and 381 and 385 S. Locust Grove Road, in the Northeast ¼ of the Northeast ¼ of Section 18, Township 3 North, Range 1 East, Meridian, Idaho, Ada County; and

WHEREAS, the Mayor and City Council have provided all the requisite notices, held the necessary hearings, and received the required information necessary to make a final decision as required by the Idaho Local Land Use Planning Act to amend the adopted comprehensive plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO AS FOLLOWS:

SECTION 1. Pursuant to Idaho Code §67-6509, the Mayor and City Council hereby amend the City of Meridian Comprehensive Plan and Future Land Use Map, a copy of which is attached hereto incorporated herein by reference. A copy of this Resolution and the attached amendment shall be held on file in the office of the City Clerk.

SECTION 2. EFFECTIVE DATE. This Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the City Council of the City of Meridian, Idaho, this ____ day of _____, 2021.

APPROVED by the Mayor of the City of Meridian, Idaho, this ____ day of _____, 2021.

APPROVED:

Mayor Robert E. Simison

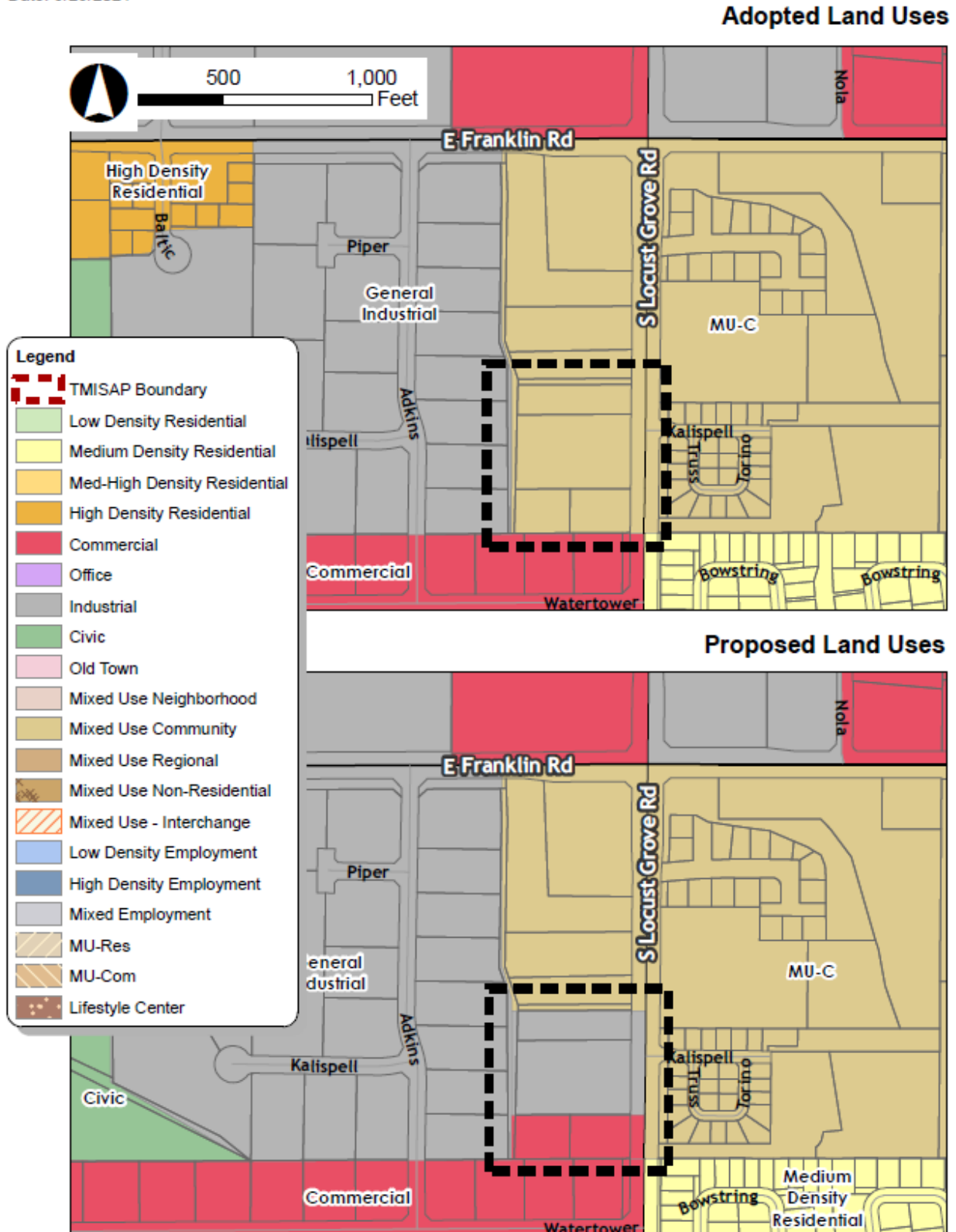
ATTEST:

By: _____
Chris Johnson, City Clerk

EXHIBIT A

A. Future Land Use Map – Adopted & Proposed Land Uses

Date: 6/29/2021





AGENDA ITEM

ITEM TOPIC: Resolution No. 21-2300: A Resolution of the Mayor and City Council of the City of Meridian to Repeal and Replace the City of Meridian Standard Operating Policy and Procedure Manual to Establish a New Standard Operating Policy Manual; and Providing an Effective Date

CITY OF MERIDIAN

RESOLUTION NO. 21-2300

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER
HOAGLUN, PERREAULT, STRADER**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN TO REPEAL AND REPLACE THE CITY OF MERIDIAN STANDARD OPERATING POLICY AND PROCEDURE MANUAL TO ESTABLISH A NEW STANDARD OPERATING POLICY MANUAL; AND PROVIDING AN EFFECTIVE DATE

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF MERIDIAN, IDAHO

WHEREAS, the Mayor and City Council have authority over the policies for the City of Meridian;

WHEREAS the City has previously approved a Standard Operating Policy and Procedures Manual in 2002 for application to all employees of the City;

WHEREAS the City Council may amend the Manual from time to time as necessary to incorporate changes as needed;

WHEREAS the City now desires to separate policy and procedures to create greater efficiency and improve operational needs;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO AS FOLLOWS:

SECTION 1. The City of Meridian Standard Operating Policies and Procedures Manual is hereby replaced by a new and revised Standard Operating Policy Manual; a copy of said policy is attached and incorporated by reference as Exhibit "A".

SECTION 2. This Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the City Council of the City of Meridian, Idaho, this ____ day of December, 2021.

APPROVED by the Mayor of the City of Meridian, Idaho, this ____ day of December, 2021.

APPROVED:

ATTEST:

Mayor Robert E. Simison

By:_____
Chris Johnson, City Clerk

STANDARD OPERATING POLICY AND PROCEDURE MANUAL

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CITY OF MERIDIAN STANDARD OPERATING POLICY AND PROCEDURE MANUAL OVERVIEW

The following is the City of Meridian's Standard Operating Policy/Procedures (SOP) Manual that outlines the Human Resources policies and procedures for the City. This SOP Manual is provided as a guideline to employees and supervisors as they perform the duties and responsibilities assigned to their respective positions.

These policies and procedures are specific to employment and related matters. Additional policies may exist within individual departments relating to the specific operations and responsibilities of employees within them. Employees and supervisors should become familiar with and abide by the guidelines of those additional policies and procedures in addition to those contained within this Manual. Should department policies conflict with or contradict the policies or procedures contained within this Manual (other than a recognized collective labor agreement), employees shall refer to this Manual as the primary guidelines on such matters.

We have done our best to correctly explain the City's policies, procedures and benefits in all sections of this manual. However, if anything in this manual disagrees with formal policies, legal documents, collective labor agreement, or law, please contact Human Resources for guidance. The policies contained shall not create a promise, guarantee or contract of any kind between the City and the employee, nor does it guarantee employment for a specific period of time nor does it apply to appointed positions under State Code section 50-204 through 206. This policy and procedure manual is not a contract of employment and should not be interpreted by the employee as such. All employees are considered "at-will" unless otherwise covered by a labor agreement or appointed. Either they or the City may terminate the employment relationship at any time for any reason other than an unlawful, discriminatory reason. These Policies and Procedures apply in general to all personnel who are employed by the City, as well as volunteers, and elected officials. Employees covered by a Collective Labor Agreement shall be covered by any Policy or Procedure in this Manual that are not in conflict with the Collective Labor Agreement or that specific Department Policy. This Policy and Procedure Manual replaces all prior employment policies, procedures, and practices that pre-date this version. No Director or employee shall have the authority to establish policy or allow behavior that directly conflicts with these Policies and Procedures. All Policies and

any financial procedures, with any fiscal impact, must be approved by the City Council to be effective. Procedures that do not have any fiscal impact may be changed by the process contained within this Manual.

Management Rights: The City reserves the right to direct and control the operation of its business including, but not limited to, the management, assignment, scheduling, and direction of the workforce as well as the right to discipline or discharge employees pursuant to the provisions of this policy/procedure manual unless otherwise mandated by a labor agreement.

The City is committed to ensuring an effective and respectful workplace. Violations of these Policies and Procedures are subject to corrective and disciplinary action, up to and including termination as outlined within this manual.



Our Mission:

Meridian will deliver superior service through committed, equipped employees, dedicated to the stewardship of the public's resources while being a vibrant, livable and connected community.

Our Vision:

By 2035, Meridian will be the West's premier community in which to live, work and raise a family.

Our Values

At the City of Meridian, We CARE. That means:

- Providing the best **Customer Service** to our community, colleagues, and partners by listening and responding in a timely, friendly, professional, and solution-oriented manner.
- Exemplifying **Accountability** by understanding our role in the organization, knowing our jobs, and accepting that each of us is responsible for our own work choices, and actions. Acting as stewards of the community's resources, our environment, and our relationships.
- Showing **Respect** by being trustworthy and courteous. We honor, accept, and include people with diverse opinions and backgrounds.
- Demonstrating continual **Excellence** through professionalism, going beyond the parameters of our job while being creative, innovative, flexible, and adaptable to multiple needs.



Mayor Robert E. Simison

City Council Members:Treg Bernt
Joe Borton
Luke CavenerBrad Hoaglund
Jessica Perreault
Liz Strader**MAYOR'S WELCOME**

Congratulations on your decision to be part of the City of Meridian family. We are excited to welcome you to Team Meridian, where we are one team with one mission!

As a City, we are committed to be the West's premier community in which to live, work and raise a family – and to meet that vision it all starts with you and those around you. It is how we, as public servants, provide our outstanding services to the public. It is about being innovative in our jobs so we can meet the needs of our customers in an ever-changing environment. It is about how we **CARE** about our community, customers and one another.

Our **CARE** values show that our employees want to be the **Customer Service** leaders; we are **Accountable** for our work, choices and actions; we show **Respect** to one another; and, we are **Excellent** at what we do by going above and beyond the parameters of our jobs. In addition, we provide **CARE** to our community in a timely, friendly, professional, and solution-oriented manner. Why do we do this? Because, that is the Meridian Way.

The policies that follow will help you address the issues, policies and practices that will guide you as an employee for the City of Meridian. Not every situation is addressed herein and laws, cultural values and organizational needs may change. As changes occur, updates will be made to our Policy manual. With that in mind, I encourage you to consult with your supervisor, director or the Human Resources Department with questions or situations that arise during the course of your employment to ensure adherence to the City Policies.

Once again, congratulations on your decision. I am confident that you will be successful in your job, and will uphold our **CARE** values and help us achieve our vision. Welcome to Team Meridian!

With appreciation,

A blue ink signature of Robert E. Simison, written in a cursive style.
Robert E. Simison
Mayor



| |
|----------------------------------|
| City of Meridian |
| Standard Operating Policy |
| Number 1.1 |

Introduction and Employment Overview

Purpose:

To set forth the City's employment-related policies as provided within the City's Standard Operating Policy Manual (SOP Manual).

Policy:

City policies apply in general to all personnel employed by the City, as well as volunteers and elected officials. The SOP Manual sets forth, in one manual, employment-related information that each City employee is expected to know regarding employment policies and related information. Any questions regarding City policies should be directed to the Human Resources Director, or designee.

Nothing in the SOP Manual, or any other document received by an employee during employment, shall create a promise, representation, or contract of continued employment. These policies are presented as a matter of information only and are not binding employment conditions or an employment contract.

The City reserves the right to revise, modify, delete, or add to any and all of its policies at any time. The City shall make all available efforts to inform employees of any changes to City policies as soon as practical. However, all policies shall take effect on the specified date as approved by the Mayor and City Council, and therefore become binding as to all City employees at that time. No oral statements or representations made to employees should be understood to change or alter the provisions of any and all approved policies.

This policy shall be implemented pursuant to the Procedures for Introduction and Employment Overview Standard Operating Procedures.

Authority & Responsibility:

The Mayor and City Council shall retain the responsibility and authority to, approve new and or updated City of Meridian Policies. Human Resources and Legal, in consultation with the Senior Leadership Team, will develop, review, approve, and implement Council approved policies for the City. As such, the Mayor retains primary authority to establish applicable terms and conditions of employment for all City employees. No supervisor, department director or designee, or any other representative of the City has the authority to enter into any agreement for employment for a specified period of time or make any agreement contrary to the policies contained in the SOP Manual.

Related Information:

City policies apply to all City employees, including represented Fire employees, unless otherwise stated in the current collective labor agreement.



| |
|---------------------------|
| City of Meridian |
| Standard Operating Policy |
| Number 1.2 |

At-Will Employment Status

Purpose:

To set forth the City's policy regarding the at-will employment status applicable to all non-represented City employees. All City employees are considered at-will employees unless otherwise stated in the current collective labor agreement for represented Fire employees.

Policy:

All non-represented City employees shall be considered at-will employees. Employment may be terminated at any time and for any or no reason. Nothing in this or any other policy, memo, verbal agreement, etc., shall create a promise, guarantee, or contract of continued employment.

This policy shall be implemented pursuant to the At-Will Employment Status Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for interpreting this policy.



| |
|----------------------------------|
| City of Meridian |
| Standard Operating Policy |
| Number 1.3 |

Establishment of Citywide Employment-Related Policies

Purpose:

To set forth the City's policy on how citywide employment-related policies are created for inclusion in the Standard Operating Policy Manual (SOP Manual).

Policy:

Citywide employment-related policies may be proposed by the Mayor or any department director. Citywide employment-related policies are a statement by the leadership of the City, and ultimately the Mayor and City Council, as to acceptable practice and behavior within the workplace. These policies are specific to employment-related matters. These policies apply in general to all personnel employed by the City, as well as volunteers and elected officials. Represented employees should refer to the current Collective Labor Agreement for complete information regarding policy applicability for Union Members. No supervisor or employee shall have the authority to establish policy or allow behavior that directly conflicts with these policies. Departments may adopt department operational policies with department director approval without needing secondary approval by the Mayor and City Council.

This policy shall be implemented pursuant to the Establishment of Citywide Employment-Related Standard Operating Policies.

Authority & Responsibility:

Human Resources shall be responsible for administering proposed policies through the review process.



| |
|---------------------------|
| City of Meridian |
| Standard Operating Policy |
| Number 1.4 |

Establishment of Citywide Employment-Related Procedures

Purpose:

To set forth the City's policy regarding establishing citywide employment-related procedures that support citywide employment-related policies.

Policy:

Upon approval of a citywide employment-related policy, the corresponding Standard Operating Procedures shall be established by Human Resources, in consultation with the Senior Leadership Team, to direct and guide employees through the administrative implementation of the policy. Subsequent revision, or other modifications to citywide employment-related procedures shall be initiated by the Human Resources Director or individual department directors, in consultation with the Senior Leadership Team.

This policy shall be implemented pursuant to the Establishment of Citywide Employment-Related Procedures Standard Operating Procedures.

Authority and Responsibility:

Human Resources shall be responsible for administering this policy.



| |
|--------------------------------------|
| City of Meridian |
| Standard Operating Procedures |
| Number 1.1 |

Introduction and Employment Overview

Purpose:

To set forth the City's procedures relating to City employment-related policies as provided within the City's Standard Operating Procedures Manual (SOPR Manual).

Procedures and Related Information:

I. Public Employment Overview

The City of Meridian is a political subdivision of the State of Idaho, though it is not a part of state government. The Mayor and City Council serve as the governing body for the City, carrying out local legislative duties and fulfilling other obligations as required.

The Mayor and City Council are ultimately responsible to the residents of the City of Meridian. Only the Mayor and City Council have authority to establish policies, in consultation with the Senior Leadership Team, for City employees. Each employee should recognize that although he/she may report to an elected or appointed official, he/she remains an employee of the City of Meridian, not of the official who supervises his/her work.

The Human Resources Director shall have authority and responsibility to oversee developing and revising supporting procedures to City employment-related policies, in consultation with the Mayor and City Council, Senior Leadership Team or others as deemed necessary.

II. Employee Responsibility

The SOPR Manual is published on the City Intranet and available to each employee. Human Resources will make every effort to notify employees of changes/updates to procedures. However, it is the ultimate responsibility of each employee to stay abreast of such changes. All employees are expected to understand and abide by all procedures as set forth herein.

III. Effective Date

Procedures shall become effective on the date approved by the Human Resources Director in consultation with the Senior Leadership Team. The Human Resources Director or any individual department director may initiate developing or revising an employee-related procedure, in consultation with the Senior Leadership Team. At any time that an individual procedure is developed, revised, or otherwise modified, said procedure shall become effective the date approved. The Human Resources Director may delegate approval authority for Finance and IT procedures to the respective department directors.

IV. Applicability to Collective Labor Agreement

Represented Fire employees governed by the collective labor agreement are also expected to follow the procedures as set forth within the City's SOPR Manual. Should a procedure of the current collective labor agreement conflict with the procedures set forth within the SOPR

Manual, at any time, the procedure of the collective labor agreement shall apply to represented employees.



| |
|-------------------------------|
| City of Meridian |
| Standard Operating Procedures |
| Number 1.2 |

At-Will Employment Status

Purpose:

To set forth the City's procedures regarding the at-will employment status applicable to all non-represented City employees.

Procedures and Related Information:

- I. All City employees are at-will employees unless otherwise stated in the current collective labor agreement for represented Fire employees.
- II. Nothing in this procedure or any other City Standard Operating Procedure, individually or collectively, alters the at-will employment relationship, which means the employee may voluntarily terminate employment with the City for any reason at any time.
- III. Similarly, the City may terminate the employee's employment anytime for any or no reason.
- IV. This procedure does not apply to appointed positions under State Code section 50-204-206.



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| City of Meridian |
| Standard Operating Procedures |
| Number 1.3 |

Procedures for Establishment of Citywide Employment-Related Policies

Purpose:

To set forth the City's procedures for creating citywide employment-related policies.

Procedures and Related Information:

- I. The Mayor or department directors shall provide Human Resources proposed citywide employment-related policies for initial review, including proposals to repeal or amend current policies.
- II. Human Resources may consult with Legal on such policies if appropriate.
- III. Human Resources shall present the proposed policy to the Senior Leadership Team for discussion and review.
- IV. Once finalized, Human Resources will present the proposed policy at a meeting of the City Council for discussion and direction.
- V. If directed by the City Council, Human Resources shall present the final version of the policy at a subsequent City Council meeting for approval with a resolution for adoption.
- VI. Once adopted Human Resources shall incorporate the policy into the SOPR Manual. Citywide employment-related policies shall be applicable to all City employees, unless otherwise set forth in the current collective labor agreement for represented Fire employees.
- VII. Human Resources will provide notice of the policy changes through the most appropriate method to reach applicable employees.



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| City of Meridian |
| Standard Operating Procedures |
| Number 1.4 |

Establishment of Citywide Procedures

Purpose:

To set forth the City's procedures for creating citywide employment-related procedures.

Procedures and Related Information:

- I. When department directors provide Human Resources proposed citywide employee-related policies for initial review, including proposals to repeal or amend current policies, they shall also present the corresponding proposed citywide employee-related procedures.
- II. The Human Resources Director may initiate changes to existing employment-related procedures, or individual department directors may initiate proposed changes to existing employment-related procedures by submitting documentation to the Human Resources Director.
- III. Human Resources may consult with Legal on such proposed procedures if appropriate.
- IV. Human Resources may present the proposed procedures to the Senior Leadership Team for discussion and review.
- V. Human Resources shall finalize proposed and/or modified citywide employee-related procedures. The Human Resources Director may delegate authority to finalize department related procedures to the respective department directors. In that situation the respective department director will submit to Human Resources the final procedures.
- VI. Human Resources shall incorporate the procedure, and any modifications thereto, into the SOPR Manual which is available to all employees on the City Intranet.
- VII. Citywide employee-related procedures shall be applicable to all City employees, unless otherwise set forth in the current collective labor agreement for represented Fire employees.
- VIII. Human Resources may provide notice of the policy changes through email and/or the SOP Manual on the City Intranet.



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| City of Meridian |
| Standard Operating Policy |
| Number 2.1 |

Equal Employment Opportunity

Purpose:

To set forth the City's policy regarding its commitment to support Equal Employment Opportunity for all employees and applicants, and ensure an environment free from unlawful discrimination.

Policy:

It is the City's policy to encourage and support Equal Employment Opportunity for all employees and applicants for employment without regard to the individual's protected class status which includes race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age (40 or older), disability and genetic information (including family medical history). veteran or current, past or future military status, or any other applicable legally protected status.

Employment decisions will be evaluated on the basis of an individual's job-related competencies and criteria, including (but not limited to) knowledge, skills, abilities, job performance (past or current), job experience, and other bona fide occupational qualifications and job-related criteria.

Authority & Responsibility:

The Human Resources Director or designee is responsible for developing and monitoring equal employment opportunity programs and activities. Supervisory personnel and employees at all levels in the organization must share in the responsibility for promoting equal employment opportunity to ensure that compliance is achieved and that discrimination of any kind does not occur.



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| City of Meridian |
| Standard Operating Policy |
| Number 2.2 |

Affirmative Action

Purpose:

To set forth the City's policy regarding Affirmative Action requirements and the City's compliance with all guidelines and regulations as set forth by related federal regulations.

Policy:

The City has been designated as an Affirmative Action employer. Affirmative Action requirements of the federal government are designed to enhance employment opportunities for females and ethnic minorities, people with disabilities, and disabled veterans and veterans of the Vietnam era. As such, the City's Affirmative Action programs provide for fuller utilization and development of all human resources. The City's Affirmative Action Plan will cover all employees and applicants for employment.

The City has established a written Affirmative Action Plan (AAP) prepared in conformance with Executive Order 11246, the Rehabilitation Act of 1973, and the Vietnam Era Veteran's Readjustment Assistance Act of 1974, and the implementation of regulations as provided by the Office of Federal Contract Compliance Programs (OFCCP). This written program will be updated on an annual basis, identifying areas of underutilization and establishing goals for the City to work towards.

This policy shall be implemented pursuant to the Affirmative Action Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be charged with establishing and maintaining an up-to-date Affirmative Action Plan, identifying areas of underutilization and employment objectives for the City. Department Directors or designees and supervisors are expected to comply with all elements of the AAP and to support its goals and objectives in all employment activities.



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| City of Meridian |
| Standard Operating Policy |
| Number 2.3 |

Unlawful Workplace Discrimination, Harassment, and Retaliation

Purpose:

To set forth the City's policy against unlawful workplace discrimination, harassment, and retaliation in the workplace.

Policy:

It is the City's policy to foster and maintain a work environment that is free from unlawful workplace discrimination, harassment, retaliation, intimidation, hostility, or other offenses, which might interfere with work performance. All employees, regardless of their status of employment, have a right to work in an environment free from unlawful discrimination, harassment, retaliation, intimidation, or ridicule, based on race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age (40 or older), disability and genetic information (including family medical history). veteran or current, past or future military status, or any other applicable legally protected status. The City will not tolerate unlawful harassment, discrimination, or retaliation of any kind in its employees' day to day communication with co-workers or members of the public. Employees are expected to show respect for each other and the public at all times. The City strictly prohibits unlawful discrimination, harassment or retaliation as defined herein.

This policy shall be implemented pursuant to the Unlawful Workplace Discrimination, Harassment, and Retaliation Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for interpretation and administration of this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 2.4 |

**American's with Disabilities Act
Section 504 – Rehabilitation Act of 1974**

Purpose:

To set forth the City's policy to comply with the American's with Disabilities Act (ADA) for general employment and with Section 504 of the Rehabilitation Act of 1974 for Affirmative Action.

Policy:

The City shall provide fair and equitable employment opportunities and shall follow legal employment practices compliant with the American's with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1974. The City prohibits unlawful discrimination in employment based on an employee's or applicant's physical or mental condition as outlined within the regulations. Reasonable accommodation shall be considered upon request for all applicants and employees provided it does not create an undue hardship for the City.

This policy shall be implemented pursuant to the American's with Disabilities Act Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for interpretation and administration of this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 2.5 |

Immigration Control Act

Purpose:

To set forth the City's policy on pre-employment documentation (Form I-9) as required by the Immigration Reform and Control Act of 1986 (IRCA).

Policy:

The City is committed to ensuring compliance with federal law by hiring only citizens and aliens lawfully authorized to be employed in the United States. Any person wishing to work for the City of Meridian, regardless of the nature of the job or the number of hours or months employed, will be required to show proof of identification and legal authorization to work. Identification must be provided as outlined within Form I-9 (Employment Eligibility Verification).

This policy shall be implemented pursuant to the Immigration Control Act Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall ensure that pre-employment documentation requirements comply with the Immigration Reform and Control Act of 1986 (IRCA).



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| City of Meridian |
| Standard Operating Policy |
| Number 2.6 |

Employment References

Purpose:

To set forth the City's policy regarding requests for employment references for current and former employees, as well as the City's requests for information on current or potential employees.

Policy:

Human Resources shall obtain all references required by the City for employment of applicants, with the exception of references or background investigations conducted by the police department for law enforcement personnel. City employees are not authorized to directly contact outside agencies, organizations, former employers, or anyone else, unless directed by the Human Resources Director or designee.

This policy shall be implemented pursuant to the Employment References Standard Operating Procedures.

Authority & Responsibility:

Only the Human Resources Department is authorized to release or refer employment references on current or former employees to the department director or designee, outside agencies, or employers. Requests for references received directly by any City personnel should be referred to the Human Resources Director or designee.

Employment references for law enforcement personnel requested by other law enforcement agencies will be handled through the Police Chief or designee, with copies of all records forwarded to Human Resources for filing.



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| City of Meridian |
| Standard Operating Policy |
| Number 2.7 |

Staffing, Selection, Promotion, Transfer

Purpose:

To set forth the City's policy on staffing, selection, promotion, and transfer as it applies to City employees and applicants.

Policy:

It shall be the policy of the City to staff and select the most qualified persons for employment, promotion, and transfer. Staffing and selection shall be conducted in a manner intended to ensure fair and open competition, provide equal employment opportunity, and prohibit unlawful discrimination or favoritism based on protected class status.

This policy shall be implemented pursuant to the Staffing, Selection, Promotion, and Transfer Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall oversee the administration of this policy to ensure compliance with state and federal law.



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| City of Meridian |
| Standard Operating Policy |
| Number 2.7.1 |

Criminal Background Checks

Purpose:

To set forth the City's policy on conducting criminal background checks for positions that may come in contact with sensitive information, City assets and equipment, contact with the public, and others as specified within this policy.

Policy:

To evaluate the fitness of applicants for employment or continued employment, as required by state and federal law, the City may require pre-employment or post-employment criminal background checks be conducted for individuals in positions that:

1. Require access to secure or confidential areas or information;
2. Require access to personnel records;
3. Require supervision over children;
4. Require work on or around police vehicles, equipment, and/or firearms;
5. May require access to property, homes, and/or businesses;
6. Require handling of financial accounts or transactions;
7. Require use of City vehicles or equipment;
8. Require work on or around fire vehicles and equipment and/or providing patient care; or
9. Otherwise creates an employment situation that appears to necessitate a criminal background check.

This policy shall be implemented pursuant to the Criminal Background Checks Standard Operating Procedures.

Authority & Responsibility:

Human Recourses shall be responsible for interpreting this policy.

Except for law enforcement personnel supervised by the Chief of Police, the Human Resources Director or designee, is authorized to perform, request, and receive criminal background history from City's designated service provider for any applicant offered employment which may include transfer and promotions with the City of Meridian for those types of positions herein specified.

Dissemination or other use of criminal history information is prohibited.



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| City of Meridian |
| Standard Operating Policy |
| Number 2.8 |

Introductory Period of Employment

Purpose:

To set forth the City's policy regarding the employment status, responsibilities and expectations for new employees during the Introductory Period of Employment.

Policy:

The City of Meridian is an at-will employer. Each new employee hired, whether full-time or part-time, shall serve an introductory period of employment for six (6) months, or one (1) year for Sworn Police or Fire personnel. Employees may be terminated at any time with or without cause during the Introductory Period of Employment or anytime thereafter.

This policy shall be implemented pursuant to the Introductory Period of Employment Standard Operating Procedures. This policy shall apply to represented Fire personnel unless otherwise stated in the current collective labor agreement.

Authority & Responsibility:

Human Resources shall responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 2.9 |

Trial Service Period for Promotions or Transfers

Purpose: To set forth the City's policy regarding the Trial Service Period for Promotions or Transfers of current employees.

Policy:

The City supports growth and development of its employees. Promotions and transfers provide current employees an opportunity to learn and grow with the City. Each employee shall serve a Trial Service period of no less than six (6) months upon transfer or promotion.

This policy shall be implemented pursuant to the Trial Service Period for Promotions or Transfer Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for administering this policy. Supervisors are expected to set clear expectations for employees, and to work with them closely during the Trial Service Period to ensure proper learning and training take place. Supervisors are also expected to provide appropriate feedback and learning opportunities so as to appropriately train these employees and assess their ability to perform related job duties.



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| City of Meridian |
| Standard Operating Policy |
| Number 2.10 |

Remote Work

Purpose:

To set forth the City's policy regarding remote work as an alternative to an employee's designated work location.

Policy:

The City considers remote work to be a viable, flexible work option when both the employee and the job are suited to such an arrangement and it meets the needs of the City. Remote work is the concept of working from home or another location. Remote work can be informal, such as working from home for a short-term project or a formal set schedule of working away from the office. Remote work is an alternative method of working that, when implemented, does not alter the work expectations of the employee or diminish the services offered by the City.

The City may allow remote work for designated positions to create the opportunity for remote work location to meet City needs without compromising productivity, quality, customer service, etc, while promoting employee workplace flexibility. Employees may request a remote work arrangement if their position has been identified by the City as being eligible. The City has the right to refuse to make remote work available to an employee and to terminate a remote work arrangement at any time.

Authority & Responsibility:

Department Directors or designee shall be responsible to ensure the appropriate administration of this policy in consultation with Human Resources and Information Technology.



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| City of Meridian |
| Standard Operating Procedure |
| Number 2.1 |

Equal Employment Opportunity

Purpose:

To set forth the City's procedures for implementing the City of Meridian's Equal Employment Opportunity Standard Operating Policy.

Procedures and Related Information:

- I. **Commitment to Equal Employment Opportunity**
 Equal employment opportunity is among the highest priorities for the City of Meridian. The City is committed to demonstrating with continued good faith efforts and practices in support of equal employment opportunity and affirmative action (see related information in SOPR 2.2).
- II. **Compliance With All State and Federal Guidelines**
 The City of Meridian supports the principle of equal employment opportunity. These procedures communicate to all employees and applicants that the City complies with state and federal guidelines and requirements. Equal employment opportunity affects all employment practices at the City, including, but not limited to staffing, hiring, transfer, promotion, training, compensation, benefits, termination of employment, and all other privileges and conditions of employment.
- III. **Reasonable Accommodation**
 At the request of an employee or applicant, the City will make every effort to provide reasonable accommodation for physical/mental disability, military activity, religious beliefs, and related needs, provided it does not create an undue hardship upon the City. Employees and applicants must directly notify the Human Resources Director or designee of such requests (see related information in SOPR 2.4).
- IV. **Equal Employment Opportunity Objectives**
 All personnel policies, procedures, programs, and practices will be directed towards the goal of promoting equal employment opportunity and a work environment free of unlawful discrimination. It is therefore the City's objective to:
 - A. Staff, hire, train, and promote/transfer persons in all job titles, without regard to race, color, religion, sex (including pregnancy, sexual orientation, or gender identity), national origin, age (40 or older), disability and genetic information (including family medical history), veteran, or current, past or future military status, or any other applicable legally protected status, except where such status is a bona fide occupational qualification.

- B. Make employment decisions in a manner which will further the principles of equal employment opportunity and affirmative action.
- C. As opportunities for transfer, advancement, or promotion occur, including promotions into and within management, periodic performance reviews and analysis of personnel records will be made to ensure that all employees continue to receive equal consideration. Only valid requirements are imposed for these opportunities.
- D. Human Resources will provide oversight and assistance with employment actions to ensure compliance with equal opportunity employment practices and requirements.
- E. Department directors or designees, hiring managers, and employees participating in the selection process who have questions regarding equal treatment should consult with Human Resources prior to making employment decisions.

V. Complaint Procedure

Any employee or applicant who believes that he or she has not been afforded treatment conforming to the policy of equal employment opportunity may file a complaint through the Human Resources Department, Compliance Line, or the Mayor's office. Any employee who feels he or she has been discriminated against or who perceives another employee is being subject to unlawful discrimination should promptly take the following steps:

- A. Report the matter to his/her immediate supervisor and department director. If circumstances prohibit this response (e.g., the supervisor is involved in the conduct), report the behavior to the department director, Human Resource Director, Compliance Line, Mayor, or any other member of management with whom the employee feels comfortable.
- B. Reports may be given orally or in writing, and should include specific details of the discriminating behavior. It is helpful if details of dates, times, places, and witnesses, if any of the discrimination can be provided.
- C. Recipients of any oral or written complaint shall immediately contact the Human Resources Director, or designee, providing all related information and documentation received from the employee. Confidentiality is of the strictest importance and must be adhered to throughout the reporting process.
- D. If it is believed that inadequate action is being taken to resolve the complaint, employees may report such inadequacy directly to the Mayor.
- E. The Human Resources Director or designee shall investigate the complaint in a timely manner. The Human Resources Director in consultation with the City Attorney may choose to use a third-party investigator in certain instances, if appropriate.
- F. The Human Resources Director or designee shall review the results of the investigation and recommend in consultation with the City Attorney any appropriate disciplinary action, if deemed necessary. The complainant will be advised when the investigation is

complete.

VI. Confidentiality

All complaints will be investigated promptly. The identity of the employee making the complaint, as well as the identity of the individual accused of discrimination, will be kept as confidential as possible. The matter will be discussed only with those who have a need to know and only in as much detail as is needed throughout the course of the investigation.

VII. Statement of Non-Retaliation

No one, including but not limited to, the department director or designee, supervisor, or any other employee is to retaliate against an employee who makes an oral or written complaint of discrimination, regardless of the outcome of the investigation process. All incidents of retaliatory conduct experienced or witnessed must be reported orally or in writing to the Human Resources Director, or designee, the Compliance Line, or the Mayor immediately.



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| City of Meridian |
| Standard Operating Procedures |
| Number 2.2 |

Affirmative Action

Purpose:

To set forth the City's procedures regarding Affirmative Action requirements and the Affirmative Action Plan (AAP) to ensure the City's compliance with all guidelines and regulations as set forth by related federal guidelines.

Procedures and Related Information:

- I. The Human Resources Director or designee will meet periodically with department directors or designees to discuss progress in the City's AAP goals and ways to better meet those goals. In addition, the Human Resources Director or designee will meet with specific department directors and other supervisors as needed to discuss critical areas of identified underutilization or other problems identified within the AAP.
- II. The AAP shall be updated bi-annually by the Human Resources Director or designee, based on current information relating to City employees, state demographics, and other related information. A copy of the most current AAP shall be found in the Human Resources Department and made available upon request.
- III. The AAP shall serve as documentation of the City's ongoing commitment to equal opportunity in employment. Affirmative Action and equal employment opportunity affects all employment practices within the City, including (but not limited to) staffing, hiring, transfers, promotions, training, compensation, benefits, and all other privileges and conditions of employment.



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| City of Meridian |
| Standard Operating Procedure |
| Number 2.3 |

Unlawful Workplace Discrimination, Harassment and Retaliation

Purpose:

To set forth the City's procedures against unlawful workplace discrimination, harassment, and retaliation.

Procedures and Related Information:

I. Definitions

The following defined terms are applicable in this section:

- A. **Legally protected class** means a personal characteristic of an employee that is protected by law. This includes gender or gender identity, race, color, age, religion, national origin, physical or mental disability, or current, past, or future military status, sex, sexual orientation, disability, or any other character protected by law.
- B. **Participation in the workplace** includes all aspects of being an employee at the City, including, but not limited to, staffing, job performance, training, development, promotion, demotion, transfer, compensation, benefits, educational assistance, layoff and recall, and termination.

II. Workplace Discrimination

Workplace Discrimination is when one or more persons in a legally protected class are treated adversely with respect to their participation in the workplace.

III. Workplace Harassment

Workplace harassment is a type of discrimination. Harassment is unwelcome conduct that is directed to one or more persons in a legally protected class that interferes with their participation in the workplace. The offensive conduct must be so severe or recurring such that it creates a work environment that a reasonable person would consider intimidating, hostile or abusive. Petty slights, annoyance, or isolated incidents (unless extremely serious) will not rise to the level of illegality.

IV. Workplace Sexual Harassment

Sexual harassment is a specific type of workplace harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment

decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Harassment of a sexual nature can take the form of "quid pro quo" or "hostile environment." Definitions of these forms of harassment are given in the following sub-sections of this policy. Neither form of harassment will be tolerated.

- A. **Quid Pro Quo:** An exchange of something for something.
When applied to sexual harassment, it means demanding sexual favors in return for employment benefits (e.g., compensation, benefits, special privileges, etc.).
- B. **Hostile Environment:** This form of harassment involves behavior motivated by the target's gender that makes the workplace offensive, hostile, or intimidating, or it unreasonably interferes with an individual's work performance.

Sexual harassment includes sexually harassing others of the same and/or different gender or gender identity.

- V. **Typical Categories of Sexually Harassing Behavior**
Sexual harassment directed toward an employee or applicant generally falls into these categories: (Please note that by providing these examples the City is not stating that any single event listed is per se harassment, rather these examples are illustrative of conduct that can be deemed, in some circumstances, harassing).
- A. **Unwanted sexual advances:** May include, but are not limited to, unwanted touching, advances, propositions of a sexual nature, or other conduct considered unacceptable by another individual.
- B. **Requests for sexual favors during work or as a condition of employment:** May include, but are not limited to, pressures or requests for sexual favor accompanied by an implied or stated promise of reward (e.g., preferential treatment, additional favoritism, compensation, benefits). May also include threatening demands concerning one's employment status for refusing to do so.
- C. **Verbal or physical conduct of a sexual nature, or based upon a person's gender:** Sexually oriented comments considered unacceptable such as those regarding an individual's body, dress, or appearance; telling "dirty" or sexist jokes that are considered offensive by others; use of sexually degrading words; or any sexually-oriented comments, innuendoes, or actions that offend others. Unwanted physical conduct considered unacceptable such as touching, massaging, pinching, patting, and hugging.
- D. **Sexually-oriented conduct that unreasonably interferes with work performance:** This includes, but is not limited to, extending unwanted sexual attention to someone that

reduces personal productivity or time available to work at assigned tasks, ogling, leering, verbal abuse, and/or sexual flirtations.

- E. Creating a work environment that is intimidating, hostile, or offensive because of unwanted advances, innuendoes, conversations, suggestions, requests, physical contacts, impeding or blocking movement, or inappropriate materials of a pornographic or sexual nature.

VI. Hostile Work Environment

A hostile work environment is discrimination or harassment in the workplace in which comments or conduct based on a legally protected class, unreasonably interferes with participation in the workplace. To a reasonable person, the comments or conduct must be so severe or recurring such that it creates an intimidating or offensive work environment. Isolated incidents, petty slights, occasional teasing or impolite behavior are generally not sufficient to create a hostile work environment.

VII. Workplace Retaliation

Workplace retaliation is when an employee is punished or negatively treated because the employee engaged in legally protected activity, including initiating a complaint of discrimination or harassment, providing information or assisting in an investigation, or refusing to follow orders that would result in discrimination or harassment.

VIII. Employee Responsibility & Reporting

- A. Any employee, who believes that he or she is subject to discrimination, harassment or retaliation, or observes another employee being subject to discrimination, harassment or retaliation must report the incident(s) immediately or as soon as possible after the incident.
- B. Employees are required to report any discrimination, harassment or retaliation, whether directed towards themselves or another employee to his/her immediate supervisor, department director, Human Resources Director, the City Attorney, the Mayor or any other member of management with whom the employee feels comfortable. Employees may also use the City of Meridian Compliance and Ethics Line. Employees should follow the complaint process outlined in SOPR 2.1.
- C. It is recommended that any employee who perceives discrimination, harassment, or retaliation politely, but firmly, confront the offending person. Employees should state how they feel about the other person's actions and request that the person cease from his or her unwanted behavior. If the unwanted behavior continues or if an employee does not feel comfortable confronting the person, he/she must report the matter immediately or as soon as possible.
- D. It is recommended that complaints be filed in writing for documentation purposes; however, each reported case, whether verbal or in writing, will be considered seriously and investigated thoroughly. A failure by an employee to report cases of discrimination, harassment, or retaliation may indicate a welcome relationship or environment.

IX. Policy Enforcement

The City will actively enforce its policy against discrimination, harassment, and retaliation. The policy applies to all conduct on the City's premises by any supervisor, manager, coworker, department director, elected officials, associate, or other member of the public, and to all conduct off the City's premises that affects an employee's work environment. If a violation of the policy has occurred, disciplinary action equal to the scope and severity of the occurrence will be taken against the offending person(s), up to and including termination.

X. Complaint Investigation

All complaints will be investigated promptly. All investigations will be coordinated by the Human Resources Director or designee in consultation with the City Attorney, if deemed necessary. The Human Resources Director or designee will conduct the investigation or seek the approval of the Mayor to hire an outside agency or person to conduct the investigation, depending on the circumstances of the complaint. Any outside agency or person hired to conduct an investigation must report to the Human Resources Director or designee prior to initiating any investigative action. The Human Resources Director, or designee, shall review the results of the investigation and recommend in consultation with the City Attorney any appropriate disciplinary action, if deemed necessary. The complainant will be advised when the investigation is complete. Human Resources will determine on a need-to-know basis if any other individuals are to be notified regarding the investigation.

XI. Confidentiality

All complaints will be investigated promptly. The identity of the employee making the complaint, as well as the identity of the individual accused of discrimination, harassment, or retaliation will be kept as confidential as possible, consistent with a thorough and complete investigation.

XII. Statement of Non-retaliation

Employees may be assured that they will not be penalized in any way for reporting or filing a grievance of any nature. All complaints, which are reported to management, will be investigated promptly.

The City prohibits any form of retaliation against any employee for filing a complaint under this policy or for assisting in a complaint and/or investigation.



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| City of Meridian |
| Standard Operating Procedures |
| Number 2.4 |

**American's with Disabilities Act
Section 504 – Rehabilitation Act of 1974**

Purpose:

To set forth the City's procedures to comply with the American's with Disabilities Act (ADA) for general employment, and with Section 504 of the Rehabilitation Act of 1974 for Affirmative Action compliance.

Procedures and Related Information:

I. Eligibility

- A. The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAA) prohibit employers with 15 or more employees from discriminating against individuals with disabilities.

II. Reasonable Accommodation

- A. The City will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job, unless:
 - 1. Doing so causes a direct threat to these individuals or others in the workplace, and the threat cannot be eliminated by reasonable accommodation; or
 - 2. The accommodation creates an undue hardship to the City.
- B. Employees should contact their supervisor or Human Resources with any questions or requests for accommodation.

III. Processing ADA Requests

- A. All ADA requests for reasonable accommodation received by a supervisor shall be forwarded directly to Human Resources for processing.



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| City of Meridian |
| Standard Operating Procedure |
| Number 2.5 |

Immigration Control Act

Purpose:

To set forth the City's procedures to comply with the Immigration Reform and Control Act of 1986 (IRCA).

Procedures and Related Information:

- I. Applicants must submit a completed Form I-9 as required by the Immigration Reform and Control Act of 1986 (IRCA). Applicants must provide required forms of identification as listed on the form.
- II. All required documentation must be presented to Human Resources on or before the first day of employment, but no later than 3 business days of the date of hire of the employee (the date of hire means the first day of work for pay).
- III. Any current employee found not to have completed a Form I-9 shall be required to do so immediately upon notification by Human Resources. Human Resources shall conduct periodic audits to ensure that all employees have completed the required documentation.
- IV. Individuals who do not timely submit required I-9 documentation will not be allowed to work for the City.
- V. Intentional falsification of I-9 documentation shall be grounds for immediate termination.
- VI. Any questions should be directed to Human Resources.



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| City of Meridian |
| Standard Operating Procedures |
| Number 2.6 |

Employment References

Purpose:

To set forth the City's procedures regarding requests for employment references for current and former employees, as well as the City's requests for information on current or potential employees.

Procedures and Related Information:

I. Obtaining Employment References

- A. Prior to employment, the Human Resources Director or designee shall obtain appropriate employment references for applicants from former employers or other references as provided within application materials.
- B. Reference information shall be limited to verification of employment dates and position, unless the applicant has completed and signed a written release of employment information and provided it to the Human Resources Department.
- C. The City reserves the right to conduct additional reference checks during employment. Additional checks may also take place should suspicion be raised regarding the validity of applicant or employee information.

II. Requests for Employment References

- A. Only the Human Resources Department is authorized to provide or refer employment on current or former employees to department director or designee, outside agencies, employers, or organizations.
- B. All requests for references must be referred to the Human Resources Director, or designee. No City employee shall provide employment reference information without the express consent of Human Resources.
- C. Reference information shall be limited to verification of employment dates and position, unless the employee or former employee has completed and signed a written release of employment information and provided it to the Human Resources Department for inclusion in his/her personnel file.
- D. Employment references for law enforcement personnel requested by other law enforcement agencies will be handled by the Police Chief or designee.



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| City of Meridian |
| Standard Operating Procedures |
| Number 2.7 |

Staffing, Selection, Promotion, and Transfer

Purpose:

To set forth the City's procedures on staffing, selection, promotion, and transfer as it applies to City employees and applicants.

Procedures and Related Information:

I. Staffing and Job Posting Procedures

The following procedures shall be followed for each hiring process:

- A. Departments shall follow their internal departmental procedures when preparing a Staffing Requisition Form. Departments are encouraged to contact Human Resources with any questions related to the staffing process.
- B. Departments requesting staffing for a position shall submit to Human Resources a completed and approved Staffing Requisition Form.
- C. Human Resources may post the open position with job-related information including the salary range. Positions may be posted internally through standard channels of communication. External job announcements will be made through forms of communication directed towards attracting the most diversely qualified applicant pool.
- D. Positions posted at each City location and on the City Intranet will be available for a minimum of five (5) working days for City employees to view.
- E. Temporary or seasonal positions may not always be posted internally and can be filled by a temporary agency, high school students, university students, technical schools, or other outside agencies.
- F. All external applicants for employment who are applying for a vacant position must complete and sign a City of Meridian Employment Application or complete and on-line application through the City's Internet site.
- G. Internal employees must complete an Internal Request for Promotion/Transfer available on the Human Resource's Intranet Page. The City may consider outside applicants simultaneously with those internal applicants. Submitting an Internal Request for Promotion/Transfer does not guarantee an internal employee applicant an interview. Internal employees in the process of completing a Performance Improvement Plan shall not be considered until successful completion of the Performance Improvement Plan.

II. Interview Process

- A. Human Resources or department designee will be responsible for setting up the interview, including scheduling the interview, arranging facilities, coordinating interview panel members, and compiling all Human Resources approved interview materials utilized by the City.
 - B. The department for which the position is posted shall utilize Human Resources approved interview questions, assessments, tests, or other materials or processes. Any new or unapproved interview questions and/or materials must be submitted for review and approval by Human Resources prior to their use to ensure compliance with state and federal employment laws.
 - C. Human Resources staff or an authorized department designee (selected by the Department Director and approved by Human Resources), shall take part in each interview to ensure compliance with employment laws.
- III. Current Employee Applicant Interviews
- Current employees should meet the essential qualifications of the open position. Department Directors may waive the minimum period of service in the employee's current position to allow an employee applicant interview. Final selection decisions should be based on the same criteria as used for external applicants.
- IV. Veteran's Preference Points
- The City shall comply with Idaho Code Title 65, Chapter 5 in regards to Veteran's Preference Points. Questions regarding Veteran's Preference Points may be directed to Human Resources.
- V. Employment Roster for Sworn Police and Fire Union Members
- A. The City maintains an employment roster for certain positions in the police department. The employment eligibility roster shall remain in effect until the position for which the roster was determined is filled or until such time as determined by the Police Chief. After the expiration of the eligibility roster, all applicants whose names were originally on the roster will be required to compete through the hiring process in order to have his/her name placed on subsequent hiring rosters. Fire Union employment rosters are kept and maintained in accordance with the current collective labor agreement.
 - B. Applicants on the Police employment eligibility roster must notify the Human Resources Department in writing of any change of address or other changes that would affect his/her availability for future employment. The Police Chief has discretion to select from the top ten eligible applicants on the hiring roster, regardless of the applicant's final score.
- VI. Selection Process
- A. The applicant who is best matched for the open position will be selected. This determination will be made through such methods as interview, past performance, if applicable, evaluations, etc. However, if there are two or more equally qualified final candidates and one or more of the candidates has requested and qualifies for Veterans Preference, please contact Human Resources.

- B. Represented employees subject to the collective labor agreement shall be selected in accordance with the contract.
- C. As an equal opportunity employer, all selections will be made in accordance with federal and state laws and related City policies and procedures.
- D. Human Resources staff or an authorized department designee (selected by the Department Director and approved by Human Resources), shall take part in the position selection process to ensure compliance with employment laws.
- E. Selection of seasonal or temporary applicants for employment may be made at the discretion of the hiring departments in accordance with federal and state laws and related City policies and procedures. Human Resources is available to assist when needed.

VII. Notification to Applicants

- A. Following the selection of an applicant, except for law enforcement positions supervised by the Police Chief, seasonal, and parks temporary employees, only Human Resources shall contact the applicant of choice to make the initial contingent job offer.
- B. Human Resources shall conduct a reference and/or criminal history check to determine the applicant's eligibility for hire with the City. Should the background and reference checks indicate that the applicant is eligible for employment, Human Resources shall contact the applicant to confirm the position start date and any related information. Should a background come back as questionable, Human Resources may consult with Legal as needed to determine employability. If it is determined by Human Resources that the applicant is not eligible for hire, the Human Resources Director shall notify the applicant and advise the department that the applicant will not be hired. Human Resources will continue to assist the department to fill the position as needed.
- C. Employment references, background checks, and job offers for law enforcement applicants will be handled through the Police Chief or his/her designee. Once the applicant is selected, documentation is sent to Human Resources for processing.
- D. After the position is filled, except for sworn law enforcement positions, all questions, comments, or concerns regarding the hiring decision should be directed to Human Resources.
- E. Supervisors should not directly contact applicants until the offer of employment is made by Human Resources, accepted, and eligible for hire. Human Resources will notify the department when the pre-employment process is complete.

VIII. Promotions/Transfers

- A. Promotions
 - 1. A promotion is defined as a movement by an employee from his/her current position to one that falls within a higher salary range.

2. For information regarding the impact of a promotion on an employee's salary, refer to SOP 3.4 (Compensation Policy).

B. Transfers

Employees may transfer from one job to another by means of promotion, demotion, or lateral movement within the same job grade. Transfers may be voluntary or involuntary as outlined below.

1. Voluntary Transfer: Regular full-time or part-time, temporary, or seasonal employees are eligible to compete for announced City job vacancies, and if successful, transfer to the vacant position. Refer to the Compensation Policy for information regarding salary impact.
2. Involuntary Transfer: Employees may be involuntarily transferred for any number of reasons which may include, but not be limited to:
 - a. Inability to perform the essential job functions of their position, with or without a reasonable accommodation;
 - b. To accommodate a need for intermittent leave under the Family Medical Leave Act (FMLA);
 - c. As a result of departmental or citywide reorganization;
 - d. As a temporary placement while under suspension from their primary job duties;
 - e. To make use of employees' knowledge, skills, or abilities in a manner that best meets the interests of the City. In these occasions, transfers may be made at the City's request to satisfy operational needs;
 - f. Transfer of bargaining unit employees shall be governed by the provisions of the collective labor agreement;
 - g. A transfer may also be offered during periods of job elimination to avoid termination. In this event, the refusal to accept a reasonable transfer at the City's request will be interpreted as a resignation.

C. Qualifications

Eligibility for promotion/transfer compares minimum relevant qualifications of the new position and the employee's qualifications.

1. Factors that generally relate to the position include:
 - a. The duties and responsibilities of the position;
 - b. Education, training, or special knowledge required; and
 - c. Relevant, similar and related experience.
 - d. Length of previous job history.
2. Factors that relate to the employee include:
 - a. Quality of work, initiative, planning, dependability, and attitude;
 - b. Present and past performance levels; and

- c. Potential for successful performance in the new position.
 - 3. Required Length of Service: A general employee must have a minimum of six (6) months or (1) year of service for Police and Fire in his/her current position before requesting a promotion/transfer unless receiving prior approval from their immediate supervisor in the chain of command, starting with the immediate supervisor up to and including the department director.
 - 4. Employees with less than minimum qualifications of the position may be selected as the applicant of choice with the approval of both the department director and Human Resources.
- D. Promotions for represented employees shall be governed by the provisions of the collective labor agreement. Refer to the union contract for criteria and qualifications.



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| Standard Operating Procedures |
| Number 2.7.1 |

Criminal Background Checks

Purpose:

To set forth the City's procedure on conducting criminal background checks.

Procedures and Related Information:

I. Pre-Employment Criminal Background Checks

- A. Prior to employment, the Human Resources Director or designee may require an applicant to provide information and fingerprints necessary to obtain criminal history information from the City's designated service provider and the Federal Bureau of Investigation, pursuant to Idaho Code 67-3008 and congressional enactment Public Law 92-544.
- B. The Human Resources Director or designee may submit a set of fingerprints obtained from the applicant and the required fee to the designated service provider for a check of state and national databases. The submission of fingerprints and information required by this section shall be on forms provided by the designated service provider.
- C. Initial offers of employment are typically not made until the criminal background check is complete. However, in certain circumstances, the Human Resources Director or designee in consultation with the hiring department director may provide an offer of employment contingent upon the outcome of the criminal background check.
- D. All offers of employment are contingent offers, subject to the outcome of the criminal background check. If the background uncovers any misrepresentation on the application, transfer form, or information indicating the individual is not suited for employment, the offer will be withdrawn or the employee will be terminated upon review and the approval of the Human Resources Director.

II. Post-Employment Criminal Background Checks

As necessitated by transfer or promotion, suspicion of false information obtained during the hiring process, the Human Resources Director or designee may conduct a post-employment criminal background check at any time during an individual's employment with the City. Terms and conditions of employment may be modified or adjusted based on the outcome of such checks.

- III. Should a criminal background check provide information relating to previous convictions of one or more felonies and/or misdemeanors, the Human Resources Director or designee shall review all pertinent information and recommend to the hiring department director whether or not to proceed with the hiring decision. Prior convictions do not automatically disqualify an individual from employment. However, special review and consideration will be made to ensure the safe

and secure working environment of the City, its employees and facilities, and the public. The Human Resources Director may consult with Legal as part of the review process, if appropriate.



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| City of Meridian |
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| Number 2.8 |

Introductory Period of Employment

Purpose:

To set forth the City's procedures regarding employment status and expectations of employees during the Introductory Period of Employment.

Procedures and Related Information:

- I. Every new regular full-time or part-time employee serves an Introductory Period of Employment of six (6) months, or one (1) year for Sworn Police or represented Fire employees. The introductory Period of Employment does not change the at-will employment status of new employees.
- II. The Introductory Period of Employment is used to determine whether the employee is suited for the position, qualified and capable of performing the work, and can meet the job standards. If at any time during the Introductory Period of Employment it is determined by the employee's supervisor and in consultation with the department director or designee that the employee's performance is not meeting the expectations of the City, the employee may be terminated. The department director or designee shall seek guidance and direction from Human Resources prior to a final decision being made and communicated to the employee.
- III. After completion of the Introductory Period of Employment, new employees should be given a performance evaluation. If the performance of the employee has been unsatisfactory, the City reserves the right to sever the at-will employment relationship or extend the introductory period one time for up to an additional ninety (90) days. The Introductory Period of Employment may be extended by the department director with approval of the Human Resources Director and with written notice to the employee.
- IV. Following the Introductory Period of Employment, employees shall be considered "regular employees," unless the employee is represented by the collective labor agreement. Completion of the Introductory Period of Employment is not a guarantee of continued employment with the City nor does it alter the at-will status of the employee. It simply provides a benchmark for employees and supervisors to achieve and assess the employee's long-term viability to perform the necessary functions of the position. Completion of the Introductory Period of Employment does not result in a wage/salary review unless otherwise authorized by the department director in consultation with Human Resources.
- V. If an employee is terminated during the Introductory Period of Employment he/she is not entitled to the Termination and Disciplinary Action or Adverse Employment Action Appeal Procedures as defined in Chapter 8 of the Standard Operating Procedures Manual.



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| Standard Operating Procedures |
| Number 2.9 |

Trial Service Period for Promotions or Transfers

Purpose:

To set forth the City's procedures relating to responsibilities and expectations during the Trial Service Period for newly promoted or transferred employees.

Procedures and Related Information:

- I. An employee selected for promotion or transfer will begin a Trial Service Period of not less than six (6) months to assess the individual's performance. The Trial Service Period does not change the at-will employment status of the employee. If at any time during the Trial Service Period the employee is unable to satisfactorily perform the duties of the new position, the City reserves the right to separate employment or the Trial Service Period may be extended one time up to an additional ninety (90) days to further assess the employee's suitability for the current position. This extension requires approval by the department director and Human Resources Director, with written notice to the employee. At the director's discretion, efforts may be made to place the employee in another position within the City for which the employee is better qualified, if available.
- II. After completion of the Trial Service Period, the employee shall be given a performance evaluation, which does not require a wage/salary review.
- III. If the promoted or transferred employee is terminated during the Trial Service Period, the employee is entitled to the Termination and Disciplinary Action or Adverse Action Employment Action Appeal Procedures as defined in Chapter 8 of the City's Standard Operating Procedures manual.



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| City of Meridian |
| Standard Operating Procedure |
| Number 2.10 |

Remote Work

Purpose:

To set forth the City's procedures regarding remote work as an alternative to an employee's designated work location.

Procedures and Related Information:

I. Eligible Positions for Remote Work

- A. Department Directors or designee shall determine which positions are eligible for remote work.

II. Hours Worked

- A. Remote work arrangement shall not exceed 50% of the employee's regular weekly work schedule.
- B. Employees are expected to adhere to the agreed upon work schedule.

III. Eligible Employees for Remote Work

- A. Remote Work may be available to a full-time or part-time employee working in an eligible position once the employee has successfully completed his/her introductory period of employment or whose last performance review had a minimum overall rating of fully competent unless the employee is currently the subject to an employment investigation or other disciplinary action, including but not limited to being on a performance improvement plan.

IV. Pre-Request Remote Work Arrangement Considerations

- A. Before entering into any remote work arrangement, the employee and supervisor will evaluate the suitability of such an arrangement including but not limited to reviewing the following areas:
 - 1. Remote work equipment needs and availability of equipment.
Information Technology shall be consulted to determine equipment availability and if not available, the supervisor shall inform the employee that remote work is not currently an option.

2. Remote work is not to be used for the purpose of accommodating regular childcare needs of the employee. The focus of the arrangement must remain on meeting business need and operational demands.
3. If an employee is seeking a remote work ADA Accommodation, please contact Human Resources.

V. Request to Remote Work

- A. Employee initiated request for remote work shall be submitted by email to his or her supervisor.
- B. The supervisor will issue a decision via email.

VI. Remote Work Equipment

- A. The Information Technology department will be consulted regarding any remote equipment needs.
- B. Existing City issued mobile computing device or personal device capable of accessing a City issue device is required. No other city equipment will be issued unless the equipment is planned for as part of the budget process through a computer replacement and/or budget request associated with new position, and based on other needs of the position, not remote work needs.
- C. The City will not incur any additional costs due to a remote work arrangement, except Virtual Private Network (VPN) software.
- D. If inaccessibility to the Internet service occurs at the remote location and impacts the employee's ability to perform the functions of the position the employee is required to notify their supervisor and should return to their City assigned work location in a timely manner. If the supervisor is unavailable the employee should return to their City assigned work location to continue working until such time as the Internet service can be restored. The supervisor must approve the employee returning to remote work.
- E. No checking out equipment from Information Technology.
- F. Information Technology department will maintain an inventory list for City equipment that is authorized to be used at a remote work location.

VII. Evaluation of Remote Employee Performance for Continued Remote Work

- A. The expectation is that the supervisor and remote worker will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

- B. The expectation is that a remote worker will fulfill position responsibilities as expected at the regular work location.
- C. The supervisor shall address concerns related to performance in a timely manner and the remote work arrangement may be terminated if performance expectations are not being met.

VIII. Security

- A. Consistent with the City's expectations of information security for employees working at their regular work location, remote employees will be expected to ensure the protection of proprietary information and customer information. Steps include the use of locked file cabinets and desks, regular password maintenance, locking computers, and any other measures appropriate for the job and the environment.
- B. Any City's issued assets and/or materials are expected to be secured and not accessible to anyone other than a City employee.

IX. Safety

- A. Employees are expected to maintain their remote workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a remote location and in conjunction with his or her regular work duties are normally covered by the City's workers' compensation program. Remote employees are responsible for notifying their supervisor of such injuries as soon as practicable as outlined by the worker's compensation policy. The employee is liable for any injuries sustained by non-work-related family members or visitors to his or her remote workspace.

X. Compliance

- A. All City policies and procedures shall be followed by employees who remote work.
- B. Failure to comply with the Remote Work Policy and these procedures or any other City policy or procedure may subject an employee to disciplinary action up to and including termination.

XI. Remote Work / Continuity of Operations

- A. These procedures may be superseded in part or in their entirety during times of emergency declaration by Governor, Health District, or Mayor.
- B. Special consideration for temporary remote work arrangements may be afforded to employees in essential and non-essential positions, in the event of an emergency declaration by Governor, Health District or Mayor. In the event of such declaration, the Mayor shall approve guidelines specific to the nature of the declaration including but not limited to individual department plans for continuity of operations.
- C. The Mayor in consultation with the designated individual or entity responsible for emergency management and department directors shall coordinate immediate and necessary unplanned budget expenditures to facilitate employee remote work arrangements to continue operations of essential and non-essential functions without disruption.
- D. The Mayor or designee may authorize additional City owned equipment to be taken to remote work space that wouldn't normally be allowed by these procedures. (Office supplies, desktop computers, chairs, etc.)
- E. Employees shall not receive additional compensation, benefits, or reimbursement for extra commuting or remote work space related expenses due to remote working with the exception of possible assistance with Internet service.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.1 |

Employee Classification

Purpose:

To set forth the City's policy regarding the employment classification system, including employment classification under the Fair Labor Standards Act relating to the payment of overtime.

Policy:

To ensure employment classification policies for purposes of salary, benefits, and overtime are applied consistently, lawfully and in the manner for which they are intended.

This policy shall be implemented pursuant to the Employee Classification Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall administer this policy which may include periodic review of positions to ensure appropriate classification.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.2 |

Hours of Work

Purpose:

To set forth the City's policy regarding hours of work, compressed workweek, flextime, meal periods, and reporting procedures for time worked.

Policy:

Every employee shall have designated work hours. It is the City's policy to establish time and duration of working hours as required by workload, operational demands, customer service needs, staffing requirements, and any applicable law(s).

This policy shall be administered pursuant to the Hours of Work Standard Operating Procedures.

Authority & Responsibility:

Department directors and supervisors shall be responsible for scheduling employees during appropriate working hours and ensuring that proper records and timecards are kept and submitted to record time worked.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.3 |

Payroll

Purpose:

To set forth the City's policy regarding its pay practices.

Policy:

Employees are paid on a monthly basis on the last working day of each month. Employees are required to have their paychecks directly deposited into a designated account at a financial institution of their choice.

This policy shall be implemented pursuant to the Payroll Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall ensure that all employee information is accurate and up-to-date regarding rates of pay and automatic deductions. Supervisors are responsible to ensure that employees complete their timecards and submit them to payroll by the cutoff date of each month.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.4 |

Compensation Program

Purpose:

To set forth the City's policy regarding consistent administration of the City's compensation program and movement of an employee from position to position (i.e., promotion, transfer, demotion, etc.).

Policy:

The City has developed and supports a pay-for-performance compensation program for all non-represented employees. The Compensation Program, its policy and procedures, provide guidelines related to the administration of the compensation program for department directors and supervisors. Represented Fire employees should refer to the collective labor agreement for information regarding their compensation structure and policies.

This policy shall be implemented to pursuant to the Compensation Program Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall oversee the administration of the compensation program and shall ensure it is adjusted and up-to-date at all times. department directors or their designees, are responsible for managing the implementation of the program according to performance and budgetary guidelines. The Mayor and City Council are responsible for approving the annual compensation budget including appropriate adjustments and performance increases within budgetary constraints and guidelines.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.4.1 |

Individual Pay

Purpose:

To set forth the City's policy regarding individual pay within the range assigned to the employee's position.

Policy:

Individual pay for non-represented employees shall be based at the time of hire, rehire, promotion, etc. upon individual competency, experience, education, and other compensable factors.

This policy shall be implemented pursuant to the Individual Pay Standard Operating Procedures.

Authority & Responsibility:

Hiring supervisors and department directors, or designees, shall have the responsibility to recommend a starting salary for an employee based on individual competency, experience, and other qualifications. Human Resources shall work closely with departments in establishing a starting salary. The Human Resources Director shall approve all out-of-guideline starting salaries for employees. The Human Resources Director and Chief Financial Officer shall ensure compliance by supervisors to the budgetary guidelines as established annually by the Mayor and City Council.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.4.2 |

Compensation Program Updates

Purpose:

To set forth the City's policy regarding its compensation program and periodically review and update.

Policy:

The Human Resources Director and Chief Financial Officer shall review the compensation program on an annual basis for effectiveness and budgetary compliance. The program shall be updated as needed to meet internal equity and external competitiveness. A representative Compensation Committee shall be established to ensure the maintenance of internal equity.

This policy shall be implemented pursuant to the Compensation Program Updates Standard Operating Procedures.

Authority & Responsibility:

The Human Resources Director shall review the City's compensation program to ensure effectiveness in meeting the City's compensation objectives. The Chief Financial Officer shall review the administration and implementation of the compensation program to ensure that all related actions hold within predetermined budgetary parameters.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.4.3 |

Performance Increases to Salary

Purpose:

To set forth the City's policy regarding employee salary increases based on performance.

Policy:

The City has established a pay-for-performance compensation program for all non-represented positions. Each year, the Mayor and City Council may approve percentages for pay increases (if any) available to employees based on the outcome of individual performance appraisals.

This policy shall be implemented pursuant to the Performance Increases to Salary Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for interpreting this policy. Supervisors and department directors, or designees, are responsible for ensuring that performance appraisals are given in a timely manner, according to City standards, and in a manner that objectively documents performance.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.4.4 |

Adjustment to Wages

Purpose:

To set forth the City's policy regarding adjustment to individual wages of employees.

Policy:

The City shall make adjustments to individual wages of employees due to changes effected by leaves of absence, layoffs, promotions, demotions, and other related changes.

This policy shall be implemented pursuant to the Adjustment to Wages Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for interpreting this policy. The Human Resources Director shall have the authority to approve all out-of-guideline adjustments to wages.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.4.5 |

On-Call/Call Out Duties and Compensation

Purpose:

To set forth the City's policy regarding employees being on-call and being called out to perform emergency work beyond normal working hours.

Policy:

Certain City employees may be placed on the on-call duty schedule as directed by the department director or designee. On-call is defined as being reasonably available to respond to City business during hours beyond the employee's normally established workday.

This policy shall be implemented pursuant to the On-Call/Call Out Duties and Compensation Standard Operating Procedures.

Authority & Responsibility:

Department Directors or designees shall be responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.5 |

Travel and Expense Reimbursement

Purpose:

To set forth the City's policy regarding travel and expense reimbursement.

Policy:

This policy is meant to address employee travel away from the Treasure Valley for City business.

The ability to travel for work purposes, including training, is a privilege. Travel may also be part of the employee's job and associated duties. The City shall pay for only official business expenses that are directly related to conducting business for the City of Meridian. It is the responsibility of each employee to ensure that the taxpayers of the City are only being asked to fund reasonable costs and expenses related to this privilege. All travel must be pre-approved and via the most economical means practical. An employee's family member may travel to or with the employee, but all the expense of that family member must be borne by the employee.

In order to meet certain federal and state requirements, some departments may need to develop additional internal policies relating to documentation and guidance for record keeping and approval process. Departments may establish more restrictive guidelines to best meet their own unique needs.

Violations of this policy may be cause for disciplinary action up to and including termination.

This policy shall be implemented pursuant to the Travel and Reimbursement Standard Operating Procedures.

Authority and Responsibility:

Directors or designees are responsible for administering this policy. It shall be the responsibility of the Directors of this City to ensure that all expenditures under this policy are appropriate and consistent with fiscal responsibility. Directors, or designees who are authorized to approve expenditures shall also ensure that the City policies are being followed consistently. The Finance Department has the responsibility to track all funds for the City and assure compliance with all City, State, or Federal regulations regarding the tracking and accounting of such expenditures.



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| City of Meridian |
| Standard Operating Policy |
| Number 3.6 |

Overtime Compensation

Purpose:

To set forth the City's policy identifying eligibility for overtime compensation and the accumulation and payment of overtime.

Policy:

The City shall provide overtime compensation in accordance with the Fair Labor Standards Act.

This policy shall be implemented pursuant to the Overtime Compensation Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for interpreting this policy. Supervisors and department directors or designees are responsible for ensuring that proper tracking of hours worked is made for all employees for whom they are responsible.



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| City of Meridian |
| Standard Operating Procedures |
| Number 3.1 |

Employee Classification

Purpose:

To set forth the City's employment classification system, including employment classification under the Fair Labor Standards Act relating to the payment of overtime.

Procedures and Related Information:

I. Employment Categories

Employment categories are based on the staffing requirements of the City. They are used to provide flexibility in meeting long-term and short-term staffing requirements, for temporary or seasonal programs, to cover peak work periods or employee absences, or other situations determined by City management officials.

Below are identified the various employee types commonly used within City employment.

- A. **Regular Full-Time Employee** – A regular full-time employee is one who regularly works a minimum of forty (40) hours or more per week, or per week for represented Fire employees, as defined by the current Collective Labor Agreement. Regular full-time employees are eligible to participate in the City's benefit program, including health insurance coverage, life insurance, retirement, 401K, leave benefits, etc. All benefit programs are subject to change and are not guaranteed.
- B. **Part-Time Employee** – An employee who is regularly scheduled to work less than forty (40), up to at least nineteen (19), hours per week. Part-time employees who consistently work twenty (20) or more hours a week are entitled to participate in the City's retirement program. All benefit programs are subject to change and are not guaranteed.
- C. **Temporary or Seasonal Employee** – An employee hired to work either part-time or full-time and who works in a position of seasonal, intermittent, sporadic, or short-term employment that may fall into some of the following assignments:
 - 1. Seasonal park or wastewater maintenance workers;
 - 2. Recreational program staff;
 - 3. Student interns and special work program participants;
 - 4. Employees hired for on-call purposes whose work schedules are irregular and sporadic; and

5. Employees hired to complete a special project, to fill in during employee absences or peak workload periods, etc.

Temporary or seasonal employees are not eligible for City benefits. As with all City employees, temporary employees also are considered at-will, and are not guaranteed employment through the season or task for which they have been hired.

D. Other Employment Classifications

1. Appointed Official – An employee in a position or office, which is filled through appointment by the Mayor and City Council.
2. Department Director – An appointed official who has direct supervision and responsibility for personnel, records, funds, maintenance, and service to be performed by a City department.
3. Elected Official – An individual voted in by the citizens of Meridian.
4. Union Employee – An employee covered under a collective labor agreement between the City and a recognized bargaining unit. This is limited to the labor agreement with represented Fire employees.

- E. Independent Contractors – Independent contractors are not employees of the City of Meridian and are not eligible for any benefits offered through the City.

II. Exempt and Non-Exempt Employees

The City will adhere to all provisions and regulations of the Fair Labor Standards Act (FLSA) as it applies to City employees. Under FLSA, certain positions are classified as either exempt (not eligible for overtime compensation), or non-exempt (eligible for overtime compensation). Employees with questions regarding exemption status may contact the Human Resources Department.



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| City of Meridian |
| Standard Operating Procedures |
| Number 3.2 |

Hours of Work

Purpose:

To set forth the City's procedures regarding hours of work, compressed workweek, flextime, meal periods, and reporting procedures for time worked.

Procedures and Related Information:

I. Work Period

- A. Regular business hours are normally 8:00 a.m. to 5:00 p.m. Monday through Friday, unless otherwise authorized by the Mayor and Council. However, some departments within the City have different work periods and work hours.
- B. A "work day" is defined as the hours of work performed within a period of (24) consecutive hours on any assigned shift, whether such shift is continuous or split.
- C. Non-exempt employees are responsible for monitoring the accuracy of his/her timecard for the hours worked in each work period. For overtime approval, refer to SOP 3.6 (Overtime Compensation).
- D. Represented fire employees are subject to the special exception as provided under 207K of the Fair Labor Standards Act. Represented Fire employees should refer to the collective labor agreement for information regarding assigned work periods.

II. Compressed Work Week and Flextime

- A. A compressed workweek is one in which an employee works the same number of hours as normal, but in fewer than the customary number of days per week.
- B. Flextime is a work schedule with time of arrival and departure that differs from the regular business hours. It allows employees the opportunity to work a designated schedule within the limits established by the City.
- C. Compressed workweek or flextime schedules may be granted in situations where the job and business-related needs can continue to be met even under a compressed or flextime schedule, as long as this does not impact the employee's productivity or adversely affect the efficient operation of the City.

- 1. The compressed workweek may be one of the following:

- a. 4/10 – Employees work 10 hours for 4 days per week within a 7-day period. Due to operational demands starting and ending dates will be assigned by the department director or designee.
 - b. 9/9 – Employees work 9 hours for 9 days with the 10th day off. Also referred to as a 9/80 – Employees work 80 hours over nine days instead of 10 days with alternate three – day weekends. Only exempt employees qualify for this schedule.
 - c. Exempt employees will continue to receive the same salary from week to week regardless of the schedule worked. Exempt employees must perform his/her job functions regardless of regular business hours or any compressed or flextime schedule.
 - d. Work hours for flextime may start at 7:00 AM through 9:00 AM with an ending time of 4:00 PM through 6:00 PM.
2. The supervisor and employee are responsible for ensuring the following conditions are met:
- a. The change in hours does not adversely affect the City, departmental assignment/projects, customer relations, or other work units.
 - b. There is adequate supervision and back-up staffing to maintain service to the public and customers.
 - c. The position is appropriate for a compressed or flextime work schedule.
 - d. Clear goals and objectives are determined in advance by the supervisor and employee.
 - e. The employee observes the City's policies on attendance and the employee has maintained a good work record prior to making his/her request for a compressed or flextime work schedule.
 - f. Non-Exempt employees may be asked to work overtime regardless of a compressed or flextime work schedule.
 - g. The employee and his/her supervisor and department director must sign a compressed or flextime workweek authorization form.
- D. The department director or designee will approve or deny the compressed or flextime workweek based on staffing needs, the employee's job duties, the employee's work record, and the employee's ability to temporarily or permanently return to a standard work schedule when needed. An employee may not change or revise any workweek schedule without prior management approval.

- E. The supervisor and department director are responsible for evaluating workflow, coordinating work activities, and designating the workweek.
- F. The City reserves the right to suspend, cancel, or amend these procedures at any time due to business needs, lack of production on the part of the employee, or violation of any of the terms of these procedures. The City also reserves the right to cancel or suspend the use of such schedule by any employee who experiences performance problems deemed to be related to the new schedule. Such circumstances will be evaluated on a case-by-case basis.
- G. For holiday, vacation, and sick pay, refer to HR SOP 4.1 section III and V, 4.2, and 4.3.

III. Meal Periods and Breaks

- A. The normal workday consists of eight (8), nine (9), or ten (10) consecutive hours of work (or twenty-four (24) hour shifts for represented Fire employees) with an unpaid meal period for non-uniformed employees. Operational demands and/or the ability to maintain appropriate staffing levels may require some departments to adjust their meal periods accordingly.
- B. Represented Fire employees should consult with the collective labor agreement regarding breaks and meal periods.

IV. Make-Up Time (Non-Union Personnel)

- A. Employees may be required to work after normal work hours, or the employee may work less than eight (8), nine (9), or ten (10) hours per day depending on the regular work schedule. When possible, the employee and his/her immediate supervisor will arrange the employee's schedule to assure assigned hours of work fall within the forty (40) hour workweek. Any exceptions to this procedure must have prior written approval from the employee's supervisor and the department director or designee.
- B. Circumstances may also arise where an employee needs to work fewer hours than his/her regularly scheduled work period. Department directors or designees, at their discretion, may allow non-exempt employees to make up lost work time during a given work week as long as the "make-up time" is completed within the same workweek. However, make-up time will not be granted if the lost work time is a result of conditions the employee could control; if there is no work for the employee to perform; or if adequate supervision is not available.

V. Reporting and Verifying Time Records

- A. It is the responsibility of each employee to properly record time that he/she has worked during a payroll period and supervisors are responsible for reviewing the completed timecards for accuracy. Falsification of timecards and/or altering work hour records is a serious offense subject to disciplinary action, up to and including termination.

- B. Employees shall record the total hours worked for each workday. Non-work time (holidays, sick, vacation leave, military leave, bereavement leave, civil leave, and admin leave without pay) shall also be recorded on the timecard. Authorized overtime shall be recorded.
- C. Each timecard shall bear the signature of the employee with a statement verifying its accuracy and a counter signature by a supervisor indicating that the hours claimed were actually worked.
- D. Executive, administrative, and professional employees, exempt under the FLSA, are required to complete a timecard for administrative purposes to report non-work time of equal to or greater than one (1) work day, such as sick leave, vacation leave, bereavement leave, etc.



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Payroll

Purpose:

To set forth the City's procedures for pay practices regarding employee paychecks.

Procedures and Related Information:

- I. Employees are paid monthly. The pay period ends the 20th day of each month and paychecks are issued by payroll on the last working day of each month. Paychecks are electronically deposited to an employee's designated account at a financial institution of their choice. Represented Fire employees are paid in accordance with the collective labor agreement.
- II. Mandatory withholding from an employee's wages is required by law and includes federal and state withholding taxes, social security tax (FICA) and Medicare, and PERSI retirement contributions. Other deductions may include court-mandated withholdings.
- III. Automatic Deductions
In order for the employee's share of insurance premiums to be deducted, or for the automatic deposit of an employee's paycheck to be transferred to a financial institution, the employee must provide written authorization to the City.



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Compensation Program

Purpose:

To set forth the City's procedures for consistent administration of the City's compensation program and movement of an employee from position to position (i.e., promotion, transfer, demotion, etc.).

Procedures and Related Information:

- I. The City has developed and continues to maintain a comprehensive pay-for-performance compensation program, which provides for the establishment of set ranges for all positions within the City's structure. Employees can reasonably expect to advance through his/ her pay range that is assigned to his/her position by effectively meeting performance expectations of assigned duties.
- II. The City shall comply with all State and Federal laws regarding the compensation of employees for work performed.
- III. The City is committed to the philosophy of rewarding employees for their performance, and has designed a compensation program to meet this objective. Employees may incrementally advance through their assigned salary ranges on an annual basis in accordance with their performance rating.
- IV. Definitions
The following terminology may be used in describing actions or steps taken as a normal part of this program.
 - A. In-guideline- These include all approvals that are within the guidelines as set forth by the compensation program. In guideline adjustments require all levels of management signature in the chain of command (Starting with the Supervisor) up to and including the department director.
 - B. Promotion - A reassignment of an employee to a position in a higher salary range or grade classification level than the employee's prior position. A promotion does not automatically justify or guarantee an increase to the individual's actual pay.
 - C. Demotion- A reassignment to a position of lower salary or grade classification level than the employee's prior position. This does not automatically impact the employee's actual wages paid.
 - D. Transfer - A lateral move to a different job within the same grade. Such adjustments may or may not impact actual wages paid.

- E. Written Warning - An action taken when an employee's behavior is inconsistent with the City's statement of conduct and has received a written notice describing such conduct.
- F. Short-Term Reassignment (less than three (3) calendar months)- is not considered as a promotion, transfer, or demotion.
- G. Pay Review – A review that is conducted when a wage or salary adjustment is being considered due to internal or external comparison factors.
- H. Performance Review – A review that considers various factors of the employee's fulfillment of his/her job duties.

Moving to another shift is not considered a promotion/transfer unless meeting the above criteria.

V. Pay Program

The following describes the pay program for all City employees excluding represented Fire and sworn Police employees.

- A. The City has developed a comprehensive classification and compensation program that aligns positions within the organization based on internal evaluation and external comparisons (e.g., market surveys). The City is committed to internal equity and external competitiveness in its pay program, and regularly updates and reviews its program accordingly to maintain these objectives.
- B. Positions are assigned a salary range according to job type and levels of responsibility and other factors as provided by the job evaluation process. Ranges are established for each position, which identify the salary range minimum and maximum.
- C. Movement within the salary ranges is dependent upon performance of job duties. To the extent possible acceptable performance will be rewarded by an upward movement within the salary range, while outstanding performance is rewarded by more generous upward movements. An overall unacceptable annual performance review will not be rewarded. Because movement within the assigned salary range is dependent upon performance, employees should not presume there to be a guarantee of an increase, nor should they expect to reach the maximum point of the assigned salary range without acceptable performance.
- D. The Mayor and City Council will determine pay increases as budgets are set and tax levies are authorized. Pay given for any position within the City is subject to the annual budgetary process and as such may be subject to increase or decrease from fiscal budget year to year. The Human Resources Director in consultation with the Compensation Committee and/or department directors may make suggestions about salary compensation and other pay system concerns, but the final decision regarding

compensation levels rest with the Mayor and City Council. The Mayor and City Council reserve the right to make budget adjustments, and consequently salary adjustments, during the course of the fiscal budget year to deal with other circumstances, which necessitate changes in entity expenditures.

- E. Salary adjustments for market purposes, re-classification of a position with a corresponding salary increase, promotions, or transfers may be considered in regards to an employee merit increase, but do not prohibit the employee from receiving one.
- F. The performance increase amounts may be adjusted on an annual basis. Contact Human Resources for the most current Salary Plan Administrative Guidelines.

VI. Represented Fire Employees

Provisions of the collective labor agreement shall govern the pay program for Fire employees who are represented by the bargaining unit. Refer to the collective labor agreement for pay structure.

VII. Police Officers

- A. Sworn police officers, excluding the Chief of Police are on a separate salary step program that is independent of the non-Police salary program. (Contact Human Resources for the most current schedule.)
- B. Movement on the Salary Step Plan shall be determined by reference to the police officer's original date of employment. At the designated anniversary date of employment (e.g. 1 yr, 2 yrs, etc), if the police officer has received an evaluation rating of at least "Fully-Competent" for the current year, he/she is eligible for an upward movement in step within his/her assigned range, unless they are at the max of their step range.
- C. If an officer receives less than a "Fully-Competent" performance rating, he/she shall remain on the same compensation step regardless of continuous time in service, unless and until that officer receives an evaluation of "Fully-Competent" or better. In addition, he/she shall also be placed on a performance improvement plan requiring immediate improvement in performance.

VIII. Employees Who Exceed the Maximum of Their Assigned Range

- A. Employees who exceed the maximum of their assigned range shall continue to receive increases as if they were within the range for one (1) year. If after one (1) year the employee is above the range maximum, he/she will be only eligible for a merit amount that will not be added to the employee's base wage until recaptured in the range.



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Individual Pay

Purpose:

To set forth the City's practices regarding individual pay within the range assigned to the employee's position.

Procedures and Related Information:

I. New Hires

- A. New hires will typically start at the minimum of the salary range for the position, unless they have considerable background, knowledge, education, etc.
- B. Supervisors and department directors will typically offer a starting wage at or below mid-point based on qualifications.
- C. Department Directors must obtain "out-of-guideline" approval before an offer of employment is made by Human Resources for candidates who have considerable background, knowledge, education, etc., which may merit entering at a higher salary.
- D. Newly hired sworn certified police officers meeting certain criteria, may be placed on the salary schedule after the completion of his/her introductory period, is said officer has been employed as a sworn certified police officer for at least four (4) years of continuous service in a paid, full time position in a police department.

For any new hires satisfying the above criteria, said officer may receive from one (1) to four (4) years of credit for his/her previous service. Those applicants with four-ten (4-10) years prior service shall be eligible to receive a maximum of no more than four (4) years' service at the police officer level.

II. Re-hires

- A. Terminated employees who are rehired will be considered "new hires."
- B. Employees returning from an approved leave of absence are not considered as "rehires."

III. Differentials

The following outlines the procedures for individuals with special responsibilities.

- A. Any patrol officer, detective, or sergeant who is also a canine officer currently using, training, and caring for a trained police canine used by the Police Department, shall receive an additional forty-five minutes each day (seven days a week) of straight time.

This time will not be used in calculating overtime wages, and will be paid at an agreed upon rate prior to the start of his/her duties.



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Compensation Program Updates

Purpose:

To outline the procedures by which the City's compensation program shall be periodically reviewed and updated.

Procedures and Related Information:

- I. The Human Resources Director and Chief Financial Officer will review the salary ranges by grade and classification on an annual basis to determine effectiveness of program administration, appropriateness of salaries, and compliance with budgetary parameters. Outside vendors may be hired to perform market salary studies and analysis.
- II. Compensation Committee
 - A. The Mayor will designate a Compensation Committee comprised of representative members of the City's management group.
 - B. The committee will meet on at least an annual basis to review salary grades, and positions re-evaluated and slotted by an independent consultant.
- III. Annual updates will be presented to Mayor and Council for consideration and approval during the annual budget process.



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Performance Increases to Salary

Purpose:

To set forth the City's procedures regarding employee salary increases based on performance.

Procedures and Related Information:

- I. Philosophy
Increases are "earned" by the employee not "given" by management. Increases are not guaranteed, but may be available by merit, if approved by Mayor and Council. Merit considers and measures job performance against job standards or established goals and objectives. Attitude can also be considered if it affects the job performance of the employee or other employee(s).
- II. Performance Review Schedule
 - A. Unless otherwise specified, performance review schedules shall be as follows:
 1. Current Employees: Annual reviews will be given near October 1st of each year unless experiencing a date altering event as prescribed by policy. Upon completion of the review, current employees may be eligible for a merit increase based on performance.
 2. New Hires: Will be given a performance review at six (6) months, and again at twelve (12) months effective on their employment start date and on the employee's anniversary thereafter unless experiencing a date-altering event as prescribed by policy.

New hires may be eligible for a merit increase on his/her one-year anniversary date based on job performance.
 3. Re-Hires: Employees who have terminated their City employment will have their performance review date based upon when they are rehired.
 4. Sworn Police Officers: With the exception of the Police Chief, sworn officers in the police department will receive a performance review after one (1) year of service on his/her anniversary date in accordance with the step plan.
 5. Represented Fire Employees: Represented employees in the fire department will receive a performance review after one (1) year of service; Thereafter near October

1st of each year. Pay increases are separate and are determined by the collective labor agreement.

6. Employees on Documented Written Warning or Performance Improvement Plan: At the supervisor discretion, employees who have received a documented disciplinary or performance improvement plan may not be eligible for pay increase until after the warning has expired. If an increase is granted after the warning period has expired, the date of the merit increase will correspond with the expiration of the written warning or performance improvement plan, not the anniversary date. The next performance review will be based on the employee's normal anniversary date.

B. Interim Increase Dates (Changes in Anniversary Date)

1. Each time an increase or decrease occurs, the date of this adjustment will be used to determine the next performance review. For example, if an employee receives an increase or promotion on March 15, his/her next performance review is due twelve (12) months after the wage increase. However, if an employee changes positions, but does not change his/her salary grade, the anniversary date does not change.
2. Supervisors may delay or request early increases on an exception basis. Such a review will be approved through "out-of-guideline" approval channels. The exception to this is a pay review that is delayed because the employee is on a documented disciplinary warning or performance improvement plan for which he/she has signed an acknowledgment of receipt.

III. Performance Increase Procedures

- A. Performance Reviews Completed: The supervisor, manager, or department director, or designee will complete a performance review form on each employee whose review is due, and discuss with the employee. A Personal Action Request form is to be completed with the current salary/wage.

B. Approvals

1. If the recommendation is "in-guidelines", the immediate supervisor forwards the Personnel Action Request form and related Performance Evaluation(s) to the next level of management for approval. All Personal Action Request must be approved by the department director or designee.
2. After the department director or designees has approved these documents, the Performance Evaluation and Personnel Action Request form is sent to the Human Resources Department for review, approval and processing.
3. If the recommendation is "out-of-guidelines", the Personnel Action Request form and related Performance Evaluation(s) are sent to all levels of management and up to and including the Human Resources Director and Mayor for approval.

4. Once approved and processed by the Human Resources Department the information will be forwarded to Payroll for processing.
- C. Sending of Forms back to the Supervisor: The approved Personnel Action Request form(s) will be sent back to the supervisor.
- D. Meeting with the Employee: The supervisor gives the employee a copy of the Performance Evaluation.

No discussion of the increase should be held with the employee prior to receipt of fully approved documents.

- E. Responsibility for Review Outcome: The immediate supervisor should take responsibility for the proper rating on the Performance Review Form. The amount of the increase will be calculated by Human Resources. In no case shall a supervisor lead an employee to believe they tried for a larger increase, but could not get it approved by “upper management.”



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Adjustment to Wages

Purpose:

To set forth the City's procedures regarding adjustment to individual wages due to changes in the terms and/or conditions of employment resulting from leave of absence, layoffs, promotions, demotions, and other related changes.

Procedures and Related Information:

- I. Employees on Leave of Absence (LOA) or Layoff (LO)
 - A. Review Date: If the employee has been on LOA or LO for less than one-half (1/2) of the total days for the performance review period, the employee's review date will remain the same as though he/she has not been on leave. Increases for employees on LOA or LOI are prorated based upon time service.

If the employee has been on LOA or LO for more than one-half (1/2) of the total days for the review period, the review will be forfeited.
 - B. Pro-ration of Increase: When increases are given, job performance is, among other factors, a major consideration. If the employee has been on active status for less than the annual performance review period of twelve (12) months, an increase will be calculated from a proportion of actual months of active status worked compared to total number of months in the review period.

Example: An employee is on active status for six (6) months during his/her review period. He/she is reviewed on October 1. This individual would receive six-twelfths (6/12) or 50% of his/her regularly scheduled amount.
- II. Returning from LOA/LO or Transferring to a Position in a Lower Grade
 - A. Employees returning or transferring to a position in a lower salary/wage grade will assume the new salary/wage range. Factors considered in determining the employee's salary/wage in the new range include; speed, accuracy, attitude, length of service in the job class prior to the leave of absence or layoff, the salary/wage grade range of the new position, grade range penetration of the employee relative to experience level, etc.
 - B. Minimum to Mid-Point: Generally, employees will be placed between the entry and mid-point of the range for the position in which they are being placed.
 - C. Under the Minimum and Over the Mid-Point of the Range: Employees rate can be placed in these locations through "out-of-guideline" approval(s).

III. Promotion Wage/Salary Adjustment

- A. All increases, except for sworn police officers and represented Fire employees will be based on merit. Depending on the performance of the employee and the location of the promoted individual's current wage/salary, the following schedule will be used as it relates to the lowest range for the grade.

| <i>Location of Current Wage Compared to New Range</i> | <i>Below Entry</i> | <i>Entry to Market Rate</i> | <i>Over Market Rate</i> |
|--|---------------------------|---|--------------------------------|
| <i>Movement of Salary in New Range</i> | <i>To Minimum</i> | <i>% based on performance, but not to exceed Market Rate</i> | <i>0%</i> |

1. Below the Entry of the New Range: Promoted employees will be taken to the minimum of their new range.
 2. Current Wage/Salary Between Entry and Market Rate: The percentage is based on performance, but not to exceed Market Rate.
 3. Current Wage/Salary Above the Market Rate: Typically, there are no increases for individuals in this section of the range. The advantage for the employee is he/she will assume a range with a greater maximum than in his/her previous grade. Any exceptions will be processed through the "out-of-guideline" approval channels.
- B. Review Schedule for Promotional Increases: When an employee receives an increase in conjunction with a promotion, the date of the promotion becomes the anniversary date for the purposes of establishing the next performance review date.
- C. Sworn police officers, excluding the Chief of Police ~~Captain(s)~~ are on a separate step plan-step. Contact Human Resources for the schedule.
- D. The provisions of the collective labor agreement shall govern promotions for represented employees in the fire department. Refer to the collective labor agreement for promotional policy.

IV. Demotions

- A. Employees being placed in positions with a grade lesser than the one from which they originated will have wage/salary determined through "out-of-guideline" approval channels. Employees being demoted will normally receive a decrease in wage/salary if their rate of pay is above the mid-point of the salary range. Demoted employees with a wage/salary below the mid-point rate of the new range will be frozen for at least one (1) year.

- B. The provisions of the collective labor agreement shall govern demotions for represented employees in the fire department. Refer to the collective labor agreement for policy.

V. Transfers to a Position in the Same Grade

- A. Employees affected by this situation must have their wage/salary adjustment and transfer approved before completion of the move. Typically the individual will remain at the same rate of pay.
- B. The provisions of the collective labor agreement shall govern transfers for represented employees in the fire department. Refer to the collective labor agreement under promotions for policy.

VI. Adjustment of Review Dates for Transferred Employees

- A. If adjustment to the employee wage/salary rate occurs, the next performance review will be twelve (12) months from the transfer date. For lateral transfers, when no increase is given, the employee's regular scheduled review date will remain the same.
- B. Sworn police officers, excluding the Chief of Police, are on a separate ~~step~~ program. Movement on the salary schedule will be determined by the police officers original date of employment.



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On-Call/Call Out Duties and Compensation

Purpose:

To set forth the City's procedures regarding employees being on-call and being called out to perform emergency work beyond normal working hours.

Procedures and Related Information:

I. On-Call Period

- A. On-call hours are defined as those beyond the employee's normal work schedule, including City recognized Holidays.
- B. An on-call employee forfeits their on-call duty if he/she calls in sick or goes home sick. The supervisors shall be notified and may arrange alternate coverage. An employee may retain their on-call duty if the employee uses sick leave to attend an appointment during work hours and will be available for on-call duty at the end of their normal workday. If an employee simply has an appointment but is not ill they may keep their on-call duty but are required to call the office before 5:00 PM or as designated by the employee's supervisor to be updated on pertinent information.
- C. An employee forfeits their on-call duty if he/she is scheduled for vacation. If an employee requests vacation time when they have been scheduled for on-call, they are responsible for finding an on-call replacement, which must be approved by their supervisor.
- D. Employee must respond to the call within the specified period of time designated by their respective departments.
- E. Failure to respond to request for assistance or to respond within the time specified may be subject to disciplinary action up to and including termination. This applies to both on-call assignments and call out response.

II. Departments

A. Fire

- 1. Represented Fire employees are subject to the collective labor agreement for these procedures.

B. Parks

1. Any employee on-call must respond within one (1) hour of the request for assistance.
2. On-call duty is mandatory for Parks Maintenance personnel unless the Parks Superintendent or Parks Director expressly approves an exclusion.

C. Police

1. Any employee on-call must respond within thirty (30) minutes of the request for assistance.

D. Public Works – Wastewater

1. Currently only as designated by the Superintendent of the Wastewater Treatment Plant.
2. The maximum response time for an emergency call out shall be one (1) hour.

E. Public Works – Water

1. All on-call employees must have a minimum of a current Class 1 Water Distribution License issued by the State of Idaho.
2. The maximum response time for an emergency call out shall be one (1) hour.
3. On-call duty is mandatory for licensed operators unless the Superintendent expressly approves an exclusion.
4. A supervisor must approve trading on-call duties before the end of the work period.

III. Compensation

A. On-Call

“On-Call” is a mandatory job requirement for certain positions. Although it is a condition of employment, the City of Meridian does recognize that being on-call may have some limited restrictions upon an employee’s off work time and opportunities. Because of this the City is willing to compensate the employee accordingly at the defined rate of:

Regularly Scheduled Workday – 1 Hour per Day;
Regularly Scheduled Day Off – 2 Hours per Day;
Holidays – 4 Hours per City-Recognized Holiday.

(Example: Standard 40 hour work week/M-F/8-5=9 hours of extra pay)

All “on-call” time will be compensated as “extra hours” on the employee’s time sheet. The time will not count as hours worked for Fair Labor Standards Act (FLSA) purposes and cannot be paid or counted towards pay at an overtime rate. The employee will be paid their straight time for the specified amount. Weekends refer to the employee’s scheduled days off as long as the days fall within the same work week. Most “on-call” schedules will be consistent with the employee’s regularly scheduled work week, but may be altered at the discretion of the supervisor or department director.

Answering calls received while receiving standby pay are considered to be part of the employee’s on-call duties. Employees are not compensated additionally for time spent on these calls, unless such time exceeds the standby pay duration. If time spent on calls exceeds the standby pay (example: more than 1 hour on the phone), the employee will be compensated for the additional time spent on the calls.

B. Call Out

“Call out” is also a mandatory job requirement for certain positions. If an employee is called to return to work it is only at the discretion of the supervisor, not the employee, to excuse the employee from returning to work.

Although it is a condition of employment, the City of Meridian does recognize that being called out may have some limited restrictions upon an employee’s off work time and opportunities. Because of this the City is willing to compensate the employee accordingly at the defined rate of:

Minimum of one (1) hour straight time;

Remaining time to be added to the employee’s standard work week. The on-call employee will be compensated at their actual hourly rate until the completion of the event giving rise to the call out.

Compensation for call outs begins when the employee leaves their location to respond and ends when the need for the call out ends and the employee returns to their original location or has the ability to return if the employee chooses to go elsewhere.

C. Other

Paid leave (sick or vacation) and holidays do not count toward the forty (40) hours work week in accordance with the FLSA.



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Travel and Expense Reimbursement

Purpose:

To set forth the City's procedures regarding employee travel and expense reimbursement

Procedures and Related Information:

- I. ACCOUNTABLE PLAN – IRS requires an “Accountable Plan” (IRS Pub#463) to determine if reimbursement would be reported as taxable income or not. To be an accountable plan, the employee's expenses must meet all three of the following rules:
 - A. The expenses must have a City business connection.
 - B. All expenses must be adequately accounted to the employer for these expenses within a reasonable period of time.
 - C. All excess reimbursement or allowance must be remitted to the employer within a reasonable period of time.
 1. City requires all expenses must be accounted for on an expense report with itemized receipts within 10 business days from the return date of the travel. If the expense report and applicable receipts are not submitted to the Finance Department within 60 days of the return date of the travel, the expenses will be reported as income on the employee's W2 form and the applicable taxes will be deducted from the employee's next paycheck.
 2. Any excess amount, personal expense, non-allowed expense, or advance that the employee owes to the City must be remitted within a reasonable period. The City expects payment within 30 days and, if Finance has not received payment within 120 days of the return from travel, this will be considered a violation of the travel policy. The expense will become taxable income to the employee and the violation will be reported to HR for disciplinary action.
 - II. TRIP DELAYS – Trip delays that are not of the employee's choosing shall be reimbursable for any necessary expenses incurred as well as additional per diem.
 - III. TRIP CANCELLATION –If the trip is canceled prior to departure, the employee has three (3) business days to return the entire per diem amount to the City. The employee or the Department Travel Coordinator shall be responsible to cancel all the arrangements made for the travel and attempt to limit the City's costs for this change.
- TRAVEL PAID BY VENDORS OR POTENTIAL VENDORS OF THE CITY Any

travel that is paid by a non-governmental agency must be approved by the Legal Department prior to making any travel arrangements.

IV. TRAVEL AUTHORIZATION FORM:

The Department Director is responsible for ensuring that the travel is the most cost-effective travel alternative. These procedures recommend that each Department designate a Department Travel Coordinator so someone other than the traveling employee is booking travel arrangements. The Travel Authorization form can be found on the intranet under Finance, Forms and Policies. This form provides an estimate of the total cost of the travel and documents the employee had the necessary approval prior to travel. The form shall be submitted in advance of the trip (if possible) and must be approved by the Department Director or designee, and if necessary, the Mayor. The Travel Authorization Form shall be completed by the Department Travel Coordinator and provided to the Finance Department prior to overnight travel outside the Treasure Valley.

A. This authorization form must include all elements of the travel including but not limited to; transportation, lodging, per diem and conference fee, if applicable, and the reason or justification for traveling.

B. The traveling employee will request authorization from the Department Director before travel arrangements and/or conference and training fees are paid.

C. Once the travel is approved the Department Travel Coordinator can make the necessary travel arrangements, such as flight, hotel, etc.

D. After travel is booked, the approved Authorization form shall be sent to Accounts Payable in Finance.

E. The per diem check will be calculated based on the Travel Authorization Form. The traveling employee is responsible for contacting accounts payable to arrange per diem check pick-up. To pick up the per diem check prior to travel, it is recommended the form be to Finance seven (7) days in advance of actual travel. Per Diem monies do not need to be refunded to the City unless the trip or portions of it are canceled.

F. After the trip completion, the employee may voluntarily choose to reimburse the City of any unused per diem. Any monies returned will be reimbursed to the appropriate Department budget line item for per diem.

V. CITY CREDIT CARD:

A. A City credit card may be used to assure payment for a hotel or rental car, if necessary, and specifically approved by the Department Director, when the employee is traveling.

B. A City credit card may be used for transportation such as taxis or shuttles and parking and fuel for a rental car. If the employee is allowed to use their personal vehicle for travel, then a City credit card cannot be used for fuel.

- C. A City credit card may be used to purchase training materials that are necessary. If necessary, the employee may use the City credit card to mail training materials back to the City. This must be approved by the Department Director, Manager, or designee.
- D. A City credit card cannot be used for any expenses that are included as part of the per diem.
 - 1. If the employee has not received a per diem check then the City credit card can be used with the approval of the Department Director which will then be reconciled on the expense report after the travel is completed.
 - 2. The employee can also receive their per diem after the trip to reimburse for items covered by the per diem.
 - 3. Expenses that exceed the per diem must be reimbursed by the employee. A City credit card shall not be used on a mobile application that will retain the credit information, such as Uber or Lyft.

VI. EXPENSES

- A. EXPENSE REPORT - Travel expense reports are to be filled out after returning from travel. The reports are to be received by Finance Department within ten (10) business days of the travel return date pursuant to this policy. If reports are not received by that time it may be the cause of further inquiry and potential discipline if the employee refuses to comply.
- B. USE OF A LANDLINE PHONE WHILE TRAVELING
The use of a landline phone in a hotel or motel for business or personal use is highly discouraged due to the high cost associated with such use. The employee should discuss this with the Department Director prior to departure to determine whether the cost will be reimbursed.
- C. PER DIEM
Per diem is compensation given to the employee for other expenses incurred while traveling that are not pre-paid or are defined as reimbursable. Employees may opt not to take a per diem or may request a reduction of the per diem. Per Diem expenses are including but are not limited to:
 - 1. Meals, beverages, or food, including related tips or gratuities.
 - 2. Tips or gratuities for personal services (baggage handling, valet or maid services).
 - 3. Non-City business fees.
 - 4. Personal care items.

5. Banking or ATM fees.

6. Entertainment.

The per diem will be paid to the employee according to the GSA current "Domestic Per Diem Rates". This rate varies from city to city. It will be Department's responsibility to designate the city closest to the destination for the travel requested and indicate that on the Travel Authorization Form.

Full per diem rate is allowed for each day that contains an overnight stay.

Pursuant to IRS regulations, the per diem rate for travel days, the first and last day of the employee's trip, is 75% of the daily per diem. If the travel takes more than one day, the employee should identify on the Travel Authorization Form and request an appropriate per diem.

Per Diem will be issued to employee upon final approval of the Travel Authorization Form prior to the actual travel as noted above. Based upon the timing of the request, it is possible that the per diem check may be provided after the travel has concluded.

VII. REIMBURSABLE EXPENSES

In addition to per diem, there are expenses related to travel that are business related and are reimbursable by the City. All of these expenses will require an itemized receipt for proof of payment. Only in an extraordinary circumstance can reimbursement be provided without a receipt. The Department Director has the discretion to deny reimbursement as well. These reimbursable expenses include but are not limited to:

- A. Transportation to and from the destination of the travel.
- B. Transportation to and from the airport to the hotel/motel.
- C. Transit while at destination between hotel and the business-related meetings or
 - i. purpose for the trip. This may include taxis or shuttles.
- D. A reasonable tip or gratuity for transportation, if reflected on the receipt.
- E. Parking services for a hotel or lodging, if required by the hotel.
- F. Telephone or internet charges that are business related, when pre-approved.
- G. Tolls.
- H. Transportation to and from the employee's work site to the airport.
- I. Long term parking fees for the employee's personal vehicle.

- J. Up to One (1) baggage item for check-in on an airline More baggage can be
 - i. allowed if approved by the Department Director.

VIII. NON-REIMBURSABLE EXPENSES

The following expenses are NOT considered to be reimbursable business expense, but may be paid for with the per diem. This list is not exhaustive, is subject to the discretion of the Department Director where noted, and includes the following, but is not limited to:

- A. Alcoholic beverages.
- B. Internet charges, except for those that qualify as reimbursable above.
- C. Laundry services (unless for a City Fire or Police uniform).
- D. Health club services fees (outside of the hotel or place of lodging).
- E. Expenses paid on behalf of others.
- F. Banking or ATM fees.
- G. Family member travel expenses.

IX. TRANSPORTATION

All travel must be by the most economical means practical; it does not have to be the least expensive, but the employee and the Department Director must be able to justify the expenditure. Departments may consider the time of travel in the cost as well as the expense of fuel for a vehicle to travel to the same location instead of an airline. If there is interruption of travel or deviation from the direct route for the traveler's convenience, the deviation may not exceed that cost of uninterrupted travel. Employees and Departments are encouraged to consider various forms of travel to and from the destination to weigh the expense of the travel.

A. AIRLINE

Employees must travel by coach or economy class. Early bird check in fees for an airline, when there is no baggage fee, may be allowed at the discretion of the Department Director.

B. CITY VEHICLES

The City would prefer that a fleet vehicle be used when driving to the destination is the most practical means of travel. If the City has a fleet vehicle available and the employee chooses to use their personal vehicle that will affect the GSA rate for mileage reimbursement which may affect the overall costs and consideration for the method of travel. Non-City employees may not drive a City vehicle, except in the most extreme emergency or circumstance, or if it is pre-approved by the Mayor. Any parking or moving violations received are the responsibility of the driver.

C. PERSONAL VEHICLES

An employee must receive specific permission from the Department Director or the Mayor to use their personal vehicle for travel under this policy. For reimbursement, the employee must maintain a detailed log reflecting date, purpose, and associated odometer readings for the trip.

1. The City's mileage reimbursement form will need to be included in the Expense Report required after the travel is completed.
2. The employee will be required to meet any other requirements of the City or its insurer prior to departure, including but not limited to providing a copy of a valid driver's license and current proof of insurance.
3. The employee's personal vehicle insurance will be the primary insurer for the employee and their vehicle. The City's insurance will only be responsible for any damages that may be the responsibility of the City.
4. The City will pay the GSA privately owned vehicle mileage rate for the total business miles if a City vehicle was available.
5. An employee will not be required to use their own vehicles without their permission, but the expense of the trip may be a factor in granting approval.
6. Accident deductibles, parking violations, moving violations while using a personal vehicle for City business are the responsibility of the driver. The City will not be responsible for any physical damage or claims for the use of employee's vehicle. The employee's primary vehicle coverage will be primary for any claims.
7. Business miles is the travel an employee incurs beyond normal commute mileage from home to the office and home again) for City business.

D. RENTAL CARS

A vehicle may be rented at the destination or to travel from the Boise/Meridian area to the destination and back.

1. There is no need to purchase additional insurance for the vehicle. The City's policy will cover the vehicle, as long as it is being used for City business.
2. Any personal use of the vehicle will be on the employee's insurance for coverage.
3. A vehicle is only allowed with prior authorization and must be justified that it is necessary and economical for the benefit of the City (Use the Travel Authorization Form).

- a. The request must indicate the necessity of the vehicle related to City business. The employee will be responsible for the fuel, parking expenses, or tolls for any trips that are not related to City business.
- b. If a non-employee is going to drive the rental car, any additional charges for a second driver, including necessary coverage for injuries suffered, may be on that employee's personal insurance.

X. LODGING

The employee must stay within the GSA hotel rate for the appropriate city or stay at the conference hotel (if applicable).

- A. When securing reservations, employees will identify themselves as government employees to obtain the government rate, if available. The City will pay the room charge plus applicable room taxes.
- B. Hotel charges should be broken down on a per day basis on the receipt and the expense report.
- C. If two employees share a hotel room, the employee who paid for the room should attach the original receipt to his/her expense report noting that the room was shared and with whom. The employee that did not pay for the room should note that on the Expense Report after the travel is completed.
- D. If a non-employee shares a room, the employee will only be reimbursed for the single room rate or provide proof that no additional costs were incurred.

XI. EARLY DEPARTURE or LATE RETURNS

The Travel Authorization Form should also note if the employee is requesting to stay beyond the business requirement.

- A. If there is an impact on the City related travel, the employee shall be personally responsible for all additional costs. This justification should reflect that there is no increase in total travel cost to the City.

XII. REIMBURSEMENT BY ANOTHER GOVERNMENTAL ENTITY

When other governmental or quasi-governmental agencies or organizations directly reimburse an employee for travel, training, and other related costs where such costs were initially borne by the City, the employee will be required to endorse the reimbursement check over to the City or write a personal check to reimburse the City within 10 business days of receipt of the monies.

XIII. TIME CARD ACCOUNTING

For all hourly employees they must account for their travel and time at the activity in the

following manner:

- A. Travel (To and from the activity) – Whenever possible the employee should attempt to travel during their regular work schedule.
 - 1. If that cannot be accomplished then traveling outside of the employee's regular work schedule must be approved by the Department Director.
 - 2. All travel is compensable, and shall be considered "Hours Worked" for the purpose of calculating overtime for the workweek.
- B. By Vehicle - The City will compensate for driving time to the activity from the time the employee leaves their City location until they arrive at the final destination.
 - 1. Internet mapping may be used by the City to determine reasonable travel time from the City as verification. The return shall be handled in the same manner.
 - 2. All travel time by vehicle shall be considered Hours Worked for all employees. This shall also apply to driving at the location of the activity in the same vehicle.
 - 3. The employee shall enter the time on the employee's time card as "Hours Worked."
- C. By Airline – The City will compensate air travel based upon the published flight times of departure and arrival at the destination of the activity including layovers.
 - 1. If the travel time significantly exceeds the published time on the itinerary or transit time to and from the employee must get approval from the Director for additional compensation.
- XIV. Time (While engaged in the Activity)
Time at the activity (in class, conference, event) shall be considered Hours Worked and should be entered as such. If the time of the activity would exceed the employees normal work schedule then proof of such must be provided.



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| City of Meridian |
| Standard Operating Procedures |
| Number 3.6 |

Overtime Compensation

Purpose:

To set forth the City's procedures regarding employee eligibility for overtime compensation, and the accumulation and payment of overtime.

Procedures and Related Information:

I. Exempt Employees

All executive, administrative, or professional employees who qualify as exempt employees under the Fair Labor Standards Act (FLSA) will be paid in compliance with the requirements of the FLSA. Exempt employees are not eligible for overtime compensation. However, in recognition of the extra time demands required of certain exempt positions, occasionally paid time off may be taken when approved by the department director and/or the Mayor.

II. Non-Exempt Employees

All non-exempt, non-represented employees will be paid time at one and one-half the regular rate for hours worked in excess of forty (40) hours within the seven (7) day work week as defined in Section V of these procedures. Overtime must be approved in advance by the employee's supervisor and will be approved only when absolutely necessary. Questions about overtime should be directed to your supervisor or the Payroll office.

Court time for sworn law enforcement personnel, unless the court time occurs during a regular shift, shall be paid at the rate of one and one-half times the regular hourly rate of pay for the actual time taken for the court appearance, or two hours, whichever is greater.

III. Represented Fire Employees

Overtime for represented Fire employees shall be governed by the provisions of the collective labor agreement.

IV. Compensatory Time

Compensatory time is time in lieu of monetary overtime compensation, which is given at a rate of not less than one and one-half hours for each hour of overtime worked. The City does not recognize nor allow compensatory time in lieu of overtime payment.

V. Hours Worked and Work Period Defined

- A. According to the Fair Labor Standards Act, only actual **hours worked** are computed for the purpose of determining hours worked for overtime calculation. In other words, vacation, holiday, or sick time, though typically compensated, is not counted when computing hours worked in a workweek for purposes of calculating overtime.

- B. Every employee shall have a designated work period. The work period for all regular full-time employees not covered by a collective labor agreement who are subject to the Fair Labor Standards Act (FLSA) shall be 8, 9, or 10 hours and the established work period shall be 40 hours. Workweeks will be one of the following:
1. Begin at 12:00 (midnight) on Sunday of each week and conclude at 11:59 p.m. on the succeeding Saturday; or
 2. Begin 12:00 noon on Friday conclude on the succeeding Friday at 11:59 a.m.; (available to exempt employees only) or
 3. Begin 12:00 noon on Monday and conclude on the succeeding Monday at 11:59 a.m.
 4. Begin at 12:00 (midnight) of Saturday of each week and conclude at 11:59 p.m. on the succeeding Friday
- C. Operational demands and staffing levels may require a work period with different starting and ending days. The department director must approve any changes in scheduling hours or designating a different workweek. A Flextime Work Schedule Request and Authorization Form signed by the employee, supervisor, and the department director or designee must be forwarded to the Human Resources Department for the employee's personnel file.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.1 |

Holidays

Purpose:

To set forth the policy regarding holidays observed by the City and related leave and compensation pertaining to holidays.

Policy:

The City shall provide paid holidays to all eligible employees who are in a paid status the day before and the day after the holiday. Represented Fire employees holiday benefits and related leave and compensation are covered under the collective labor agreement. Holiday pay will be equivalent to the employee's regular work schedule. Holiday pay will not be given to employees taking any unpaid leave time the day before or the day after a holiday. Holidays must be observed on the City's designated holiday; no individual exceptions will be made based on work schedule or other leave considerations. Eligible employees shall be granted up to eleven paid holidays per year. Emergency service personnel or others required to work on holidays shall be compensated for holiday hours as outlined in the Holidays Standard Operating Procedures.

This policy shall be implemented pursuant to the Holidays Standard Operating Procedures.

Authority & Responsibility:

Payroll shall work in conjunction with Human Resources to ensure proper tracking and payment of holiday hours for employees, including special arrangements for emergency service personnel or others required to work on holidays.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.2 |

Vacation Leave Benefits

Purpose:

To set forth the City's policy defining vacation leave benefits and eligibility requirements.

Policy:

Eligible City employees with the exception of directors and represented employees under the collective labor agreement shall accrue paid time off based on tenure with the organization or prior relevant experience. Employees may use accrued time off as per this policy at their discretion with appropriate authorization.

This policy shall be implemented pursuant to the Vacation Leave Benefits Standard Operating Procedures.

Authority & Responsibility:

Supervisors shall ensure appropriate coverage for the employee's absence and authorize paid vacation as appropriate so as to meet the needs of City operations. Payroll in conjunction with Human Resources shall ensure proper tracking and payment of vacation hours for employees.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.2.1 |

Donation of Vacation Leave to Another Employee

Purpose:

To set forth the City's policy to allow employees to donate their accumulated vacation leave to another employee that qualifies and has exhausted all of their available leave.

Policy:

The City shall allow an employee to donate their accumulated vacation leave to another employee to alleviate economic hardship caused by the absence from work necessitated by the qualifying event.

This policy shall be implemented pursuant to the Donation of Vacation Leave to Another Employee Standard Operating Procedures.

Authority & Responsibility:

Employees shall make appropriate requests for use of the donated vacation leave that can be used to supplement their regular pay while out on a qualifying leave after all their leave has been exhausted. . Human Resources shall be responsible for administering and interpreting this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.3 |

Sick Leave Benefits

Purpose:

To set forth the City's policy regarding sick leave benefits for employees.

Policy:

All eligible employees will accrue sick leave benefits. Employees are expected to use sick leave in accordance with this policy and its related procedures. Represented Fire employees shall receive sick leave benefits per the collective labor agreement.

Any employee who abuses sick leave benefits will be subject to disciplinary action, up to and including termination.

This policy shall be implemented pursuant to the Sick Leave Standard Operating Procedures.

Authority & Responsibility:

Supervisors and department directors or designees shall be responsible to ensure the appropriate administration of this policy so as to prevent abuse of sick leave. Payroll in conjunction with Human Resources shall ensure proper tracking and payment of sick leave benefits for employees.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.4 |

Family and Medical Leave

Purpose:

To set forth the City's policy regarding Family and Medical Leave (FMLA).

Policy:

In conformance with the Family and Medical Leave Act of 1993, the City shall provide leave to eligible employees for qualified medical or family related reasons. This policy shall be implemented pursuant to the Family and Medical Leave Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for administering and interpreting this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.5 |

Bereavement Leave

Purpose:

To set forth the City's policy providing paid Bereavement Leave for regular full-time employees.

Policy:

In the event of a death in the immediate family of an employee, the City allows regular full-time employees an absence from work with pay of up to five (5) consecutive workdays. Additional time off may be granted, utilizing the employee's accrued vacation time, consistent with the policies of the City. The employee shall notify his/her supervisor as soon as possible to schedule the use of this leave.

This policy shall be implemented pursuant to the Bereavement Leave Standard Operating Procedures.

Authority & Responsibility:

Immediate supervisor and department director or designee shall be responsible for administration of this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.6 |

Civil Leave

Purpose:

To set forth the City's policy regarding employees with paid time to serve on juries or to testify in court.

Policy:

Leave will be granted to full-time non-exempt and exempt employees scheduled to work and are called to serve as a juror or witness for any federal, state, or local court of law. Part-time nonexempt and exempt employees shall qualify for paid leave if called to serve as a juror or witness for any federal, state, or local court of law during their scheduled work hours.

This policy shall be implemented pursuant to the Civil Leave Standard Operating Procedures.

Authority & Responsibility:

Employees shall notify their supervisor as soon as possible to coordinate use of Civil Leave. The Finance Director or designee shall oversee the processing of all requests for payment of time spent serving on a jury or to testify in court.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.7 |

Military Leave of Absence

Purpose:

To set forth the City's policy regarding Military Leave of Absence in accordance with the Uniformed Services Employment and Reemployment Services Act of 1994 (USERRA), 38 USC 4301 – 4335, and applicable federal regulations and state laws.

Policy:

The City shall grant military leave of absence in accordance with USERRA and applicable federal regulations and state laws. Additionally the City shall provide a military differential pay benefit to make the employee's paycheck whole during the leave period. An employee may request (1) use of accrued annual leave during a period of military leave of absence or, in the absence of a request, the employee will receive the City's "military differential pay" benefit, but not both; and (2) Pursuant to 38 USC 4316 (b)/20 CFR 1002.149, the employee will remain on military leave of absence status for payroll purposes whether the employee requests use of accrued annual leave or receives the City's "military differential pay" benefit. The employee is entitled to the non-seniority rights and benefits generally provided by the City to other employees with similar seniority, status, and pay that are on leave of absence.

This policy shall be implemented in accordance with the Military Leave Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.8 |

Leaves of Absence

Purpose:

To set forth the City's policy regarding leaves of absence.

Policy:

The City shall authorize leaves of absence at the discretion of the department director subject to workload and other reasonable considerations during the period of requested leave.

This policy shall be implemented pursuant to the applicable Leaves of Absence Standard Operating Procedures

Authority & Responsibility:

The department director shall be responsible for administering and authorizing any paid or unpaid leave of absence. Such decisions shall be communicated to Human Resources for coordinating the completion of proper forms.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.8.1 |

Administrative Leave with Pay

Purpose:

To set forth the City's policy regarding administrative leave with pay.

Policy:

The City shall authorize department directors to grant discretionary paid leave to employees for extenuating circumstances where the employees accumulated leave is unavailable or the director wants to provide an employee a positive reinforcement for work performed.

This leave can also be used as a non-disciplinary method to remove an employee from the workplace, without penalty, to facilitate in the general operation of the City or to allow for an investigation of a pending complaint.

The City recognizes that all situations deserve individual scrutiny. Therefore, this policy is intended as a guideline to the department directors to grant Administrative Leave with Pay to employees when the employee's own accumulated leave is inadequate or unavailable.

The City further acknowledges that the department directors should have the discretion, authority, and ultimate responsibility for the operations of their respective departments. Exercising of this discretion should be done fairly, equitably, and with due concern to the responsibility that the City has to the taxpayers and the public. In the exercise of their discretion, the directors should have ability to recognize good performance and acknowledge the same by the ability to grant leave as a positive reinforcement tool. However, the overall efficiency of the operation of the department must be maintained.

The City also recognizes that occasional circumstances, such as an investigation may warrant the need to remove an employee from the work group for the benefit of the City or the employee. In these instances the employee may be better served by not being in the workplace and a penalty or punitive measure may not be appropriate at that time. This decision will be at the discretion of the Human Resources Director or in their absence their designee and department director, or designee with the advice and assistance of the City Attorney as needed.

This policy shall be implemented pursuant to the Leave with Pay Standard Operating Procedures.

Authority & Responsibility:

The department director shall be responsible for administering this policy unless required to consult with Human Resources pursuant to this policy as referenced above.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.8.2 |

Leave Without Pay (LWOP)

Purpose:

To set forth the City's policy regarding use of Leave Without Pay (LWOP).

Policy:

Leave Without Pay (LWOP) is not a right or entitlement for any City employee. Employees are expected to use all accrued paid time, vacation leave and sick leave appropriately so that LWOP does not occur. LWOP is not appropriate as a means to gain additional vacation leave or a substitute for excessive use of sick leave. LWOP is intended to be used for unforeseen circumstances that the employee could not have reasonably anticipated in advance. Employees will be required to exhaust all accrued paid time, vacation leave or sick leave, as appropriate, prior to the use of LWOP. Sick leave cannot be used as a substitute for vacation leave. LWOP is for a short duration, up to one work week of the employee for any given request. Employees shall not be allowed to have LWOP exceed three (3) work weeks or the equivalent number of days per calendar year. LWOP is allowed for Family Medical Leave Act of 1993 (FMLA) purposes pursuant to the City's FMLA policy.

This policy shall be implemented pursuant to the Leave Without Pay Standard Operating Procedures.

Authority & Responsibility:

Human Resources and Payroll are responsible to monitor LWOP and report violations to the department director or designee of the specific employee. Department Director or designee shall review the information provided and take corrective action, if warranted, within the pay period in which the leave occurred.



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| City of Meridian |
| Standard Operating Policy |
| Number 4.9 |

Paid Parental Leave (PPL)

Purpose:

To set forth the City's policy regarding paid parental leave that is offered to eligible employees.

Policy:

The City recognizes that it is in a unique position to be a model for other government organizations. As such, in an effort to provide an opportunity for parents to bond and welcome a new child to their family, the City offers paid parental leave. Parental leave is available to regular full-time employees, regardless of gender.

This policy shall be implemented pursuant to the Paid Parental Leave (PPL) Standard Operating Procedures.

Authority and Responsibility:

Human Resources is responsible for the administration of this policy.



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| City of Meridian |
| Standard Operating Procedures |
| Number 4.1 |

Holidays

Purpose:

To set forth the City's procedures regarding the holidays observed by the City and related leave and compensation pertaining to holidays.

Procedures and Related Information:

I. Holidays

A holiday is a day of exemption from work, granted to eligible employees as if they had actually worked. The City observes eleven (11) holidays with pay during the calendar year:

1. New Year's Day (January 1)
2. Martin Luther King, Jr's Birthday/Human Rights Day (3rd Monday in January)
3. President's Day (3rd Monday in February)
4. Memorial Day (Last Monday in May)
5. Juneteenth (June 19)
6. Independence Day (July 4)
7. Labor Day (1st Monday in September)
8. Veteran's Day (November 11)
9. Thanksgiving (4th Thursday in November)
10. Day after Thanksgiving
11. Christmas Day (December 25)

II. Holidays must be observed on the City's designated holiday; no individual exceptions will be made based on work schedule or other leave considerations.

III. Holidays Occurring on Saturday or Sunday

Generally, holidays falling on a Saturday are observed on the preceding Friday; those falling on Sunday are observed the following Monday. In celebrating the above holidays, all City offices and departments will be closed with the exception of those departments responsible for wastewater and emergency service.

IV. Holiday Compensation for Shift or Compressed Workers

- A. For employees working shifts of nine (9), ten (10), or more hours per day, a maximum of 10 holidays per calendar year will be given at the employees scheduled work hours. Shift or compressed workweek employees are paid holiday pay at his/her assigned work schedule.
- B. Employees may not alter their assigned work schedule during a holiday week.

V. Compensation for Holidays

- A. Non-Shift regular full-time employees are paid for eight (8) hours of holiday pay for each holiday up to a maximum of ten (10).
- C. Part-Time, temporary and seasonal employees are only paid for hours worked.
- D. An employee who is assigned to work on a recognized holiday will be paid for hours worked on the holiday at the regular rate of pay holiday pay at straight time for his/her assigned work schedule. For example, if a non-shift employee is regularly scheduled to work on Wednesday, December 25, and is assigned to work three hours on that day, he/she would be paid for a total of eight (8) hours of holiday pay plus three (3) hours of straight time pay, for a total of eleven (11) hours of pay. If a shift employee is regularly scheduled to work on Wednesday, December 25, for their normal ten (10) hour shift, he/she would be paid for ten (10) hours of holiday plus ten (10) hours of straight time pay, for a total of twenty (20) hours of pay.

VI. Holiday and Leave Status

- A. Employees who are on leave status (vacation, sick, personal, worker's compensation, military duty, FMLA, etc.) are not eligible for additional holiday pay. For example, if an employee is on vacation leave during the week of December 23 through December 27, that employee's pay would reflect four (4) days of vacation leave and one (1) day of holiday pay. Holidays falling within approved leave time will not be counted as part of the leave time.
- B. Holiday pay will not be given to employees taking any unpaid leave time the day before or the day after a holiday.
- C. Employees terminating their employment may not use accrued leave to extend their separation date for the purpose of receiving holiday pay or other benefits.

VII. Represented Fire Employees

Holiday leave for represented Fire employees shall be governed by the provisions of the collective labor agreement.



City of Meridian

Standard Operating Procedures

Number 4.2

Vacation Leave Benefits

Purpose:

To set forth City's vacation leave benefits and eligibility requirements. The City provides paid vacation leave as one of the many ways in which it shows its appreciation for employee's loyalty and service.

Procedures and Related Information:

I. Accrual Rates

- A. Vacation accrues from the date of hire. Vacation hours accrue on a calendar month accrual period basis. The monthly accrual is based on length of service unless otherwise approved in accordance with the procedures. Monthly accrued vacation hours are posted to the employee's vacation leave balance on payday and are available to use on the first day of the calendar month following the accrual period. An employee cannot use vacation hours for a particular calendar month in advance or during the period in which they are earned.
- B. New Hires and re-hires with prior relevant experience, whose essential duties, responsibilities, knowledge, skills and abilities align with a specific job description can be credited for previous years of service with Department Director and Human Resources Director approval. The accrual rate shall be agreed upon prior to the conditional offer of employment to any applicant and will be effective upon hire. Credited years of service shall not exceed a one for one ratio.
- C. The monthly accrual rate for employees, other than represented employees in the Fire department are as follows:

| Length of Service | Monthly Accrual | Maximum Accrual Limit |
|-------------------|-----------------|-----------------------|
| 0 - 2 Years | 12.00 Hours | 288 Hours |
| 3 - 4 Years | 12.50 Hours | 300 Hours |
| 5 - 6 Years | 13.00 Hours | 312 Hours |
| 7 - 8 Years | 13.50 Hours | 324 Hours |
| 9 - 10 Years | 14.00 Hours | 336 Hours |
| 11 - 12 Years | 14.50 Hours | 348 Hours |
| 13 - 14 Years | 15.00 Hours | 360 Hours |
| 15 - 16 Years | 15.50 Hours | 372 Hours |
| 17 - 18 Years | 16.00 Hours | 384 Hours |
| 19 - 20 Years | 16.50 Hours | 396 Hours |
| 21 - 22 Years | 17.00 Hours | 408 Hours |

| Length of Service | Monthly Accrual | Maximum Accrual Limit |
|-------------------|-----------------|--------------------------|
| 23 – 24 Years | 17.50 Hours | 420 Hours |
| 25 Plus Years | 18.00 Hours | 432 Hours |

- II. Accrued vacation hours may be carried over from one (1) calendar year to the next up to a two (2) year cap from the employee's maximum annual accrual limit. Any excess over the two (2) year cap will cease to accrue until hours have been taken.

A. Regular Full-Time Employees

Eligible employees in this group would be eligible to use vacation leave once hours have been accrued following standard department approval processes. Director use of vacation leave is in accordance with Director Benefits Program and related Policy and Procedures, number 5.5.

B. Law Enforcement and Represented Employees under the Collective Labor Agreement.

1. Police and represented employees have a one (1) year introductory period and may not use vacation leave benefits during the first year of employment unless approved by the Chief.
2. Vacation leave accruals for represented employees in the Fire Department shall be governed by the provisions of the collective labor agreement. Refer to the union contract for breakdown of schedule.

C. Temporary, Seasonal, and Part-Time Employees

Seasonal, temporary, and part-time employees are not eligible for vacation leave benefits.

III. Vacation Leave Approval

Approval for vacation leave must be pre-approved (except for those provisions under FMLA) by the employee's supervisor or department director as necessary so scheduling of work can be accomplished.

IV. Other Leave Provisions

- A. Employees who leave the City's employment are paid all vacation leave accrued up to the time of separation. Employees separating from their employment may not use accrued leave to extend their separation date for the purpose of receiving holiday pay or other benefits.



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| City of Meridian |
| Standard Operating Procedure |
| Number 4.2.1 |

Donation of Vacation Leave to Another Employee

Purpose:

To set forth the City's procedures regarding donation of vacation leave to another employee.

Procedures and Related Information:

I. ELIGIBILITY

- A. All regular full-time employees are eligible to receive benefits from the pool. Employees must exhaust all of their eligible sick and vacation leave before being eligible to use any donated leave. Employee must have been absent from the workplace for a minimum of thirty (30) days continuously or sixty (60) day intermittently before they are eligible to receive any donated time.

II. ALLOWABLE USE

- A. Employees may donate some or all of their accumulated vacation leave to be used by a designated employee with qualifying event. The donated hours will be added the requesting employee's sick leave balance.
- B. Hours may be available to employees upon written request from the employee to the Human Resources Director.
- C. The Human Resources Department shall seek donation of hours from employee's department first and then may seek additional hours up to the maximum allowed by this policy from all employees.

III. QUALIFYING EVENT

- A. Employees experiencing a significant event that removes them from the workplace, or limits their ability to work should contact Human Resources to determine eligibility.
- B. Qualifying event will be defined by the FMLA Regulatory Guidelines other than the time period of eligibility service requirement.
- C. Human Resources may request additional information, supporting documentation supporting documentation to determine eligibility.

IV. OTHER PROVISIONS

A. As allowed by law, a second medical opinion may be required.



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| City of Meridian |
| Standard Operating Procedures |
| Number 4.3 |

Sick Leave Benefits

Purpose:

To set forth the City's procedures regarding sick leave benefits for employees.

Procedures and Related Information:

I. Sick Leave Accrual

- A. Sick leave benefits are designed to provide income protection for employees in the event of illness, injury, or disability. Sick leave benefits are provided to regular full-time employees at the rate of eight (8) hours per month, hours may accumulate up to ninety (90) days or seven hundred and twenty (720) hours, and then sick accruals will cease until hours have been taken.
- B. Sick leave accrues from the start of employment based on anniversary date. An employee is eligible to use sick leave after one (1) month of employment.
- C. Sick leave hours accrued for a particular month cannot be used in advance, or during the month they are to be earned. Sick leave must be accrued and added to the employee's sick leave bank prior to being used.

II. Allowable Uses of Sick Leave

- A. Accrued sick leave hours may be used for
 1. Personal illness (including maternity related or medical disability);
 2. Personal injury;
 3. Illness or quarantine of employee's immediate family necessitating the employee's absence from work. (Immediate family is defined as anyone who resides with the employee and who depends upon the employee for regular care);
 4. Personal medical related appointments, including annual wellness exams, counseling, dental check-up, etc.;
 5. Provisions under the Family and Medical Leave Act (FMLA) that provide leave to certain employees who qualify in regards to themselves or providing care to others. Employees should contact the Human Resources office for further details.

NOTE: Employees may qualify as a primary care provider under certain conditions in FMLA. Please contact Human Resources to discuss eligibility and necessary documentation.

B. Abuse of Sick Leave

1. Sick leave may be used as allowed in these procedures, but for no other purpose.
2. Examples of sick leave abuse may include, but are not limited to, a pattern of sick leave being taken on days preceding or following weekends, holidays or vacation leave. Sick leave may not be taken as additional or as a substitute for vacation leave.
3. Supervisors and department directors or designees shall be responsible to ensure the appropriate administration of sick leave use.
4. Excessive use of sick leave that causes loss of individual or work group productivity should be documented by the supervisor and may be grounds for disciplinary action, up to and including termination.
5. Any falsification of sick leave use may result in disciplinary actions, up to and including termination.

III. Notification Requirements

- A. An employee who is unable to report to work because of a qualified use for sick leave must notify his/her supervisor at least one half (½) hour prior to his/her work shift or (if in the case of an accident or emergency) as soon as possible. An employee's needing consecutive sick leave must notify his/her supervisor each day of his/her absence, unless otherwise approved.
- B. Paid sick leave of three (3) consecutive days or more will not be approved without submission by the employee to his/her supervisor, upon return to work of a written signed confirmation from a health care provider stating that the employee was unable to perform his/her duties. Supervisors must forward a copy of the confirmation to Human Resources. In some circumstances and employee may be required to provide additional documentation that the employee is able to perform his or her duties. An employee may be required to provide medical documentation prior to the use of three (3) consecutive days of sick leave to ensure compliance with the provisions of this policy and the Family Medical Leave Act.
- C. Employees must accurately and timely record all sick leave used on their timecard in the appropriate payroll period.

IV. Other Leave Provisions

- A. An employee who is on workers compensation will continue to accrue sick leave benefits.

- B. An employee on unpaid personal leave for more than one half of the work week will not accrue any sick leave benefits while on leave.
- C. At the time of separation of employment with the City, all accrued sick leave shall be forfeited and shall not be paid. Such forfeited sick leave shall not be reinstated upon an individual who may be rehired by the City, except for layoffs.
- D. Seasonal, part-time, and/or temporary employees are not eligible for sick leave benefits.
- E. Sick leave provisions for represented Fire employees shall be governed by the provisions of the collective labor agreement.



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| City of Meridian |
| Standard Operating Procedures |
| Number 4.4 |

Family and Medical Leave

Purpose:

To set forth the City's Family and Medical Leave (FMLA) procedures in conformance with the Family and Medical Leave Act of 1993.

Procedures and Related Information:

I. Leave Purposes and Benefits

- A. In order to comply with FMLA, eligible employees are entitled to twelve (12) weeks of leave for the following reasons:
 1. The birth and placement for adoption or foster care of a child, within twelve (12) months of the birth or adoption.
 2. The serious health condition of a spouse, child, or parent.
 3. The employee's own serious health condition.
 4. The military leave of a spouse, child or parent.
 5. To care for a spouse, child or parent that is a military veteran with a serious health condition.
- B. For employees whose spouses are employed with the City, leave may be limited to a combined total of up to twelve (12) weeks of unpaid leave in a twelve (12) month period if the leave is taken for the birth of a child, placement of a child for adoption or foster care, or to care for a parent with a serious health condition.

II. Definitions

For purposes of these FMLA procedures, the following definitions shall apply:

- A. Eligible Employees - shall mean any person employed for at least twelve (12) months, and who has worked 1,250 hours or more during the twelve (12) months prior to the leave request.
- B. Child - shall include the biological, adopted, foster, stepchild, legal ward, or a child of an individual legally acting in the parent's stead. The child must be under the age of eighteen (18) unless he/she is incapable of self-care because of physical or mental disability.

- C. Spouse - means a husband or wife as defined and recognized under Idaho State law for purpose of marriage.
 - D. Parent - means biological parent or an individual who stands or stood in place of a biological parent. This term does not include parents-in-law.
 - E. Serious Health Condition - means an illness, injury, impairment, or physical or mental condition involving either inpatient care or continuing treatment by a health care provider.
 - F. Twelve (12) month period - means a "rolling" twelve (12) month period, measured backward from the date an employee starts his/her FMLA approved leave.
 - G. Certification - means a statement by a health care provider which includes:
 - 1. The date on which the serious health condition began.
 - 2. The probable duration of the condition.
 - 3. Appropriate medical facts regarding the condition.
 - 4. A statement that the employee is needed to care for a spouse, child or parent, along with the estimated length of time; or
 - 5. That the employee is unable to perform his/her duties.
 - 6. In the case of intermittent leave, the dates and duration of treatment to be given.
- III. The certification notice must be provided within fifteen (15) days from the date it is requested by the City. The City may, at its expense, obtain an opinion from a second health care provider (of the City's choosing) or third health care provider (chosen jointly by the employee and the City).
- IV. Notice and Confirmation of Leave
- An eligible employee must notify the City of the need to request FMLA leave under this policy no later than thirty (30) days prior to the beginning date of such leave. In the event of an emergency, the employee must provide as much notice as is practical. In the event of leave for a serious medical condition or treatment which is foreseeable, employees are required to make a reasonable effort to schedule treatment so as to not unduly disrupt work operations and to provide the thirty (30) day notice; or such notice as is practical.
- V. Duration of Leave and Methods of Taking Leave
- A. An employee may be given up to a maximum of twelve (12) weeks for a leave under FMLA. However, in situations where the reason for leave is to care for a sick family member or for their own serious health condition, the employee may be permitted to

use up to the twelve (12) total weeks on leave on an intermittent basis or on a reduced workweek schedule, if it is medically necessary to do so.

- B. Under FMLA an employee may take reduced or intermittent leave when it is medically necessary to care for a serious health condition for his/her family member or for the employee's own serious health condition. Employees will be required to provide additional medical certification by a qualified health care provider that states this accommodation is medically necessary. The certification must specify how long the leave will be necessary. In the case of military leave, documentation of the military orders and sufficient documentation to establish the employee's relationship to the military service member will be required. Employees on reduced or intermittent leave may be required to transfer temporarily to an available alternative position with equivalent pay and benefits that can accommodate the recurring periods of leave or reduced work schedule.
- C. Intermittent or reduced leave to care for a newborn or newly placed adopted or foster care child may be approved by the City if the department director or designee can accommodate the work schedule.
- D. While on FMLA approved leave, the City may require that the employee periodically report his/her status and intention to return to work. The City may also require that an employee on FMLA approved leave obtain subsequent re-certification of a serious health condition.

VI. Benefits While on FMLA approved Leave

- A. Employees will be required to coordinate any available vacation and sick leave with workers compensation, short-term and long-term disability to make up the difference in salary before utilizing leave without pay. The paid leave will be counted toward the twelve (12) weeks of FMLA.
- B. Employees who do not have accrued leave time are eligible to take up to twelve (12) weeks of unpaid leave under FMLA, provided that the employee meets the definitions of eligibility.
- C. The City will continue health benefits for employees on FMLA approved leave up to twelve (12) weeks under the same conditions as if the employee had continued to work. Except in certain circumstances, if an employee does not return from a FMLA approved leave, he/she may be required to reimburse the City for their share of health premiums that were paid by the City on his/her behalf to continue his/her employee coverage(s) while on leave.
- D. For any period, an employee receives paid leave benefits, the City will deduct the employee's premium portion through payroll deductions. For unpaid leaves, employees will be required to make arrangements with the City to pay for his/her portion of the health, dental, and supplemental insurance premiums while out on leave.

VII. Effect on Other City Benefits

- A. Employees on FMLA approved leave will not lose seniority or employment benefits. However, an employee who takes FMLA approved leave and moves into an unpaid status for at least one workweek will incur a reduction in their vacation and sick leave accruals.
- B. The City cannot cover all the details concerning FMLA procedures. Employees with questions should contact the Human Resources department for additional information.



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| City of Meridian |
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| Number 4.5 |

Bereavement Leave

Purpose:

To set for the City's procedures regarding paid time off for regular full-time employees to address the needs of the employee upon the death of a member of the employee's immediate family.

Procedures and Related Information:

- I. In the event of a death in the immediate family of an employee, the City allows regular full-time employee an absence from work with pay of up to five (5) consecutive workdays. Additional time off may be granted, utilizing the employee's accrued vacation time consistent with the policies of the City. The employee shall notify his/her supervisor as soon as possible prior to the use of this leave.
- II. For purposes of this policy, immediate family shall be defined as current spouse, children, parents, in-laws, brother, sister, grandparents, or grandchild of the employee. In-laws are defined as a father, mother, or grandparents of current spouse, or sister and brother-in-law of the employee. Adopted, foster, or "step" relationships will be considered the same as any other family relationship
- III. Bereavement Leave provisions for represented employees in the Fire Department shall be governed by the provisions of the current collective labor agreement.



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| City of Meridian |
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| Number 4.6 |

Civil Leave

Purpose:

To set forth the City's procedures regarding employees with paid time to serve on juries or to testify in court.

Procedures and Related Information:

- I. Leave will be granted to full-time and part-time non-exempt and exempt employees who are scheduled to work and called to serve as a juror or witness for any federal, state, or local court of law. Civil leave is not allowed in personal matters in which the employee is a litigant such as a petitioner, respondent, plaintiff, or defendant.
- II. Compensation for Civil Leave
 - A. Full pay will be given only when:
 1. The employee is required to serve as a juror or appear as a witness in a matter other than one personal to the employee.
 2. The employee serves on a day that would have been a regularly scheduled workday.
 3. Non-exempt employees will be paid for only the hours they were scheduled to work while on civil leave.
 4. Exempt employees will be paid their normal salary while on civil leave.
 - B. Court fees paid by the court and received by an employee including mileage reimbursement are not required to be remitted to the City.
- III. Notification Requirement
 - A. Employees are required to provide a copy of the court notification of civil duty when received to their supervisor.
 - B. Employees are required to correctly report civil duty on their timecard during the period served.
- IV. Other General Provisions

- A. Employees released from jury duty on a scheduled workday are required to immediately report to work. Failure to do so may result in disciplinary action up to and including termination.
- B. An employee who is directed to appear as a witness for the Federal government, State of Idaho, or to attend court or other official hearings or trials in connection with his/her official duties is not to be considered absent from duty.
- C. Employees requested to serve as a member of a jury are not to be considered absent from work.
- D. Represented Fire employees are provided Civil Leave in accordance with the collective labor agreement.



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| City of Meridian |
| Standard Operating Procedures |
| Number 4.7 |

Military Leave of Absence

Purpose:

To set forth the City's procedures regarding Military Leave of Absence in accordance with the Uniformed Services Employment and Reemployment Services Act of 1994 (USERRA), 38 USC 4301 - 4335, and applicable federal regulations and state laws.

Procedures and Related Information:

- I. Employees who are called to active duty and enter military service or the reserves by commission, draft, or enlistment, on a voluntary or involuntary basis, shall be granted military leave of absence for that purpose and at the conclusion of such leave of absence shall be reinstated in accordance with USERRA and all applicable federal regulations and state laws.
- II. Pursuant to 20 CFR 1002.85, a service-member must provide advanced notice of service to Human Resources with the exceptions outlined in 20 CFR 1002.86, but is not required to provide orders to perform service. He/she must only provide orders for periods of service greater than 30 days upon his/her return from service as outlined in 20 CFR § 1002.121.
- III. During military leave of absence, an employee's benefit coverage will be the same as for any other employee on leave of absence. Medical coverage may be continued based on the provisions of USERRA. Employee's dependents may remain on the City's medical benefits program, when the employee is on active military duty, but they must pay the same premium amounts as if the employee were currently working for the City. This option may be continued for a period of time as set forth in 20 CFR 1002.164.
- IV. Employees may request use of any earned, accrued vacation leave during the military leave of absence if they wish; however, they are not obliged to do so. Accrued leave need not be exhausted prior to the start of the employee's leave period. Additionally, the City shall provide a "military differential pay" benefit to make the employee's paycheck whole during the leave period. An employee may request (1) use of accrued annual leave during a military leave of absence or, in the absence of a request, the employee will receive the City's "military differential pay" benefit, but not both; and (2) during a period of military leave of absence, the employee will remain on military leave of absence status for payroll purposes whether the employee requests use of accrued annual leave or receives the City's "military differential pay" benefit. Therefore, the City's military differential pay benefit does not include overtime, swing-up, or Kelly days or any other paid leave benefits. Employees are eligible for the City's "military differential pay" benefit up to twelve (12) months. Extensions beyond twelve months must be approved by the Mayor and City Council.
- V. To receive the "military differential pay" benefit, the employee must submit all military orders or proof of service as outlined in 20 CFR § 1002.121 - 123 to Human Resources for initiation of

proper paperwork. A copy of the military orders or proof of service shall be placed in the employee's personnel file, and related paperwork will be forwarded to Finance for processing.

- VI. Questions about these procedures and related policy should be directed to the Human Resources Director, or designee who shall have the responsibility for interpretation to assure similar treatment of employees on a citywide basis.



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| City of Meridian |
| Standard Operating Procedure |
| Number 4.8 |

Leaves of Absence

Purpose:

To set forth the City's procedures regarding leaves of absence.

Procedures and Related Information:

- I. **Scope and Eligibility**
 These procedures apply only to those requested leaves, which are for a purpose other than, or ineligible under, FMLA. In addition, these leaves of absence and related procedures will apply in cases where all twelve (12) weeks of FMLA have been exhausted and an employee requests additional time off for a purpose ordinarily qualifying under the FMLA. Only regular full-time employees are eligible for a leave of absence under these procedures policy.
- II. An employee requesting a leave of absence must make the request in writing to his/her department director, who may approve the request subject to workload and other reasonable considerations during the period of requested leave for a period not to exceed thirty (30) days. Such decisions shall be communicated to Human Resources for coordinating and completion of proper paperwork. Prior to approval of a leave of absence request, employees must exhaust all accrued vacation leave; if the request is for an allowed use of sick leave, then all sick leave accrual must also be exhausted. A request for a leave of absence for a period exceeding thirty (30) days may only be granted by the Mayor, who will establish the terms upon review of the written request. Human Resources will coordinate the processing of a request for leave of absence exceeding thirty (30) days with the employee, the employee's department director, and the Mayor's Office.
- III. Due to fluctuating business needs, the City cannot guarantee re-employment upon return from a leave of absence. If an employee's position or a comparable position is not available, the employee's name shall be placed on a hiring list for six (6) months and will be considered for future vacancies for which the individual is qualified. After six (6) months, he/she will be required to re-apply like any other applicant.
- IV. The City will afford reasonable accommodation to qualified employees with a known disability or for an employee's religious beliefs.

- V. The City will also provide leave under particular circumstances as mandated by federal or state law, including but not limited to Military Leave. For information regarding Military Leaves of Absence refer to SOP 4.7.
- VI. While an employee is on a leave of absence, City benefits and paid leave accruals will stop. Employees may choose to pay the applicable premium to the City in order to maintain insurance benefits during the leave of absence; the employee shall contact the Human Resources office to make necessary arrangements for payment of insurance premiums.



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| City of Meridian |
| Standard Operating Procedures |
| Number 4.8.1 |

Administrative Leave with Pay

Purpose:

To set forth the City's procedures regarding Administrative Leave with Pay.

Procedures and Related Information:

- I. Administrative Leave with Pay for other than investigative purposes for one day or less of the employee's normal work day shall be at the discretion of the department director.
- II. Administrative Leave with Pay for other than investigative purposes for more than the employee's normal work day, but not to exceed one (1) regular work week of the employee shall be at the discretion of the department director with the approval of the Human Resources Director.
- III. Administrative Leave with Pay for more than one (1) regular work week of the employee shall be at the discretion of the department director with the approval of the Human Resources Director and the Mayor.
- IV. Administrative Leave with pay for investigative purposes for any length of time shall be at the discretion of the Human Resources Director and in consultation with the City Attorney, and the Mayor, if warranted. Human Resources shall inform the department director of the employee(s) leave of absence status as necessary.
 - A. In some instances for investigative purposes it may be necessary to seek approval of the City Council for this leave. The decision to seek approval from the City Council shall be at the discretion of the Human Resources Director or City Attorney and the Mayor.



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| City of Meridian |
| Standard Operating Procedures |
| Number 4.8.2 |

Leave Without Pay (LWOP)

Purpose:

To set forth the procedures regarding use of Leave Without Pay (LWOP).

Procedures and Related Information:

I. Part-time, Temporary, Seasonal Employees

- A. All part-time, temporary, or seasonal employees are eligible to request and receive this type of leave.
- B. The request must be reviewed and approved by the department director or designee. LWOP can only be approved for one (1) work week at a time. Employees shall not be allowed to have LWOP exceed three work weeks or the equivalent number of days per calendar year.
- C. LWOP forms are available on Human Resources Intranet Page. All department approved leave shall be submitted on the form and returned to Human Resources.
- D. Using LWOP when it is not approved is subject to discipline up to and including termination.
- E. Using LWOP for purposes of taking additional leave, other than what is protected by law, that creates a pattern of absence in the department director's estimation which is detrimental to job responsibilities and expected productivity or to the employee's work-group's responsibilities and expected productivity, may be subject to disciplinary action, up to and including termination.

II. Regular Full-time Employees

- A. If an employee has exhausted all accrued vacation leave, or sick leave if applicable, and needs additional time for unforeseen circumstances they must request LWOP from their immediate supervisor with an explanation of the need for LWOP and the duration.
- B. The request must be reviewed and approved by the department director or designee. LWOP can only be approved for one (1) work week at a time. Employees shall not be allowed to have LWOP exceed three work weeks or the equivalent number of days per calendar year.

- C. LWOP forms are available on the Human Resources Intranet Page. All approved leave shall be submitted on the LWOP form and the form shall be returned to Human Resources.
- D. If the LWOP is approved then the employee's pay is reduced by the amount of hours of LWOP that is granted. LWOP will cause the employee's vacation and sick accruals to be reduced for that pay period. Each request for LWOP that meets or exceeds 50% of the employees' workweek will result in a loss of accrual of both vacation and sick leave of two (2) hours of each leave.
- E. If an employee is on LWOP status on the day before or after a City Holiday then they will not receive pay for the holiday either.
- F. Using LWOP for purposes of taking additional leave, other than what is protected by law, that creates a pattern of absence detrimental to job responsibilities and expected productivity or to the employee's work-group's responsibilities and expected productivity, may be subject to disciplinary action, up to and including termination.

III. Unauthorized Leave Without Pay

- A. Employees are responsible to know whether they have adequate sick leave or vacation leave for any request for leave. Employees that use leave that hasn't been accrued at the time shall be subject to discipline.
- B. Using LWOP when it is not approved is subject to disciplinary action, up to and including termination.

IV. Leave Without Pay Requests, Review, and Corrective Action

- A. Human Resources and Payroll are responsible to monitor LWOP and report violations to the department director or designee of the specific employee.
- B. Department Director or designee shall review the information provided and take corrective action, if warranted, within the pay period in which the leave occurred.



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| City of Meridian |
| Standard Operating Procedure |
| Number 4.9 |

Paid Parental Leave (PPL)

Purpose:

To set forth the City's procedures regarding paid parental leave that is offered to eligible employees.

Procedures and Related Information:

I. Definition

Parental leave refers to paid time off following the birth of an employee's natural child or the legal placement of a child with an employee for the purposes of adoption. The maximum amount of paid parental leave, per eligible occurrence, is 480 hours (12 week equivalent). The 480 hours of paid parental leave may be used consecutively or intermittently but will run concurrently with the 12-week approved FMLA event.

II. Eligibility

- A. Coverage and Eligibility: An employee's eligibility for Paid Parental Leave shall be made based on the employee's months of service and hours of work as of the date of the qualifying life event. Employees who become parents via birth, adoption are considered Eligible Employees if:
 1. Employee is classified as Regular Full Time.
 2. Employee must be eligible for Family and Medical Leave (FMLA) by being in pay status for at least 1,250 hours in the previous 12-month period.
 3. Eligibility determinations are made as of the date that the child is born or placed via adoption.
 4. If both parents are Eligible Employees, each may receive Paid Parental Leave. Both parents may take their leave simultaneously or at different times within the FMLA 12-week eligible period.
- B. Paid Parental Leave (PPL) provisions for represented employees in the Fire Department shall be governed by the provisions of the current collective labor agreement.

III. Certification of Eligibility for Parental Leave

- A. Eligible Employees shall be required to certify that they will use Paid Parental Leave to give birth to a child or will use Paid Parental Leave to care for or bond with a child.
- B. Employees may be required to submit documentation (if applicable) to Human Resources. Official documents may include but not limited to:

| <u>Qualifying Event</u> | <u>Acceptable Documentation</u> |
|-------------------------|---|
| Adoption | <ul style="list-style-type: none"> • Adoption Order • Proof of Placement |
| Birth | <ul style="list-style-type: none"> • Birth Certificate or Report of Birth • Custody Order • Proof of Placement |

- C. Documents provided must show the date of birth or date of placement, if placement was other than the date of birth. The name of the legal parent must appear on the birth certificate, a legal document establishing paternity or a legal document establishing adoption.

IV. Timecard Requirements:

- A. Eligible employees will account for paid parental leave hours using the “parental leave” column of the timecard. Eligible employees will also track FMLA hours in the “FMLA” column of the timecard, to run concurrently with the paid parental leave hours.



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| City of Meridian |
| Standard Operating Policy |
| Number 5.1 |

Group Health and Related Benefits

Purpose:

To set forth the City's policy regarding group health and related available benefits for eligible City employees.

Policy:

For all eligible employees, the City of Meridian provides comprehensive health, vision, dental, life, and short and long-term disability insurance, along with voluntary life insurance plans, deferred compensation limited disability programs, 401K and a cafeteria plan. Employee and/or Family coverage is available to eligible employees provided the employee pays their premium share. Some of these benefits are fully paid by the City and others require the employee to share the cost of the premiums. Represented Fire employees should refer to the collective labor agreement for details regarding benefits.

This policy shall be implemented pursuant to the Group Health and Related Benefits Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall ensure that all employees are enrolled in appropriate benefits programs determinant upon the eligibility of the employee.



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| City of Meridian |
| Standard Operating Policy |
| Number 5.2 |

Federal Consolidated Omnibus Budget Reconciliation Act (COBRA)

Purpose:

To outline the City's policy regarding the opportunity for employees to continue health-related benefits at their own expense after employment, reduction of hours, or while on an unpaid leave of absence of more than thirty (30) days.

Policy:

As per COBRA, employees and their qualified dependents are provided the opportunity to continue health insurance coverage under the City's health plan at their own cost following a qualifying event that would normally result in the loss of eligibility (e.g., termination, resignation, etc.).

This policy shall be implemented pursuant to the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall oversee the administration of this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 5.3 |

Public Employees Retirement System (PERSI)

Purpose:

To set forth the City's policy regarding the City's retirement plan under the Idaho State Public Employees Retirement System (PERSI) and eligibility for participation in the program.

Policy:

Consistent with State law, regular full-time and part-time employees (working twenty (20) hours or more in a work week) and seasonal employees (working eight (8) months or longer) at a minimum of twenty (20) hours per week is covered under the Public Employees Retirement System of Idaho (PERSI).

This policy shall be implemented pursuant to the PERSI Retirement Program Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall oversee the administration of this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 5.4 |

Education Reimbursement

Purpose:

To set for the City's policy regarding educational reimbursement provided by the City.

Policy:

The City encourages employees to expand their knowledge and skills through participation in outside educational programs during non-working hours. The City will assist regular full-time employees in furthering their education by contributing to the cost of approved taken at accredited institutions.

This policy shall be implemented pursuant to the Education Reimbursement Standard Operating Procedures.

Authority & Responsibility:

Department Director, or designee, along with the Human Resources Department are responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 5.5 |

Director Benefits Program

Purpose:

To set forth the City's policy outlining fair and equitable benefits for the department directors of the City. The City acknowledges that the directors' work in excess of other positions within the City and hold the highest amount of accountability for the direction of the various Departments. The directors are accountable to the Mayor, the City Council, and the citizens of Meridian.

Policy:

The department directors of the City serve as appointees pursuant to Idaho Code. The expectation is that the director will perform and meet the expectations of the Mayor and City Council. This benefit plan was developed to insure that the City of Meridian can attract and retain the most qualified directors. This plan provides cost effective and positive incentives to recognize the value and enhancement quality executive personnel can provide to the benefit of Meridian and its citizens.

This policy shall be implemented pursuant to the Director Benefits Program Standard Operating Procedures.

Authority & Responsibility:

Human Resources will be tasked to monitor and implement the requirements of this policy. Human Resources will further be responsible to keep the benefits provided under this policy current with the job market through its normal measures.



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| City of Meridian |
| Standard Operating Policy |
| Number 5.6 |

Retirement Match Program

Purpose:

To set forth the City's policy regarding the Retirement Match Program.

Policy:

In support of the City's Vision to provide competitive benefits for all employees post retirement needs, the City has established a retirement match program for all regular full time employees and elected officials contributing to an allowable Retirement Plan as defined in this policy.

This policy shall be implemented pursuant to the Retirement Match Program Standard Operating Procedures.

Authority & Responsibility:

Human Resources is responsible for the administration of this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 5.7 |

Vacation Leave Accrual Rollover Program

Purpose:

To set forth the City's policy regarding the Vacation Leave Accrual Rollover Program.

Policy:

The Vacation Time Accrual Rollover Program was designed in support of the City's Vision to provide competitive benefits for all employees' post retirement needs. City Council has the authority to approve or deny the Vacation Leave Accrual Rollover Program at any time to maintain the financial stability of the City.

This policy shall be implemented pursuant to the Vacation Leave Accrual Rollover Program Standard Operating Procedures.

Authority and Responsibility:

Human Resources Department is responsible for administering this Policy.



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| City of Meridian |
| Standard Operating Procedures |
| Number 5.1 |

Group Health and Related Benefits

Purpose:

To set forth the City's procedures regarding available group health and related benefits for eligible City employees.

Procedures and Related Information:

- I. Regular full-time employees and City elected officials will receive a full packet of information explaining all benefits provided or offered through the City during their respective New Employee Orientation. Copies of the insurance summary plan documents are available through the Human Resources office as well as on the City Intranet Human Resources page. Benefits are subject to change and are not guaranteed. Questions regarding benefits should be directed to Human Resources.
- II. Insurance Coverage
Group health, dental, vision and EAP insurance coverage, life insurance, short-term disability, and long-term disability for eligible employees begins on the first day of the month following the first date of employment.
- III. Seasonal employees may be eligible for benefits depending on the length of employment. For additional information contact Human Resources.



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| City of Meridian |
| Standard Operating Procedures |
| Number 5.2 |

Federal Consolidated Omnibus Budget Reconciliation Act (COBRA)

Purpose:

To set forth the City's procedures regarding the opportunity for employees to continue health-related benefits at their own expense after employment, reduction of hours, or while on an unpaid leave of absence of more than thirty (30) days.

Procedures and Related Information:

I. Qualifying Events

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment (for reasons other than gross misconduct), or death of an employee; a reduction in an employee's hours or leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting the eligibility requirements.

II. Written Notification

The City provides each eligible employee with a written notice describing rights granted under COBRA when employees become eligible for coverage under the City's health insurance plan. The notice contains important information about employees' rights and obligations. Employees will have sixty (60) days from the date of coverage loss or sixty (60) days from the date that they received such information, whichever is later, to elect continued coverage.

III. Financial Responsibility

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City group rates plus an applicable administration fee. Coverage will end if any of the following events should occur: The City no longer provides group health coverage to any of its employees; the premium for continued coverage is not paid; the employee becomes covered as an employee or otherwise under another group health plan; or the employee becomes eligible for Medicare.

IV. Any questions concerning COBRA rights should be directed to Human Resources.



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| City of Meridian |
| Standard Operating Procedures |
| Number 5.3 |

Public Employees Retirement System (PERSI)

Purpose:

To set forth the City's procedures regarding the City's retirement plan under the Idaho State Public Employees Retirement System (PERSI) and eligibility for participation in the program.

Procedures and Related Information:

- I. Employee Eligibility
Regular full-time employees, part-time employees working twenty (20) hours or more in a work week, and seasonal employees working eight (8) months or longer at a minimum of twenty (20) hours per week are covered under the Public Employees Retirement System of Idaho (PERSI).
- II. Subscriber costs are paid by both the City and the employee.
- III. Questions regarding PERSI coverage and other benefits should be directed to Human Resources.



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| City of Meridian |
| Standard Operating Procedure |
| Number 5.4 |

Education Reimbursement

Purpose:

To set forth the City's procedures regarding educational reimbursement provided by the City.

Procedures and Related Information:

- I. The City encourages employees to expand their knowledge and skills through participation in outside educational programs during non-working hours.
- II. The City will assist regular full-time employees by contributing to the cost of approved courses taken at accredited institutions. The City will reimburse up to \$3,000.00 per accounting fiscal year for registration, tuition, fees and books. Travel and similar miscellaneous expenses are not reimbursable. The department director may consider reimbursement in excess of \$3,000.00 for registration, tuition, fees and books with the prior approval of the Mayor. The funding for any additional reimbursement above the standard threshold must come from the department's current budget for training. Approval will be on an annual basis in conjunction with the City's annual budget development process. Students must pay the institution directly. No billing statements shall be sent to the City of Meridian finance or any other department for education reimbursement purposes.
- III. To be eligible for reimbursement the courses must be approved in advance of participation by the department director.
- IV. To qualify for education reimbursement, an employee must be employed with the City for six (6) months. To receive reimbursement, an employee must be on the payroll at the time the course has begun and completed. The course must be completed with a passing grade of C or better or a P on pass/fail basis. Reimbursement will be made after the successful completion of the course(s). Copies of grades, receipts for tuition, books, and fees must be submitted with the reimbursement request to Human Resources for processing.
- V. The Application for Education for Reimbursement Form is located on the Human Resources Intranet page or contact Human Resources.
- VI. Education Reimbursement provisions for represented employees in the Fire Department shall be governed by the provisions of the current collective labor agreement.



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| City of Meridian |
| Standard Operating Procedures |
| Number 5.5 |

Director Benefits Program

Purpose:

To set forth the City's procedures outlining additional benefits for the department directors of the City.

Procedures and Related Information:

- I. The department directors shall receive the following benefits in addition to the other City benefits provided:
 - A. No introductory period of employment;
 - B. Annual Leave accrual at 18 hours per month with a maximum accrual of 432 hours;
 - C. Ability to convert up to ½ of accrued vacation leave annually (maximum annual conversion amount is 100 hours) and direct it to a City deferred compensation plan (All IRS regulations must be adhered to);
 - D. Upon beginning of employment, the director will receive a bank of 40 hours of sick leave and 16 hours of annual leave;
 - E. The City will pay for an additional \$80,000 in life insurance coverage above and beyond the City provided coverage;
 - F. If necessary, the City will provide up to the 21 days of paid coverage to qualify for Short Term Disability program (STD). Directors own available leave must be applied first;
 - G. If necessary, the City will provide "make-up" pay between STD and the director's salary for up to 90 days or until Long Term Disability (LTD) becomes available. Director's own available leave must be applied first;
 - H. If necessary, the City will provide "make-up" pay between LTD and the director's salary for up to 90 days. Director's own available leave must be applied first.
- II. In areas where director benefits exceed regular employee benefits, directors shall receive the greater benefit.



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| City of Meridian |
| Standard Operating Procedure |
| Number 5.6 |

Retirement Match Program

Purpose:

To set forth the City's procedures regarding the Retirement Match Program and eligibility requirements.

Procedures and Related Information:

- I. Eligibility
 - a. All regular full time employees and elected officials contributing to an allowable Retirement Plan as defined in these procedures.
 - b. Retirement Match provisions for represented employees in the Fire Department shall be governed by the provisions of the current collective labor agreement.
- II. Employer Match Amount
 - a. The City of Meridian will match up to a maximum of 2%, or as approved by City Council, of all employee investments into an allowable Retirement Plan as defined in the procedures per pay period.
 - b. The Retirement Match Program is not eligible for Vacation or Sick Time Accrual Rollover Programs.
- III. Allowable Retirement Programs
 - a. The City of Meridian allowable deferred compensation retirement programs:
 - i. PERSI Choice 401K
 - ii. State 457 Pre-Tax Retirement Plan
- IV. Employee Match Amount
 - a. Employees electing to participate in the City Retirement Program are limited to whole percentage contribution amounts.
 - i. Allowable contribution amounts:
 1. 1%
 2. 2%
- V. Roles and Responsibilities
 - a. Eligible employees are responsible for establishing an allowable retirement account.
 - b. Eligible employees are responsible for notifying Human Resources of their Employee Contribution distribution to allowable retirement plans.
 - c. Human Resources is responsible for managing all paperwork associated with employee contribution amounts.



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| City of Meridian |
| Standard Operating Procedure |
| Number 5.7 |

Vacation Leave Accrual Rollover Program

Purpose:

To set forth the City's procedures regarding the Vacation Leave Accrual Rollover Program.

Procedures and Related Information:

I. Eligible Employees

- A. All regular full-time employees who have been employed with the City for at least twenty-four (24) months.
- B. Vacation Leave Accrual Rollover provisions for represented employees in the Fire Department shall be governed by the current collective labor agreement.

II. Minimum Vacation Balance Requirements

- A. All eligible employees must have an available accrued vacation leave balance of at least 50% of their maximum possible vacation balance as of March 31.

III. Allowable Rollover Conversions

- A. All eligible employees may convert any amount of available accrued vacation hours greater than 50% of their maximum possible vacation balance as of March 31.
- B. All eligible employees must maintain a minimum vacation balance of at least 50% of the maximum allowable vacation balance to participate in the Vacation Leave Accrual Rollover Program.

1. Example

- a. Employee A currently has 200 accrued vacation hours as of March 31.
- b. Employee A has a maximum possible balance of 250 per policy.
- c. Employee A can convert up to 75 hours and participate in the Rollover Program.

(1). 50% of maximum 250 balance = 125 maximum possible conversion amount.

- i. Employee can only convert up to 50% of the maximum accrual balance.
- ii. Employee must maintain a minimum vacation balance of at least 50% of the maximum allowable vacation balance to participate in the Rollover Program.

(2). 200 currently available vacation hours minus 125 = 75 allowable hours to convert.

IV. Allowable Redemption Methods

- A. All vacation rollover conversions will be conducted at a 1:1 ratio.
- B. All vacation rollover conversions will be invested into either City offered deferred compensation programs (employees are limited to one selection):
 - 1. PERSI Choice 401k
 - 2. 457 State Pre-Tax Retirement Plan
- C. All vacation rollover conversions will not be eligible for the Retirement Match Program.

V. Conversion Hourly Rate

- A. All vacation rollover conversions will be conducted at a 1:1 ratio utilizing the employee's hourly rate following March 31st rollover period.

VI. Rollover Period

- A. Rollover Period will be annually after March 31.
- B. Rollover conversion of investments will occur annually during the month of May.

VII. Notification Requirements

- A. Employees are responsible for informing the Vacation Leave Accrual Rollover Program administrator annually of their rollover selections.
- B. Human Resources Department will be responsible for sharing available accrued vacation hours to all eligible employees.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.1 |

Life-Threatening Illness

Purpose:

To set forth the City's policy regarding working with employees who have a life-threatening illness.

Policy:

The City recognizes that employees with a life-threatening illness may wish to continue their employment. The City also recognizes that it must satisfy its legal obligation to provide a safe work environment for all employees, customers, and other visitors to its premises.

As long as an employee with a life-threatening illness is able to perform the essential functions of his/her job in accordance with City policy, the employee may be permitted to continue work from their workplace or remote location as circumstances warrant.

This policy shall be implemented pursuant to the Life-Threatening Illness Standard Operating Procedures.

Authority & Responsibility:

The interpretation and administration of this policy shall be the responsibility of the Human Resources Director or designee in accordance with ADA and HIPPA, the City's Remote Work Policy and Procedures, and other federal or state public health and safety regulations as may be applicable. Working locations will be determined by the department director or designee and the Human Resources Director or designee.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.2 |

Use of City-Owned Equipment

Purpose:

To set forth the City's policy regarding the use by employees of City-owned equipment, resources, and assets, as individually or collectively defined in sections 6.2 through 6.2.7 of the City's Standard Operating Policies and Procedures.

Policy:

All City-owned equipment, resources, and assets shall be used solely for the purpose of meeting the City's operational, business goals, and objectives. All City-owned equipment, resources, and assets shall be used only for business purposes unless otherwise authorized. No unauthorized personal use of City-owned equipment, resources, and assets shall be allowed.

This policy shall be implemented pursuant to the Use of City-Owned Equipment Standard Operating Procedures in conjunction with Sections 6.2.1 through 6.2.7 of the City's Standard Operating Policies and Procedures.

Authority & Responsibility:

Supervisors and department directors or designees are responsible to ensure that all City-owned equipment, resources, and assets within their areas of responsibility are used in accordance with Sections 6.2 through 6.2.7 of the City's Standard Operating Policies and Procedures.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.2.1 |

Use of City Vehicles

Purpose:

To set forth the City's policy for the use of City vehicles by authorized employees as identified within this policy.

Policy:

As needed to perform the required functions of the job, an employee may be issued a City vehicle or be allowed to use a City vehicle.

This policy shall be implemented pursuant to the Use of City Vehicles Standard Operating Procedures.

Authority & Responsibility:

Department Directors or designees shall ensure that all drivers are properly licensed, insured, and that they operate City vehicles in a safe and professional manner.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.2.2 |

Use of City Copiers, Printers, Computers, Software, and Phone Systems

Purpose:

To set forth the City policy regarding the use of City-owned equipment specific to copiers, printers, computers, software, and phone systems.

Policy:

Use of City copiers, printers, computers, software, and phone systems shall be used to meet the City's operational and business purposes. Employees are allowed minimal use of these resources for personal use. Minimal use is defined as occasional or incidental. Employees are expected to exercise reasonable restraint regarding the frequency and duration of their personal use. Personal use shall not interfere with business needs and productivity, nor shall it cause the City to incur any undue costs. Although limited personal use of these resources may be permissible in accordance with this policy, such use does not give an employee a right or entitlement to such access and use.

This policy shall be implemented in accordance with the City copiers, printers, computers, software, and phone systems Standard Operating Procedures.

Authority & Responsibility:

Supervisors and department directors or designees, along with the IT department, are responsible to ensure that all City copiers, printers, computers, software, and phone systems within their areas of responsibility are used appropriately.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.2.3 |

Electronic Mail

Purpose:

To set forth the City's policy regarding the authorized use of the City's electronic mail (email) systems.

Policy:

Employees are provided access to email for the sole purpose of facilitating City operations and functions. Employees are allowed minimal use of email for personal use within the parameters of this policy and related procedures. Minimal use is defined as occasional or incidental. Employees are expected to exercise reasonable restraint regarding the frequency and duration of their personal use. Personal use shall not interfere with business needs and productivity. Although limited personal use of email on City computer systems may be permissible in accordance with this policy, such use does not give an employee a right or entitlement to such access and use.

This policy shall be implemented pursuant to the Electronic Mail Standard Operating Procedures.

Authority & Responsibility:

Human Resources in conjunction with IT shall be responsible to implement this policy. Human Resources will assist department directors or designees and supervisors to ensure that primary employee use of email is for business purposes. Employee email may be accessed in the performance of the duties of the member of the IT Department in setting up accounts, troubleshooting problems, maintenance of the system, and similar job-related duties.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.2.4 |

Use of Internet

Purpose:

To set forth the City's policy regarding the use of Internet and all web-based computer applications.

Policy:

As with all City property, employees may use the Internet to increase productivity and for business purposes. Employees are allowed minimal use of the internet and all web-based computer applications for personal use. Minimal use is defined as occasional or incidental. Employees are expected to exercise reasonable restraint regarding the frequency and duration of their personal use. Personal use shall not interfere with business needs and productivity. Although limited personal use of the internet and web-based computer applications may be permissible in accordance with this policy, such use does not give an employee a right or entitlement to such access and use.

Employees should not consider any use of the internet or web-based computer applications private.

This policy shall be implemented pursuant to the Use of Internet Standard Operating Procedures.

Authority & Responsibility:

The IT Department Director or designee, in conjunction with the Human Resources Director has authority and responsibility to implement this policy. Supervisors and department directors or designees shall be responsible to ensure that employee use of the Internet is limited to business purposes and minimal personal use only. The IT Network Administrator may also have authorization as directed by the Mayor or Human Resources Director or designee to randomly review records of Internet usage to ensure compliance with this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.2.5 |

Credit Cards

Purpose:

To set forth the City's policy regarding the use of City-issued credit cards.

Policy:

As with all City-owned property and resources, credit cards issued by the City to employees or departments are to be used specifically for authorized business purposes. Personal use of City credit cards is strictly prohibited.

This policy shall be implemented pursuant to the Citywide Finance Credit Card Policy and Procedures.

Authority & Responsibility:

Department Directors, or designees, are responsible to ensure that employee use of credit cards is for authorized business purposes only. The Finance Director shall be responsible to ensure that all purchases with City credit cards are for legitimate business purposes and within budgetary guidelines.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.2.6 |

Mobile Devices

Purpose:

To set forth the City's policy regarding the use of personal and City owned mobile devices, taxable allowance for personal mobile devices, and email used on mobile devices. Throughout this policy the term "mobile device" includes cellular phones, smartphones, tablets, etc.

Policy:

The purpose of this policy is to provide employees with a set of requirements governing the use of mobile devices, taxable allowance criteria, and conditions for business use of personal mobile devices.

This policy shall be implemented pursuant to the Mobile Devices Standard Operating Procedures.

Authority & Responsibility:

IT shall be responsible for administering this policy. Department Directors or designees have the responsibility to manage their employees regarding the need and use of mobile devices for City business.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.2.7 |

Use of the Fitness Facility in City Hall

Purpose:

To set forth the City's policy regarding the use of the Fitness Facility in City Hall by any City employee regardless of assigned work location.

Policy:

Employees are encouraged to participate in active physical activity whenever feasible, and if necessary, with a physician's approval. In an effort to support physical fitness, the City of Meridian has provided a Fitness Facility within City Hall to allow employees the opportunity to participate in physical activity. All City employees have access to the City Hall Fitness Facility. The Fitness Facility is for employee use only. The use of the Fitness Facility and participation in physical activity is voluntary and is not mandated or required for the continuing employment of any employee unless specifically required by their job duties and assignment. Physical exercise and activity are not work related for the purpose of worker's compensation.

This policy shall be implemented pursuant to the Use of the Fitness Facility in City Hall Standard Operating Procedures.

Authority & Responsibility:

Supervisors, department directors, or designees have the authority and responsibility to enforce the proper use of the Fitness Facility in City Hall and may seek guidance from Human Resources at any time.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.3 |

Training and Development

Purpose:

To set forth the City's policy regarding the City's support for employee job-related development and training.

Policy:

The City is committed to providing employees with the training and development resources they need to effectively perform job duties and to continually improve their performance. Employees attending required training programs (either at City facilities or in other locations) shall be compensated for time spent in such training.

This policy shall be implemented pursuant to the Training and Development Standard Operating Procedures.

Authority & Responsibility:

Department Directors or designees shall be responsible for authorizing job-related training for employees as per budgetary guidelines and as appropriate. The Human Resources Director or designee shall oversee the provision of internal training sponsored by the City.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.4 |

Absenteeism and Tardiness

Purpose:

To set forth the City's policy regarding attendance and tardiness expectations for City employees.

Policy:

City employees are required to adhere to department attendance and tardiness expectations, including timely reporting of absences or tardiness so departments can work efficiently and meet customer service standards.

This policy shall be implemented pursuant to the Absenteeism and Tardiness Standard Operating Procedures.

Authority & Responsibility:

Supervisors are responsible for monitoring the attendance and related records of their employees.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.5 |

Bulletin Boards

Purpose:

To set forth the City's policy regarding posting announcements or activities on City provided bulletin boards in City facilities.

Policy:

The City shall provide bulletin boards in each facility for the purpose of posting State and Federal laws, City-related announcements and information where employees have a consistent point of reference. No personal or outside vendor or business information or solicitation is to be placed on City bulletin boards.

This policy shall be implemented pursuant to the Bulletin Boards Standard Operating Procedures.

Authority & Responsibility:

Human Resources, supervisors, and department directors or designees shall ensure that bulletin boards are securely hung in their facility, easily accessible to all employees, and that only approved materials and information are posted.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.6 |

Driver's License Requirements

Purpose:

To set forth the City's policy regarding driver's license requirements for positions that require a valid driver's license as a normal part of job qualifications.

Policy:

Employees whose position involves the driving of City or personal vehicles as a normal part of the job shall require and maintain a current driver's license valid in the State of Idaho. Drivers will also need to have and maintain a driving record insurable by the City.

This policy shall be implemented pursuant to the Driver's License Requirements Standard Operating Procedures.

Authority and Responsibility:

Supervisors who oversee employees with driving responsibilities are to ensure that they have a current, valid driver's license and that they maintain a driving record insurable by the City.

Employees are responsible for immediately reporting loss of license, loss of driving privileges, or traffic violations that may affect insurability to their supervisor.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.7 |

Emergency Closure

Purpose:

To set forth the City's policy regarding emergency closure practices of City facilities and/or services due to emergency conditions or unusual weather.

Policy:

The Mayor and City Council may, under extraordinary circumstances, declare an emergency closure of non-essential City facilities and/or services due to emergency conditions and/or unusual weather conditions that pose a risk to the safety of City facilities, employees, or the general public.

This policy shall be implemented pursuant to the Emergency Closure Standard Operating Procedures.

Authority & Responsibility:

The Mayor shall have primary responsibility for determining the closure of City facilities and/or services due to unusual weather or emergency conditions. Where the Mayor is not available, the City Council shall have the responsibility to determine appropriate closures.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.8 |

Nepotism

Purpose:

To set forth the City's policy regarding when family members of current City employees, elected officials, or appointed officials may be employed.

Policy:

The City shall not unlawfully discriminate in its employment practices due to an individual's protected class status. However, the City will not employ immediate family of current City employees, elected officials, or appointed officials where such employment would create a conflict of interest or the potential for unethical behavior as defined within this policy.

This policy shall be implemented pursuant to the Nepotism Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall enforce this policy once it becomes known that related individuals are employed in situations that create or have potential for creating a conflict of interest or create the potential for unethical behavior to occur. Department Directors or designee and supervisors are responsible for enforcing this policy within their departments. Employees are responsible for disclosing any relationship as identified within this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.9 |

Safety

Purpose:

To set forth the City's policy for maintaining a safe work environment for the well-being of its employees.

Policy:

The City is committed to a work environment that is safe and as free as practical from health and safety hazards. The City and all departments and employees shall comply with all local, state, and federal guidelines regarding employee safety. Each department shall develop safety procedures specific to its operations in order to ensure safe operating practices. All injuries, accidents, and violations of this policy must be reported immediately to department directors and the Human Resources Director or designee.

This policy shall be implemented pursuant to the Safety Standard Operating Procedures.

Authority & Responsibility:

All employees are responsible for working in a safe manner so as to prevent injury and accident in the workplace. Supervisors and department directors are responsible for maintaining a safe work environment and providing guidance and training to employees in order to maintain such an environment. Human Resources shall be responsible for providing general employee training regarding safety, as well as to administer the forms and procedure for work-related injuries and accidents (including Workers' Compensation).



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| City of Meridian |
| Standard Operating Policy |
| Number 6.10 |

Political Activities

Purpose:

To set forth the City's policy regarding when City employees and City volunteers can be involved in political activities.

Policy:

The City encourages City employees and City volunteers to be involved in political activities while off-duty. However, City employees and City volunteers are to remain neutral and refrain from expressed preference regarding any election while on duty and/or when in a City uniform or other identifiable City attire. City employees and City volunteers involved in political activities shall ensure that such activity in no way violates this policy or hinders work performance or assigned volunteer duties. This policy does not apply to elected officials.

This policy shall be implemented pursuant to the Political Activities Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall have the authority and responsibility for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.11 |

Gifts & Gratuities

Purpose:

To set forth the City's policy regarding when City employees, appointed, and elected officials may accept gifts, money, and/or gratuities offered from outside organizations or individuals.

Policy:

City employees, appointed, and elected officials are prohibited from accepting gifts, money, and/or gratuities from organizations, vendors, contractors or their agents in value over \$50 in accordance with local, state, and federal guidelines and laws.

This policy shall be implemented pursuant to the Gifts & Gratuities Standard Operating Procedures.

Authority & Responsibility:

Each employee, appointed, and elected official is responsible for tracking and reporting gifts and gratuities in excess of \$50 from outside vendors, organizations, contractors, or others that are received in the capacity of a City employee, appointed, and/or elected official. Human Resources in conjunction with supervisors and department directors are responsible for enforcing this policy at the department level. The City Attorney shall be consulted for matters involving the Mayor, City Council, and appointed officials.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.12 |

Solicitation

Purpose:

To set forth the City's policy regarding non-work-related solicitation in the workplace.

Policy:

No organization or non-employee individual may solicit any City premise or employee for contributions, membership, participation, etc. that is not generally open to the public. Employees are prohibited from soliciting during work hours, but may make reasonable solicitations during breaks and mealtimes.

This policy shall be implemented pursuant to the Solicitation Standard Operating Procedures.

Authority & Responsibility:

The Mayor shall be responsible for any exception to this rule or any authorization for solicitation by an outside organization or individual. Supervisors and department directors or designees are responsible for ensuring that employee solicitations are conducted properly that outside solicitors are directed to the Mayor for approval prior to allowing them to solicit on City premises.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.13 |

Outside Employment

Purpose:

To set forth the City's policy for employees regarding outside employment in addition to their duties and responsibilities for their employment at the City.

Policy:

City employees are not prohibited from additional employment outside of the City so long as it does not interfere with their performance of duties and responsibilities for their City position. Outside employment that reflects negatively on the City or is illegal is prohibited. If the outside employment is approved and at a later point in time a conflict or negative impact of the outside employment occurs, then the approval can be rescinded.

This policy shall be implemented pursuant to the Outside Employment Standard Operating Procedures.

Authority & Responsibility:

Department Directors or designees are responsible for determining whether outside employment is in conflict or otherwise negatively impacts the employee's performance of duties and responsibilities for his/her City position. The Mayor is responsible for determining whether outside employment is in conflict or negatively impacts a director's performance of duties and responsibilities.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.14 |

Appropriate Clothing Attire for Work Purposes and Procurement

Purpose:

To set forth the City's policy regarding appropriate employee attire for the workplace and the use of City funds for the procurement of work clothing and uniforms.

Policy:

It is important that City employees acknowledge that they are the "Face of the City" and their personal appearance is reflective of the City as a whole. All staff members are expected to present a professional, businesslike image to clients, visitors, customers, and the public. Employees are expected to dress appropriately in business casual attire. Employees are expected to demonstrate good judgment and professional taste. The attire worn should be appropriate for the job performed and appropriate for the necessary public contact that the job requires.

Furthermore, City employees may be issued clothing for work purposes. This clothing may be required to be worn during work to identify the individual as a City employee. Each department may have different articles of clothing purchased for this purpose. Additionally, articles of clothing may be purchased by an employee with the approval of their supervisor as an employee incentive. Employees are held to the same standards of conduct and behavior whether it is during their normally scheduled work period or not when they are wearing identifiable City of Meridian attire.

This policy does not apply to the clothing or allowance supplied to represented Fire employees pursuant to the collective labor agreement.

This policy shall be implemented pursuant to the Appropriate Clothing Attire Standard Operating Procedures.

Authority & Responsibility:

The department director or designee shall be responsible for setting the standard of attire appropriate for their department. The department director or designee will approve all purchases of work clothing or uniforms either by an established policy and procedure or by individual approval of purchase order. The department director has the final authority in regards to all purchased clothing.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.15 |

City Hall Employee Parking Permits

Purpose:

To set forth the City's policy regarding issuance and use of a City Hall Employee Parking Permit.

Policy

The City shall provide each full and part-time employee whose primary work location is City Hall with one permit to park in designated City employee parking lots. Such permit provides the employee the opportunity to park in City Hall employee designated parking lots only if a parking space is available. A parking permit does not guarantee any employee a parking space. City Hall employees may need to find other parking if City designated parking lots are full. Employees using marked emergency vehicles for Police and Fire may park in the FRONT Lot without a City Hall Employee Parking Permit.

This policy shall be implemented pursuant to the City Hall Employee Parking Permits Standard Operating Procedures.

Authority & Responsibility:

The Human Resources Department shall be responsible to administer this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.16 |

Employee Identification/Prox Cards

Purpose:

To set forth the City's Policy regarding employee identification/prox cards (ID/Prox card) that must be worn and visible at all times while working.

Policy:

Every employee of the City shall be issued an ID/Prox card. The ID/Prox card serves as identification and allows for access to City Hall and/or other City work locations. Employee access via ID/Prox cards will be set for certain times of the day and locations within City Hall and/or other City work locations. ID/Prox cards are the property of the City of Meridian and must be returned upon separation of employment.

This policy shall be implemented pursuant to the Employee Identification/Prox Cards Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for implementing this policy other than for Police personnel. Police personnel shall be issued their ID/Prox cards through the Chief of Police's Office. Supervisors are responsible for ensuring that proper employee ID/Prox cards are worn and visible at all times during work hours.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.17 |

Requests for Public Records or Information

Purpose:

To set forth the City's policy regarding its commitment to comply with the Idaho Public Records Act.

Policy:

The City of Meridian and its employees shall comply with the Idaho Public Records Act and will respond to public record requests as soon as practicable and without unreasonable delay.

This policy applies to all City employees and departments, with the exception of the Meridian Fire and Police Departments and their employees, to the extent that these departments have a specific, pre-existing public records disclosure policy in place.

This policy shall be implemented pursuant to the Requests for Public Records or Information Standard Operating Procedures.

Authority & Responsibility:

The Clerks' Office is the official custodian of all City records and shall make final decisions regarding the administration and interpretation of this policy in consultation with the City Attorney's Office. Supervisors and department directors shall ensure compliance with this policy within their respective departments.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.18 |

Conflict of Interest

Purpose:

To set forth the City's Policy regarding conflict of interest as it applies to employees and others acting on behalf of the City.

Policy:

It is the City's policy that all employees and others acting on behalf of the City be free from actual or perceived conflicts of interest to assure the public that all transactions of the City are not compromised by a lack of independent judgment, objectivity, or fairness.

This policy shall be implemented pursuant to the Conflict of Interest Standard Operating Procedures.

Authority & Responsibility:

The City Attorney and Human Resources shall be empowered to act to assist departments in identifying and eliminating conflicts of interest whenever possible. The Mayor and City Council may agree to jointly waive said conflict. This policy shall not apply to the City's Youth-Work-Life Skills program.



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| City of Meridian |
| Standard Operating Policy |
| 6.19 |

Social Media Policy

Purpose:

To set forth the City's policy on the use of social media by City of Meridian employees and elected officials.

Policy:

The City of Meridian has an overriding interest and expectation in deciding what is "spoken" on behalf of the City on City social media sites. City social media sites may be established and operated only in full compliance with this policy. The City may monitor employees' personal use of social media for compliance with this policy. This policy shall apply to all employees and elected officials in their personal and work-related use of social media sites.

This policy shall be implemented pursuant to the Social Media Standard Operating Procedures.

Authority & Responsibility:

The Communications Manager/Site Administrator shall be responsible for the correct implementation, operation, and maintenance of City social media sites in accordance with this policy. Directors, or designees, and supervisors shall ensure compliance with this policy within their respective departments with possible consultation with the City Attorney or designee.



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| City of Meridian |
| Standard Operating Policy |
| Number 6.28 |

Use of Unmanned Aerial Vehicles (Drones)

Purpose:

To set forth the City's policy regarding the use of City-owned unmanned aircraft, or Drones by City employees.

Policy:

Unmanned aerial vehicles, also known as drones, offer cost- efficient opportunities for City staff to take photographs, make videos, and gather data to fulfill City functions with improved efficiency and quality. City employees may use drones for purposes that serve the community, benefit Meridian residents and visitors, and protect the privacy and safety of the public.

This policy shall apply to all City employees and departments in using City-owned drones, with the exception of the Meridian Police Department, to the extent that that department has a specific policy in place for the use of drones by law enforcement officers.

This policy shall be implemented pursuant to the Use of Unmanned Aerial Vehicles (Drones) Standard Operating Procedures.

Authority & Responsibility:

Department Directors shall ensure compliance with this policy within their respective departments.



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| City of Meridian |
| Standard Operating Procedures |
| Number 6.1 |

Life-Threatening Illness

Purpose:

To set forth the City's procedures for working with employees who have life-threatening illnesses.

Procedures and Related Information:

- I. The City recognizes that employees with life-threatening illnesses including, but not limited to cancer, HIV/AIDS, and heart diseases etc., may wish and be able to work on a modified or flexible schedule. The City will seek to accommodate such employee by allowing him/her to work for as long as he/she is able to perform essential job functions, with or without reasonable accommodations, provided that medical evidence establishes that continuing to work does not present a direct health threat to the affected employee or others.
- II. Whenever possible, the City will accommodate the needs of employees with life-threatening illnesses. The City also recognizes its obligation to provide a safe work environment for all employees. Therefore, supervisors, and department directors or designee should seek appropriate direction from Human Resources, if necessary, to ensure that an employee's condition does not pose a substantial or unreasonable risk of harm to himself/herself or others.
- III. The City does not discriminate against any qualified applicant or employee with a life-threatening illness with regard to job application, hiring, job performance, training, development, promotion, demotion, transfer, compensation, benefits, educational assistance, layoff and recall, and termination or other terms, conditions, and privileges of employment.
- IV. When the City receives notice from an employee or applicant of life-threatening illness that prevents an otherwise qualified applicant or employee from performing a job, the City will assess (upon request) whether any reasonable accommodation would allow the person to perform the essential job functions. An accommodation which creates an undue hardship on the City or which endangers health or safety is not a reasonable accommodation.
- V. Individuals diagnosed with a life-threatening illness are encouraged to contact Human Resources to discuss any special needs or conditions associated with the illness and whether a reasonable accommodation may be required or available.
- VI. References: The City's Remote Work Policy and Procedures and the City's Americans with Disabilities Act Policy and Procedures should be consulted in conjunction with these procedures.

VII. Resources

The City offers the following resources to assist employees and their supervisors in dealing with these issues:

- A. Management and employee education and information on life-threatening illnesses;
- B. Confidential referrals upon request, to supportive services available to employees and their dependents affected by life-threatening illnesses; and
- C. Benefit information to assist employees in maximizing their available health and other benefits.



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| City of Meridian |
| Standard Operating Procedures |
| Number 6.2 |

Use of City-Owned Equipment

Purpose:

To set for the City's procedures regarding the use by employees of City-owned equipment, assets, and resources, as defined in these procedures.

Procedures and Related Information:

- I. Definition - City-owned equipment and resources include all assets, property, materials, etc., that are purchased by the City for operational, business, and functional use. Such items may include, but are not limited to, telephones, use of long-distance services, cellular telephones, voicemail, copier machines, fax machines, IPads, laptops, surface tablets, computers and all related equipment and software (including email, internet, etc.), office supplies, tools, vehicles, etc.
- II. The primary purpose and use of City-owned equipment by employees is to conduct City operations and business.
- III. Personal use by employees of City-owned equipment should be limited and not impair productivity during the work day. Prior permission may be required for use of certain equipment as determined by the department director or designee.
- IV. Employees are expected to care for equipment according to safety and preventive maintenance standards and to operate equipment in accordance with federal, state, and local requirements. The safety of employees and the maintenance of City equipment is paramount to the City and its operations.
- V. Any abuse or misuse of City equipment may result in disciplinary action up to and including termination of employment.



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| City of Meridian |
| Standard Operating Procedure |
| Number 6.2.1 |

Use of City Vehicles

Purpose:

To set forth the City's procedures for the use of City vehicles by authorized employees as identified within this policy.

Procedures and Related Information:

- I. An employee may be issued a City vehicle or be allowed to use a City vehicle as needed to perform the required functions of the job. All vehicle operation and use shall follow department guidelines in addition to these procedures.
- II. A copy of the employee's valid driver's license shall be placed in his/her employee file. Employees are responsible to provide information to Human Resources if their driver's license is suspended or invalid for any reason. If the employee's license is suspended or invalid, that employee cannot drive a City vehicle until he/she provides proof that his/her their license is reinstated and valid.
- III. Anyone operating or riding in City vehicles must wear their seat belts when the vehicle is in motion.
- IV. City vehicles are to be used solely for City business purposes, unless at the direction of the department director personal use is authorized for specific and limited circumstances.
- V. City vehicles that are assigned to personnel for use off duty may be used for limited personal use.
- VI. Drivers of City vehicles shall not text and drive.
- VII. Drivers of City vehicles shall not talk on a phone while driving without the use of hands-free technology. This shall not apply to emergency responders when they are responding to an emergency.
- VIII. Any abuse or misuse of City vehicles is subject to disciplinary action, up to and including termination.



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| City of Meridian |
| Standard Operating Procedures |
| Number 6.2.2 |

Use of City Copiers, Printers, Computers, Software, and Phone Systems

Purpose:

To set forth the City's procedures regarding the use of City-owned equipment, specifically copiers, printers, computers, software, and phone systems.

Procedures and Related Information:

- I. Copiers, Printers, and General Office Equipment.
 - A. copiers, printers, and other general office equipment are to be used for business purposes. Although these are tools primarily used to accomplish business and work-related communication, employees may also use them for personal reasons provided these procedures are followed. Personal use should be limited and not impair productivity. Use not consistent with these procedures shall be prohibited.
- II. Computers
 - A. City computers are to be used for business purposes. Although computers are a tool primarily for work-related communication, it is recognized from time to time that they may be used for personal reasons consistent with these procedures. Personal use should be limited and not impair productivity. All computer equipment, including but not limited to data, software, and accessories, is City property.
 - B. The City shall have the right to monitor use of such property at any time. Users shall not have any expectation of privacy as to the use of City computers, including but not limited to email communications and internet information that is drafted, accessed, received, sent, forwarded, copied, or downloaded. Nothing contained on City computers shall be deemed private or confidential to the user.
 - C. The City, at all times, reserves the right to conduct searches and inspections and otherwise monitor all computer-related information, data, communications, all files stored in City information systems owned or leased by the City, or on any other storage medium provided by the City for City business, including but not limited to USB drives, flash media, hard drives, discs, storage media in cell phones, copiers, or other devices, in order to monitor compliance with these procedures.
 - D. Employees are not to place personal copies of software on any City computer. Employees may have limited personal data on a City computer as long as such data does not create a liability or risk to the City.

- E. The City may remove any unauthorized software or data on a City computer at any time without notice to the user.

III. Software

- A. The City will adhere to all software licensing and subscription agreements and copyright laws.
- B. City licensed software shall only be used for authorized work-related activities.
- C. Employees will only use software that has been approved by the IT department and licensed appropriately.
- D. Only IT will install software unless express written consent has been granted to an employee.

IV. Phone Systems

- A. The City's phone systems are designed to increase productivity and efficiency, and should be used accordingly. City phones are to be used for business purposes. Although the phone systems are tools primarily for work-related communication, it is recognized from time to time that they may be used for personal reasons consistent with these procedures. Personal use should be limited and not impair productivity, nor shall it cause the City to incur undue costs.
- B. The City may randomly monitor phone use and voicemail messages to determine whether any unauthorized persons are using the system, or whether any violations of City policy have occurred.

V. Damage, Loss, Theft, Misuse of City copiers, printers, computers, software, and phone systems

- A. Refer to Standard Operating Policy and Procedures, 7.5., Standards of Conduct and 7.6, Prohibited Activities in Workplace Conduct.



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| City of Meridian |
| Standard Operating Procedures |
| Number 6.2.3 |

Electronic Mail

Purpose:

To set forth the City's procedures regarding the authorized use of the City's electronic mail (email) systems.

Procedures and Related Information:

- I. Email is any electronic communication between two or more individuals and may contain any form of combination of text, audio, video, drawings, or photographic representation.
- II. Email is a privilege not a right. Email is a tool primarily for work-related communications. Although it is recognized from time to time that it is used for personal correspondence, this purpose should be limited. Any personal email is subject to the same rules and conditions in this policy as work-related email including the ability to be viewed by others to assure compliance with this policy. There is no privacy right of any kind for email. Users have the responsibility to use email in an efficient, effective, ethical, and lawful manner. Email communications shall comply with all applicable federal, state, and local laws and regulations, as well as the City's policies and procedures adopted regarding electronic mail. Email should be courteous and respectful to the recipient(s).
- III. All email accounts maintained on City systems are the sole property of the City. The City shall have the right to monitor any employee's electronic mail account. All employees are required to report unauthorized or inappropriate use of any electronic mail account. Similarly, any unauthorized or inappropriate use(s) discovered during monitoring activities shall be reported to the appropriate supervisor for determination of appropriate action.
- IV. Third party email services (gmail, yahoo, etc) shall be not used for City business.
- V. Users shall not expect their electronic mail communications, documents, or other information to be private and shall not use the electronic mail system for matters that are not intended for public disclosure. Confidential matters, permitted by law, shall be so marked and shall include a warning regarding accidental transmission to a third-party.
- VI. Electronic mail messages shall be considered City property, constitute official records of the City, and are subject to existing document retention and public records policies. Sending data via electronic mail shall be considered the same as sending correspondence or official memo or letterhead.
- VII. Employees shall not pursue, obtain, exchange, attach or distribute any malicious or non-authorized information that could cause congestion or disruption to electronic mail systems such as screen savers, audio or video clips, or be in violation of any licensing agreement.

- VIII. Employees using the City's web account via Microsoft Outlook should use it only to perform work for the City and in connection with the employee's job. However, it is recognized from time to time that email may be used for personal correspondence; this purpose should be limited.
- IX. Any communication related to an employee's personally owned business should not be conducted using City email, or other City resources.
- X. Designated employees have been assigned a personal password. No employee shall give out this password to anyone other than his/her department head. Passwords may be changed to maintain security.
- XI. Employees shall not access another employee's email without authorization from the employee and employees' supervisors.
- XII. Prohibited Use of Email
Use of email as described below is strictly prohibited. This list is not all-inclusive, and employees are expected to use common sense in determining appropriate use of email.
- A. Knowingly or intentionally creating, publishing, transmitting, and/or exchanging messages that are inappropriate, offensive, harassing, obscene, or threatening;
 - B. Creating or distributing email containing defamatory, false, inaccurate, abusive, threatening, racially offensive, or otherwise biased, discriminatory or illegal material;
 - C. Viewing or distributing obscene, pornographic, profane, or sexually oriented material;
 - D. Violating laws, rules, and regulations prohibiting sexual harassment;
 - E. Encouraging the use of controlled substances for criminal or illegal purposes;
 - F. Engaging in any activities for personal gain;
 - G. Distributing copyrighted information without permission;
 - H. Distributing advertisements for commercial enterprises, including but not limited to goods, services, or property, unless such advertisements are part of requested vendor information to be used in carrying out City business;
 - I. Violating or infringing upon the rights of others;
 - J. Conducting business unauthorized by the City;
 - K. Transmitting incendiary statements, which might incite violence or describe or promote the use of weapons;

- L. Conducting any non-City supported fundraising or public relations activities;
 - M. Exchanging proprietary information, trade secrets, or any other privileged, confidential, sensitive information that is not authorized;
 - N. Creating or exchanging solicitations, chain letters, and other unsolicited email;
 - O. Registering to list servers unrelated to City business, without proper authorization;
 - P. Lobbying elected officials or engaging in any other political activity prohibited by law, or using email system for any illegal purpose;
 - Q. Using City email designations such as, but not limited to: @meridiancity.org, @ci.meridian.id.us, or @cityofmeridian.org mailing list aliases for the purpose of promoting an election campaign;
 - R. Sending unsolicited external commercial E-mail commonly referred to as spam;
 - S. Subscribing someone other than yourself to a mailing list, except for approved official city business;
 - T. Sending email that is designed to damage the target system when executed or opened; for example, sending malicious programs or viruses attached to an email;
 - U. Sending email that is designed to cause confusion, consternation, fear, uncertainty, or doubt, such as fake virus warnings.
- XIII. Employees/users who receive information of the type described above shall not forward or respond to the material, and shall immediately report receipt of such material to the IT Department for proper disposition.

XIV. City-wide or Department-wide Emails

City-wide emails are electronic communication through the City's email system that is directed to all or almost all employees of the City. Department-wide emails are similar except for the direction of the emails to an individual department rather than to the City as a whole.

Generally, employees are prohibited from sending City-wide or Department-wide emails. This prohibition shall also apply to replying to all recipients of an approved City-wide or Department-wide email.

Employees may be authorized to send emails of this nature under the following conditions:

- A. The email is authorized by the employee's department director or the Mayor; and

- B. The intent of the email is to inform the greatest number of employees with information that is directly related to City business or the promotion of a City program or event; and
 - C. The email must be sent as a Bcc email.
- XV. Any violations of this policy and these procedures may result in disciplinary action up to and including termination.



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| City of Meridian |
| Standard Operating Procedures |
| Number 6.2.4 |

Use of Internet

Purpose:

To set forth the City's procedures regarding the use of Internet and all web-based computer applications.

Procedures and Related Information:

- I. Access to the Internet shall be for legitimate business purposes, as determined by the City. Employees may use the Internet to increase productivity. Although the Internet is a tool primarily for work-related business and communication, it is recognized from time to time that it may be used for personal reasons consistent with these procedures. Personal use should be limited and not impair productivity.
- II. Employees are expected to comply with all City policies that may be applicable to the Internet. These include, but are not limited to, confidentiality, harassment, solicitation, outside employment, and business ethics.
- III. Employees may not download, store, transmit, or display any kind of image or document on any City system that violates federal, state or local laws or regulations, or that violates any City adopted policies, procedures, standards, or guidelines.
- IV. If an employee accidentally connects to a site that contains sexually explicit or otherwise offensive material, he/she shall disconnect from the site immediately and report the incident to his/her supervisor.
- V. Internet access is considered City property and the City has the right to monitor the use of such property at any time. Therefore, users shall not have any expectations of privacy as to their Internet usage through City computers or networks.
- VI. This list is not all-inclusive; use of the Internet as described below is strictly prohibited.
 - A. Viewing or distributing obscene, pornographic, profane, or sexually oriented material;
 - B. Violating laws, rules, and regulations prohibiting harassment and discrimination;
 - C. Encouraging the use of controlled substances for criminal or illegal purposes;
 - D. Engaging in any activities for personal gain;
 - E. Obtaining or distributing copyrighted information without permission;

- F. Obtaining or distributing advertisements for commercial enterprises, including but not limited to goods, services or property, unless such advertisements are part of requested vendor information to be used in carrying out City business;
 - G. Violating or infringing upon the rights of others;
 - H. Conducting business unauthorized by the City;
 - I. Obtaining or distributing incendiary statements, which might incite violence or describe or promote the use of weapons;
 - J. Obtaining or exchanging proprietary information, trade secrets, or any other privileged, confidential, or sensitive information that is not authorized;
 - K. Engaging in any political activity prohibited by law;
 - L. Using the system for illegal purpose.
- VII. Employees shall not knowingly or willfully create or propagate any virus, malware, worm, Trojan horse or other destructive program code. All items downloaded from the Internet to the City's system or website are to be scanned for viruses.
- A. All internet access is subject to information security controls which includes but is not limited to monitoring and scanning for malicious software or activity.
- VIII. Violations of these procedures may result in disciplinary action up to and including termination.



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| Standard Operating Procedures |
| Number 6.2.5 |

Credit Cards

Purpose:

To set forth the procedures for appropriate use of City-issued credit cards.

Procedures and Related Information:

- I. The City may provide credit cards for specific business purposes. Purchases of products or services for personal use are not allowed.
- II. Under no circumstances will a City credit card be used for personal expenses and/or purchases. Unauthorized personal use of City credit cards may be treated as personal theft and/or embezzlement, which may result in collection efforts (to recuperate related costs) as well as appropriate disciplinary action, up to and including termination.
- III. Violation of this policy may result in loss of credit card privileges and/or disciplinary action, up to and including termination.
- IV. No employee is authorized to open a charge account. Only the Finance Director can authorize charge accounts.



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| City of Meridian |
| Standard Operating Procedure |
| Number 6.2.6 |

Mobile Devices

Purpose:

To set forth the City's procedures for the use of personal and City owned mobile devices, taxable allowance for personal mobile devices, and email used on mobile devices. Throughout this procedure the term "mobile device" includes cellular phones, smartphones, tablets, etc.

Procedures and Related Information:

I. Use at Work

- A. While at work employees are to exercise the same discretion in using personal mobile devices as they do for City-owned devices. Excessive personal calls, texting, or other mobile device use during the workday, regardless of the device used, can interfere with employee productivity and be distracting to others. Therefore, excessive personal use, regardless of the device used, during an employee's workday is prohibited. Flexibility may be provided in circumstances demanding immediate attention.
- B. If the employee does not use an assigned City owned device in a 90-day period, the device shall be returned to the Finance Department and service deactivated.

II. Management

- A. Some employees may need to use mobile devices to conduct legitimate City business. Departments shall evaluate the necessity for the levels of mobile device service each employee's job requires, if any.
- B. Departments shall be responsible for oversight of employee mobile device usage and shall monitor and review such usage to ensure the use is appropriate.

III. Services / Devices

- A. The City shall purchase up to one mobile device and if needed, one cellular plan per employee to meet the operation needs of the City. Public Safety and Senior Management may have exceptions if the business case deems it appropriate and if approved by department director or designee.

IV. Mobile Device Taxable Allowance

- A. Department Directors or designee may provide a mobile device taxable allowance at their discretion to employees that are required to regularly use his or her personal mobile device for work purposes.

- B. The City will pay a monthly taxable allowance amount of up to \$30.
- C. Monthly taxable allowance is applicable for only 1 (one) personal device.
- D. Taxable allowance only applicable for cell and/or data service.
- E. Taxable allowance only allowable if employee does NOT have a City owned mobile device (except in the event of acceptable multiple devices) and if subject to approval by Finance.

V. Personal Mobile Device

- A. The employee is responsible for the purchase of his or her mobile device service, mobile device, replacements, accessories, warranty, insurance, early termination fees and activation fees. An employee receiving a taxable allowance for personal mobile device use for City business in accordance with this regulation will be expected to maintain the mobile device in working order and available for City business as needed and as reasonably expected.
- B. The City will not be liable for damage or loss of personal mobile devices brought into or used in the workplace.
- C. The employee is responsible for the administration and payment of all personal mobile device bills and will in no way create financial liability for the City beyond the amount agreed to by the Department Director or designee.

VI. City Owned Mobile Device

A. Personal Use of City Owned Mobile Devices

- 1. The City may issue a mobile device to an employee for work-related communications. Minimal personal use is permitted, but employees will be required to reimburse the City if such personal use results in overage charges.
- 2. Failure to reimburse the City for the cost of overage charges due to personal use of a City owned mobile device will result in tax liability for the employee, as well as possible disciplinary actions up to and including termination.

B. Separated Employees

- 1. It is the responsibility of the Department Director (or designee) to retrieve devices from separated employees, including credentials for said device, and return the device to Finance or IT. If the device is locked, the department may be charged to replace the device.

2. Upon resignation or termination of employment or at any time upon request, the employee will be asked to present the assigned City owned mobile device to the City.
3. Employees unable to present the City owned mobile device in good working condition within the time period requested (for example, 24 hours) will be expected to bear the cost of replacement at the City's current discounted cost for replacement. Failure to reimburse the City for the cost of the mobile device will result in a garnishment on the employee's final paycheck for the current replacement cost of the mobile device.

C. Device Acquisition / Selection

1. Finance (cell phones) and IT (all other mobile devices) are the responsible parties for acquiring City owned mobile devices.

D. Upgrades / Replacements

1. The City will upgrade City mobile devices no earlier than every two years if necessary, unless there are financial incentives to do so earlier and no other negative financial impact to the City or if IT determines there is a technical need to upgrade earlier. Mobile device upgrades will be executed at the lowest cost to the City for comparable devices.

E. Device Management

1. IT does not manage backups for City owned cell phones. To ensure data is not lost, the employee shall backup their device regularly.
2. Employees shall use a City email address for any account or service associated with the device.
3. Employees shall upgrade cell phone software regularly. Automatic updates shall be turned on.
4. Cell phone activations shall be handled by Finance.

F. Loss, Damage, or Theft

1. Employees in possession of City owned mobile devices are expected to protect the mobile device from loss, damage or theft.
2. Repeat damage or loss of mobile devices shall be at the employee's expense when the Department Director or designee deems necessary.
3. If an incident occurs, the employee is required to notify IT as soon as possible. IT will permanently erase (remote wipe) all data on the device to protect City

systems. This applies to City employee's personal device(s), if the personal device has access to City systems, such as email.

4. The City will replace City mobile devices damaged beyond repair when deemed necessary by Department Director or designee and is subject to approval by Finance or IT. The City will replace damaged mobile devices with comparable mobile devices at the lowest cost available at the time of replacement. Any requests for mobile device replacements that exceed the lowest cost available will require Department Director (or designee) and IT approval, and must have an available line item budget for the additional costs.

G. Mobile Device Accessories

1. The City may provide 1 (one) power outlet mobile device charger, 1 (one) automobile mobile device charger, and 1 (one) mobile device case upon original issuance of mobile device. All other needs or changes for mobile device accessories will be at the cost to the assigned employee and will not create any additional costs to the City.
2. The City will replace any damaged power outlet mobile device charger or automobile mobile device charger upon receipt of the damaged item with a comparable item at the lowest cost to the City.
3. Repeat damage or loss of mobile device accessories shall be at the employee's expense when the Department Director or designee deems necessary.

VII. Overages

- A. Any data use that incurs overage charges is subject to review. Any data use that incurs overage charges that is not substantiated as business use will be reimbursed to the City by the employee.

VIII. Monitoring and Privacy

- A. The City monitors the use of City owned mobile devices to ensure that these resources are used effectively, appropriately, legally, and in accordance with the City's policies and regulations. The City may monitor randomly, in response to a particular problem, or, in some cases, continuously. The City reserves the right to inspect any and all information stored on or in mobile devices. The City also reserves the right to inspect any and all messages and data sent and received. The City may also choose or be required to publicize this data.
- B. Employees using mobile devices expressly waive any right of privacy in anything they create, store, send or receive on a City mobile device or through the City provided Internet, other computer network and/or any other City resources.

- C. Employees should not consider any electronic communication, media or services to be private. Although mobile devices can be protected by passwords, employees should not assume that the passwords provide them with privacy or ownership of their mobile device account or the records within it.
- D. The City can use Mobile Device Management (MDM) solution on City owned mobile devices. Removal of MDM software is prohibited.

IX. Safety

- A. Employees who use mobile devices for City business, regardless of how the devices are issued and funded, are required to read and follow the City of Meridian Policy 6.2.1 - Use of City Vehicles.

X. Email for Mobile Devices

A. IT Support

- 1. The IT department will support email on mobile devices via Exchange Activesync.
- 2. iTunes will NOT be installed for or as part of any email set up for mobile devices.
- 3. Rooted or jail-broken (or otherwise altered from the manufactured state) devices are NOT permitted.

B. Disclaimers

- 1. Note that if your phone is compromised or at risk, it will be blocked from being able to connect to City email.
- 2. If you choose to sync contacts on an iPhone, it will give you an option to keep on your phone or delete them. Make sure you keep them unless they are no longer needed.

- C. Password Requirement - By connecting a mobile device to Exchange ActiveSync, you agree that the email system will place a policy on your phone that will require you to password protect your phone. This policy will also grant the City the ability to remote wipe your phone in the event it is lost or stolen (meaning all data on the phone would be lost).

- D. Remote Wipe - By syncing your mobile device to the Exchange ActiveSync server, the IT department will gain the ability to remotely wipe all data from your mobile device. Remote Wipe shall only be used if your mobile device is lost or stolen.

- E. Password Resets - If you set up your mobile device to access your email, keep in mind that whenever you change your City password, you will also need to change it on your mobile device. If you do not, you may be locked out of services.
- F. Police Department Requirements
 - 1. Only Apple devices shall be used with City email.
 - 2. Device must be encrypted (will be encrypted by turning on password requirement).
 - 3. City owned devices only.



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| Number 6.2.7 |

Use of the Fitness Facility in City Hall

Purpose:

To set forth the City's procedures regarding the use of the Fitness Facility in City Hall.

Procedures and Related Information:

- I. All use of the Fitness Facility is at the employee's own risk. Any sustained injuries from use of the facility or its equipment should be reported to Human Resources. However, they are not compensable under Worker's Compensation Insurance. Sworn police officers and represented members in the Fire Department who are required to exercise while on duty and injure themselves may be covered by Worker's Compensation.
- II. Safety in using the Fitness Facility is of the utmost importance. Employees are encouraged to only use the Fitness Facility if they have been properly trained. Training classes may be offered periodically. All proper methods of sanitizing the equipment and using the appropriate hygiene methods for the use of this equipment must be followed. Sanitizing products will be provided by the City. Directions for sanitizing and use of the equipment will be available in the Fitness Facility. Failure to do so may be cause to suspend an employee's ability to use the Fitness Facility.
- III. Maintenance of the equipment will be performed by the City.
- IV. Employees are allowed to use the facility during non-work hours, such as before work, lunch break, or after work. Use of the facility during work hours is not prohibited, however such use shall not impact an employee's productivity nor otherwise interfere with City business. Excessive use during work hours in the judgment of the supervisor and department director or designee, in conjunction with Human Resources, may result in suspension from the facility and/or disciplinary action, up to and including termination.
- V. Locker rooms are considered part of the Fitness Facility and shall be kept in orderly and sanitary condition by all users.
- VI. Employees shall report malfunctioning equipment, any unsanitary conditions, or misuse of the facility or locker rooms, including any suspicious or inappropriate behavior to Human Resources.



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| Number 6.3 |

Training and Development

Purpose:

To set forth the City's procedures regarding support for employee in job-related development and training efforts.

Procedures and Related Information:

I. Job-Related Required Training

- A. The City shall pay for all training that is required to maintain qualifications for performing assigned job duties. Department directors shall be responsible for ensuring that all necessary funds are available for required training. Scheduling of required training is at the discretion of the department director so as to best meet operational and staffing needs.

City-sponsored or required training shall generally be arranged during regularly scheduled work hours. A department director may change the standard work hours to accommodate required attendance at such training activities. Such required training shall be recorded as time worked within the meaning of these procedures. Non-exempt employees required to attend training outside regularly scheduled work hours may be eligible for overtime pay.

II. Job-Related Discretionary Training

- A. The City supports job-related training and development programs that are designed to improve the employee's performance in his/her current duties or in developing new job-related skills and abilities. Employees may approach their supervisors regarding training opportunities, or supervisors may require employee attendance at additional training and development courses and activities.
- B. Where employees request job-related training, it shall be the decision of the department director to approve such training. Approval for training is at the sole discretion of the department director and in conformance with City budgetary guidelines.
- C. Employees attending training programs sponsored or required by the City during regularly scheduled work hours will be compensated at their regular rate of pay. If training is held outside the City limits, employees are eligible for reimbursement for expenses consistent with the City's travel reimbursement policy.

III. Non-Job- Related Discretionary Training

- A. Employees are encouraged to seek training and development opportunities that contribute to their personal growth and development. As such, the City may support an employee's attendance to non-required, non-job-related training programs by allowing vacation or in some instances, unpaid time off may be approved if no vacation time is available to attend such training if approved by the immediate supervisor and department director. Departments may consult with Human Resources for information regarding discretionary training.
- B. The cost of the training will not typically be paid for by the City unless pre-approved by the department director in conjunction with Human Resources. Employees must pay for all related training costs unless otherwise authorized.
- C. Employees will not receive compensation for time spent in discretionary training conducted outside normal work hours.



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| Number 6.4 |

Absenteeism and Tardiness

Purpose:

To set forth the City's procedures regarding absenteeism and tardiness expectations for City employees.

Procedures and Related Information:

- I. The City of Meridian expects all employees to assume diligent responsibility for their attendance and to report to work on time. Recognizing, however, that illnesses and injuries may occur, the City has established paid leave policies and benefit plans to compensate regular full-time employees for certain time lost for legitimate medical reasons, including time off to secure necessary treatment for a disability. Please consult the appropriate policies for information regarding these benefits.
- II. Employees are expected to communicate with their supervisor at least ½ hour in advance of any absence or tardiness. Supervisors have the discretion of selecting their preferred method of communication for employees to use for this purpose and should advise their employees accordingly. (Examples include phone call, email, text, etc.).
- III. Excessive absenteeism causes problems in providing an adequate, qualified workforce to meet the City's obligations. The City intends to make reasonable efforts to find alternative solutions to this problem including possible eligibility for a leave of absence, but it may become necessary to reassign, demote, or terminate and replace an employee so that dependable regular full-time and part-time help is available. Such action will generally only be taken after alternatives have been explored. The City will afford reasonable accommodation (unless it becomes an undue hardship) to a qualified employee with a disability, or for an employee's religious beliefs. These procedures are not applicable to employees on state or federal military, or family medical leave.
- IV. Employees who fail to report to work for three (3) consecutive workdays without notifying the City will be deemed to have voluntarily quit.
- V. Absenteeism or tardiness that is unexcused or excessive in the judgment of the department director is grounds for disciplinary action, up to and including termination.



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| Number 6.5 |

Bulletin Boards

Purpose:

To set forth the City's procedures regarding posting announcements or activities on City provided bulletin boards in City facilities.

Procedures and Related Information:

- I. Human Resources in conjunction with department directors or designee shall ensure that each facility has a bulletin board with properly posted State and Federal laws and City-related announcements and information so that employees have a consistent point of reference.
- II. Information of special interest to all employees may be posted on the City's bulletin boards. Employees may not post any information on these bulletin boards without authorization from the department director or designee.
- III. No personal or outside vendor or business information or solicitation is to be placed on City bulletin boards.



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| Number 6.6 |

Driver's License Requirements

Purpose:

To set forth the City's procedures regarding driver's license requirements for positions that require a valid driver's license as a normal part of job qualifications.

Procedures and Related Information:

- I. For certain City positions, an employee may be required to have and maintain a valid current Idaho driver's license or valid Commercial Driver's License (CDL) with a Class A or B endorsement. All employees shall be required to have or obtain a valid, current Idaho Driver's License within 30 days of their hire date.

- II. If an employee's license is revoked, suspended, or lost, or in any other way not current, valid, or in the employee's possession, the employee shall promptly notify his/her supervisor and/or department director or designee and will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid, current license and the reason for change in licensure status is provided to his/her supervisor or department director or designee. Depending on the duration of license suspension, revocation, or other inability to drive, an employee may be subject to disciplinary action, up to and including termination.



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| City of Meridian |
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| Number 6.7 |

Emergency Closure

Purpose:

To set forth the City's procedures regarding emergency closure practices of City facilities and/or services due to emergency conditions or unusual weather.

Procedures and Related Information:

- I. In the case of emergency closures following the start of the workday, certain non-essential personnel may be sent home as directed by the Mayor or City Council if the Mayor is not available. When possible, affected employees will be given the opportunity to work remotely or perform other tasks not usually associated with their normal duties at no loss in pay. If remote work or other assignments are not available, employees will be sent home with pay.
- II. If the decision is made to curtail City services prior to the start of normal business operations, every effort will be made to notify affected employees before the start of their regularly scheduled reporting time. Supervisors who become aware of the intent to close facilities shall be responsible for contacting employees under their supervision.
- III. During times of inclement weather or natural disaster, it is essential that the City continue to provide vital public services (e.g., fire, police, water, etc.). Unless otherwise notified, employees are expected to make every reasonable effort to report to work without endangering their personal safety.
- IV. Employees unable to report to work due to the weather, or employees who leave early because of unusual weather conditions, may charge time missed to vacation leave provided the employee has accrued vacation leave time. The employee must notify his/her supervisor within ½ hour or as soon as possible for late arrival or early departure due to weather conditions.



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| Number 6.8 |

Nepotism

Purpose:

To set forth the City's procedures regarding when immediate family members, as defined below, of current City employees, elected officials, or appointed officials may be employed.

Procedures and Related Information:

- I. For purposes of these procedures, "immediate family" includes:
 - A. Spouse, child, step-child, parent, step-parent, brother, sister, step-sibling, "in-law" relatives, grandparent or grandchild of the employee; or
 - B. Any other member of the employee's immediate household, including the employee's domestic partner and his/her children or relatives as referenced above.
- II. The immediate family of current City employees and elected or appointed officials will not be employed by the City where:
 - A. One of the parties would have the authority to supervise, appoint, remove, or discipline the other;
 - B. One party would handle confidential material that creates improper or inappropriate access to the material by the other;
 - C. One party would be responsible for evaluating the work of the other;
 - D. Other circumstances exist that might lead to real or perceived potential conflict among the parties or conflict between the interest of one or both parties and the best interests of the City.
 - E. These will also be considered when assigning, transferring, or promoting an employee related by blood, marriage, or adoption to any other employee.
 - F. In conformance with the Conflict of Interest Standard Operating Policy and Procedures, no one may be employed by the City who is related within the first degree of consanguinity to an employee of the Mayor's Office, City Attorney's Office, Finance Department, Information Technology or Human Resources, or any directors of a City Department. This shall include relationships created by blood, marriage, or adoption.
 - G. The Human Resources Director in consultation, if needed, with the City Attorney shall be empowered to act to assist departments in identifying and eliminating nepotism including

conflicts of interest whenever possible. The Mayor and City Council may agree to jointly waive said conflict. This procedure shall not apply to the City's Youth-Work-Life Skills program.

III. Employees Who Marry or Co-Habitate in a Domestic Relationship

- A. Employees shall inform their immediate supervisor when employees marry, become related in an immediate family relationship as defined above, or begin sharing living quarters with one another with the intention of forming a domestic relationship.
- B. A supervisor upon receipt of employee notification shall immediately inform the department director and Human Resources who will determine if the potential problems noted above exist or could exist. If so, only one of the employees will be allowed to remain in the same department or work unit.
- C. Where possible, one or both of the affected employees will be given the option to transfer to another position in the City for which he/she is qualified. Where transfer is not an option, one of the affected employees will have to resign or be terminated. The affected employees may be given the opportunity to decide between themselves which employee will transfer or resign.
- D. The decision must be made within thirty (30) calendar days of the date they marry, become related, or begin sharing living quarters with each other. If no decision is made during this time, the Human Resources Director in consultation with the department director, City Attorney, and Mayor, where appropriate, will make the decision based on the best interests of the City.



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| Number 6.9 |

Safety

Purpose:

To provide guidelines regarding the safety and well-being of employees, as well as to outline the procedure should any unsafe practice be reported or accident/injury take place.

Procedures and Related Information:

I. Commitment to a Safe Work Environment

- A. It is the policy of the City to comply with federal and state laws, rules and regulations, and to provide a work environment as free as practicable from health and safety hazards.
- B. The City believes most accidents are preventable, and it is committed to finding new ways to prevent injuries and accidents. Each department shall develop safety procedures in order to minimize and avoid on-the-job injuries and accidents.
- C. Supervisors and department directors, or designees shall be responsible for leadership of safety programs, developing proper safe work procedures, and enforcing all safety rules, including the maintenance of a safe working environment.
- D. Employees are responsible for adhering to all safety procedures, using safety equipment in the proper manner, and continuously employing safe work practices. It is the employee's responsibility to inform their supervisor immediately of any hazardous or unsafe working situation or condition. Any continuing or pervasive hazardous or unsafe working conditions should be reported to the department director or designee, Human Resources or designee, or the Compliance and Ethics Help Line.
- E. Any questions concerning safety procedures should be directed to the supervisor or department director.

II. On-the-Job Injuries/Workers' Compensation

- A. All employees are covered by the State Workers Compensation program. This insurance covers employees in case of on-the-job injuries or job-related illnesses. In the event of an on-the job injury, certain forms and procedures are required.

B. Reporting On-the-Job Injuries

1. Regardless of the severity of an injury, employees are required to report all job-related accidents to their supervisor within their work shift, but in no circumstance later than the next business day.
2. During working hours, all employees sustaining an injury should be directed to St. Luke's Occupational Health Services for general and police or Emergency Responders for fire for treatment, except in the case of an emergency. The supervisor or department director is required to submit the First Report of Injury form to the Human Resources within five (5) working days or as soon as practicable to allow filing of worker's compensation claims in the proper manner. All on-the-job injury reports shall be maintained in a separate medical file in Human Resources.
3. If an employee is disabled temporarily by an on-the-job accident, he/she shall use sick and/or vacation leave until such time as the claim is approved. Once the claim is approved, the employee will receive any used leave back and any time loss associated with the claim will be paid 100% by the City. Return to employment will be authorized on a case-by-case basis upon consultation with the physician, department director, Human Resources, and the State Insurance Fund.
4. Time lost for more than three (3) working days for general and police employees or (6) work shift for twenty-four-hour employees or (10) consecutive days for forty-hour fire union employees shall be charged against the twelve (12) weeks of leave provided for in the Family and Medical Leave Act whether or not the employee requests FMLA.
5. Workers Compensation provisions for represented employees in the Fire Department shall be governed by the provisions of the collective labor agreement.

- C. Any questions concerning completion of forms, workers compensation benefits, or processes should be directed to Human Resources.



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| Number 6.10 |

Political Activities

Purpose:

To set forth the City's procedures regarding when City employees and City volunteers can be involved in political activities.

Procedures and Related Information:

- I. It is in the best interest of the City, in the administration of its duties and responsibilities, that City employees and City volunteers maintain at all times neutrality regarding any election, whether it is federal, state, municipal, or any government subdivision of the State of Idaho during their working hours and at all other times the City employee and City volunteer is on active duty, is wearing a City uniform, and/or is otherwise representing the City and its interests.
- II. Prohibition of Electioneering
 - A. Definition of Electioneering:
The act of campaigning to influence the result of an election in favor of a particular candidate or party.
 - B. No City employee nor City volunteer shall engage in any electioneering, regarding any election whether federal, state, and municipal or any government subdivision of the State of Idaho. These procedures apply to any City employee or City volunteer during working hours or at any other time he/she is on active duty, is responding to a call, and/or is wearing a City uniform (but not including on-call time where the employee is off City premises and not in uniform). This includes, but is not limited to, telephone calls, personal conversations, faxes, email, and/or any other communications; the circulation of cards or handbills of any kind; the soliciting of signatures to any kind of petition for candidacy or election question; and/or the use of City vehicles for the placement thereon of any related bumper stickers, placards, or signs.
- III. These procedures shall not be interpreted to include activity of providing information regarding City elections to the public pertaining to bond issues or other elections which are revenue elections submitted by the City to the voters, nor do these procedures pertain to prescribed duties of City employees in the conduct of any City election.
- IV. Violation of these procedures may result in disciplinary action, up to and including termination.



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Gifts & Gratuities

Purpose:

To set forth the City's procedures regarding when City employees, appointed, and elected officials may accept gifts, money, and/or gratuities from outside organizations or individuals.

Procedures and Related Information:

- I. City employees are prohibited from soliciting or accepting gifts, money, and/or gratuities from organizations, vendors, contractors, or their agents in value over \$50 in accordance with local, state, and federal guidelines and laws.
- II. Each employee, appointed, and elected official is responsible for tracking and reporting gifts and gratuities in excess of \$50 from outside vendors, organizations, contractors or others that are received in the capacity of a City employee, appointed, and/or elected official in accordance with local, state, and federal guidelines and laws. Employees and appointed officials shall report these to their supervisor and elected officials shall report them to the City Attorney.
- III. Human Resources, in conjunction with supervisors and department directors, are responsible for enforcing this policy at the department level. The City Attorney shall be consulted for matters involving the Mayor, City Council, and appointed officials.
- IV. Employees in the Police and Fire departments should refer to the department's standard of operation procedures.
- V. This section does not apply to campaign contributions.
- VI. Exception:
 - A. For purposes of these procedures, prohibited gifts and/or gratuities do not include prizes that are:
 1. Won in a contest or event unrelated to the employee's official duties;
 2. Won in a truly random drawing; or
 3. Won in a contest or event open to the public.



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| Number 6.12 |

Solicitation

Purpose:

To set forth the City's procedures regarding non-work-related solicitation in the workplace.

Procedures and Related Information:

- I. Most forms of selling and soliciting are inappropriate in the workplace. They can be an intrusion on employees and citizens, and may present a risk to employee safety or to the security of the City or employee property. Therefore, persons not employed by the City may not at any time solicit, survey, petition, or distribute literature on City premises that are generally not open to the public. This includes persons soliciting for charities, salespersons, questionnaire surveyors, labor union organizers, or any other solicitor or distributor.
- II. The Mayor may make exceptions to this rule in special circumstances where the City determines that an exception would serve the best interests of the organization or its employees.
- III. Employees may not solicit for any purpose during work time. Reasonable forms of solicitation are permitted during non-work time, such as before or after work or during meal or break periods. Employees who are on non-work time may not solicit other employees who are on work time. Employees may not solicit for any purpose during work time or in work areas.



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| Number 6.13 |

Outside Employment

Purpose:

To set forth the City's procedures for employees regarding outside employment in addition to their duties and responsibilities for their employment at the City.

Procedures and Related Information:

- I. The City of Meridian does not prohibit an employee from working a second job as long as such employment does not interfere or conflict with the employee's regularly scheduled City job responsibilities or the employee's ability to meet City job expectations.
- II. Employees are required in advance of accepting or conducting outside employment to notify their director and supervisor, or Mayor, if outside employment involves a director, in writing using the City of Meridian Outside Employment Form. Notification should include, but not be limited to, a detailed description of the outside employment responsibilities and expectations, work hours, and any other obligations of the outside employment. Upon receipt of the notification, the supervisor and department director will approve or deny the request. In cases where outside employment may directly or indirectly interfere or conflict with City employment, or the director or supervisor is concerned about potential negative effects on City employment, the request will be denied.
- III. The department director or designee, or if the employee is a director the Mayor, shall determine whether the outside job interferes or conflicts with the employee's City job responsibilities. Supervisors shall communicate with employees should outside employment appear to negatively impact the performance of their City position in order to find ways to improve performance. In cases where employees have been warned about poor performance, additional disciplinary action may result, up to and including termination.
- IV. Employees engaged in outside multi-level marketing employment do not need to provide notification provided they do not hold a leadership role and can fulfill their responsibilities and expectation outside of city employment work hours. Employees may only solicit in accordance with the Solicitation Policy and Procedures 6.12.
- V. All written approvals for outside employment shall be forwarded to Human Resources to be placed in the employee personnel file.



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| Number 6.14 |

Appropriate Clothing Attire for Work Purposes and Procurement

Purpose:

To set forth the City's procedures regarding appropriate employee attire for the workplace and the use of City funds for the procurement of work clothing and uniforms.

Procedures and Related Information:

- I. The department director or designee should establish dress code guidelines consistent with the policy and appropriate for their department and ensure the guidelines are communicated to their department employees. Upon receipt of a complaint of an employee's inappropriate attire, the department director or designee should attempt to resolve the matter, including sending the employee home to change into department-appropriate attire if required. Human Resources may be consulted, if necessary, to help resolve. Repeated non-compliance may lead to disciplinary action, up to and including termination.
- II. As authorized by the department director or designee, all clothing purchased with City funds must be practical and appropriate for the job being performed. Clothing should be inscribed to indicate the employee is an employee of the City of Meridian.
- III. Employees are to take reasonable caution in the cleaning and maintenance of all supplied clothing.
- IV. If clothing or uniforms are supplied, the employee is required to wear the provided clothing or uniform in accordance with departmental policy and procedures or as set by the department director. If clothing is worn or destroyed sooner than normal, the employee will be responsible for replacement. Exceptions must be approved by the department director.
- V. Upon separation from employment, the City reserves the right to request the return of all usable issued items and may withhold the value of the items to be returned from the employee's final paycheck until all items are returned.
- VI. Department Specific Guidelines
 - A. Administrative Staff for all Departments
 1. Employees may be issued shirts that are required to be worn. Alternatively, office and administrative staff in all departments of the City may request to purchase City of Meridian logo clothing at the discretion of the department director, but it may not exceed funds budgeted for "employee incentives" annually. The employee may have the option to apply this designated amount to

a larger purchase, with the difference being paid by the employee. The City logo may only be placed on articles of clothing that are appropriate for the workplace.

B. Fire Department

1. Uniform and dress requirements for all Fire Department personnel are detailed in Meridian Fire Department Policy.

C. Parks & Recreation Department

1. Employees may be issued shirts, sweat shirts, and other outer wear, such as coats and overalls.
2. Overalls and other outerwear are exempt from the safety color requirement. The director may authorize other clothing type that is work related to the position of the employee. Employees are provided with City logo hats.

D. Police Department

1. Uniform and dress requirements for all Police Department personnel are detailed in the Meridian Police Department Policy and Procedure, Chapter II, Section 3 Uniform and Equipment.
2. All sworn officers receive a clothing allowance per year and are allocated additional chits for dry cleaning; initial uniforms and equipment are purchased and supplied by the department on hire.
3. Non- sworn personnel are governed by the section on administrative staff.
4. All clothing allowance is paid directly to the employee and is taxed.

E. Public Works Field Inspection Personnel

1. Employees may be issued shirts, sweat shirts, and other outer wear, such as coats and overalls.
2. Overalls and other outerwear are exempt from the safety color requirement. The director may authorize other clothing type that is work related to the position of the employee. Employees are provided with City logo hats.

F. Waste Water Treatment Plant and Water Department

1. Employees may be issued shirts, sweat shirts, and other outer wear, such as coats and overalls.
2. Overalls and other outerwear are exempt from the safety color requirement. The director may authorize other clothing type that is work related to the position of the employee. Employees are provided with City logo hats.



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| Number 6.15 |

City Hall Employee Parking Permits

Purpose:

To set forth the City's procedures regarding issuance of a City Hall Employee Parking Permit.

Procedures and Related Information:

- I. City Hall Parking Lots - For purposes of these procedures, City Hall parking lots are referred to and located as follows:
 - A. SOUTH Lot - The parking lot located on the south side of City Hall.
 - B. FRONT Lot - The parking lot located in front of City Hall (bordered by Broadway and Main).
 - C. WEST Lot - The parking lot bordered by Meridian and Broadway.
 - D. BOWER Street Lot – The parking lot located on Meridian and E. Bower.
- II. The SOUTH Lot and WEST Lot are referred to as “designated City Hall employee parking lots” in these procedures.
- III. Availability of any leased parking lot locations may be subject to change depending on lease arrangements.
- IV. Issuance of Parking Lot Permits
 - A. The Human Resources Department shall issue to each full– and part-time employee whose primary work location is City Hall one (1) City Parking Permit only to be used in designated City Hall employee parking lots.
 - B. Employees may purchase a second City Hall Employee Parking Permit for a fee.
- V. General Rules and Guidelines for Use of Designated City Hall Employee Parking Lots
 - A. Parking in designated City Hall employee parking lots shall require a City Hall employee Parking Permit between 7:00 a.m. and 6:00 p.m., Monday through Friday, excluding City Holidays.
 - B. Permits must be visibly displayed on the windshield side of the vehicle's rearview mirror.

- C. Employee-owned trailers, motor homes, recreational vehicles, or vehicles with a GVWR greater than twelve thousand (12,000) pounds may only be parked temporarily in the WEST Lot.
- D. Any sale, barter, alteration, or duplication of a City Hall Employee Parking Permit is prohibited.
- E. No contract or seasonal employee will receive a City Hall Employee Parking Permit. Department Directors or designees may request a permit for such employee if it is necessary for the performance of such employee's job.
- F. All City fleet vehicles should be parked in their assigned spaces or in the designated location for fleet parking. (City Hall FRONT Lot or BOWER Street Lot). Where no assigned space is provided, fleet parking is available, in the FRONT Lot in stalls along Main St., if possible.
- G. Marked emergency vehicles for Police and Fire may park in the FRONT Lot without a City Hall Employee Parking Permit.
- H. If an employee forgets his or her City Hall Employee Parking Permit, he or she may request from Human Resources a temporary permit for the day.
- I. If a City Hall Employee Parking Permit is lost or missing, the employee must report such loss to Human Resources and will be issued a new permit after paying the appropriate fee. Damaged or worn out permits may be replaced for no charge.
- J. Failure to display a City Hall Employee Parking Permit may cause the vehicle to be ticketed. The employee shall be solely responsible for any costs associated with such ticket.
- K. At times, certain employees may be required to park in the FRONT Lot and will be so instructed by Human Resources.
- L. Employees visiting City Hall from other work locations may park in the FRONT Lot, but only with a One-Day Special Parking Permit, and only for the duration required for their, meeting, training, etc.
- M. Abuse or repeated violations of the City Hall Employee Parking Permit policy and these procedures may be grounds to rescind the employee's City Hall Employee Parking Permit.



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| City of Meridian |
| Standard Operating Procedure |
| Number 6.16 |

Employee Identification/Prox Cards

Purpose:

To set forth the City's procedures regarding employee identification/prox cards (ID card) that must be worn and visible at all times while working.

Procedures and Related Information:

- I. Human Resources will issue employee ID/Prox Cards on the first day of employment.
- II. The Police Chief or designee shall issue the ID and ID/Prox cards to Police personnel.
- III. Employees shall visibly display their ID or ID/Prox Card at all times and when the employee is on duty and if requested by another member of the public to see the card shall show it to them.
- IV. Exemptions from wearing the ID or ID/Prox card may be approved by the department director for safety purposes, such as undercover police officers, firefighters in turn-outs, maintenance personnel, etc.
- V. Employees must wear their ID or ID/Prox card in City Hall at all times, unless exempted.
- VI. Employees may not put pins in or poke holes into the cards.
- VII. If an employee forgets their ID/Prox card, they may request a temporary for the day. A continuing need for a temporary may be referred to the employee's supervisor.
- VIII. Employees may get a replacement for a lost ID card or ID/Prox card and pay the appropriate charge.
- IX. Damaged, stolen, or worn out cards may be replaced for no charge.
- X. The City may, at its discretion, require the employee to acquire a new card due to changes in the employee's appearance. In this instance there would be no charge to the employee.
- XI. The employee's supervisor, department director, Human Resources Director, or the Mayor may demand the surrender of an ID or ID/Prox card.
- XII. If an ID or ID/Prox card is lost, stolen, or surrendered for any purpose as described in these

procedures, Human Resources must be notified immediately.



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| City of Meridian |
| Standard Operating Procedure |
| Number 6.17 |

Requests for Public Records or Information

Purpose:

To set forth the City's procedures regarding employee response to requests for public records or information.

Procedure and Related Information:

These procedures are meant to provide a consistent, statutorily-compliant process for employees to follow in replying to a request from a member of the public for public records maintained by the City during the course of conducting its business.

Under the Idaho Public Records Act (Idaho Code sections 74-105 through 74-126), there is a presumption that all public records may be examined and copied by any person. Upon receipt of a request for a public record, whether such request is made in writing, verbally, or by email, the City must respond to the request within three working days. The City may grant the request, deny the request, or notify the Requestor that more time is needed to respond. (Idaho Code section 74-103).

Decisions regarding the release of public information, public records, or other information in the custody of a public official are to be made by the City Clerk's Office, the official custodian of all City records pursuant to State law. These procedures establish a timely, consistent, and statutorily compliant process for handling all public records requests received by the City, whether received by the City Clerk's Office or by any other City department. These procedures apply to all City employees and departments, with the exception of the Meridian Fire and Police Departments and their employees, to the extent that these departments have a specific, pre-existing public records disclosure policy in place.

I. Intake of Public Records Requests; Time Computation by Law

From the date a request for public records or information is received, the City has only three working days to respond to the request. The three-day time limit does not include the date of the receipt of the request, but it does include the last day. Saturdays, Sundays, and holidays on which the City is closed are not included in the three-day time limit. (See Idaho Rules of Civil Procedure Rule 6(a)). As to requests received after 5:00 p.m., the date of receipt shall be the next working day.

A. Written Requests for Public Records.

Upon receiving a written request for documents or information, whether by mail, email, fax, on-line, or personal delivery, employees shall route the request to the City Clerk's Office as soon as possible, but no later than 5:00 p.m. on the same day of its receipt. Though the City must respond to a request submitted to any

department and received in any written form, for purposes of clarity and efficiency, the public should be encouraged to submit requests in writing and directly to the City Clerk's Office using the Public Records Request Form, which is available in the City Clerk's Office and online at the City's website.

B. Oral Requests for Public Records.

Upon receiving an oral request for documents or information, employees may immediately provide such documents or information only if all of these factors are present:

1. The requested document or information is subject to disclosure under the Idaho Public Records Act. If there is any question as to whether a record is subject to disclosure, employees should inquire with the City Clerk's Office;
2. Such documents or information are immediately accessible to the employee;
3. No research or analysis is requested or required; and
4. No more than ten (10) paper copies are provided in response to the oral request.

If an oral request for public records does not meet all of the above criteria, the employee receiving the request shall encourage the Requestor to submit a written request directly to the City Clerk's Office, preferably using the Public Records Request On-Line Form.

II. Processing of Public Records Requests

Following receipt of a written request, any and all of the City's communication with the Requestor should come from the City Clerk's Office. Questions, concerns, and/or follow-up communications, whether from the employee referring the Requestor to the City Clerk, or from the Requestor him/herself, should be routed to the City Clerk's Office in order to ensure that there is a consistent, centralized line of communication between the City and the Requestor.

A. City Clerk Notifies City Attorney and Department Retaining Records

Upon receipt of a request for public records or information, the City Clerk shall promptly: (1) provide the City Attorney or designee a copy of the public records request, and (2) request the records from the department responsible for retaining the requested documents or information. The City Clerk will inform such department of the date and time by which it must copy and return the responsive materials to the City Clerk's Office.

It is essential for employees to understand that time is of the essence in providing a response to a public records request. By law, the City has only three working days from the date the request is received to respond to the request. (Idaho Code section 74-103.)

B. Further, unless otherwise expressly directed by the City Clerk's Office or the City Attorney's Office, no employee shall redact, modify, edit, omit, destroy, or censor any document or information that is responsive to the request. Employees may discuss with the City Clerk and/or City Attorney any concerns regarding personal, sensitive, irrelevant, or exempt information known to be contained in any responsive record.

C. Department Attempts to Locate Records

Upon receipt of a request from the City Clerk, the department retaining the requested record shall identify which of the following procedures is applicable, and comply accordingly.

1. DEPARTMENT ACTION 1:

The department shall promptly reproduce and provide copies of the responsive materials to the City Clerk's Office if:

- a. The department is able to locate, reproduce, and provide copies of the responsive materials to the City Clerk's Office within the designated time period, and
- b. Locating and retrieving the responsive records will require less than one (1) hour of staff time, and
- c. The responsive records are less than one hundred (100) or more pages in length.

Upon receipt of the responsive materials from the department, the City Clerk's Office shall seek City Attorney review as set forth below prior to sending the response to the Requestor.

2. DEPARTMENT ACTION 2:

The department shall immediately provide an estimate of staff time needed and number of pages that will comprise the response if:

- a. The department is able to locate, reproduce, and provide copies of the responsive materials to the City Clerk's Office within the designated time period, and
- b. Locating and retrieving the responsive records will require two (2) hours or more of staff time, or the responsive records are one hundred (100) or more pages in length.

Upon receipt of the estimate from the department, the City Clerk's Office shall prepare a response to the Requestor that: (1) notifies the Requestor of the estimated costs of responding to the request; (2) requires that the Requestor pay the estimated costs prior to location and reproduction of the public records; (3) explains to the Requestor that if actual costs are less than the estimate, the

difference will be refunded to Requestor, and that if actual costs are more than the estimate, they will be collected prior to provision of the records to Requestor. The City Clerk's Office shall seek attorney review as set forth below prior to sending the response and estimate to the Requestor.

3. DEPARTMENT ACTION 3:

The department shall immediately inform the City Clerk's Office and the City Attorney's Office if:

- a. The department is unable to locate and provide responsive materials to the City Clerk's Office. The department shall specify whether the requested materials: (a) do not exist, (b) cannot be located at all, or (c) exist, but are not in the City's custody.

Upon receipt of notice of inability to locate/provide records, the City Clerk's Office shall prepare a response to the Requestor that 1) notifies the Requestor of the denial of the request; (2) specifies the reason and statutory grounds for such denial; and (3) explains to the Requestor the timeline and mechanism to appeal the denial. The City Clerk's Office shall seek attorney review as set forth below prior to sending the response and estimate to the Requestor.

4. DEPARTMENT ACTION 4:

The department shall immediately inform the City Clerk's Office if:

- a. The department needs additional time to locate, copy, and provide responsive materials to the City Clerk's Office. The Idaho Public Records Act allows the City to notify the Requestor that additional time is needed to process the request, not to exceed ten (10) working days from the date the request was received.

Upon receipt of notice that the department needs more time to locate and provide records, the City Clerk's Office shall, first, prepare a response to the Requestor (a) notifying the Requestor that more time is needed, and (b) specifying the date by which the request will be granted or denied. Next, the Clerk's Office shall recalculate the disclosure deadline and inform the department accordingly.

D. City Clerk Seeks City Attorney Review

Before providing the City's response to the Requestor granting the request, requiring payment of estimated costs, denying the request in full or in part, extending the period for response, the City Clerk shall request that the City Attorney or designee review such response to ensure that no confidential, privileged, or statutorily exempt document or information is included in the responsive materials. Upon such request, the City Attorney or designee shall provide an opinion regarding

whether the information or documents are subject to disclosure under the Idaho Public Records Act. If any responsive record or any portion thereof is exempt from disclosure, the City Attorney or designee shall redact, or provide an opinion regarding redaction of, the exempt document, information, or portions thereof. Final decisions regarding disclosure of public records shall be made by the City Clerk.

E. City Clerk Responds to Requestor

Following completion of the foregoing process, and within the three- or ten-day response period, as applicable, the City Clerk's Office shall do one of the following:

1. Provide all records to the Requestor which are responsive to the request and subject to public disclosure under the Idaho Public Records Act;
2. Notify the Requestor of estimated costs of responding to the request, requiring payment prior to reproduction of the records;
3. Deny the request in full or in part (redaction shall constitute a partial denial), specifying the statutory basis for such denial and describing the availability, time, and manner of appeal; or
4. Inform the Requestor that additional time is needed to respond to the request (not to exceed ten (10) working days from the date the request was received).



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| City of Meridian |
| Standard Operating Procedure |
| Number 6.18 |

Conflict of Interest

Purpose:

To set forth the City's procedures regarding Conflicts of Interest and the reporting thereof by employees.

Procedures and Related Information:

I. Definitions

A. Actual or Perceived Conflict of Interest

Due to the nature of the information that is accessible and maintained by the City of Meridian, no one may be employed by the City who is related within the first degree of consanguinity to an employee of the Mayor's Office, City Attorney's Office, Finance Department, Human Resources, Information Technology, or any directors of a City department. This shall include relationships created by blood, marriage, or adoption.

This provision will not apply to any person who is a current employee of the City at the time this policy is approved by the City Council.

B. Contracting with Persons or Companies

The City may contract with a person or company that meets the definition in (A) as long as the City Council approves the contract after a competitive process or adherence to City Policy has occurred.

II. Reporting Conflicts of Interest

A. Any employee or others acting on behalf of the City should report concerns related to actual or perceived conflicts of interest to the City Attorney or Human Resources in person, via email, phone call or by using the Compliance and Ethics Helpline.

B. Reported conflict of interest - related concerns will be investigated promptly.

C. The City Attorney or Human Resources will assist departments with recommendations based on findings from the investigation to eliminate or resolve perceived or actual conflicts of interest if warranted.

D. Findings of an existing conflict of interest may result in disciplinary action, up to and including termination of employment or contractual relationship with the City.

- E. If circumstances warrant, the City Attorney shall advise the Mayor and City Council of an existing conflict of interest. The Mayor and City Council may agree to jointly waive said conflict.



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| City of Meridian |
| Standard Operating Procedures |
| Number 6.19 |

Social Media Procedures

Purpose:

To set forth the City's procedures on the use of Social Media by City of Meridian employees, elected officials, and City volunteers.

Procedures and Related Information:

I. Definitions

- A. Social media site: A publicly accessible online publishing application, technology, or website that provides information to the public via subscription, reference, network, or drop-in. A social media site provides a forum by which individuals may post comments or other information. Examples of social media sites include: Instagram, NextDoor, Facebook, LinkedIn, Twitter, and YouTube.
 - 1. City social media site: A social media site that:
 - a. Is established or administered by the City, or by a City employee, or elected official, acting in his/her official capacity.
 - b. Is held out to be representative of, or held out to be established or used by, the City, or any department, employee, volunteer, elected official, commission, or component thereof.
 - c. Utilizes a City name, title, logo, or other indicia of City endorsement, establishment, or administration of such social media site.
 - 2. Non-City social media site: A social media site established or used by a City employee acting in his/her personal capacity.
- B. Comments: Information, commentary, dialogue, links, pictures, videos, and/or other forms of communicative content posted on a social media site.
- C. Post: Content an individual shares on a social media site or the act of publishing content on a site.
- D. Site Administrator: The City employee or individual subject to these procedures designated to establish, monitor and maintain a City social media site.

- E. User: Any person who accesses, views, follows, likes, subscribes, links to in any manner, and/or posts comments on a social media site.

II. Objectives of City Social Media

The goals of the City's use of social media are:

- A. To connect with the public, particularly current, future, and former Meridian residents, visitors, and businesses;
- B. To educate, inform, and energize the public regarding the City and its activities and operations;
- C. To establish and maintain a forum for public dialogue regarding topics relevant to the City and the Meridian community;
- D. To elicit, listen to, and implement feedback from customers and observers regarding the City, its activities, and operations;
- E. To promote and support the community served by the City;
- F. To alert and communicate with citizens during emergencies;
- G. To share information from other related agencies to help promote relevant programs, events, and services; and
- H. To respond to inquiries regarding municipal services and government in a timely manner.

III. Establishment and Administration of City Social Media Sites

- A. All City social media sites shall be administered or overseen by a Site Administrator agreed upon by the director of the requesting department and the Communications Manager. Upon creation of the site, the Site Administrator shall provide to the Communications Manager administrative rights and all login information and passwords necessary to administer the social media site, and shall provide any updated login or password information immediately upon any changes to the Communications Manager. Upon separation from City employment, the Site Administrator shall provide to the Communications Manager all login information and passwords necessary to administer the social media site, and shall relinquish and transfer all administrator rights to the Communications Manager.
- B. Prior to establishing a City social media sight, departments, commissions, employees, volunteers, or elected officials shall obtain approval from the Mayor, or designee, and the City of Meridian Communications Manager.
- C. Employees or other individuals subject to these procedures seeking to establish a City social media site shall submit to the Communications Manager a written proposal, which shall include the following information:

1. The proposed platform to be used;
 2. The mission, vision, and objectives of the proposed site;
 3. The City employee(s) designated to establish, monitor and maintain the site;
 4. Plan for the design, content, and features of the proposed site; and
 5. Whether Users may post comments or messages on or through the site, and if so the schedule and plan for reviewing and following up on such comments.
- D. The Mayor, or designee, may order City employees to wholly remove City social media sites that are established or administered in violation of these procedures. The failure to remove a City social media site in accordance with such order may result in disciplinary action up to and including termination.
- E. City employees or other individuals subject to these procedures using or administering City social media sites shall conduct themselves at all times as a representative of the City and in accordance with all City policies. Failure by City employees to do so may result in disciplinary action up to and including termination.
- F. All social media site administrators, City employees, and other individuals subject to these procedures shall not share on any City social media site:
1. Confidential information;
 2. Information or statements reflecting for or against active legislation; or
 3. Information concerning pending legal matters.
- G. All City social media sites shall publicly make available the following information:
1. City of Meridian Social Media Terms of Use Statement or a link thereto
 - a. The City of Meridian Social Media Terms of Use Statement (see Appendix A) shall be reviewed and adapted for each City social media site and approved by the Communications Manager and Legal Department.
 2. Related department/division's contact information; and
 3. Display the following disclaimer:

Disclaimer: Please note that public comments and opinions expressed by the public on this site do not reflect the opinion and position of the City of Meridian government, elected officials, volunteers or employees. This site is not monitored 24/7 and therefore any urgent matters should be directed to the City of Meridian by phone or email. In the case of emergency, dial 9-1-1.

IV. City's Use and Maintenance of City Social Media sites

- A. All City social media sites shall adhere to applicable federal, state and local laws, regulations and City policies.
- B. The City of Meridian's website at <http://www.meridiancity.org> will remain the City's primary and predominant internet presence.
- C. The Communications Manager shall monitor content on all City social media sites to ensure adherence to these procedures, consistency with the interests and goals of the City of Meridian, and enterprise-wide consistency in messaging and information across platforms and site administrators.
- D. Content posted by the City and comments posted by Users on City social media sites contain records subject to the Idaho Public Records Act. Any content posted or maintained in a social media format that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure.
- E. The Site Administrator or Communications Manager may remove and/or restrict comments with approval from the Legal department. Any comments removed or restricted shall be documented with a screen capture/record, date and time of post, original post the comment corresponds with, and visible personal information of user. Comments containing or uploading any of the following inappropriate forms of content shall be subject to removal or restriction:
 - 1. Content that is deemed in violation of the City's Social Media Policy, these terms of use, the terms and conditions of use of [Name of Site] or any applicable federal, state or local law;
 - 2. Profane, obscene, indecent, violent, or pornographic content;
 - 3. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, sexual orientation, or national origin;
 - 4. Defamatory or personal attacks;
 - 5. Threats to any person or organization;
 - 6. Encouragement or incitement of illegal activity;
 - 7. Information that may tend to compromise the safety or security of the public or public systems;
 - 8. Content that violates a known legal ownership interest, such as a copyright, of any party; or

9. Any content that contains or perpetuates a virus, corrupted file, or other defect or program that may cause damage.
 - F. City employees or other individuals subject to these procedures using or administering City social media sites shall conduct themselves at all times as a representative of the City and in accordance with all City policies.
 - G. City employees or other individuals subject to these procedures who manage social media sites/platforms on behalf of the City should be aware and adhere to said sites/platforms' term of use. Questions may be directed to the Information Technology Department.
- V. City Employees' Personal Use of Personal or Non-City Social Media Sites
- A. City employees or elected officials using non-City social media sites for personal use should be aware that all social media sites are or may be accessible to the public, other City employees and officials.
 - B. City employees or other individuals subject to these procedures shall not use non-City social media sites for personal use for any purpose or in any manner that may adversely affect the City, his or her City employment or City designated responsibilities, his or her City workplace and/or that of other City employees or elected officials, including, but not limited to, speech, conduct, photographs, videos, audio messages, or other activities, images, or recordings that constitute or convey bullying, gossiping, sexual harassment, abuse of City or other public resources, violation of City policies, or illegal activity. Such use by City employees of non-City social media site may result in disciplinary action up to and including termination.
 - C. Where a City employee or other individual subject to these procedures acting in his/her personal capacity, wishes to post or comment on Non-City social media site:
 1. Regarding work or subjects associated with the City, or
 2. Where such employee or individual is or would reasonably be believed to be speaking in his/her City professional, volunteer, or official capacity, the provisions of this and other City policies shall apply, and the employee or individual shall include the following disclaimer in his/her post/comment:

Disclaimer: This post/comment is my own and does not necessarily represent the positions or opinions of the City of Meridian.
 - D. City employees shall not access or use non-City social media sites in a manner that causes loss of productivity during working hours. Such use by City employees may result in disciplinary action up to and including termination.

APPENDIX A
CITY OF MERIDIAN SOCIAL MEDIA TERMS OF USE STATEMENT

I. Terms of Public's Use of [Name of Site]

- A. This site is intended to provide important, relevant and engaging information to Users, specifically regarding City of Meridian business, events, and programs [specifically related to FOCUS AREA]. Any comment or materials posted by a User of this site may be attributed only to that User, and does not necessarily reflect the positions or opinions of the City of Meridian, its employees or officials. The City of Meridian does not warrant the accuracy of any statement or claim made here, is not responsible for any User-generated content, and does not endorse any opinion expressed here. All Users must comply in all respects with the City of Meridian's Terms of Public's Use for this site. The following terms of use shall also apply:
1. The City seeks to serve all of its constituents by hosting an open but civil dialogue. Reasonable arguments for opposing views are encouraged.
 2. Users shall have no right of privacy on the City's social media sites, as such sites may be or contain public records subject to disclosure pursuant to the Idaho Public Records Act and the City's records retention schedule.
 3. A comment posted by a member of the public on any City social media site is the opinion of the commentator or poster only. Publication of a comment does not imply endorsement of, or agreement by, the City of Meridian, nor do such comments necessarily reflect the opinions or policies of the City of Meridian.
 4. Comments should relate to the topic being discussed in the original post, should not contain random or unintelligible information or text, and should not be wholly an advertisement of commercial products or services.
 5. Comments containing or uploading any of the following inappropriate forms of content are subject to removal and/or restriction:
 - a. Content that is deemed in violation of City policy, these terms of use, the terms and conditions of use of [Name of Site], or any applicable federal, state or local law;
 - b. Profane, obscene, indecent, violent, or pornographic content;
 - c. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, gender identity, sexual orientation, or national origin;
 - d. Defamatory or personal attacks;
 - e. Threats to any person or organization;

- f. Encouragement or incitement of illegal activity;
 - g. Information that may tend to compromise the safety or security of the public or public systems;
 - h. Spam, scams, or fraudulent or deceptive messages;
 - i. Content that provides personally identifiable medical information of someone other than the commenter;
 - j. Content that violates a known legal ownership interest, such as a copyright or trademark of any party; or
 - k. Any content that contains or perpetuates a virus, corrupted file, or other defect or program that may cause damage.
6. All use of this site shall be bound by the City of Meridian terms and conditions of use. Where appropriate, City may report any violation of such terms and conditions to [Name of Site].
7. These terms may be revised at any time.
8. A User's submission, posting, or other publication of a comment constitutes acceptance of these terms.



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| City of Meridian |
| Standard Operating Procedure |
| Number 6.20 |

Use of Unmanned Aerial Devices (Drones)

Purpose:

To set forth the City's procedures regarding the use of drones by employees.

Procedures and Related Information:

- I. As needed to perform required job functions, an employee may be authorized by the department director to use a City drone. All drone operations shall follow all established policies and procedures for operating City equipment.
- II. Employees must obtain remote pilot certifications from the FAA prior to operating a drone owned by City or otherwise approved for City use.
- III. Employees operating drones must comply in all respects with: all FAA regulations and requirements; all City, State, and Federal laws and regulations; and all state and federal Constitutional guarantees.
- IV. Pursuant to Idaho Code section 21-213(2)(b), drones may not be used to photograph or otherwise record an individual, without such individual's written consent, for the purpose of publishing or otherwise publicly disseminating such photograph or recording.
- V. Employees shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g. residence, yard, enclosure) and shall take reasonable precautions to avoid inadvertent entry into, or recording images of, areas where there is a reasonable expectation of privacy.
- VI. Employees may collect information using a drone only while using it for a specifically authorized use and may not use it to conduct personal business of any type. Employees may use drone- collected information only for marketing, mapping, management and assessment of City facilities and construction projects, infrastructure monitoring, and site visits and inspections pursuant to pending applications/ permits.
- VII. Employees may not use personally- owned drones for City purposes unless specifically requested and approved by the department director.



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| City of Meridian |
| Standard Operating Policy |
| Number 7.1 |

Drug and Alcohol

Purpose:

To set forth the City's policy to provide a drug and alcohol-free workplace for the protection and well-being of the City, its employees, property, equipment, operations, and the public it serves.

Policy:

In recognition of the harmful effects that the use of illegal drugs and the misuse of alcohol can have on employees in the workplace, the City of Meridian has a responsibility to provide and maintain a safe, secure, productive and efficient work environment free of the use, sale or possession of alcohol and controlled substances. The City is committed to promoting and maintaining a drug and alcohol-free work environment for our employees and members of the general public. Furthermore, the City has an obligation to protect the City's property, equipment, operations and reputation.

Being under the influence of alcohol or an illegal drug or improper use of a prescription drug on the job poses serious safety and health risks to the user and to all those who work with the user. The use, sale, purchase, transfer, or possession of an illegal drug in the workplace, and the use, possession, or being under the influence of alcohol in the workplace also poses unacceptable risks for safe, healthful, and efficient operations.

Employees are expected to report to work drug and alcohol free in order to enable safe and efficient job performance. Employees are expected to engage in activities while on the job, while on City premises, or in the scope and course of employment, which are appropriate for the work environment and do not compromise the City's integrity or interest in maintaining a safe, secure, and drug and alcohol-free workplace.

For the purpose of this policy, volunteers are considered employees, when in the workplace. This policy applies to all regular full-time, part-time, introductory, temporary, seasonal, contract employees, and all selected job applicants or prospective City employees.

The City requires compliance with this policy as a condition of employment for qualified applicants or for continued employment for all City employees and volunteers. Anyone found to be in violation may be subject to disciplinary action, up to and including termination.

This Drug-Free Workplace Policy is not intended to replace or supersede testing, reporting, and procedures mandated by federal and state rules, regulations, or laws that relate to the maintenance of a workplace free from alcohol and illegal drugs.

This policy shall be implemented pursuant to the Drug and Alcohol Standard Operating Procedures.

Represented Employees (Fire Union)

The collective labor agreement shall govern the alcohol/drug program/policy for represented employees.

Authority & Responsibility:

The Human Resources Director or designee shall be charged with interpreting and administering this policy. Supervisors and department directors are responsible to ensure compliance to this policy within their areas of responsibility.



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| City of Meridian |
| Standard Operating Policy |
| 7.2 |

Use of Nicotine or Tobacco Products

Purpose:

To set forth the City's policy on the use of nicotine or tobacco products, real or simulated, by employees, on City property during work hours.

Policy:

To promote a healthy workforce and healthy working environment, employees' use of nicotine or tobacco products, real or simulated, on City property during work hours is hereby prohibited.

This policy shall be implemented pursuant to The Use of Nicotine or Tobacco Products Standard Operating Procedures.

Authority and Responsibility:

Human Resources shall be responsible for interpreting this policy.

Exceptions:

This policy does not restrict employee use of products prescribed or recommended by a health care provider as part of a smoking or tobacco cessation program, so long as use of such products during work hours occurs in public smoking areas only. This exception shall only apply for sixty (60) days after providing notice to Human Resources at the beginning of the program or until program completion occurs, whichever is shorter.



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| City of Meridian |
| Standard Operating Policy |
| Number 7.3 |

Workplace Violence

Purpose:

To set forth the City's policy prohibiting violence in the workplace by employees, supervisors, elected or appointed officials, and members of the public.

Policy:

The City prohibits the use of verbal, physical, and/or electronic means of intimidation, threats or violent acts by or towards any City employee, on any City premise, and/or within any City vehicle. All such actual or potential incidents must be reported promptly to the employee's supervisor, department director, Human Resources Director or designee, or the Compliance and Ethics Helpline.

This policy shall be implemented pursuant to the Workplace Violence Standard Operating Procedures.

Authority & Responsibility:

Supervisors and department directors or designees are responsible for ensuring a violence-free workplace within their scope of responsibility. Human Resources shall be responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 7.4 |

Criminal Charges

Purpose:

To set forth the City's policy on employees who incur criminal charges.

Policy:

Employees charged with a misdemeanor or felony of any class must report the charge immediately to his/her department director or designee. Should the charge interfere with the employee's ability to perform his/her duties, create a conflict of interest, or compromise the best interests of the City, the employee may be subject to disciplinary action up to and including termination.

This policy shall be implemented pursuant to the Criminal Charges Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall administer and interpret this policy. Department Directors or supervisors who are informed by an employee of criminal charges must report such information to the Human Resources Director or designee immediately.



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| City of Meridian |
| Standard Operating Policy |
| Number 7.5 |

Standards of Conduct

Purpose:

To set forth the City's policy regarding standards of conduct and behavior to be followed by all City employees, appointed officials, and elected officials ("employees").

Policy:

All employees are expected to conduct themselves in a professional manner that is representative of the City. All employees regardless of title are expected to provide excellent customer service to the public, treat all members of the public with due respect, be accountable for their actions, and to maintain good community relations.

This policy shall be implemented pursuant to the Standards of Conduct Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall be responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 7.6 |

Prohibited Activities in Workplace Conduct

Purpose:

To set forth the City's policy for activities and behaviors that are inappropriate and prohibited within the workplace.

Policy:

All employees, appointed officials, and elected officials are expected to perform and behave in a professional and courteous manner. Inappropriate and prohibited activities and behavior within the workplace will not be tolerated by employees or volunteers (as applicable).

This policy shall be implemented pursuant to the Prohibited Activities in Workplace Conduct Standard Operating Procedures.

Authority & Responsibility:

Human Resources shall administer and interpret this policy. Department Directors or designees and supervisors are responsible to ensure compliance with this policy for themselves and individuals within their assigned scope of responsibility.



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| City of Meridian |
| Standard Operating Policy |
| Number 7.7 |

Recycling

Purpose:

To set forth the City's policy regarding recycling efforts by City employees.

Policy:

The City of Meridian supports and actively participates in recycling efforts to protect the environment and divert materials from the landfill. All City departments are encouraged to recycle, rather than discard, any and all materials that are recycled by the City's waste hauler.

This policy shall be implemented pursuant to the Recycling Standard Operating Procedures.

Authority & Responsibility:

Department Directors are responsible for administering this policy in their respective departments.



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| City of Meridian |
| Standard Operating Procedures |
| Number 7.1 |

Drug and Alcohol

Purpose:

To set forth the City's procedures for providing a drug and alcohol-free workplace for the protection and well-being of the City, its employees, property, equipment, operations, and the public it serves. These procedures include the City's drug and alcohol testing program and provide guidance to supervisors and employees concerning their responsibilities for carrying out the program.

Procedures and Related Information:

I. General

- A. These procedures apply to all regular full-time, part-time, introductory, temporary, and seasonal or contract employees, volunteers, and all job applicants.
- B. Represented employees (Fire Union) are governed by the alcohol/drug policy/program set forth in the current collective labor agreement, appendix B.
- C. Safety Sensitive Positions – As used in these procedures, safety sensitive positions are those positions that include the following functions, duties and responsibilities:
 1. The job functions associated with these positions directly and immediately relate to public health and safety, the protection of life, and law enforcement.
 2. Safety sensitive positions are those that require an employee to:
 - a. Carry firearms;
 - b. Have custodial responsibility for illegal drugs;
 - c. Perform emergency medical, lifesaving, and/or fire suppression activities;
 - d. Have supervision over children in the absence of their parents or adult guardians;
 - e. Have access to homes and/or businesses in the City;
 - f. Handle hazardous materials that if mishandled, place City employees and/or the general public at risk of serious injury;
 - g. Work in the water and wastewater systems and their operations;
 - h. Be required to maintain a Commercial Driver's License (CDL); or
 - i. Operate heavy machinery
 3. Human Resources shall maintain a list of every safety sensitive position that is covered in these procedures.

II. Definitions

- A. Alcohol: means any beverage that contains ethyl alcohol (ethanol), including but not limited to beer, wine, and distilled spirits.
- B. Applicant: Any individual tentatively selected for employment with the City.
- C. City premises or City facilities: for the purpose of these procedures means all property of the City of Meridian including, but not limited to, the offices, facilities, land, and surrounding areas on the City's owned or leased property, parking lots, and storage areas. The term also includes the City's owned or leased vehicles and equipment wherever located.
- D. Drug Paraphernalia: Drug related paraphernalia is any unauthorized material or equipment or item used or designed for use in testing, packaging, storing, injecting, ingesting, inhaling, or otherwise introducing into the human body an unauthorized substance.
- E. Drug testing: means a urinalysis taken for the purpose of determining whether drugs are in the person's system or any other testing the City deems appropriate and reliable.
- F. Employee Assistance Program (EAP): A contract-based counseling program that offers assessment, short-term counseling, and referral services to employees for a wide range of alcohol, drug, and mental health problems and monitors the progress of employees while in treatment.
- G. Illegal drug: means any drug as defined by section 802 (6) of Title 21 of the United States Code which is not legally obtainable under chapter 13 of that title. Examples of illegal drugs are cannabis substances, such as marijuana and hashish, cocaine, opiates, phencyclidine (PCP), and so-called designer drugs and look-alike drugs or use of a legal drug not prescribed to the employee.
- H. Legal drug: means any prescribed drug or over-the-counter drug that has been legally obtained and is being used for the purpose for which prescribed or manufactured.
- I. Medical Review Officer (MRO): An independent licensed medical practitioner who has knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate all positive test results together with an individual's medical history and any other biomedical information.
- J. Reasonable belief: means a belief based on objective facts sufficient to lead a prudent person to conclude that a particular employee is under the influence of drugs or

alcohol which may cause the employee to be unable to satisfactorily perform his or her job duties or pose a hazard to himself/herself or others.

- K. Under the Influence: means a condition in which a person is affected by a drug or alcohol in a detectable manner. A determination of being under the influence can be established by a scientifically valid test, such as breath test or urinalysis.

III. Prohibited Activities

A. On-Duty

1. Employees are expected to work alcohol and drug free in order to enable safe and efficient job performance.
2. The use, sale, distribution, manufacture, purchase, transfer, storage, or possession of alcohol or illegal drugs, paraphernalia or the unauthorized use of prescription drugs or any combination thereof, while on City premises, in City vehicles is strictly prohibited. While operating City equipment, at a job site during work hours or in the scope and course of City employment is also strictly prohibited. Any violation of these procedures are grounds for disciplinary action, up to and including termination.
3. Employees who report to work and are suspected of being under the influence of alcohol or drugs shall be immediately reported to Human Resources and may be subject to reasonable cause drug or alcohol testing and will not be allowed to drive themselves to be tested, home or elsewhere. Refusal to comply with this rule may result in immediate termination.
4. Any on-duty conduct of any employee which results in an arrest or conviction, regardless of the form of the judgement, for Driving under the Influence, Possession of Alcohol by a Minor, procuring or distribution of illegal drugs may be subject to discipline up to and including termination.
5. Any employee arrested, while on duty, for committing an offense identified in section 4 must inform their supervisor or Human Resources immediately. Failure to do so may be subject to disciplinary action, up to and including termination.
6. Restrictions caused by the criminal conduct, i.e. driver's license restrictions; jail or work release; occupational license suspensions or revocations, etc., may be subject to discipline up to and including termination. The City of Meridian is not required by these procedures to adjust work schedules, job duties, or bonafide job requirements due to the employee's restrictions.

B. Off-Duty

1. The off-duty conduct of any employee which results in an arrest or conviction, regardless of the form of the judgement, for Driving under the Influence, Possession of Alcohol by a Minor, procuring or distribution of illegal drugs may be subject to discipline up to and including termination.
2. Any employee arrested or convicted, regardless of the form of the judgment of violating a criminal offense identified in section 1 away from the workplace must inform the City of such arrest or conviction, regardless of the form of the

judgment, immediately, but no longer than five days of the event. Notification must be made to the employee's supervisor or Human Resources. Failure to inform the City subjects the employee to disciplinary action up to and including termination.

3. Restrictions caused by the criminal conduct, i.e. driver's license restrictions; jail or work release; occupational license suspensions or revocations; etc., may be subject to discipline up to and including termination. The City of Meridian is not required by these procedures to adjust work schedules, job duties, or bonafide job requirements due to the employee's restrictions.

IV. Prescribed Medication

- A. The use of drugs/medicine prescribed by a licensed medical practitioner will be permitted provided that it will not and in fact does not affect work performance, nor will it impair the employee's ability to safely operate equipment or machinery. The City reserves the right to have a licensed medical practitioner who is familiar with the employee's medical history and assigned duties determine if use of the prescription drug will produce effects which will increase the risk of injury to the employee or others while working. If such a finding is made, the City may limit or suspend the work activity of the employee during the period that the licensed medical practitioner advises that the employee's ability to perform his or her job safely may be adversely affected by such medication. Any employee who has been informed by his/her licensed medical practitioner that the prescription drug could cause adverse side effects while working must inform his/her supervisor prior to using the medication on the job.
- B. Employees must not consume prescribed drugs more often than as prescribed by the employee's licensed medical practitioner and they must not allow any other person to consume the prescribed drug.

V. Discipline

- A. Any employee who possesses, distributes, sells, attempts to sell, or transfers illegal drugs on the City of Meridian's premises or while on City business or at any other time that becomes known to the City will be subject to discipline up to and including termination.
- B. Any employee who is found to be in possession of or under the influence of alcohol in the workplace or during work hours in violation of these procedures and will be subject to disciplinary action up to and including termination.
- C. Any employee who is found in possession of drug paraphernalia in violation with these procedures and will be subject to disciplinary action up to and including termination.
- D. Any employee who is found through alcohol or drug testing to have in his or her body system a detectable amount of alcohol or an illegal drug as defined by these procedures will be subject to disciplinary action up to and including termination.

Employees voluntarily participating in an alcohol/drug rehabilitation program recommended by the Employee Assistance Program will not be subject to discipline for participation in the program. If the employee is required to participate in an alcohol and/or drug program the Employee Assistance Program will notify Human Resources when an employee has completed to rehabilitation program. Prior to returning back to work an employee must have a negative test result and after an employee returns to work, he/she will be subject to unannounced drug and alcohol testing for a period of six (6) months. A single positive test result or failure to successfully complete the recommended rehabilitation program will be grounds for disciplinary action up to and including termination.

- E. Any employee who refuses to submit to an alcohol or drug test under the terms of this policy will be subject to disciplinary action up to and including termination.
- F. Employees who are required to participate in the City's Employee Assistance Program (EAP) will be subject to termination for the following policy violations:
 - 1. Failure to contact the EAP within five (5) working days after notification of a positive result.
 - 2. Refusal or unexcused failure to participate in counseling or the EAP program.
 - 3. Abandonment of a treatment program prior to completion and being released.
- G. If the employee is not a part of the City's random pool for testing; after completion of the prescribed program the employee shall be placed in the City Random Pool for testing for one (1) year.

VI. Employee Assistance Program (EAP) & Self-Referral

- A. The City recognizes that alcohol and chemical dependency are highly complex problems that can be successfully treated. Any employee needing help in dealing with these problems is encouraged to use City's EAP program and the benefits available through the City's medical plan. The Human Resources Department has brochures and cards on the EAP program and on the Human Resources Intranet page under Benefits.
- B. Self-Referral
 - 1. Rehabilitation assistance in lieu of discharge may be offered.
 - 2. Any employee, who identifies him/herself to have an alcohol or drug problem, provided that the request is made prior to violation of the City's alcohol and drug policy, and who self-refer to the EAP program, will not be subject to disciplinary action for voluntarily requesting help due to alcohol and/or drug problems. A request for rehabilitation may not be made in order to avoid the consequences of a positive alcohol or drug test result or to avoid taking an alcohol or drug test when requested to do so under the terms of these procedures.
 - 3. An employee who is in rehabilitation or who has completed rehabilitation will be allowed to return to work upon presentation of a written release signed by a

licensed medical practitioner or recognized rehabilitation professional. An employee returning to work after treatment may return to work after taking and passing an alcohol and/or drug test. Employees who undergo a counseling or rehabilitation program will be subject to unannounced testing following completion of such a program for a period of six (6) months.

4. Employees who are referred to outpatient and/or in-patient alcohol or drug rehabilitation will be expected to do so at their own expense, (with the exception of those expenses covered by the City's health insurance program) on their own time or during a leave of absence, that may be covered under the Family Medical Leave Act (FMLA) or during a non-paid leave of absence approved by the City.
5. Affected employees shall, whenever possible, schedule outpatient rehabilitation treatment during times that will not conflict with the employee's work schedule, provided however, employees will be allowed to use vacation or sick leave, or unpaid leave, if outpatient rehabilitation treatment cannot be scheduled other than during their regular work schedule.
6. If an employee's job is a Safety Sensitive Position as designated above or requires driving a City vehicle, Human Resources may consult with the City Attorney regarding authorization to continue with all job duties while in an EAP counseling or rehabilitation program during their regular work schedule.

C. Involuntary Referral

When an employee tests positive for alcohol or drug use the first time (or is identified as being under the influence of alcohol or drugs at work) as identified in the City's Alcohol and Drug policy and procedures the employee may be sent to the City's EAP program for assessment, and treatment planning. Subsequent failures may be considered cause for termination.

VII. Education

A. Supervisors and other management personnel will be informed of:

1. Overall City policy;
2. EAP program intervention, procedures, and supervisor's role;
3. Documentation of employee performance and behavior.

B. Employees will be informed of:

1. The health and safety dangers associated with alcohol and drug use;
2. The provisions of this policy and procedures through employee meetings and employee orientation.

VIII. Testing Procedures

A. Pre-Employment Testing

1. All applicants for safety sensitive positions shall be given a conditional offer of employment and will be required to submit to testing for the presence of

alcohol and illegal drugs. The offer of employment is contingent upon a negative alcohol and drug test result. A conditional offer of employment will be rescinded for any applicant who tests positive for the presence of alcohol and/or illegal drugs. No application for employment may be accepted for the individual for one (1) year following a positive test.

2. An applicant will be notified of the City of Meridian's alcohol and drug testing policy prior to being tested; will be informed in writing of his or her right to refuse to undergo such testing; and will be informed that the consequence of refusal is termination of the pre-employment process.

B. Reasonable Belief Testing

1. An employee will be tested for alcohol and illegal drugs, or the abuse of prescription medication, when the employee manifests "reasonable belief" behavior that would endanger his/her well-being, as well as the safety of fellow employees or the general public. The basis of suspicion of alcohol or drug abuse may be a specific, contemporaneous event, or conduct-evidencing impairment observed over a period of time.
2. An employee who is tested in a "reasonable belief" situation will be put on administrative leave with pay pending receipt of written test results and whatever inquiries may be required.

C. Post-Accident Testing

1. Any employee involved in a work-related accident will be tested for the use of alcohol and illegal drugs, as soon as possible after the accident, preferably within four (4) hours. Examples of conditions that will require an employee to take an alcohol and drug test include, but are not limited to, accidents, that result in:
 - a. A fatality, personal injury, or injury to another person requiring transport for medical treatment away from the site of the accident;
 - b. Damage to equipment or property owned by the City, or by a third party, that is estimated to exceed \$1500.
 - c. Damage to a City vehicle that is estimated to exceed \$1500.
2. An employee who is seriously injured and cannot provide a specimen for testing will be required to authorize the release of relevant hospital reports, or other documentation, that would indicate whether there were alcohol or drugs in his/her system at the time of the accident. Any employee required to be tested under this section must remain readily available for such testing and the employee may not consume any alcohol or illegal drugs.
3. If it is determined by management that an employee's accident was caused by the actions of another, and that there were no unsafe acts on the part of the employee, the City reserves the right to waive post-accident testing of the employee. Employees who are involved in a work-related accident requiring medical treatment are to immediately inform their supervisor of the accident,

so that any needed alcohol or drug testing may be promptly conducted in conjunction with their medical treatment.

D. Random Testing

Employees in Safety Sensitive positions will be subject to random alcohol and drug testing.

1. Random tests will be unannounced and occur throughout the calendar year. Random selections will be made by a scientifically valid method that will result in each employee having an equal chance of being tested each time selections are made. The Human Resources Director, or designee will notify the individual's supervisor and the individual selected for random testing on the same day the test is scheduled. The supervisor will be notified within two hours of the scheduled testing and the employee will be notified immediately preceding the scheduled testing. Upon notification, the employee shall proceed immediately to the testing site and at the City's discretion; employees may be transported or escorted to the testing site.
2. The annual number of random tests will be no more than fifteen percent (15%) of the average number of employees subject to random testing for alcohol and illegal drugs.
3. In implementing the program of random testing, the City shall evaluate periodically whether the numbers of employees tested and the frequency with which those tests will be administered satisfies the City goal of achieving a drug-free work force.

E. CDL Testing

In compliance with the Department of Transportation (DOT) ruling 49 CFR parts 40 and 382, pre-employment, random, reasonable belief, and post-accident drug and alcohol testing shall be required for employees in positions that require a Commercial Driver's License.

IX. Drug/Alcohol Specimen Collection/Testing Procedures

A. Specimen Collection Procedures

1. When a prospective or current employee is notified that he/she is to submit to alcohol and drug testing he/she will be given instructions regarding where and when to report for tests, or at the City's discretion an employee may be transported or escorted to the place of collection. A collection specialist who has been trained in collection procedures will conduct all specimen collections. Testing will be done in accordance with approved collection procedures.
2. All specimens will be tested for the presence of alcohol and illegal drugs. All specimens tested for illegal drugs will be done by urine analysis. Alcohol testing will be done by a Breath Alcohol Technician (BAT) employed by the collection facility that is trained in operation of an evidential breath-testing device (EBT). If an individual is unable to take a breath-test due to a medical

condition then a blood test will be administered.

B. Adulteration or Submission of Concealed Specimen

1. If during the collection procedure, the collection monitor detects an effort by the prospective employee or an employee to adulterate or substitute a specimen, a second specimen will be requested. If a second specimen is provided, both will be tested. If the second specimen is refused, the collection monitor will inform the Human Resources Director, or designee that the donor refused to submit a true specimen. Such substantiated conduct will be considered equivalent to testing positive and the prospective employee will not be offered employment or a present employee will be terminated from further employment with the City.
2. In the event that a prospective or current employee submits a specimen that the laboratory later identifies as a diluted specimen, the City will advise the prospective or current employee of that finding and request that he/she submit a second specimen. Such donors will be advised by the City not to drink any fluids prior to the test.

C. Testing and Confirmation

1. The cut-off levels for all Non-DOT testing is as follows:

| <u>Drug Class</u> | <u>Screening</u> | <u>Confirmation</u> |
|---------------------|------------------|---------------------|
| Amphetamine Family | 1000 ng/ml | 500 ng/ml |
| Cocaine | 300 ng/ml | 150 ng/ml |
| Phencyclidine (PCP) | 25 ng/ml | 25 ng/ml |
| Marijuana | 50 ng/ml | 15 ng/ml |
| Opiates | 2000 ng/ml | 26 ng/ml |

2. The cut-off for alcohol concentrative will be on two levels. Any employee, who tests above a level of 0.02 BAC and up to 0.039 BAC may be subject to disciplinary action, will not be allowed to work for at least 24 hours and must have a negative test result before returning to work. Any employee who tests at or above 0.04 BAC is considered to have tested positive and is considered to be under the influence of alcohol. Positive alcohol tests resulting from the breath test will include a confirmatory breath test conducted no later the fifteen (15) minutes after the initial test; or the use of any other confirmatory test can be used that demonstrates a higher degree of reliability.
3. Any specimen that screens positive for the presence of illegal drugs will be confirmed by the Gas Chromatography/Mass Spectrometry (GC/MS) confirmation method. Any employee who tests positive for illegal drugs or prescription medication may request to obtain an independent test using the remaining portion of the urine specimen that yielded the positive result. The retest is at the applicant's or employee's own expense (unless those expenses are covered by the City insurance program). This request must be conveyed to the MRO within 48 hours of the employee being notified of the positive test result.

4. During the time the second test is being conducted, the pre-employment selection process for an applicant will be placed on hold. An employee already working for the City will not be allowed to work. If the retest reverses the positive result, the City shall reimburse the cost of the retest and any loss of compensation and benefits, that is incurred as a result of the initial positive test results. The City will have no liability to any employee for errors or inaccurate test results.

X. Test Result Notification

- A. All results received from the laboratory will be forwarded to the office of the accredited collection agency for the purpose of their providing medical review officer services. When a test shows a positive test result the employee or applicant will be contacted by the Medical Review Officer (MRO) and will be given the opportunity to provide an explanation for the positive result. The MRO may choose to conduct employee medical interviews, review employee medical history, or review any other relevant biomedical factors. After the employee has been provided an opportunity to consult with the MRO and the MRO determines that the test is positive the City will be notified. The collection agency will only report results to the Human Resource Director or designee.
- B. Any employee who is taking a prescription drug that may have been the cause of a positive test result will be asked to provide the name of the medication and the identity of the prescribing physician for verification. If the MRO determines that the positive test result was due to authorized use of prescription medication, he/she will immediately report a negative finding to the Human Resources Director or designee and no further action will be taken. However, if an employee cannot provide a reasonable explanation for his/her positive test result, and the MRO finds no reason to doubt the validity of the positive test, the Human Resources Director or designee will be notified of the positive test result and disciplinary action will be taken consistent with the terms of these procedures.

XI. Refusal

Any employee who refuses to be tested, or fails to provide a specimen or information as directed under the terms of this procedures, will be subject to disciplinary action up to and including termination.

XII. Effect of Testing Positive

- A. Any prospective employee who tests positive for alcohol or illegal drugs will not be offered employment. Any introductory, temporary, or seasonal employee who tests positive for illegal drugs or alcohol will be terminated.
- B. Any other employee who tests positive for alcohol or illegal drugs, will be subject to disciplinary action consistent with the terms of these procedures. (Refer to the disciplinary section of this policy).

XIII. Confidentiality

All information relating to drug or alcohol testing or the identification of persons as users of alcohol and drugs will be protected by the City as confidential and given out on a need to know basis, unless otherwise required by law, over-riding public health and safety concerns, or authorized in writing by the person in question.

XIV. Conclusion

The terms of these alcohol/drug free workplace procedures are intended to achieve a work environment where employees are free from the effects of alcohol and/or drugs. Employees should be aware that the provisions of these procedures may be revised when necessary. The City anticipates that by implementing an alcohol and drug free workplace policy and procedures, its employees will enjoy benefits of working in a safer, more secure, and more productive work environment. The City also anticipates that the provisions of these procedures will help maintain and promote the health, welfare, and safety of the general public.



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| City of Meridian |
| Standard Operating Procedure |
| Number 7.2 |

Use of Nicotine or Tobacco Products

Purpose:

To set forth the City's procedures regarding the use of nicotine or tobacco products, real or simulated, by employees, on City property during work hours.

Procedures and Related Information:

- I. Definitions

Real or simulated nicotine and tobacco products include, but are not limited to, cigarettes, cigars, pipes, snuff, and chewing tobacco, electronic cigarettes (or e-cigarettes), personal vaporizers (PVs), or electronic nicotine delivery systems (ENDS).

 - A. City property includes, but is not limited to:
 1. Buildings owned or managed by the City, including within twenty (20) feet of such buildings; provided that this prohibition shall not apply to city-owned parking lots.
 2. Vehicles owned or leased by the City; and
 3. Land and parks, whether developed or undeveloped, owned by the City.
 - B. Work hours are defined as the employee's regular work schedule, including breaks, any overtime and/or extra shifts, and any time the employee is acting within the course and scope of the employee's duties. Work hours do not include an unpaid lunch break.
- II. Employees are prohibited from using nicotine or tobacco products during work hours, on City property, as defined in these procedures.
- III. Exceptions

These procedures and the related policy do not restrict employee use of products prescribed or recommended by a health care provider as part of a smoking or tobacco cessation program, so long as use of such products during work hours occurs in public smoking areas only. This exception shall only apply for sixty (60) days after providing notice to Human Resources at the beginning of the program or until program completion occurs, whichever is shorter.



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| City of Meridian |
| Standard Operating Procedures |
| Number 7.3 |

Workplace Violence

Purpose:

To set forth the City's procedures prohibiting violence in the workplace by all employees, supervisors, elected or appointed officials, and members of the public.

Procedures and Related Information:

- I. The City of Meridian strives to maintain a work environment free from intimidation, threats, or violent acts. Intimidating, threatening or hostile behaviors, physical abuse, vandalism, arson, sabotage, and unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on City property is prohibited.
 - A. Some employees of the City may be required, as a condition of their work assignment, to possess firearms, weapons, or other dangerous devices, or are permitted to carry them as authorized by law. It is the City's policy that employees are to use them only in accordance with departmental operating procedures and all applicable state and federal laws.
 - B. Some employees of the City may have a concealed weapon permit and desire to carry the weapon with them into the workplace. In these instances, employees shall keep the weapon in their possession or out of sight and in a secure location where others cannot access it. Employees shall not display or brandish the weapon or allow others to handle it in the workplace.
 - C. While open carry is legal in Idaho, employees shall keep any weapon brought to the workplace in their possession or out of sight and in a secure location where others cannot access it. Employees shall not brandish the weapon or allow others to handle it in the workplace.
 - D. Failure to comply with these procedures may be grounds for disciplinary action, up to and including termination.
- II. Employees who feel they have been subjected to any of the behaviors listed or who observe or have knowledge of any violation of these procedures should immediately report it to their supervisor, department director, or the Human Resources Director or designee. All reports will be investigated and disciplinary action taken, if appropriate.
- III. The City reserves the right anytime, anywhere without notice to conduct searches and inspections of employees' personal effects or City-provided equipment, vehicles, offices, desks, cabinets, lockers, computer files, emails, or any other City owned property. Any illegal and

unauthorized articles discovered may be taken into custody and may be turned over to law enforcement representatives.

- IV. Any employee who violates these procedures, refuses to submit to a search, or is found in possession of prohibited articles will be subject to disciplinary action, up to and including termination of employment.



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| City of Meridian |
| Standard Operating Procedures |
| Number 7.4 |

Criminal Charges

Purpose:

To set forth the City's procedures for employees who incur criminal charges.

Procedures and Related Information:

- I. Any City employee who is charged with a misdemeanor or felony must report the charge immediately to his/her department director or supervisor. The employee may be subject to disciplinary action up to and including termination should the charge interfere with the employee's ability to perform his/her duties, create a conflict of interest, or compromise the best interest of the City, all of which will be determined solely by the department director or designee and the Human Resources Director or designee. The employee may be suspended from work pending outcome of the leadership decision and/or legal process.
- II. Failure to inform the City subjects the employee to disciplinary action up to and including termination.
- III. If an employee is convicted of a crime, whether misdemeanor or felony, that impacts his/her ability to meet the essential functions of his/her position or that creates a conflict of interest or that compromises the best interests of the City, all of which will be determined solely by the department director or designee and the Human Resources Director or designee, the employee may be subject to disciplinary action up to and including termination.



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| City of Meridian |
| Standard Operating Procedures |
| Number 7.5 |

Standards of Conduct

Purpose:

To set forth the City's procedures regarding standards of conduct and behavior to be followed by all City employees, appointed officials, and elected officials ("employees").

Procedures and Related Information:

I. Standards of Conduct

- A. The ability to provide excellent service to the public and to maintain good community relations depends on the City's employees. As an integral member of the City's workforce, each employee is expected to:
 1. Conduct themselves in a professional and courteous manner at all times;
 2. Accept and carry out responsibilities in the most effective and efficient way possible;
 3. Adhere to acceptable professional principles in matters of personal conduct; and
 4. Exhibit a high degree of integrity at all times.
- B. The City has outlined basic standards of conduct to assist each employee in understanding his/her responsibility as a City employee. These standards are provided as an example of appropriate conduct, and are not meant to be all-inclusive.
- C. Violation of these procedures may result in disciplinary action, up to and including termination. The list below are non-exclusive examples of conduct.

II. Expectations

Each employee is expected to, at minimum:

- A. Abide by all departmental rules whether they be written or issued orally by the supervisor. No employee shall be required to follow the directive of a supervisor, which violates laws of the City, the State, or the Nation.
- B. Adhere to the State of Idaho's Code of Ethics sections 18-1351 through 18-1362; The Prohibition Against Contract with Officers Act sections 59-201-209; and the Ethics in Government Act sections 59-701 through 59-705 and any other state statutes that govern City government.
- C. Perform assigned tasks efficiently and effectively, and in accordance with expected standards of performance.
- D. Report for work on time.
- E. Provide proper advance notice whenever unable to work or report to work on time.

- F. Report any illness or disability or medication that may adversely affect job performance.
- G. Keep confidential information private and avoid discussing it with anyone other than appropriate City staff members. Confidentiality is critical to maintaining the respect and dignity of co-workers, employees, and the public.
- H. Keep work environment clean and orderly. Before departing at the end of the workday, check to see if doors and files have been locked, and clear from desks or tables any documents of a sensitive or confidential nature.
- I. Put forth your best efforts to work in harmony with co-workers, employees, and the public.
- J. Extend courtesy, respect, and consideration to all co-workers, employees, and members of the public. Respect and promote the unique individuality of each co-worker, manager, and citizen, and refrain from discriminating or stereotyping on the basis of legally protected classes including, but not limited to, gender, race, sex, age, national origin, religion, or disability.
- K. Avoid conflicts of interest or use public position for personal gain.
- L. Comply with all City safety rules and regulations.
- M. Exercise maximum care and good judgement at all times to prevent accidents and injuries.
- N. Report as soon as possible work-related injuries and illnesses, regardless of their extent or nature, unsafe working conditions, and the need for maintenance or repair of vehicles or equipment.
- O. Recognize and understand that employees will be held accountable for damage to or loss of funds or property for which you are responsible. When the loss is due to negligence or carelessness, employees may be required to replace or pay for the items lost or damaged.
- P. Recognize and understand that the City is not normally responsible or accountable for loss or theft of personal property of employees.
- Q. Obtain specific written permission from a supervisor before removing City property from the premises.
- R. Maintain a current driver's license when necessary to meet the qualifications for the position.
- S. Do not engage in conduct away from work that, although not criminal, may reflect adversely upon the City.
- T. Recognize and understand that the City expressly prohibits any acts or threats of violence by any City employee or former employee against any other employee in or about City facilities or elsewhere at any time.
- U. Report any arrests or misdemeanor or felony charges that occur during employment. The City will review each situation based on its own merit, but may take appropriate disciplinary action when necessary.
- V. Do not report to work or work while under the influence of alcohol or drugs.
- W. Comply with standards of dress, which are set by each department director.



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| City of Meridian |
| Standard Operating Procedures |
| Number 7.6 |

Prohibited Activities in Workplace Conduct

Purpose:

To set for the City's procedures regarding, activities and behavior that are inappropriate and prohibited within the workplace by all employees, appointed officials, and elected officials ("employees").

Procedures and Related Information:

- I. While not all-inclusive, the following list provides examples of unacceptable conduct or performance that may result in disciplinary action, up to and including immediate termination. This list includes, but is not limited to:
 - A. Violation of or failing to follow safety standards.
 - B. Showing up for work or being under the influence of, using, or possessing illegal drugs, controlled substances or alcohol, while performing City business, on City time or premises.
 - C. Bringing or possessing unauthorized firearms, weapons, explosives, or similar items on City property.
 - D. Plea of or finding guilt, conviction of official misconduct in office, or conviction of a crime that reflects negatively on the employee's ability to perform the job or on the City as an employer.
 - E. Insubordination, including improper conduct toward a supervisor or refusal to do work as assigned without proper justification.
 - F. Discriminate in the treatment of co-workers or members of the public on the basis of legally protected classes, including, but not limited to, sex, race, religion, gender, age, national origin, or disability.
 - G. Fighting, provoking a fight, or threatening physical violence toward another employee or member of the public while on duty, or performing City business or representing oneself as a City employee.
 - H. Engaging in malicious gossip or rumors about other employees, management, or City leaders.
 - I. Engaging in abusive treatment (physical, verbal, email, text, or any other electronic means) of others.
 - J. Making degrading comments about a person of his/her appearance.
 - K. Teasing, kidding, touching, or telling jokes that may be perceived as inappropriate or offensive.
 - L. Providing false or misleading information on employment applications, job performance reports, or any other related personnel documents or papers.
 - M. Misusing, abusing, destroying or damaging City property or equipment.
 - N. Failing to report a job injury or accident; making false claims or inaccurate statements in the reporting of an injury or accident.

- O. Tardiness, absenteeism, job abandonment, unexcused or unauthorized absence or leave from work.
 - P. Abusing of benefit offerings by taking unjustified or unearned sick leave, vacation leave, or otherwise participate in a scheme or deception to create incorrect records or to claim benefits, which are not deserved in accordance with City policy.
 - Q. Using work time for personal business including selling of good or services to the general public, or preaching religious or political views to members of the public or other employees during work hours.
 - R. Altering, falsifying, or destroying time-keeping records or other City records.
 - S. Unauthorized disclosure of confidential information from City records.
 - T. Using position and/or public office or position to obtain personal or financial gain or accepting valuable gifts in exchange for influence or favors given as a City employee.
 - U. Inability to perform the essential functions of the position after reasonable accommodation has been offered and/or made.
 - V. Unlawful discrimination and/or harassment of other employees.
 - W. Unsatisfactory performance, including unwillingness or inability to get along with co-workers.
 - X. Failure to comply with or disregard of employment-related rules, policies, and prohibitions.
 - Y. Failure to abide by department rules and City of Meridian policies concerning dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the City Clerk's office who has official custody of City records. Each employee shall maintain the confidential nature of records, which are not open to public scrutiny in accordance with the direction of the responsible official.
 - Z. Failure to maintain a current driver's license when necessary in the conduct of work for the City. Each employee is obligated to report any state-imposed driving restrictions to his/her immediate supervisor and to notify his/her supervisor in the event that his/her driving abilities are impaired by other than state restrictions. (Refer to the City's drug-free workplace policy and testing policy for more information, or contact the Human Resources Department).
 - AA. Engaging in abusive conduct to fellow employees or the public, or use abusive language in the presence of fellow employees or the public. Abusive language shall include profanity and loud or harassing speech.
- II. The City will attempt to address concerns and complaints of employees in a timely and reasonable manner. If employees are concerned about work-related issues, they may and should discuss these concerns with their supervisor, department director, and the Human Resources Director or their designees. Concerns specifically related to harassment, discrimination, and unethical behavior may also be reported through the City's Compliance and Ethics Helpline or to the Mayor.



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| City of Meridian |
| Standard Operating Procedure |
| Number 7.7 |

Recycling

Purpose:

To set forth the City's procedures regarding recycling efforts by City employees.

Procedures and Related Information:

- I. Employees should follow the City's waste hauler's guidelines for recycling when disposing of potentially recyclable materials (cardboard, paper, certain plastics, and aluminum-tin cans).
- II. Departments will coordinate with maintenance to place at least one recycling bin in a common area for employees' use.
- III. There will be a larger recycling bin also located by maintenance in a common area in the basement of City Hall.
- IV. Questions regarding disposal or recycling options for materials or assets owned by the City should be addressed with Finance. Questions regarding options for disposal or recycling of computers should be addressed with IT.
- V. Employees are prohibited from removing items from the recycling bins for personal gain. Questions should be addressed to the City Attorney or designee.
- VI. Employees must obtain City Attorney or designee approval prior to removing items from the recycling bins for non-profit use.



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| City of Meridian |
| Standard Operating Policy |
| Number 8.1 |

Disciplinary Action

Purpose:

To set forth the City's policy regarding disciplinary action to ensure consistent and equitable application for all employees.

Policy:

Supervisors and department directors or designees are directed to assist employees in improving substandard or unacceptable performance and behavior by setting effective expectations, providing feedback, coaching, counseling, and other proactive activities. However, when employees do not respond to such efforts, or when events take place that are so grievous as to require disciplinary action, supervisors, department directors or designees are directed to follow the City's disciplinary process.

This policy shall be implemented pursuant to the Disciplinary Action Standard Operating Procedures.

Authority & Responsibility:

The Human Resources Director or designee shall be responsible for interpreting this policy. Supervisors and department directors or designees shall have authority and are responsible for administering this policy within their areas of responsibility up to specified levels of disciplinary action as outlined in the Disciplinary Action Standard Operating Procedures. The Mayor may be advised of disciplinary decisions made which involve demotion, suspension, or termination.



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| City of Meridian |
| Standard Operating Policy |
| Number 8.2 |

Termination of Employment

Purpose:

To set forth the City's policy regarding employment termination and the reasons for such termination proceedings.

Policy:

Employment with the City may be terminated at any time. As per the City's at-will policy, the City reserves the right to terminate employment at any time and for any or no reason. Employment may be terminated voluntarily (at the employee's request) or involuntarily (at the City's request). All involuntary terminations, except for Introductory Period employee terminations, are subject to the Adverse Employment Action Appeal Policy and related procedures.

This policy shall be implemented pursuant to the Termination of Employment Standard Operating Procedures.

Authority & Responsibility:

The Human Resources Director or designee shall be responsible for interpretation and administration of this policy. Pursuant to the Adverse Employment Action Appeal Policy, the Mayor shall have the sole authority to make final termination decisions for employees. The Mayor with approval of City Council is authorized to make termination decisions for appointed positions. The City Council also may terminate any appointed position as allowed by the Meridian City Code and the Idaho State Code.



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| City of Meridian |
| Standard Operating Policy |
| Number 8.3 |

Adverse Employment Action Appeal

Purpose:

To set forth the City's policy regarding the City's process for employees to appeal decisions that involve adverse employment action, up to and including termination.

Policy:

Employees who become subject to adverse employment decisions that include suspension, demotion, disciplinary probation, or termination may be eligible to appeal such decisions.

This policy shall be implemented pursuant to the Adverse Employment Action Appeal Standard Operating Procedures.

Authority & Responsibility:

The Human Resources Director or designee shall be responsible for interpreting this policy and for initial investigations that may take place as a result of the appeal process. The Mayor shall be responsible for final decisions regarding an appeal.



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| City of Meridian |
| Standard Operating Procedures |
| Number 8.1 |

Disciplinary Action

Purpose:

To set forth the City's procedures regarding disciplinary action to ensure consistent and equitable application for all employees.

Procedures and Related Information:

- I. Purposes of Disciplinary Action
Disciplinary action is typically considered when an employee engages in unacceptable performance or behavior. Below are outlined typical circumstances wherein disciplinary action should be considered. The disciplinary actions listed are not meant to be all-inclusive. Other circumstances may arise where disciplinary action may be warranted.
 - A. Violation of Policy or Procedure: Employees who violate City policy or procedures as set forth within the City's Standard Operating Policies (SOPs) and Standard Operating Procedures (SOPRs), instructional manuals, or other reference sources may be subject to disciplinary action as set forth within these procedures. Disciplinary action should be commensurate with the level of policy violation and the impact upon City operations, employees, reputation, liability, etc. Such employees may be subject to disciplinary action, up to and including termination.
 - B. Unacceptable Behavior: In cases where employees violate the City's Standards of Conduct (see SOPs 7.5 and 7.6), or otherwise engage in behavior including, but not limited to behavior that is unacceptable, unprofessional, or which creates a hostile or uncomfortable work environment, such employees may be subject to disciplinary action, up to and including termination.
 - C. Workflow Impact: Employees who, by their actions or inactions, create a negative impact on the workflow or ability to perform assigned duties by other employees, may be subject to disciplinary action, up to and including termination.
 - D. Substandard Performance: The City expects its employees and managers to perform assigned duties and responsibilities in an effective manner that meets reasonable expectations of quality, quantity, and timeliness. Supervisors are expected to help employees improve performance in cases of unacceptable performance through effective feedback, coaching, and counseling efforts. However, when such actions become ineffective, employees may become subject to disciplinary action, up to and including termination.

II. Steps of Progressive Disciplinary Action

- A. The following is a list of steps that supervisors may follow in administering disciplinary action. Please note that these steps are guidelines only. Disciplinary action may be initiated at any step in this process, at the discretion of the department director and the Human Resources Director or their designees depending on the performance problem, the type of conduct, or the nature of the offense involved. Termination may also result without any other prior warning being given.
- B. Disciplinary action may call for any of the following steps, depending on the issue and the type or nature of the offense.
 1. **Coaching and Counseling**
In cases of unacceptable performance, and prior to formal disciplinary action, supervisors are encouraged to use methods of coaching and counseling to resolve performance problems. Supervisors should clarify expectations and provide specific, measurable feedback to employees in order to improve performance. Performance counseling sessions should be documented, with information including performance agreements, documentation of performance improvement plans, and other related information.
 2. **Verbal Warning**
This is defined as an informal discussion of the employee's action and/or behavior that is stated specifically by the supervisor. The employee has the opportunity to explain his/her side of the situation, and the supervisor will consider that information before developing specific corrective actions. The supervisor should elicit the employee's ideas on how to resolve the issue and incorporate those whenever possible. The supervisor will specify performance agreements made, including how the employee is expected to improve, the timeframes for improvement and specific consequences for a lack of follow-through. Documentation of this verbal warning should be made by the supervisor and kept with the supervisor's work records.
 3. **Written Warning**
The same procedures of the verbal warning are recommended in this step. However, in addition, the supervisor and/or department director will prepare written documentation of this conversation for the employee and the employee's personnel file. The documentation, usually in memo form, will include the date of the conversation; the rule or policy/procedure violation specifically stated; a reference to the earlier oral warning, if given; a statement of the specific change in the employee's performance that is expected; the time allowed for improvements may be included; the consequences of not meeting the performance expectations; and comments the employee made during the conversation. An acknowledgement of receipt should be signed by the employee and dated; it might read, "I acknowledge that a copy of this written warning was given to me on this day."

4. Demotion

An employee may be demoted to a position of lesser responsibility and salary. Depending on the position, demotion may or may not be available. For information about salary impact, refer to the Compensation policy or contact the Human Resources Department.

5. Performance Improvement Plan

An employee whose performance is below expectations may have his/her performance reviewed on a schedule determined by the supervisor and/or department director or designee. The review(s) should include a formalized written improvement plan, noting dates, expected results, and responsibilities. Regardless of the outcome of the performance improvement plan, the employee's at-will status with the City remains the same.

6. Suspension

Suspension with or without pay is usually, but not always, used after a verbal warning, written warning, or performance improvement plan that individually or collectively has been given to the employee and no change in performance has resulted. It is often the final step before termination. The supervisor and/or department director will again confer with the employee about the disciplinary issue and will review all the actions, documentation, and expectations not addressed; the employee will be asked for other information to be considered. The supervisor, department director, and Human Resources Director or designee will confer to determine appropriate action, including the duration of the suspension, and will document the entire process and conversation in memo form for the employee and the employee's personnel file. The employee will be asked to acknowledge receipt of the memo. Exempt employees will not suffer deductions from their salary for suspensions of less than one workweek.

7. Termination

Termination occurs when other remedies have failed to correct unacceptable job performance and/or when an employee commits an offense so serious in the judgement of the City that termination of employment is appropriate. The supervisor, department director, Human Resources Director or their designees, and the City Attorney or designee will confer to determine when termination is required. The Mayor has total discretion on employee termination.



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| City of Meridian |
| Standard Operating Procedures |
| Number 8.2 |

Termination of Employment

Purpose:

To set forth the City's procedures regarding employment termination and the reasons for such termination proceedings.

Procedures and Related Information:

- I. Termination of employment occurs when the employee or the City decides to end the employment relationship, either voluntarily or involuntarily.
 - A. The City has no obligation to terminated employees other than to pay final wages in accordance with state and federal law.
- II. Voluntary Termination

Voluntary termination typically involves the voluntary resignation of an employee or an individual's retirement. Details are provided below.

 - A. Employees who choose to separate from City employment are urged to submit written notice to their supervisor fourteen (14) calendar days prior to their last day of work. Proper notice generally allows the City sufficient time to calculate all leave benefits and/or other monies to which the employee may be entitled. An employee's supervisor, department director or designee, in conjunction with the Human Resources Director or designee, or the Mayor may choose to waive this request and immediately end the employment relationship. The Human Resources Director or designee may consult with the City Attorney regarding waiver of notice, if necessary.
 - B. Employees may expect their final paycheck to be electronically deposited in their designated account on the next regular payday and/or in compliance with state law.
 - C. Retirement

Employees eligible for retirement benefits under PERSI (see SOP 5.3) who decide to leave employment should notify Human Resources as soon as possible about their decision. This will allow for sufficient time to arrange for PERSI benefits to begin at the time of termination. It also provides sufficient time to allow for a replacement to be found for the position in order to continue to meet operational demands.
- III. Involuntary Termination

Involuntary termination typically involves a termination of employment at the request of the City. Involuntary termination typically consists of the actions as described below. Termination of employment as initiated by the City requires approval from the department director and Human Resources Director or designee. The City Attorney may be consulted by the Human

Resources Director or designee regarding involuntary terminations. The Mayor may be advised as appropriate by the Human Resources Director or the City Attorney.

A. At-Will Termination

As an at-will employer, the City reserves the right to terminate employment at any time for any or no reason. As outlined in SOP 1.2, employment with the City is not guaranteed, nor does this or any other policy or agreement create a binding contract or guarantee of employment for those employees not represented by the current collective labor agreement. At-will terminations typically take effect immediately, with possibility for appeal in accordance with the procedures for adverse actions employment appeals (SOPR 8.3).

B. Disciplinary Termination

As a part of its discipline policy (see SOP 8.1), the City may choose to terminate employment at any time for violation of City policies, procedures, practices, codes and standards of conduct, or for any other unacceptable behavior, action or practice. Disciplinary terminations typically take effect immediately, with possibility for appeal in accordance with the procedures for adverse actions employment appeals (SOPR 8.3).

C. Lay-Offs

Layoff is defined as severance of an employee from the work force due to lack of work or funds. Layoff is made without prejudice and is no fault of the affected employee. Layoff may occur due to lack of work, budgetary restrictions, reorganization, or other factors. Layoffs may or may not provide employees with prior notification before taking effect.

D. Job Elimination

In some cases where a position is eliminated, an employee may be provided the opportunity to transfer to another City position for which he or she may be qualified. Failure to accept the transfer will be regarded as a voluntary termination.

IV. Notification of Termination

Employees being terminated shall receive written notice stating reasons for the action. Employees subject to involuntary termination shall be given an opportunity to appeal the action according to the timeframe and provisions set forth in the procedures for adverse employment action appeals (SOPR 8.3). The Human Resources Director or designee, in consultation with the department director or designee, will prepare the notification.

V. Suspension or Termination of Appointed Officials

Appointed officials may be suspended with or without pay by the Mayor with notification to City Council. The Mayor with approval of City Council is authorized to make termination decisions for appointed positions. The Mayor shall set an administrative hearing and shall notify the appointed official of the time and place of the hearing, which will be heard by a majority of the City Council members and the Mayor. The Mayor shall invite the Human Resources Director and City Attorney to attend the hearing. Appointed officials shall be terminated by the procedures set out in Idaho Code section 50-206. Exempt employees will not suffer deductions from their salary for suspensions less than one work week.

VI. Exit Interviews

- A. Whenever possible prior to an employee's separation from City employment, the Human Resources Director or designee will schedule an exit interview with the employee. The purpose of this interview is to:
 - 1. Obtain information and suggestions from the employee that may help to improve the quality of City services and the general work environment.
 - 2. Identify areas of improvement, eliciting the employee's ideas for reasonable implementation.
 - 3. Advise the employee of benefits and benefit conversion privileges for which the employee may be eligible. Exit interviews are voluntary.
- B. Human Resources shall be responsible for scheduling all exit interviews. Typically, efforts will be made to schedule exit interviews prior to the last day of employment; however, circumstances may require setting the interview for a later time.
- C. Human Resources may forward any applicable comments, recommendations, or other information to the Mayor.

VII. Surrender of City Property

- A. Employees are required to return all City property to the department director or designee at the time of separation.
- B. If the property is not returned, the employee will be asked to sign a written authorization to deduct the cost of the indebtedness from the final paycheck.



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| City of Meridian |
| Standard Operating Procedures |
| Number 8.3 |

Adverse Employment Action Appeal

Purpose:

To set forth the City's procedures regarding the City's process for employees to appeal decisions that involve adverse employment action, up to and including termination.

Procedures and Related Information:

- I. All adverse employment actions, up to and including termination shall be taken in accordance with the City's Disciplinary Action and Termination of Employment policy and procedures, (SOP 8.2 and SOPR 8.2.) The supervisor shall document all relevant facts and determine appropriate adverse employment action in consideration of the severity of the offense or performance problem, previous performance issues of a similar nature and the period of time between occurrences, overall work records, treatment of other employees under similar circumstances, and related herein.
- II. For those cases where employees feel that the adverse employment action taken was improper or not commensurate with the circumstances, an appeal procedure has been established to hear and consider the employee's concerns. All City regular full-time or part-time employees, excluding appointed officials and introductory employees, who have been demoted, suspended, placed on disciplinary action, or terminated, shall have the right to appeal certain adverse employment decisions as outlined herein.
- III. Grievance for represented employees shall be governed by the provisions of the collective labor agreement. Refer to the collective labor agreement for the process and appeals procedure.
- IV. Appeal Procedures
The following procedures shall apply for adverse employment action appeals. It is required for all stages of the appeals process that the supervisor involved shall utilize Human Resources for direction and guidance.
 - A. When an employee disagrees with adverse employment decisions that include demotion, suspension, disciplinary action, or termination, he/she will have three (3) working days from the date the decision is administered to make an appeal to his/her immediate supervisor. The employee should first attempt to informally resolve the issue with his/her immediate supervisor. When normal communications between an employee and the supervisor are not possible or successful, the employee may proceed to the next step in the process.
 - B. The employee must submit his/her written appeal to the department director or designee within five (5) working days of receiving the supervisory decision regarding the appeal. The department director or designee shall meet with the aggrieved employee

within five (5) working days of receipt of the written appeal to discuss the adverse employment action. The department director, or designee, shall issue a decision to the employee within five (5) working days following the meeting. Every effort shall be made by the employee and the department director, or designee, to resolve the appeal at this level. If resolution is reached at this step, the appeal is considered complete and documentation of its resolution will be filed with the Human Resources Director, or designee. If the appeal is unresolved, the employee may proceed to the next step in the process.

- C. After receiving the department director's decision, the employee shall present his/her appeal in writing within five (5) working days to the Human Resources Director, or designee, who shall make careful inquiry into the facts and circumstances of the adverse employment action. The Human Resources Director may request an investigation or intervention by an outside (non-City employee) third party. The Human Resources Director, or designee, may consult with the City Attorney, or designee at any point during an adverse action appeal.
 - D. The Human Resources Director, or designee, department director, or designee, and the employee will meet within five (5) working days to attempt to resolve the problem promptly and fairly. Once the inquiry and/or investigation is completed, a written response will be issued to the department director, or designee, and employee within five (5) working days, and kept on file by the Human Resources Director, or designee. If the appeal is unresolved, the employee may proceed to the final step in the process.
 - E. If the adverse employment action is unresolved the employee shall send a written appeal letter to the Mayor within five (5) working days requesting a meeting. The appeal must specify the reasons why the employee disagrees with the adverse employment decision. The Mayor will then schedule a meeting based on their availability with the employee to hear the appeal. A decision by the Mayor will be issued in writing to the employee within ten (10) working days of a decision and forwarded to the Human Resources Director, or designee. The decision by the Mayor shall be final.
 - F. Time frames set forth in these procedures may be extended upon mutual consent of the parties.
- V. Confidentiality
Any employee who uses the appeal process will be expected to keep all matters private and confidential. City representatives will keep information concerning the issues as confidential as possible, consistent with objective investigations and fair resolution of the adverse employment action and appeal process.
- VI. Non-Retaliation
Retaliation against an employee for using this appeal process or anyone cooperating in the appeal process is prohibited.
- VII. The above procedures are not a promise or contract, expressed or implied, that will be followed in every instance.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.1 |

Accounts Payable Policy

Purpose:

To set forth the City's policy regarding Accounts Receivable

Policy:

1. To set forth the City's policy to maintain control over the disbursement of its funds by requiring proper approval and consistent application of procedures for all disbursements.
2. To set forth the City's policy that seeks to promote fiscal control, timely and accurate disbursement of funds for external purchases and employee reimbursements; and compliance with state and federal regulations.

Authority & Responsibility:

1. Finance department shall be the only department to disburse payment via check, cash/coin, wire transfer, or [automatic clearing house](#).
2. Finance department shall be responsible for monitoring Accounts Payable to ensure vendor accounts are current and all outstanding payments due are regularly reviewed to prevent violation of terms and conditions along with the prevention of late fees.
3. City Controller is responsible for developing proper internal controls and segregation of duties relating to all processes relating to Accounts Payable functions.
4. Finance department is responsible for maintaining a list of [Department Approved Signers](#).
5. Department Directors are responsible for the approval of all payments for their respective departments.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.2 |

Accounts Receivable Policy

Purpose:

To set forth the City's policy regarding Accounts Receivable

Policy:

1. To set forth the City's policy to ensure that an adequate system of internal controls and responsibilities over the management and collection of accounts receivable invoice procedures is maintained.

Authority & Responsibility:

1. Department Directors shall be responsible to ensure that all Accounts Receivable invoices issued by their respective departments are for legitimate business purposes and within budgetary guidelines.
2. Department Directors are responsible for enforcing proper internal controls on the establishment of Accounts Receivable invoices to customers.
3. Departments are responsible for contacting the Finance department with write-off requests



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| City of Meridian |
| Standard Operating Policy |
| Number 9.3 |

Business Credit Account Policy

Purpose:

To set forth the City's policy regarding Business Credit Account

Policy:

1. To set forth the City's policy regarding the appropriate use of Business Credit Accounts associated with City vendors.

Authority & Responsibility:

1. Purchasing Manager is responsible for creating any Business Credit Account.
2. Department Directors are responsible to ensure that employee use of Business Credit Accounts is for authorized business purposes only.
3. City employee, City volunteer, or City commissioner found to have inappropriately used Business Credit Accounts will be required to reimburse the City for all costs associated with the improper use through payroll deductions or other payment means.
4. City employee, City volunteer, or City commissioner are responsible for the understanding and knowledge of the Business Credit Account policy.
5. City employee, City volunteer, or City commissioner are responsible for submitting an itemized receipt for all transactions.
6. Department Directors shall be responsible to ensure that all purchases on Business Credit Accounts are for legitimate business purposes and within budgetary guidelines.
7. Department Directors shall establish Business Credit Account procedures for their respective departments.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.4 |

Capital Improvement Management Policy

Purpose:

To set forth the City's policy regarding Capital Improvement Management

Policy:

1. To set forth the City's policy regarding the development and planning for capital improvements.
2. To provide guidance on what is required by the City of its departments for the annual development of the Capital Improvement Plan (CIP).

Authority & Responsibility:

1. Finance department will be responsible for facilitating the annual development of the CIP and CFP.
2. Finance department will be responsible for delivering all necessary supporting documents and communications to City departments for the development of the annual CIP and CFP.
3. Departments will be responsible for developing and submitting 10 years of capital improvement requests to Finance for inclusion into the annual CIP/CFP.
4. Mayor will be responsible for approving the annual CIP and CFP as submitted by the Finance department.
5. Council will be responsible for receiving the annual CIP and CFP as submitted by the Mayor.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.5 |

Credit Card Policy

Purpose:

To set forth the City's policy regarding Credit Card

Policy:

1. To set forth the City's policy regarding the appropriate use of City-issued credit cards.

Authority & Responsibility:

1. City Controller (or designee) is responsible for issuing credit cards to employees.
2. Employees who handle credit cards must acknowledge that they received and reviewed the Credit Card Policy.
3. Chief Financial Officer/City Treasurer is responsible for approving the issuance of all City issued credit cards.
4. Department Directors are responsible for the approval of credit card assignments for their respective departments.
5. Employees are responsible for the use of City issued credit cards as related to:
 - a. The safety and security of City issued credit cards.
 - b. The privacy of information related to City issued credit cards.
 - c. The management of all credit card itemized receipts associated to their City issued credit card.
 - d. The understanding and knowledge of the credit card policy.
 - e. The management of use of an employee's authorized credit card by a City Volunteer or City Commissioner.
6. Employees are responsible to inform the City Controller of lost or stolen City issued credit cards immediately.
7. Employees found to have inappropriately used City issued credit cards will be required to reimburse the City for all costs associated with the improper use through payroll deductions or other payment means.
8. Department Directors shall be responsible to ensure that all purchases with City credit cards are for legitimate business purposes and within budgetary guidelines.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.6 |

Financial Reporting and Accounting Policy

Purpose:

To set forth the City's policy regarding Financial Reporting and Accounting

Policy:

1. To set forth the City's policy regarding the conformity to Local, State, and Federal regulations as it pertains to the management of the Financial Reporting and Accounting.
2. To set forth the guidance pertaining to the financial reporting and accounting that will be used to inform the Mayor, Council, departments, Citizens, and Community Partners of the financial condition of the various City funds.

Authority & Responsibility:

1. Finance department, in cooperation of the IT department, will be responsible for financial system software updates and maintenance.
 - a. Applies only to the official financial record system that is managed by the Finance department.
 - i. All other software systems that may have financial information will be the responsibility of the managing department.
 1. Examples: TrueBill, Accela, ParksRec1
2. Finance department will be responsible for all official Financial Reporting to the Mayor, Council, departments, Citizens, and Community Partners.
3. Finance department will conform to all GAAP, GASB, AICPA, and GFOA regulations when developing official financial reports.
4. Finance department will conform to all GAAP, GASB, AICPA, and GFOA regulations when managing all financial entries into the City's financial system.
5. IT department will be responsible for managing all data security controls for all software programs managing financial data.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.7 |

Fixed Asset Policy

Purpose:

To set forth the City's policy regarding Fixed Assets

Policy:

1. To set forth the City's policy regarding uniform guidelines for the accounting of property owned by the City of Meridian.

Authority & Responsibility:

1. City employees' have a personal responsibility to track and safeguard City owned property in their possession.
2. Departments are responsible for tracking and locating tangible & [intangible](#) property purchased by their department or donated to the City.
3. Departments are responsible for reporting all lost or stolen property to the department Director and City Controller immediately.
4. Finance department is responsible for writing and maintaining procedures, designing forms, updating the asset/ inventory system, training departmental personnel, scheduling inventories, and authorizing disposals.
5. City employees, including their spouses, dependents, or any other person acting on the employee's behalf, are prohibited from acquiring surplus property from the City unless acquired through an advertised competitive bid process.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.8 |

Grant Management Policy

Purpose:

To set forth the City's policy regarding Grant Management

Policy:

1. To set forth the City's policy regarding Grant Management.
2. To provide guidance to City staff that seek out federal, state, and other grants that address the City's priorities and policy objectives while ensuring positive benefit to the City.
3. To provide guidance to City staff on the management of information required by grants.

Authority & Responsibility:

1. Finance department will be responsible for all official financial reporting of grant information to federal, state, and other granting agencies.
2. Mayor and Council President are the only authorized individuals of the City to sign grant agreements/contracts.
 - a. Department Directors are authorized to sign grant applications.
3. Finance department is responsible for developing all financial reporting procedures associated with grant management.
4. Departments are responsible for establishing processes associated with grant administration for their respective grants.
 - a. Departments are responsible for monitoring all sub-recipients for their respective grants.
 - b. Departments are responsible for updating the Finance department on all grant administration concerns.
 - c. Departments are responsible for all program/performance reporting associated to grants.
5. Grant Committee is responsible for reviewing, approving, and denying all grant applications over the value of \$25,000 annually and/or will be in place three years or more.
 - a. Finance department is responsible for establishing and maintaining committee members.
 - b. Departments are responsible for submitting all grant applications with supporting documentation to the Grant Committee administrator before final submission of the grant application to the granting agency.
 - c. Mayor has the authority to overrule a decision submitted by the Grant Committee on all grants reviewed by the Grant Committee.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.9 |

Internal Control Policy

Purpose:

To set forth the City's policy regarding Internal Control

Policy:

1. To set forth the City's policy regarding internal controls to provide reasonable assurance and to safeguard the City's assets.
2. To establish the requirements of each department and their responsibilities with the safeguarding of the City's assets and the establishment of internal controls.

Authority & Responsibility:

0. Department Directors are responsible to document procedures that will include reasonable internal controls.
1. Department Directors are responsible for implementing reasonable internal controls for all procedures involving financial/monetary transactions.
2. Finance department shall be responsible for establishing and maintaining an internal control environment designed to protect the City from loss of public funds due to fraud, error, or actions inconsistent with the requirements of the laws.
3. Mayor is responsible for ensuring all Department Directors are held accountable for their respective departments.
 - a. Departments are responsible for updating the Finance department on all grant administration concerns.
 - b. Departments are responsible for all program/performance reporting associated to grants.
4. Grant Committee is responsible for reviewing, approving, and denying all grant applications over the value of \$25,000 annually and/or will be in place three years or more.
 - a. Finance department is responsible for establishing and maintaining committee members.
 - b. Departments are responsible for submitting all grant applications with supporting documentation to the Grant Committee administrator before final submission of the grant application to the granting agency.
 - c. Mayor has the authority to overrule a decision submitted by the Grant Committee on all grants reviewed by the Grant Committee.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.10 |

Inventory Policy

Purpose:

To set forth the City's policy regarding Inventory

Policy:

1. To set forth the City's policy regarding the tracking, identification, and accountability of all City owned furnishings and movable inventory having a minimum cost of \$500 each and a life expectancy of over two years.
 - a. Departments shall have the right to track, identify, and hold accountable any inventory they deem necessary.

Authority & Responsibility:

1. City employees' have a personal responsibility to track and safeguard City owned property in their possession.
 - a. IT Department will be responsible for the tracking of all computer related inventory.
2. Departments are responsible for tracking inventory purchased by their department or donated to the City.
 - a. Department Directors (or designee) shall be administratively responsible for the inventory assigned to their department.
3. Finance department is responsible for writing and maintaining procedures, designing forms, updating the inventory system, training departmental personnel, scheduling inventories, and authorizing disposals.
4. City Controller will establish periodic inventory counts.
5. Stolen or lost inventory must be immediately reported to the department Director and City Controller.
6. City Controller (or designee) will be responsible for maintaining, distribution, and ordering of asset tags.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.11 |

Legal Tender Handling Policy

Purpose:

To set forth the City's policy regarding Legal Tender Handling

Policy:

1. To set forth the City's policy regarding the collection, receipting, disbursement, and control of legal tender received by the City to provide reasonable internal control for the safeguarding of the City's assets.
2. This policy shall govern all transactions involving the collection, receipting, disbursement, or acceptance of legal tender, which is defined as United States currency, coins, checks, money orders, cashier's checks, credit and debit cards, or any other payment media declared by the United States Federal Government to be legal tender.

Authority & Responsibility:

1. Employees who handle legal tender must acknowledge that they received and reviewed the Legal Tender Handling Policy.
2. City Controller has the authority to audit all legal tender at any time.
3. City Controller has the authority to restrict access to department petty cash boxes at any time.
 - a. City Controller must inform the department director of any restrictive actions.
4. Department Directors must establish sound internal controls for the management and processing of legal tender.
5. Department Directors must reconcile all petty cash boxes on the last day of any employee termination that accessed the departments petty cash box.
 - a. City Controller (or Finance designee) must assist the department with the audit of the petty cash box.
6. City Controller is responsible for establishing sound internal controls for the audit, management, and funding of department petty cash boxes.
 - a. City Controller must audit department petty cash boxes at least once during a fiscal year in addition to the annual year-end audit.
7. Finance department is responsible for writing and maintaining procedures, designing forms, training departmental personnel, and authorizing reconciliations/audits.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.12 |

Purchasing Policy

Purpose:

To set forth the City's policy regarding Legal Tender Handling

Policy:

1. To set forth the City's policy regarding a centralized procurement system for the City, the purpose of which is to establish the rules and processes for procurements within the City, based on State code.
 - a. Commodities and services purchased in the public sector represent a direct cost to the citizens and taxpayer.
 - b. Every purchase that City employees make is subject to public scrutiny. Ethics, Impartiality, Accountability, Professionalism, Service and Transparency are the values and guiding principles of public purchasing.
 - c. The rules, processes and regulations contained in this policy were developed to encourage competitive solicitations, promote transparency, guard against collusion and comply with State Statutes.
 - d. This Procurement Policy outlines the requirements for purchasing all goods and services.
 - e. The policy addresses a variety of topics which include; Categories, Methods, Authority, Ethics, Appeals, and Payments.

Authority & Responsibility:

1. City Procurement Manager is responsible for establishing all procurement policies
2. City department directors are responsible for establishing all procurement procedures for their departments
3. Procurement Manager is responsible for approving the City Purchasing Policy
4. City Procurement Manager is responsible for updating the purchasing policy annually



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| City of Meridian |
| Standard Operating Policy |
| Number 9.13 |

Revenue Management Policy

Purpose:

To set forth the City's policy regarding Revenue Management

Policy:

1. To set forth the City's policy regarding the management of revenue sources.
2. To provide guidance for the City to strive for optimum characteristics in its diversified revenue sources.

Authority & Responsibility:

1. City Council will be responsible for approving all revenue sources submitted by the Chief Financial Officer/City Treasurer.
2. Chief Financial Officer/City Treasurer will be responsible for reviewing and approving all revenue sources prior to submitting to City Council.
3. Chief Financial Officer/City Treasurer will be responsible for establishing long-term revenue forecasting for all revenue sources.
4. Department Directors are responsible for notifying the Chief Financial Officer/City Treasurer of all revenue changes for their respective departments.



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| City of Meridian |
| Standard Operating Policy |
| Number 9.14 |

User Fees and Charges Development Policy

Purpose:

To set forth the City's policy regarding User Fees and Charges Development

Policy:

1. To set forth the City's policy regarding the development and management of User Fees and Charges.
2. To provide guidance for the overall approach for the City to impose User Fees and Charges to citizens, development community, commercial businesses, and other community partners.
3. To determine the full cost of providing specific services so that the City Council can make informed decisions as to the appropriate levels of fees for services that may be imposed and to avoid providing unwanted subsidies.

Authority & Responsibility:

1. City Council is responsible for approving all User Fees and Charges.
2. No City employee may assess fees and charges that have not been previously approved by City Council.
3. Every service supported by User Fees and/or Charges will be analyzed on a regular basis by the Finance department to determine the net cost of providing the service.
4. Legal department will be responsible for the verifying the legality of all fees.
5. User Fees and charges will be established for the sole purpose to offset the expenses supporting the calculation of the fee or charge.
 - a. No fees or charges will be collected for other purposes or comingled with other fees or charges to offset other expenses.
6. Departments responsible for User Fees and Charges must inform the Finance department of any changes prior to submission to City Council.
7. Finance department will be responsible for developing and maintaining all Cost Recovery Methods.
8. Finance department will be responsible for identifying all City activities/programs annually and to assign them to a Cost Recovery Method.



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.1 |

Accounts Payable

Purpose:

To set forth the City's procedures regarding the Accounts Payable Procedure

Procedures and Related Information:

1. All amounts owed by the City to its vendors will be paid net 30 based on the receipt of all goods or services, receipt of invoice from vendor, and receipt of tax release (if necessary).
 - a. Any agreements or contracts established before October 2019 are not subject to the net 30 requirement.
2. All invoices should be processed by the departments to Finance for payment within 15 days of receipt.
3. Prior to disbursement of funds the Finance department requires all payment requests to be approved by Mayor, Department Director, or authorized designee.
4. **Vendors**
 - a. All [vendors](#) must have an approved and signed W-9 on record prior to any payment.
 - i. Any vendor without an approved and signed W-9 on record will not receive payment until proper W-9 is received.
 - b. Payments for goods and services are made payable only to the provider of those goods or services (or to a contractually named agent).
5. **Approvals**
 - a. The Mayor, Department Director, or authorized designee approval assures the following conditions have been met:
 - i. The payment request (invoice, check request, receipt, etc.) must be for goods or services that are a valid business purpose.
 - ii. Goods or services must have been procured in accordance with the City [Purchasing Policy](#).
 - iii. Goods or services have been received to the satisfaction of the requester.
 - iv. The amount to pay reflects the negotiated amount per the purchase order, contract/agreement or verbal agreement.
6. **Disbursements**
 - a. All disbursements must meet State and Federal requirements regarding [Accounts Payable](#).
 - b. Finance department will normally issue Accounts Payable disbursements once per week.
 - i. Some exceptions will apply.
 1. City acknowledges that not all Accounts Payable disbursements will meet [State Code 50-1017](#) due to timing of payment, and/or use of credit card systems.
 - c. Finance department will normally issue Payroll disbursement once per month.
 - i. Some exception will apply.

1. City acknowledges that not all Payroll disbursements will meet [State Code 50-1017](#) due to timing of payment.
- d.All disbursements using a credit card must follow the City's [Credit Card Policy](#) and [Purchasing Policy](#).



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.2 |

Accounts Receivable

Purpose:

To set forth the City's procedures regarding the Accounts Receivable Procedure

Procedures and Related Information:

1. All amounts owed to the City should be invoiced and collected in a timely manner.
2. Procedures for billing and collecting should be consistently and fairly applied across all City departments and to all City customers.
3. Responsibilities for invoicing/billing must be separated from responsibilities for cash collection/receipting.
 - a. Department Directors are responsible for verifying that no one employee can create customer invoices and also receive payments from customers to adhere to sound internal controls.
4. **Accounts Receivable Invoices**
 - a. All Accounts Receivable invoicing (except invoices authorized by the City Controller) must be processed through the City Controller (or assigned designee) for proper accounting within the City's [financial accounting system](#).
 - i. Departments must submit requested information to the Finance department before an Accounts Receivable invoice is generated:
 1. Customer Name
 2. Customer Address
 3. Description of Goods or Services Provided
 4. Date(s) of Goods or Service
 5. Dollar Amount of Goods or Service
 6. Approved Fee Schedule
 7. Signed Contract/Agreement
5. **Reconciliation**
 - a. Finance department will be responsible for the reconciliation of all financial Accounts Receivable transactions managed in the City's financial accounting system.
6. **Collection of Delinquent Accounts Receivable Invoices**
 - a. Finance department will be responsible for facilitating all collection efforts for any unpaid Accounts Receivable invoices recorded in the City's financial accounting system.
 - i. City will attempt to collect receivables that are less than 90 days outstanding.
 - b. Finance department may engage in the use of a collection agency for any unpaid Accounts Receivable invoices greater than 90 days outstanding.
 - i. 90 days outstanding is determined by the original invoice date.
7. **Write-Offs for Bad Debt**
 - a. Only the City Controller can authorize the reduction of an amount outstanding on an unpaid Accounts Receivable invoice.

- i. Departments must contact the Finance department for the reduction of an outstanding Accounts Receivable invoice.



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.3 |

Business Credit Account

Purpose:

To set forth the City's procedures regarding the Business Credit Account Procedure

Procedures and Related Information:

1. Purchasing Manager is responsible for creating any Business Credit Account.
2. Department Directors are responsible to ensure that employee use of Business Credit Accounts is for authorized business purposes only.
3. City employee, City volunteer, or City commissioner found to have inappropriately used Business Credit Accounts will be required to reimburse the City for all costs associated with the improper use through payroll deductions or other payment means.
4. City employee, City volunteer, or City commissioner are responsible for the understanding and knowledge of the Business Credit Account policy.
5. City employee, City volunteer, or City commissioner are responsible for submitting an itemized receipt for all transactions.
6. Department Directors shall be responsible to ensure that all purchases on Business Credit Accounts are for legitimate business purposes and within budgetary guidelines.
7. Department Directors shall establish Business Credit Account procedures for their respective departments.



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.4 |

Capital Improvement Management

Purpose:

To set forth the City's procedures regarding the Capital Improvement Management Procedure

Procedures and Related Information:

1. Annually under the direction and guidance of the Finance department, each City department will prepare and update a 10 year CIP.
2. Finance department is responsible to collect all department CIP's to develop the official annual City Comprehensive Financial Plan (CFP) for submission to the Mayor.
3. Mayor will only accept the annual 10 Year CIP/CFP from the Finance department for consideration and approval.
4. Mayor will be responsible for finalizing the 10 Year CIP/CFP in collaboration with each City department.



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.5 |

Credit Card

Purpose:

To set forth the City's procedures regarding the Credit Card Procedure

Procedures and Related Information:

1. Eligibility

- a. City issued credit cards will only be issued to City employees.
- b. City issued credit cards are limited to the use of the City employee, City volunteer, or City commissioner, but no other individual.

2. Use and Financial Responsibilities

- a. As with all City-owned property, City accounts, and resources, credit cards issued by the City to employees or departments are to be used specifically for authorized business purposes only.
- b. Unauthorized use of City credit cards may be treated as personal theft and/or embezzlement, which may result in collection efforts (to recuperate related costs) as well as appropriate disciplinary action, and/or criminal prosecution.
- c. Personal use of City credit cards is strictly prohibited.
- d. City credit cards shall never be used for cash advances.
- e. Purchases or transactions made with the intent to circumvent this policy, the City [Purchasing Policy](#), transactional limits, or State law are prohibited and subject to Credit Card Violations and Consequences.

3. Receipts and Expense Reports

- a. All credit card receipts will be submitted within ten (10) days of the end of the billing period to Finance for processing and payment.
 - a. All credit card receipts will be itemized with detailed information (i.e. what, when, where, why).
 - b. Employees are responsible for resolving any sales tax charges incorrectly charged on the City issued credit card.

4. Credit Spending Limits

- a. Finance department will be responsible for establishing spending limits/credit balances for each issued City credit card.

5. Violations and Consequences

- a. Violation of this policy may result in loss of credit card privileges, personal prosecution, and/or disciplinary action up to and including termination.
- b. The Chief Financial Officer/City Treasurer or City Controller has the right to cancel, suspend, or revoke credit card privileges if deemed necessary.

6. Disputed Items

- a. Employees will be responsible for clearing up any disputed charges, returns, or adjustments on their City issued credit cards in a timely manner.

7. Personal Credit Cards

- a. Employees will be responsible for submitting itemized receipts for all transactions conducted on behalf of the City charged on personal credit cards.
 - a. Employees will not be reimbursed any sales tax charges.



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.6 |

Financial Reporting and Accounting

Purpose:

To set forth the City's procedures regarding the Financial Reporting and Accounting Procedure

Procedures and Related Information:

- a. Finance department with the approval of the Chief Financial Officer/City Treasurer will be responsible for conforming to all Local, State, and Federal reporting requirements as noted in the following State of Idaho Statutes:
 - i. State Code Section : [50-708 "Examination of Accounts of Fiscal Officers"](#)
 - ii. State Code Section : [50-1011 "Publication of Financial Statements"](#)
 - iii. State Code Section : [57-135 "Treasurer's Monthly Report"](#)
 - iv. State Code Section : [67-450E "Local Governing Entities Central Registry"](#)
- b. Finance department will be responsible for submitting all necessary reports to Local, State, and Federal agencies monthly, quarterly, bi-annually, and annually.
 - i. All other financial reports issued outside of the Finance department will not be considered official financial reports of the City.
- c. Finance department will be responsible for updating and maintaining all official financial reports available online.
- d. Finance department will be responsible for informing the Mayor, Council, and departments of any revenue or expenditure concerns in a timely and professional manner.

2. Accounting

- a. Finance department with the approval of the Chief Financial Officer/City Treasurer will be responsible for developing, implementing, managing, and reporting all policies and procedures relating to all entries into the City's financial system.
- b. Finance department will be responsible for establishing policies and procedures that conform to generally accepted accounting principles (GAAP) as promulgated by the Governmental Accounting Standards Board (GASB), the American Institute of Certified Public Accountants (AICPA), and the Government Finance Officers Association (GFOA) for all practices relating to City Financial Management.
 - i. Finance department will be responsible for assisting in the training of all City employees on the policies and procedures for the City's financial system.



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.7 |

Fixed Asset

Purpose:

To set forth the City's procedures regarding the Fixed Asset Procedure

Procedures and Related Information:

1. General Policy

- a. City property is only to be used for City business needs as referenced in City Policy 6.2.
- b. City property is not for personal or public use unless permitted as referenced in City Policy 6.2.
- c. Violation of this policy shall result in disciplinary action up to and including termination.

2. Fixed Asset Additions

- a. City acquisitions of [property](#) will be used by the City to conduct daily business activities.
 - i. Finance Department will determine if the acquisition of property will be classified as a fixed asset as set within the Fixed Asset Capitalization Status policy below.

b. Fixed Asset Capitalization Status

- i. [Capital Outlay](#) acquisitions of \$10,000 or more and with a useful life of at least 3 years, will be capitalized, inventoried, depreciated over their useful life and recorded on the fixed asset listing for the City.
- ii. Software purchased or internally developed for internal use will be capitalized and tracked in the fixed asset system if it totals \$35,000 or more.
- iii. Any acquisitions of land, either by direct purchase, property exchange, or donation, shall be recorded into the City's fixed asset listing, regardless of cost.
- iv. Intangible assets such as Water Rights and Easements with a value of \$35,000 or more will be capitalized as a fixed asset and recorded as land.
- v. Infrastructure that the City acquires either by direct acquisition, donation, or gift with a value of \$75,000 or more will be capitalized as a fixed asset.
- vi. [Capital Leases](#) that transfers substantially all the benefits and risks inherent in the ownership of property to the City will be capitalized as a fixed asset if the total cost meets the capitalization threshold.

c. Fixed Asset Capitalization Amount

- i. Property purchases recorded costs can include not only the property price but also all other related costs to make the property workable for the City, such as outfitting vehicles, license and software for computers, RFP & related costs to adhere to policies to purchase the property.
- ii. Capital Improvements shall reflect the total cost of improving an asset such as landscaping; including shrubs, trees, lawn, curbing, sidewalks, lighting, etc.
 1. The initial expenditure for land improvements, as defined above, shall be capitalized.

2. Repairs or replacements, such as the replacement of trees, shrubs, reseeding of lawns, resurfacing of pavement, etc. will not be capitalized unless such expenses meet the City's capitalization thresholds.
- iii. Repairs involving the overhauling of certain assets are frequently referred to as renewals.
1. Minor renewals, maintenance, alterations or part replacements, even if over the minimum threshold, should be regarded as ordinary repairs and will not be capitalized if they do not extend the life or significantly enhance the net value of the asset.
 2. Major renewals or major replacements that significantly extend the life or significantly enhances the net value of an asset shall be capitalized (following the capitalization policy).



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.8 |

Grant Management

Purpose:

To set forth the City's procedures regarding the Grant Management Procedure

Procedures and Related Information:

1. Grant Submission/Review

- a. All grant proposals and applications submitted by or on behalf of the City greater than \$25,000 annually and/or will be in place three years or more, whether submitted to the granting entity electronically or as hardcopy, requires approval by the Grant Committee prior to submission.
 - i. City grant administrators will take all steps necessary to ensure that proper supporting documentation is obtained to support the Grant Committee's review process.

2. Grant Compliance

- a. City shall at all times be compliant with a grant's terms and conditions.
- b. Departments are responsible for administering their respective grants.
 - i. Departments are responsible for assigning a department grant administrator for each of their respective grants.
 - ii. Departments are responsible for developing internal controls for the administration, reporting, tracking, and supporting of all grants for which they are responsible.
 - iii. Departments are responsible for taking all steps necessary to ensure that proper supporting documentation is obtained to support the allowable activities completed under each grant program.
 1. All grant documentation will be obtained and retained according to the specific grant program guidelines and requirements.
- c. Finance department will be responsible for establishing all grant management financial reporting controls for the City.

3. Grant Termination

- a. At any time during a grant's life, if the City violates a grant's terms and conditions, the Chief Financial Officer/City Treasurer may recommend to the Mayor for a discontinuance of the grant due to risk of audit, financial, and/or administrative concerns.
 - i. Only the Mayor and City Council President in joint agreement have the authority to authorize the discontinuance of a grant.

4. Grant Funding

- a. City will refrain from using grants to meet ongoing service delivery needs.
- b. City will not use Federal Funds to supplant agency funds.

- c. If funding has not been identified for continuing an ongoing program after grant funds have been exhausted, an automatic sunset provision will be included in the City Council authorization for the program.

5. Grant Spending

- a. Grant funds must be expended in accordance with federal law and regulation.
- b. Grant funds are subject to [Title 2 CFR](#) (Code of Federal Regulations) Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements of Federal Awards (Uniform Guidance).

6. Grant Sub-Recipient

- a. All grant sub-recipients must undergo a risk assessment following City requirements.



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.9 |

Internal Controls

Purpose:

To set forth the City's procedures regarding the Internal Controls Procedure

Procedures and Related Information:

1. Departments are responsible to document department procedures that will include reasonable internal controls.
 - a. Departments are responsible for implementing reasonable departmental internal controls for all departmental procedures involving financial/monetary transactions.
 - b. Management within each department will maintain all written departmental procedures.
 - i. Management within each department is responsible for reviewing all internal controls at least every two years.
2. Department Directors are responsible for ensuring that departmental internal controls are followed throughout his or her department(s).
 - a. Department Directors are responsible for ensuring that all Finance department directives or internal controls are implemented.
 - b. Department Directors are responsible for ensuring that all independent auditor internal control recommendations are addressed.
 - i. Finance department will be responsible for verifying all internal control recommendations provided by the independent auditor are implemented.
3. Finance department will be responsible for establishing and maintaining all procedures and internal controls associated with the management of cash including the collecting, receipting, disbursement, and control of [legal tender](#) received by the City for the City.



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.10 |

Inventory

Purpose:

To set forth the City's procedures regarding the Inventory Procedure

Procedures and Related Information:

1. All furnishings and movable inventory having a minimum cost of \$500 each and a life expectancy of over two years shall be identified by an asset tag affixed to each item.
2. Inventory control records shall be maintained for each item of inventory identified by an asset tag.
3. Periodic physical inventories, at least once annually, shall be taken of all inventory placed under an asset tag or control number.
4. No inventory should be permitted to leave the premises without an approval by the employee's supervisor or department Director.



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.11 |

Legal Tender Handling

Purpose:

To set forth the City's procedures regarding the Legal Tender Handling Procedure

Procedures and Related Information:

1. General Policy

- a. All [legal tender](#) received by all City departments and employees must be processed, deposited, and accounted for daily.
- b. City will not accept any form of foreign currency or monetary instruments.
- c. All legal tender must be turned in for deposit within one (1) business day of receipt to the Finance Department.
- d. Any customer disputes over legal tender handling must include the department director and or the City Controller from the Finance department.
- e. Any legal tender problems that arise during the day should be referred to the City Controller if it or the matter cannot be handled in the individual departments.
- f. All checks issued to the City must be signed by the customer on the front of the check and endorsed by the City on the back.
- g. A receipt will be issued for all customers individually.
 - i. All receipts should be numbered.
 - ii. All receipts should include date, customer name, amount received, description of the transaction, customer account number (if applicable).
 - iii. A copy of the receipt will be offered to the Customer.
 - iv. A copy of the receipt will be provided to the Finance department.

2. Daily Cash Reporting

- a. Departments receiving legal tender shall prepare a daily cash report.
 - i. All daily cash reports must be submitted to the Finance department daily with proper documentation and support.
- b. All manual receipts issued or voided shall be attached to the daily cash report and forwarded to the Finance department.

3. Department Petty Cash

- a. All operating petty cash boxes shall be securely and safely stored any time they are not in use.
- b. Departments shall be responsible for balancing their department operating petty cash box at least monthly.
- c. Departments receiving legal tender shall maintain strict internal controls over access to the legal tender.
- d. Department petty cash boxes will be limited to an amount determined by the City Controller and must be issued / approved by the City Controller.
- e. A valid detailed receipt must accompany all petty cash transactions.
 - i. All receipts should detail the what, where, when, and why for the transaction.

- ii. All receipts should note the proper general ledger account coding.
- iii. All receipts should have proper employee approvals.

4. Daily Bank Deposit

- a. Finance department (or Finance designee) shall be responsible for preparing the daily legal tender bank deposits.
- b. Finance department shall be responsible for transporting the daily legal tender bank deposits to the bank.

5. Police Department Drug Money Petty Cash

- a. Chief of Police will be responsible for establishing sound internal controls for the management of department drug money petty cash box.
 - i. The drug money petty cash box must be securely stored in a safe at all times.

6. Overages and Shortages

- a. Any revenue overages or shortages in the department must be reported to the department director immediately, and reported to the Finance department with the daily receipts.

7. Banking Policy

- a. See [Banking Policy](#)

8. Disbursements

- a. Finance department shall be the only department to disburse payment via check, cash/coin, wire transfer, or automatic clearing house.
 - i. All disbursements using a credit card must follow the City's [Credit Card Policy](#) and [Purchasing Policy](#).



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.12 |

Purchasing

Purpose:

To set forth the City's procedures regarding the Purchasing Procedure

Procedures and Related Information:

1. *Purchasing Categories, Methods and Authority*

- a. The City has assigned the following categories, methods and purchasing authority for purchases.
 - i. All employees are to identify which category is right for their respective request or purchase and follow that policy.
 - ii. General liability, automotive, and workman's compensation insurance are required for all contracts, written or verbal, which require services to be performed on City property.
 1. In addition, most professional services agreements will require professional errors and omissions insurance.
 2. It is each employee's responsibility to verify that such insurance is in place prior to the start of work. Only the City's Risk Manager may waive any insurance requirement.

b. PURCHASING CATEGORIES

- i. *CATEGORY ONE: Goods, Supplies & Equipment (I.C. §67-2806)*
 1. Purchases up to \$15,000 require one quote.
 2. Purchases \$15,001 to \$50,000 require three written quotes.
 3. Purchases \$50,001 to \$100,000 require an informal bid process.
 4. Purchases \$100,001 and above require a formal bid process.
- ii. *CATEGORY TWO: Contracted Services (I.C. §67-2806)*
 1. Purchases up to \$15,000 require one quote.
 2. Purchases \$15,001 to \$50,000 require three written quotes.
 3. Purchases \$50,001 to \$100,000 require an informal bid or RFP process.
 4. Purchases \$100,001 and above require a formal bid or RFP process.
- iii. *CATEGORY THREE: Professional Services*
 1. Sub-category (a) I.C. §67-2320: Engineering, Architect, Construction Management, Land Surveyors
 - a. Purchases up to \$25,000 require
 - i. A review of consultant's qualifications, and determination of Qualification, or
 - ii. Selection from a current approved roster.
 - b. Purchases \$25,001 and above require
 - i. A formal RFQ process, or
 - ii. Selection from a current approved roster created from a formal RFQ.

2. Sub-Category (b) I.C. §67-2803(4): Attorney, Accountant, Planner etc.
 - a. Purchases in this category are exempt from any solicitation requirement. All other policy and procedure requirements still apply.

iv. *CATEGORY FOUR: Public Works Construction*

1. Purchases in this category have special requirements that must be met regardless of which department conducts the purchase.
 - a. All public works contractors performing work on projects above \$50,000(I.C. §54-1903)(i) must have a current Idaho Public Works Contractors License in the applicable trade(s).
 - b. It is the responsibility of the employee making the purchase to verify that the contractor meets this requirement.
 - c. Payment and performance bonds are required for all public works construction projects above \$50,000. These bonds shall be 100% of the contract price individually.
 - d. Purchases up to \$25,000 require one quote.
 - e. Purchases \$25,001 to \$50,000 require three written quotes.
 - f. Purchases \$50,001 to \$200,000 require an informal bid process. (I.C. §67-2805)(2a)
 - g. Purchases of \$200,001 and above require a formal bid process.
 - h. TAX COMMISSION REQUIREMENTS FOR PUBLIC WORKS CONSTRUCTION
 - i. Within thirty (30) calendar days after City awards a contract to a public works contractor, the Purchasing Department shall notify the state tax commission that the contract has been awarded and shall provide to the state tax commission the name and address of the prime contractor. See I.C. §54-1904A.
 - ii. If material or equipment is purchased or supplied by the City, who is exempt from sales and use taxes, for subsequent use or installation by a public works contractor, then the use by the contractor is subject to use tax.
 1. For example, if a contractor has a public works contract to build a structure using materials owned and supplied by the City, the contractor is the consumer of the materials and is subject to a use tax on their value.
 2. This tax falls directly upon the contractor and not the owner of the property. See Idaho Administrative Rules 35.01.02.12

v. *CATEGORY FIVE: Repair of Heavy Equipment*

1. Purchases in this category are exempt from solicitation requirement. See I.C. §67-2803(14)

c. PURCHASING METHODS

i. *QUOTE*

1. Quotes may be obtained either verbally or written and must contain the following:
 - a. Description of the goods or services requested
 - b. All costs including delivery to the end users location

- c. Any vendor terms and conditions

ii. *INVITATION FOR BID (Bid)*

1. All Invitation for Bids shall be issued by the Procurement Division and in one of two forms, Informal and Formal. In the event of a tie bid, the City may award to the bidder it chooses.
2. Requirements:
 - a. Informal bid requirements
 - i. Be open for a minimum of three (3) days
 - ii. Must be sent to a minimum of three (3) vendors.
 - iii. Be awarded to the bidder submitting the lowest responsive bid. (goods and services) or
 - iv. Be awarded to the qualified bidder submitting the lowest responsive bid. (construction)
 - b. Formal bid requirements
 - i. Advertised in the local paper two times with the last at least seven (7) days prior to the opening.
 - ii. Be open for a minimum of fourteen (14) days
 - iii. Bids must be submitted sealed.
 - iv. A public bid opening shall take place
 - v. Be awarded to the bidder submitting the lowest responsive bid. (goods and services)
 - vi. Be awarded to the qualified bidder submitting the lowest responsive bid. (construction)

iii. *REQUEST FOR PROPOSAL (RFP)*

1. Request for Proposal's may be used for general services i.e. janitorial and landscape services or complex purchases i.e. software, specialized equipment, leases etc. Requests for Proposals shall be issued and managed by the Purchasing Division. Minimum Request for Proposal requirements are as follows:
 - a. Describe what the product or service or solution is to accomplish.
 - b. Provide evaluation criteria of how the solicitation will be awarded.
 - c. City Project Manager shall select the evaluation team.
 - d. Shall be awarded to the highest ranked proposer as ranked by the evaluation team.
 - e. Final terms and conditions of the contract, including cost, may be negotiated.

iv. *REQUEST FOR QUALIFICATIONS (RFQ)*

1. Request for Qualifications must be used for the selection of Engineers, Architects, Construction Managers and Land Surveyors (I.C. §67-2320).
2. RFQ's shall be issued and managed by the Purchasing Division.
3. RFQ's, although not required, may also be used for other types of professionals services, i.e. accountant, attorney, auditor etc. Please contact Purchasing for applicability.
 - a. Request for Qualification requirements
 - i. Describe the services required.
 - ii. Provide evaluation criteria of how the solicitation will be awarded.
 - iii. City Project Manager shall select the evaluation team.

- iv. Cost may NOT be a factor in the evaluation process.
- v. Shall be awarded to the highest qualified firm/individual as ranked by the evaluation team.
- vi. Final terms and conditions, scope of work and cost may be negotiated.

v. **PRE-QUALIFICATION**

- 1. The City may require Public Works Contractors to be pre-qualified for a particular project (I.C. §67-2805)(3)(b).
 - a. Pre-Qualification Requirements
 - i. Advertise the Pre-Qualification in the local paper two times with the last publication at least seven (7) days prior to the qualification due date.
 - ii. Describe the construction services to be performed.
 - iii. Provide evaluation criteria of how contractors will be evaluated.
 - iv. City Project Manager shall select the evaluation team.
 - v. Only Contractors selected through the Pre-Qualification process will be allowed to bid on the construction project. All other bids received will be deemed non-responsive.

vi. **LEASES**

- 1. All leases must be processed through the Procurement Division regardless of dollar amount.
- 2. Capital leases must be appropriated and expensed for the full amount the first year of the lease.

vii. **COOPERATIVE PURCHASING**

- 1. With the approval of the Procurement Manager, purchases may be completed using cooperative purchasing agreements with any State Agency or Political Subdivision or government entities or associations thereof. Purchases may also be completed utilizing any purchasing cooperative that offers goods and/or services as a result of competitive solicitation in accordance with I.C. §67-2807, and that have been approved by the Procurement Manager.
- 2. **PUBLIC WORKS CONSTRUCTION PROCUREMENTS ARE EXCLUDED FROM COOPERATIVE PURCHASING.**
- 3. The Department may use the established state, federal, city, or county contracts to make purchases. The Division of Purchasing contract information is located at:
 - a. <http://purchasing.idaho.gov/statewide-contracts>
- 4. In accordance with I.C. §67-2803(1) and §67-2807(1), the City may also piggyback on other city or county bids if the pricing is consistent with the original bid and the bid process followed I.C. Title 67.
- 5. All contract documentation should accompany the purchase request.

viii. **EMERGENCY PURCHASE**

- 1. Emergency purchases may be completed without the requirement of a solicitation (I.C. §67-2808)(1). All other policy and process requirements still apply.
 - a. Emergency Purchase Requirements

- i. The emergency purchase is necessary to safeguard life, health or property.
- ii. The City Council must declare that an emergency exists within 60 days of the emergency event.

ix. **SOLE SOURCE PURCHASES**

- 1. Sole Source purchases are exempt from solicitation requirements and are broken into two categories
 - a. Sole Source Purchases up to \$50,000.
 - i. Procurement Manager approval is required.
 - ii. Only one source is reasonably available.
 - iii. Sole Source purchases must meet one of the requirements listed in Category b below:
 - b. Sole Source Purchases above \$50,000 (I.C. §67-2808)(2).
 - i. Only one source is reasonably available.
 - ii. Procurement Manager & City Council approval is required prior to purchase.
 - iii. Sole Source must be advertised in the local paper fourteen (14) calendar days PRIOR to making purchase.
 - iv. Category b sole source purchases must meet one of the following requirements:
 - 1. Compatibility of equipment, components, accessories, computer software, replacement parts or service is the paramount consideration;
 - 2. Where a sole supplier's item is needed for trial use or testing;
 - 3. The purchase of mass-produced movies, videos, books or other copyrighted materials;
 - 4. The purchase of public works construction, services or personal property for which it is determined there is no functional equivalent;
 - 5. The purchase of products, merchandise or trademarked goods for resale at a political subdivision facility;
 - 6. Where competitive solicitation is impractical, disadvantageous or unreasonable under the circumstances.

x. **PURCHASING WITH FEDERAL GRANT FUNDS**

- 1. Prior to effecting a purchase using any federal grant funds, procurement staff must verify through the System For Award Management (SAM) that the contractor/vendor is not excluded from doing business under a federal grant.

xi. **PURCHASING AUTHORITY**

- 1. By adoption of this Policy, the City Council has set the following signatory thresholds for purchases through the Procurement Division.
- 2. Through adoption of this Policy the Mayor has delegated signing authority to the Procurement Manager for purchases made per this policy:
 - a. PURCHASES UP TO \$10,000
 - i. Purchase Orders and Contracts in this range may be signed by any Department Director or Authorized City Personnel.

- ii. All City Department Directors are required to insure all employees have read the Purchasing Policy prior to delegating signing authority for purchases in this range.
- iii. The employee is responsible for verifying that there are funds available for the purchase and for obtaining all required documentation, i.e. insurance, licenses etc., for the applicable purchasing category.
- iv. The employee is responsible for obtaining the City Attorney's approval of any contract the employee is signing.
- b. PURCHASES ABOVE \$10,000
 - i. Purchase Orders and Contracts in this range must be signed by either the Procurement Manager, the Mayor or their respective designees, prior to the purchase.
 - ii. The Chief Financial Officer/City Treasurer will stand as the signatory in the absence of the Procurement Manager.
- c. CONTRACTS ABOVE \$200,000
 - i. All contracts in this range require legal review and City Council approval.
- d. CHANGE ORDERS
 - i. Employees may create change orders.
 - ii. All change orders must utilize the standard City form and be approved by the Procurement Manager.
 - iii. The Procurement Manager shall determine if specific change orders require Council approval.
 - iv. Employees are to contact the Procurement Manager prior to drafting & issuing a change order.
- e. CREDIT CARD USAGE
 - i. This policy states the minimum guidelines required by the City [Credit Card Policy](#), City Policy 6.2.5, and by law.
 - ii. Individual departments may establish more restrictive guidelines for usage.
 - iii. Credit card purchases must comply with the Procurement Policy requirements stated above.

xii. **PURCHASING ETHICS AND VENDOR RELATIONSHIPS**

- 1. Every City employee has a personal responsibility to conduct government business in an ethical manner and assure the integrity of the City purchasing and purchasing processes.
- 2. All City employees and elected officials are responsible for adherence to City and State purchasing rules, and regulations.
 - a. CODE OF ETHICS
 - i. All City employees responsible for procuring goods or services shall:
 - 1. Follow the rules and regulations of the City Standards of Conduct Policy 7.5 and the laws of the State of Idaho.
 - 2. Avoid activities that would compromise or give the perception of compromising the integrity of the procurement process and the best interests of the City. (ref. City Conflict of Interest Policy 6.18).

3. Reduce the potential for any charges of preferential treatment by actively promoting the concept of competition.
 4. Act as good custodians of public money by obtaining maximum benefit for funds spent.
 5. All employees are required to comply with the City's Policy 6.11 in regards to gifts and gratuities.
 1. In addition to City Policy 6.11 employees in a position to make or recommend an award of a City purchase shall not solicit or accept gifts, money, prejudicial discounts or entertainment material which might influence or appear to influence purchasing decisions.
- b. VENDOR RELATIONSHIPS
- i. Developing and maintaining good relationships with our suppliers is important. City personnel should work through the Procurement Division for vendor communication.
 - ii. Maintain and practice, to the highest degree possible, business ethics, professional courtesy, and competence in all transactions.
 - iii. Adhere to and protect the supplier's business and legal rights to confidentiality for trade secrets, and other proprietary information.
- c. LOYALTY AWARDS (GIFT CARDS) AND GIFTS
- i. Employees are prohibited from personally accepting loyalty/gift cards and/or gifts from vendors for making purchases on behalf of or in any capacity for the City.
 - ii. The City, and not the employee, is being rewarded for its faithful business.
 - iii. Therefore, employees are to ask for discounts on the purchase being made in lieu of gift cards.
- d. PROHIBITIONS
- i. The City has adopted the following in regard to purchasing prohibitions:
 1. I.C. §67-9230 –Conflict of interest regarding the holding of contracts or selling to the City property or supplies by City employees unless award is made after competitive bids per City Policy 6.18.
 2. I.C. §67-9230 – Prohibition regarding the influencing or conspiring to influence public purchasing decisions and contract awards.

Attempts at influence may include kickbacks and bribes, peddling or payment of a fee, back door selling, hard-sell tactics, fraternization, or offering gifts to avoid following published procedures or gain advantages.
 3. I.C. §59-1026 – Circumventing Purchasing Authorization – Prohibits efforts by employees to obtain products or

services by avoiding the competitive process by splitting purchases or creating false emergency situations.

4. I.C. §67-9230 – No vendor or related party, or subsidiary, or affiliate of a vendor may submit a bid to obtain a contract to provide property to the City, if the vendor or related party, or affiliate or subsidiary was paid for services utilized in preparing the bid specifications or if the services influenced the procurement process.

xiii. **APPEALS**

1. The City strives for a fair, legal and transparent solicitation process.
2. Any bidder, proposer or vendor who believes they were aggrieved in connection with a solicitation or award may appeal to the Procurement Manager.
3. The solicitation appeals are as follows:
 - a. Specification Appeal
 - i. Informal Solicitation – A bidder/proposer must submit an appeal to the Procurement Manager at least one (1) day prior to the due date and time of the solicitation.
 - ii. Formal Solicitation – A bidder/proposer must submit an appeal to the Procurement Manager no later than three (3) days prior to the due date and time of the solicitation.
 - b. Appeal of Award
 - i. Formal Solicitation – A bidder/proposer must submit an appeal to the Procurement Manager within seven (7) calendar days of the transmittal of the Notice of Intent to Award, stating the express reason(s) the aggrieved bidder feels that the award decision is in error.

xiv. **PAYMENT PROCESSING**

1. See [Accounts Payable Policy](#)
2. *Idaho Statutes Regarding Purchasing, Contracting and Purchasing*
 - a. Public Works Contractor Licensure Requirements
 - i. I.C. §54-1904 (i)
 - b. Exemptions to Public Works Contractor Licensure
 - i. I.C. §54-1903 (i) & (k)
 - c. Filing of Notices and Income Tax Returns -- Payment of Income Taxes by Contractors
 - i. I.C. §54-1904A
 - d. Public Works Construction Bidding
 - i. I.C. §67-2803 (2) & (3)
 - e. Public Purchasing of Goods and Services Bidding
 - i. I.C. §67-2803 (2)
 - ii. I.C. §67-2805 (2) & (3)
 - f. Purchasing By Political Subdivisions
 - i. I.C. Title 67, Chapter 28
 - g. Exemptions to Public Purchasing of Goods and Services Bidding
 - i. I.C. §67-2803 (1) through (7)
 - ii. I.C. §67-2806
 - iii. I.C. §67-2808 (1)

- h. Joint Purchasing Program
 - i. I.C. §67-2807 (1)
- i. Penalties – Political Subdivisions/Public Officials
 - i. I.C. §54-1914 (2)
 - ii. I.C. §54-1920 (2)
 - iii. I.C. §59-1026
- j. Penalties – Contractors
 - i. I.C. §54-1914 (1)
 - ii. I.C. §54-1920 (1) & (3)
- k. Prohibitions
 - i. I.C. §67-9230
- l. Professional Service Contracts with Design Professionals, Construction Managers and Professional Land Surveyors
 - i. I.C. §67-2320
- m. Disposal of Surplus
 - i. I.C. Title 50, Chapter 14
- n. Abandoned or Unclaimed Property in Possession of Sheriff or City Police Department -- Sale at Public Auction.
 - i. I.C. §55-403
- o. Written Plans and Specifications for Work To Be Mandated by Officials – Availability
 - i. I.C. §67-2309
- p. Leases
 - i. I.C. §50-1409
- q. Public Works Contractors
 - i. I.C. Title 54, Chapter 19
- r. IDAHO ADMINISTRATION RULES
 - i. Idaho Sales and Use Tax Administrative Rules – Contractors
 - 1. 35.01.02.12
- s. STATE OF IDAHO BOARD OF EXAMINERS
 - i. State Personal Surplus Property Policy and Procedures
 - 1. Policy No. 442-40



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.13 |

Revenue Management

Purpose:

To set forth the City's procedures regarding the Revenue Management Procedure

Procedures and Related Information:

1. Revenue Characteristics

- a. Simplicity
 - i. City, where possible and without sacrificing accuracy, will strive to keep the revenue system simple in order to reduce compliance costs for the taxpayer or service recipient.
 - 1. City will avoid nuisance taxes or charges as revenue sources.
- b. Certainty
 - i. City will understand its revenue sources and enact consistent collection policies to provide assurances that the revenue base will materialize according to budgets and plans.
 - ii. City will make all current expenditures with current revenues, avoiding procedures that balance current budgets by postponing needed expenditures, accruing future revenues, or rolling over short-term debt.
- c. Equity
 - i. City shall make every effort to maintain equity in its revenue system structure (i.e., the City shall seek to minimize or eliminate all forms of subsidization between entities, funds, services, utilities, and customers' classes).
- d. Revenue Adequacy
 - i. City shall require that there be a balance in the revenue system (i.e., the revenue base will have the characteristics of fairness and neutrality as it applies to cost of service, willingness to pay, and ability to pay).
 - ii. All revenue forecasts shall be conservative.
- e. Administration
 - i. The benefits of a revenue source shall exceed the cost of levying and collecting that revenue.
 - 1. The cost of collection will be reviewed annually for cost effectiveness.
- f. Diversification and Stability
 - i. A diversified revenue system with a stable and predictable base of income shall be maintained and managed to help avoid instabilities in revenue sources due to factors such as short-term fluctuations in the economy.

2. Revenue/Cost Recovery

- a. Revenues should not exceed the reasonable cost of providing the service.
- b. Cost recovery goals should be based on the total cost of delivering the service, including direct costs, departmental administration costs, and organization-wide support costs.
- c. The method of assessing and collecting fees should be as simple as possible in order to reduce the administrative costs of collection.

- d. Revenue rate structures should be sensitive to the "market" for similar services.
- e. City will utilize a common approach in determining cost recovery levels for various programs.

3. Revenue Approaches

a. Cost/Benefit of Abatement

- i. City will use due caution in the analysis of any tax or fee incentives that are used to encourage development.
 - 1. Ideally, a cost/benefit (fiscal impact) analysis will be performed as part of such caution.

b. Non-Recurring Revenues

- i. One-time or non-recurring revenues will not be used to finance current on-going operations.
- ii. Non-recurring revenues should be used only for one-time expenditures.
- iii. Non-recurring revenues will not be used for budget balancing purposes.

c. Interest Income

- i. Interest earned from investment of available monies, whether pooled or not, will be distributed to the funds in accordance with the equity balance of the fund from which monies were provided for investment.

d. User Fees and Charges

- i. For services associated with a user fee or charge, a fee will offset the direct and indirect costs of that service where possible.
 - 1. Fees will be reviewed at least every three (3) years to ensure that fees provide adequate coverage of costs of services.
 - a. Finance department will review and recommend any changes to the City Council.

e. Enterprise Fund Rates

- i. City will review and adopt utility rates, as needed, which will generate revenues required to fully cover current operating and maintenance expenses, meet the legal restrictions of all applicable bond covenants, establish necessary future replacement costs, and provide for an adequate level of working capital.
 - 1. Enterprise Fund rates will include transfers from the General Fund as follows:
 - a. General and Administrative Charges:
 - i. Administrative costs will be charged to all funds for services of general overhead, such as administration, finance, legal counsel, and other costs, as appropriate.
 - ii. The charges will be determined through an indirect cost allocation following accepted practices and procedures as developed by the Finance department.

f. Intergovernmental Revenues

- i. Any potential grants will be examined for matching requirements.
 - 1. Generally, these revenue sources should be used for capital improvements that are consistent with the [Capital Improvement Program \(CIP\)](#) whose operating and maintenance costs have been included in the operating budget or for special programs associated specifically with the grant.

g. Revenue Monitoring

- i. Actual revenues received will be regularly compared to budgeted revenues and variances will be investigated.



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| City of Meridian |
| Standard Operating Procedure |
| Number 9.14 |

User Fees and Charges Development

Purpose:

To set forth the City's procedures regarding the User Fees and Charges Development Procedure

Procedures and Related Information:

1. User Fees and Charges - Development

- a. Finance department will be responsible for analyzing all User Fees and Charges on a routine basis to justify the User Fees and Charges.
 - i. Finance department will be responsible for working with departments to determine the full cost recovery amount for all User Fees and Charges.
 - 1. Finance department will be responsible for working with departments to determine the subsidized percentage needed for all User Fees and Charges.
- b. Finance department will be responsible for establishing review periods for each User Fee and Charge.
- c. Finance department will be responsible for establishing fair and equitable methods when developing City fees and charges.
 - i. Finance department will be responsible for developing transparent fees and charges allowing for proper identification of factors and considerations impacting the development of all fees and charges.
- d. Finance department will be responsible for presenting all new and changes to User Fees and Charges at least once per fiscal year to City Council for approval.

2. User Fees and Charges - Proposals and Approvals

- a. Finance and Legal department must approve all User Fees and Charges prior to submission to City Council for approval.
- b. City Council is responsible for approving all User Fees and Charges.
- c. City Council will only accept User Fees and Charges submitted to them by the Finance department for consideration of approval.
- d. City Council may decide against full cost recovery in cases where greater public benefit is greater.

3. User Fees and Charges - Management

- a. Finance department will be responsible for developing and maintaining a Citywide User Fees and Charges database.
 - i. Departments will be responsible for verifying that all User Fees and Charges are included in the Citywide User Fee and Charges database.

4. User Fees and Charges - Cost Recovery Methods

a. Full Cost Recovery

- i. Activities/Programs will be assessed a fee to collect 100% of all costs associated to an activity/program.

b. Majority Cost Recovery

- i. Activities/Programs will be assessed a fee to collect 80%-99% of all costs associated to an activity/program.

c. Partial Cost Recovery

- i. Activities/Programs will be assessed a fee to collect 50%-79% of all costs associated to an activity/program.

d. Minimal Cost Recovery

- i. Activities/Programs will be assessed a fee to collect 1%-49% of all costs associated to an activity/program.

e. No Cost Recovery

- i. Activities/Programs will be assessed a fee to collect 0% of all costs associated to an activity/program.
 - 1. Activities and programs assigned this Cost Recovery Method will be subsidized by other revenue sources.

f. Interagency Cost Recovery

- i. Activities/Programs provided by interagency relationships with the City will not be required to meet any City Cost Recovery Criteria.
 - 1. Interagency fees will be developed by the agency.
 - 2. Interagency fees will be collected by the City for distribution to the interagency per interagency agreements.
 - 3. Interagency fees will not provide any cost recovery to the City unless identified within interagency agreement(s) for administrative functions for the collection and distribution of interagency fees.

g. Penalties/Fines Cost Recovery

- i. Fees established for the purpose of a penalty or a fine will not be required to meet any City Cost Recovery Criteria.
 - 1. Penalties and fines will follow any applicable State, Federal, or Local laws.

5. User Fees and Charges - Cost Recovery Criteria Definitions

- a. The following criteria are used to determine if a service is Full, Majority, Partial, Minimal, or No Cost recovery.
- b. The service does not have to meet every criterion.

a. Full Cost Recovery (100%)

- i. Individuals or groups benefit from the service and there is little or no community benefit.
- ii. Administrative costs of imposing and collecting the fee are not excessive.
- iii. The service is provided at market price by the private sector.

b. Majority Cost Recovery (80%-99%)

- i. The individual or group using the service is the primary beneficiary.
- ii. Administrative costs of imposing and collecting the fee are not excessive.
- iii. Imposing a majority cost fee would not place the agency at a competitive disadvantage.
- iv. The service is usually provided by the private sector, but may also be provided by the public sector.
- v. User fees should recover the majority cost of services benefiting specific groups or individuals.

c. Partial Cost Recovery (50%-79%)

- i. The individual or group using the service is the substantial beneficiary.
- ii. Administrative costs of imposing and collecting the fee are not excessive.

- iii. Imposing a partial cost fee would not place the agency at a competitive disadvantage.
- iv. The service is usually provided by the private sector, but may also be provided by the public sector.
- v. User fees should recover the partial cost of services benefiting specific groups or individuals.

d. Minimal Cost Recovery (1% - 49%)

- i. Services benefit those who participate but the community at large also benefits.
- ii. Administrative costs of imposing and collecting the fee are not excessive.
- iii. Imposing a minimal cost fee would place the agency at a competitive disadvantage.
- iv. The services may be provided by the public sector, but may also be provided by the private sector.

e. No Cost Recovery (0%)

- i. The service is equally available to everyone in the community and should benefit everyone.
- ii. Because the service is basic, it is difficult to determine benefits received by one user.
- iii. The level of service attributable to a user is not known.
- iv. Administrative costs of imposing and collecting a fee exceed revenue expected from the fee.
- v. Imposing the fee would place the agency at a serious disadvantage.
- vi. The service is primarily provided by the public sector.



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| City of Meridian |
| Standard Operating Policy |
| Number 10.1 |

Disposal of Media

Purpose:

To set forth the City's policy regarding disposal of media.

Policy:

The City of Meridian recognizes proper disposal of media is necessary to protect sensitive and confidential information, employees and City. Inappropriate disposal of media may put employees and the City at risk. The City has developed proper disposal of media procedures which anyone subject to this policy is required to adhere to.

This policy applies to employees, contractors, temporary staff, and other workers at the City, including all personnel with access to sensitive and confidential data and media. This policy applies to all equipment that processes confidential and sensitive data that is owned or leased by the City.

This policy shall be implemented pursuant to the Disposal of Media Standard Operating Procedures.

Authority & Responsibility:

IT shall be responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 10.2 |

Equipment Checkout

Purpose:

To set forth the City's policy for Equipment Checkout.

Policy:

The IT Department is authorized by the City to maintain a pool of equipment for checkout and use by other departments in order to allow for efficient, cost effective operations and services.

This policy shall be implemented pursuant to the Equipment Checkout Standard Operating Procedures.

Authority & Responsibility:

IT shall be responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 10.3 |

Identity and Access Management

Purpose:

To set forth the City's policy on required access control measures to all digital identities in use for City information systems to protect the confidentiality, integrity, and availability of City resources.

Policy:

The City follows a standard framework for Identity Management, Authentication, and Access Control. Employees are required to use digital identities to access City information systems, use these identities for authentication, and to do so, only as authorized.

This policy shall be implemented pursuant to the Identity and Access Management Standard Operating Procedures.

Authority & Responsibility:

The Information Technology department is responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 10.4 |

Incident Response

Purpose:

To set forth the City's policy regarding Information Technology (IT) Incident Response processes created to protect the City of Meridian's information systems.

Policy:

To protect the City of Meridian's information systems processes are in place to identify and respond to suspected or known incidents that may impact or threaten the integrity of the information systems. Processes include required communication, response, mitigation, and remediation of IT related incidents. Employees, contractors, or others shall report incidents to the IT Department. The IT Department shall report incidents to applicable parties as needed depending on the type of incident and impact.

This policy shall be implemented pursuant to the Incident Response Standard Operating Procedures.

Authority & Responsibility:

IT shall be responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 10.5 |

Information Security

Purpose:

To set forth the City's policy regarding information security.

Policy:

The City shall act in due diligence to protect the integrity of the City's information systems, to mitigate the risks and losses associated with security threats to computing resources and to ensure secure and reliable network access and performance. This applies to all City information systems.

This policy shall be implemented pursuant to the Information Security Standard Operating Procedures.

Authority & Responsibility:

IT shall be responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 10.6 |

Password Requirements

Purpose:

To set forth the City's policy regarding employee password requirements.

Policy:

The City has a sizeable investment in its information systems that support the City's operations and services. Safeguarding its information systems and the information contained therein is of paramount importance. Password requirements are part of the City's defenses against cyber-attacks. Employees are required to keep passwords confidential, current and compliant with City requirements.

This policy shall be implemented pursuant to the Password Requirements Standard Operating Procedures.

Authority & Responsibility:

IT shall be responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 10.7 |

Security Awareness Training

Purpose:

To set forth the City's policy regarding the Security Awareness Training Program.

Policy:

The City has developed an employee Security Awareness Training Program as part of its ongoing efforts to protect the City's Information Systems from security threats and breaches. Lacking adequate information security awareness, staff is less likely to recognize or react appropriately to information security threats and incidents and are more likely to place information assets at risk of compromise. In order to protect information assets, all workers must be informed about relevant, current information security matters. This policy applies to all City employees, contractors, or others, with access to City systems.

This policy shall be implemented pursuant to the Security Awareness Training Standard Operating Procedures.

Authority & Responsibility:

The Chief Information Officer (CIO) or designee shall be responsible for administering this policy.

The CIO is accountable for running an effective security awareness training program that informs and motivates employees to help protect the City's Information Systems and customer information assets.



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| City of Meridian |
| Standard Operating Policy |
| Number 10.8 |

Technology Purchase

Purpose:

To set forth the City's policy regarding technology purchases.

Policy:

This policy applies to all City technology purchases including hardware and software.

Technology purchases except the accessories listed below must go through the Information Technology (IT) department and conform to IT Standards. Certain technology such as software shall go through an evaluation process.

The IT department manages all hardware and software purchases for the City, including maintenance and support renewals. This service allows us to:

- Reduce department overhead
- Avoid duplicating solutions and efforts
- Adhere to standards when possible
- Renew items on time
- Track hardware and software
- Ensure support and compatibility
- Increase ease and timeliness of support
- Reduce costs
- Avoid extra fees
- Maintain compliance with licensing and subscription agreements

This policy shall be implemented pursuant to the Technology Purchase Standard Operating Procedures.

Authority & Responsibility:

IT shall be responsible for administering this policy.



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| City of Meridian |
| Standard Operating Policy |
| Number 10.9 |

Technology Replacement

Purpose:

To set forth the City's policy regarding technology replacements.

Policy:

The City shall follow a standard replacement schedule for technology to ensure that computing resources are up-to-date and continue to fulfill operational needs of the City.

This policy shall be implemented pursuant to the Technology Replacement Standard Operating Procedures.

Authority & Responsibility:

IT shall be responsible for administering this policy.



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| Number 10.1 |

Disposal of Media

Purpose:

To set forth the City's procedures regarding disposal of media.

Procedures and Related Information:

When no longer usable, storage devices such as USB drives, flash media, hard drives, discs, storage media in cell phones, copiers or other devices, and other similar items used to process or store confidential and/or sensitive data shall be properly disposed of in accordance with measures established by the City. Information systems that have processed, stored, or transmitted sensitive and/or confidential information shall not be released from control until the equipment is sanitized and all stored information has been cleared. The following procedures will be followed.

- I. City will dispose of hardware by one of the following methods
 - A. Overwriting - an effective method of clearing data from media. As the name implies, overwriting uses a program to write (1s, 0s, or a combination of both) onto the location of the media where the file to be sanitized is located. A minimum of three times is required for sensitive or confidential information.
 - B. Degaussing - a method to magnetically erase data from magnetic media. Two types of degaussing exist: strong magnets and electric degausses. Note that common magnets (e.g., those used to hang a picture on a wall) are fairly weak and cannot effectively degauss magnetic media. This only applies to magnetic media.
 - C. Destruction - a method of destroying media. As the name implies, destruction of media is to physically dismantle by methods of crushing, disassembling, etc.
 - D. Factory defaults – restoring to factory defaults. (Only applicable to limited feature operating systems such as those that run on cell phones).
- II. Enforcement
 - A. Any employee found to have violated these procedures may be subject to disciplinary action, up to and including termination of employment.
 - B. Supervisors shall report any employee found to have violated these procedures to the IT Director.
 - C. The IT Director shall consult with Human Resources to discuss appropriate discipline if warranted.



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| City of Meridian |
| Standard Operating Procedure |
| Number 10.2 |

Equipment Checkout

Purpose:

To set forth the City's procedures for checking out equipment from the IT Department.

Procedures and Related Information:

- I. City employees may check out equipment by submitting a ticket. Equipment will be loaned out on a first-come first-served basis.
 - A. Types of available equipment for employee checkout are listed below
 1. Laptops
 2. Projectors
 3. Conference Phone
 4. Video Conference System
 5. Webcams
 6. Hotspots
 7. Cables
 8. Training laptops are not available for checkout
- II. Return of Checked Out Equipment
 - A. Employees shall return equipment by the date designated by the IT Department.
 - B. Employees shall notify the IT Department of any issues, loss or damage related to the checked out equipment as soon as possible, but no later than the return date.
 - C. Employees may be liable for loss or damage caused to checked out equipment as determined by the IT Director. The IT Director may consult with the employee's supervisor and Human Resources if deemed necessary.



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| City of Meridian |
| Standard Operating Procedure |
| Number 10.3 |

Identity and Access Management

Purpose:

To set forth the City's procedures regarding identity and access management.

Procedures and Related Information:

I. Identity

A. Accounts

1. **User Accounts:** This is a uniquely associated identity for a specific employee. These are the most common type of accounts and are issued to all City employees, contractors, or others. User accounts or passwords shall not be shared with others.
2. **Shared Account:** These are used to support multiple users sharing the same identity. The use of shared accounts is discouraged as it lacks accountability and security. They shall receive limited access. They are only for specific use cases where there is a business need that cannot be met with standard user account.
3. **Service Accounts:** A service account is used when it is necessary for systems or applications to authenticate to other systems or applications without any association to a person. Users shall not log in with these accounts.
4. **Privileged Accounts:** Certain accounts may have extra privileges related to the management of a device or application. This is often thought of as an account type, but it is more accurately described as an account with privileged authorizations. Privileged accounts are granted approval to defined Information Technology (IT) staff. Privileged accounts may be given to employees and contractors as deemed necessary by IT staff.
5. Accounts will expire after 90 days of inactivity unless otherwise noted.

B. New User Accounts

1. Upon notification from the Human Resources (HR) Department, a user account will be created for all new employees. Passwords for new accounts will be provided directly to HR and the employee's supervisor. The initial password provided will be temporary and must be changed once the employee logs into the network.

2. Request for employee access to applications or resources beyond those provided to all employees must be submitted by the employee's supervisor using the ticketing system. Access will be granted based on the resource owner's approval.

C. Removal of User Accounts

1. When an employee separates from the City, supervisors shall give IT notice to ensure that resources are no longer available when the employee leaves.
2. Employee accounts will remain in a "disabled" state for a maximum of 30 days, at which point the account will be deleted from the system. It is the responsibility of the employee's supervisor to notify IT of any resources which may be required of the terminated employee.

II. Authentication

- A. The City's standard authentication method is username and password. Some resources require additional authentication known as multifactor authentication.

B. Multifactor Authentication (MFA)

1. MFA involves combining more than one authentication type and generally provides a stronger assurance of the person's identity. MFA is typically utilized in systems involving sensitive, privileged, externally accessible, or cloud applications.
2. MFA shall be used when an information system being accessed contains sensitive or confidential information or when using a privileged account remotely. MFA is recommended in all cloud applications.

C. Directory Services

1. Whenever possible and reasonable, any application or system, whether on premise or in the cloud, should use directory services and single sign on for authentication over local accounts and passwords.

D. Session Lock

1. The City's default session lock value is 15 minutes for all City computers. The IT department may make exceptions to this on a case by case basis.

E. Remote Access

1. Remote access that the city offers includes Virtual Private Network (VPN) services, cloud services, and any other externally accessible system.
2. All remote access services shall be encrypted, authorized, and are subject to expiration of 90 days.

3. A User account is required. Users cannot use a shared account for remote access.
4. MFA shall be required for VPN access and is recommended for other services.

III. Authorization

- A. All accounts shall only be used for authorized purposes.
- B. Least Privilege
 1. An authorization should only provide the privileges required for the function or task to be performed and no more.
- C. Separation of Duties
 1. Whenever practical, no one person should be responsible for completing or controlling a task, or set of tasks, from beginning to end when it involves the potential for fraud, abuse, or security concerns.

IV. Auditing and Accounting

- A. The City shall maintain an audit trail of actions performed by identities and shall be reviewed for proper use.



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| Number 10.4 |

Incident Response

Purpose:

To set forth the City's procedures regarding communication, response, mitigation, and remediation of Information Technology ("IT") related incidents that impact or threaten the City of Meridian's information systems.

Procedures and Related Information:

I. Scope

- A. These procedures apply to all City of Meridian employees, contractors, or others, who process, store, transmit or have access to City of Meridian information systems.

II. Definitions

- A. Systems: A software or hardware communications and/or computer-related equipment or interconnected system or subsystems of equipment that is used in the processing, transmission, containment, manipulation, monitoring, management, display or reception of data.
- B. Incident: An event that threatens the security, integrity, confidentiality, or availability of a City of Meridian IT related systems or services.

III. Incident Reporting

- A. Any City employee, contractor, or others using City equipment is required to report any security incident, suspicious activity or related concern to IT. This includes, but is not limited to, contacting the Helpdesk or other IT employees directly, creating a ticket in the support system, sending an email, and/or contacting the IT After Hours emergency number. IT personnel will ensure that the incident is routed to the appropriate person.
- B. Employees, contractors, or others are required to notify IT of theft or a compromised device, even if the theft or the device is personal equipment when connected to a City system (such as email)

IV. Prioritization

- A. Incidents will be prioritized by impact (Public web server as opposed to user workstation), and risk (data exposure or destruction).

V. Escalation

- A. For incidents of a significant nature, the Chief Information Officer (CIO) or designee is notified and responsible for determining the impact/risk of the incident and notifying and briefing the applicable parties on the incident.

VI. Mitigation and Containment

- A. Information Technology employees that receive notification of an incident shall take appropriate action to terminate the activity. Affected systems of the incident will be isolated. A damage assessment will be conducted on the affected equipment or system. Any discovered vulnerability will be repaired as soon as possible.

VII. Eradication and Restoration

- A. The damage assessment determines the course of action required to provide a permanent solution. Any repairs, upgrades, and/or data restorations will be conducted urgently, with IT's best effort to meet Recovery Time and Point Objectives (RTOs and RPOs) determined by the department(s) affected by the incident.

VIII. Information Dissemination

- A. Any public release of information to the press and/or public regarding an IT related security incident shall be authorized and coordinated through the CIO and the City Communications Manager.
- B. The CIO or designee shall manage the dissemination of incident information to other agencies, departments, or personnel. Dissemination to said parties will be based on the impact and risk associated with the incident. Incident reports, including oral discussion, will be given within 24 hours of the incident. Agencies or departments with data of a sensitive nature shall be notified in accordance with their Federal regulation. Any security breach incidents involving PII (Personally Identifiable Information) or CJ (Criminal Justice Information) shall be reported to the Meridian Police Dept Terminal Agency Coordinator ("TAC"), City of Boise, Ada County Sheriff Office, and Idaho State Police. Local law enforcement shall be notified if applicable. See the latest revision of the CJIS Security Policy for more information on CJ/PII.

IX. Ongoing Reporting

- A. After initial report of an issue, if not already done, a ticket will be created in City support system in regards to the effect of the incident. If it's determined to be of a significant nature, subsequent reports will be provided to the CIO, IT designee, and others as applicable. Minor incidents will be managed within the IT Department. Updates and resolution notes will be attached to the ticket.
- B. An Incident report will contain, but may not be limited to the following items:
 - 1. Point of contact

2. Affected system and physical location(s)
3. System description and application
4. Type of information contained in the system
5. Incident description
6. Incident resolution status
7. Damage assessment, including data loss or corruption
8. Agencies and/or departments contacted
9. Corrective actions taken
10. Knowledge gained/future mitigation

X. Review

- A. Analysis of the impact will be ongoing, and a best effort used to implement the resolution on all systems, affected or not, if applicable. Ongoing reports will be given at an appropriate frequency or as requested by the CIO or designee, Mayor, or City Officials.

XI. Training

- A. Initial training will be provided during the onboarding process. In addition, Users will receive training at least annually through the security awareness training program.



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Information Security

Purpose:

To set forth the City's procedures regarding information security.

Procedures and Related Information:

I. Network Connections

- A. City employees may not connect, nor contract with an outside vendor to connect, any device or system to the City's networks without the prior review and approval of IT.
- B. Unauthorized access to City network/server equipment (firewalls, routers, switches, etc.) is prohibited.
- C. Unauthorized access to City equipment/cabling rooms/datacenters is also prohibited.

II. Network Security

- A. All devices connecting to the network must have adequate security installed and maintained to prohibit unauthorized access or misuse.
- B. City reserves the right to quarantine or disconnect any system or device from the City network at any time.
- C. City reserves the right to decrypt encrypted traffic.

III. Data Protection

- A. Systems hosting City information must be protected in alignment with Information Technology standards and industry best practices. Specifically, systems shall operate with:
 - 1. Physical protection (mobile)
 - 2. Up to date Anti-Virus software
 - 3. A Firewall
 - 4. Software updates applied regularly

IV. Enforcement

- A. Attempting to circumvent security or administrative access controls for information systems is a violation of these procedures and will be subject to disciplinary actions up to and including termination.
- B. Disciplinary action will be determined by the Chief Information Officer in conjunction with the Human Resources Director and the department director of the violating employee.

V. Monitoring and Auditing

- A. City will maintain and monitor logs for all network devices and systems for security auditing purposes.
- B. City may perform security audits of any system or device attached to the City network.



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Password Requirements

Purpose:

To set forth the City's procedures regarding password requirements.

Procedures and Related Information:

- I. Passwords shall meet the standards in either the basic password standards or advanced password standards as outlined below.
 - A. Basic Passwords Standards:
 1. Expires every 90 days
 2. Minimum of 8 characters
 3. Must contain 3 of 4 character sets: lowercase, uppercase, number, special character
 4. Cannot be the same as username
 5. Cannot contain dictionary words
 6. Cannot contain proper names
 7. Cannot contain compromised passwords
 8. Cannot contain more than 3 repeating or sequential characters ("aaaa", "1234", "qwerty")
 9. Cannot be identical to the previous 10 passwords
 10. Cannot be changed more than once per day
 - B. Advanced Passwords Standards (Pass phrases):
 1. Expires every 365 days
 2. Minimum of 20 characters
 3. Cannot be the same as username
 4. Cannot contain compromised passwords
 5. Cannot contain more than 3 repeating or sequential characters ("aaaa", "1234", "qwerty")
 6. Cannot be identical to the previous 10 passwords
 7. Cannot be changed more than once per day
 8. No complexity requirements such as upper / lower case, numbers, symbols. Spaces count as characters
- II. Unsuccessful Login Attempts:
 - A. Account lockout duration: 10 minutes

- B. Account lockout threshold: 5 invalid attempts
- C. Reset account lock counter after: 10 minutes

III. Employees shall keep all passwords confidential, current and compliant with these procedures. Failure to comply may be grounds for disciplinary action, up to and including termination.

- A. Employees shall inform the IT department immediately upon learning of any problem related to the confidentiality or integrity of their password.
- B. IT shall provide the necessary support to protect the City's information systems from cyber-attack related to an employee password compromise.

IV. Additional information

- A. The City's password program is enforced by Group Policy, Active Directory and Password Policy Enforcer systems that run on City servers and integrate with Microsoft Azure Active Directory.
- B. Refer to the following resources for more information on password standards the City adheres to:
 - 1. The National Institute of Science and Technology (NIST) Special Publication 600-83B.
 - 2. The Criminal Justice Information Services (CJIS) Security Policy.



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| Number 10.7 |

Security Awareness Training

Purpose:

To set forth the City's procedures regarding security awareness training.

Procedures and Related Information:

I. Security Awareness Training

- A. The City Information Technology ("IT") department requires that each employee upon hire and at least annually thereafter successfully complete security awareness training. Certain staff may be required to complete additional training depending on their specific job requirements. Staff will be given a reasonable amount time to complete each course to not disrupt business operations. IT will also provide security awareness information which is to be reviewed by employees. (Emails / video monthly except when we do online training).

II. Simulated Social Engineering Exercises

- A. The IT department will conduct periodic simulated social engineering exercises including but not limited to: phishing (e-mail), vishing (voice), smishing (SMS), USB testing, and physical assessments. The IT department will conduct these tests at random throughout the year with no set schedule or frequency. The City IT department may conduct targeted exercises against specific departments or individuals based on a risk determination.

III. Remedial Training Exercises

- A. From time to time City employees may be required to complete remedial training courses or may be required to participate in remedial training exercises with members of the IT department as part of a risk-based assessment.

IV. Compliance & Non-Compliance

- A. Compliance with these procedures is mandatory for all employees, contractors, elected officials and others. Violation of these procedures by employees may be cause for disciplinary actions up to and including termination. The CIO in conjunction with the Human Resources Director and the department director of the employee will address violations and determine the appropriate discipline as needed.

- B. All supervisors are responsible for ensuring that their staff and other workers within their responsibility participate in the security awareness training, and educational activities where appropriate and required.
- C. The IT department will monitor compliance and non-compliance with these procedures and report the results of training and social engineering exercises to the leadership team.

V. Compliance Actions

- A. Certain actions or non-actions by City personnel may result in a compliance event (Pass).
- B. A "Pass" includes but is not limited to:
 - 1. Successfully identifying a simulated social engineering exercise
 - 2. Not having a Failure during a social engineering exercise (Non-action)
 - 3. Reporting real social engineering attacks to the IT department

VI. Non-Compliance Actions

- A. Certain actions or non-actions by City employees may result in a non-compliance event (Failure).
- B. "Failure" includes but is not limited to:
 - 1. Failure to complete required training within the time allotted
 - 2. Failure of a social engineering exercise
 - 3. Failure of a social engineering attack
- C. Additional actions not outlined in these procedures may be required in the event of a failure associated with an actual social engineering attack, commensurate with the risk and / or damages to the City.
- D. Failure of a social engineering exercise includes but is not limited to:
 - 1. Clicking on a URL within a phishing test
 - 2. Replying with any information to a phishing test
 - 3. Opening an attachment that is part of a phishing test
 - 4. Enabling macros that are within an attachment as part of a phishing test
 - 5. Allowing exploit code to run as part of a phishing test
 - 6. Entering any data within a landing page as part of a phishing test
 - 7. Transmitting any information as part of a phishing test
 - 8. Replying with any information to a smishing test
 - 9. Plugging in a USB stick or removable drive as part of a social engineering exercise
 - 10. Failing to follow City procedures during a physical social engineering exercise

- E. The IT department may also determine, on a case by case basis, that specific failures are a false positive and should be removed from that staff member's total failure count.

VII. Failure Penalties

- A. The following outlines the penalty of non-compliance with these procedures. Steps not listed here may be taken by the IT department to reduce the risk that an individual may pose to the City.
- B. Social Engineering
 - 1. First Failure - Notification from IT providing feedback on incorrect action. (Occurs on all phishing failures)
 - 2. Second Failure – Mandatory completion of remedial training and discussion with supervisor. (Documented)
 - 3. Third Failure – Training with IT, which is documented. This and subsequent failures may be subject to disciplinary action, up to and including termination.
- C. Training
 - 1. First Failure – Notification from IT and supervisor to take correction action.
 - 2. Second Failure – Discussion with supervisor. Computer access revoked until corrective action is take. (User account disabled)
 - 3. This and subsequent failures may be subject to disciplinary action, up to and including termination.

VIII. Record Keeping

- A. Records of all Compliance and Non-Compliance Actions shall be kept by the IT department for a rolling eighteen (18) month period. Any actions older than 18 months will not be considered for failure penalties.



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Technology Purchases

Purpose:

To set forth the City's procedures for technology purchases.

Procedures and Related Information:

Technology purchases shall meet the standards as outlined below.

I. Technology Purchases

- A. The following items must be purchased through IT. Requests can be made through the IT Ticketing System:

1. Software
2. Software as a service (SaaS) - any software that's licensed on a subscription basis and is hosted outside the City network
3. Website / Hosting Services / Software Development
4. Computers (including Desktops, Workstations, Laptops, MDTs, Tablets, iPads)
5. Monitors
6. Printers / Copiers / Scanners
7. Phones (Mitel) – including Bluetooth Headsets
8. Conference / Video Conference Solutions
9. Network / Server Equipment
10. Mobile Apps for City Use
11. Any accessories or peripherals not listed below
12. Maintenance / support renewals, subscriptions, etc. of aforementioned items

- B. Accessories listed below can be ordered by departments without having to request them through IT:

1. Mouse
2. Keyboard
3. Flash Drive
4. Digital Camera
5. Computer Speakers
6. Bluetooth Headsets for Cell Phones
7. iPad Case
8. HDMI or USB cables
9. Headphones for computers (wired recommended)

C. IT has the following items on hand (but the department will still be charged):

1. Mouse
2. Keyboards
3. Monitors
4. Desk Phones
5. Computer Speakers

II. Software Evaluation

A. This defines the software evaluation process required to purchase software. This policy does not apply to upgrades of existing software. That is, software which the city currently owns, and the vendor of said software, is merely adding additional features or functionality in a newer version (i.e. version 6.1 to 7.0).

1. Department Directors (or designee) shall contact IT prior to beginning any software project.
2. The software evaluation process should be commensurate to the cost of the existing software the City owns and the cost of the new software.
3. IT will evaluate any new software system against existing software the City owns to maintain consistency and standards. The following questions will be used in the evaluation process.

B. Questions for Department

1. What are the requirements? (What are the business needs?)
2. What is currently being used to fill these needs?
3. Is the software budgeted for?
4. What is the cost? (one time & recurring)
5. Is the software on premise or cloud based?
6. What is the implementation timeframe?
7. Who is providing training?
8. Are there plans to integrate it with other systems?
9. Will users access the system remotely? If so, how?
10. Will it require custom reporting? Will the vendor create the custom reports? If so, how many are included in the quote for install?
11. Will end users configure additional needed reports in the future or will IT need to allocate resources for this function?
12. How many users will be using the system? (How many installations will be needed?)
13. What is the plan for migrating any existing data into the system?
14. Are there any security or encryption requirements?
15. What is the retention for the data storage? How will records retention be managed for the software?

C. Questions for Vendor

1. General for Both (SaaS & On-Prem)

- a. Will users be able to run it without administrative privileges?
- b. What is the minimum resolution supported? (800x600, 1024x768, etc..)
- c. Is there support for Single Sign On (SSO)? (SAML, AD integration, etc)
- d. What are the minimum hardware requirements? (CPU, HD, RAM)
- e. How is licensing set up? (Per user, device, concurrent, site wide, etc)
- f. Is there recurring maintenance, support, or subscription costs?

2. On Premise

- a. Can you provide a system architecture diagram?
- b. What is the database type? (SQL Server, Oracle, MySQL, etc) What versions are supported?
- c. Is it compatible with Windows Server 2016 for server-side and Windows 10 for client-side?
- d. Is it delivered over a web browser or client-server? If web, what browsers are supported? If web based, does it use responsive web design?
- e. What web server/container does it run on? (IIS, Apache)
- f. Who does the installation and subsequent maintenance?
- g. Is SSRS supported for reporting?
- h. What type of runtime will it operate in? (.NET, VB 6 Runtime, Java, Windows Runtime, Windows Universal Runtime, Win32, Silverlight, Flash, etc)
- i. Will any portion of the software be accessible from the internet?

3. Hosted/Software as a Service (SaaS)

- a. What platform is it hosted on? (AWS, Azure, Private datacenter, etc)
- b. Can we gain access to the data for reporting or integration needs?
- c. Are there any additional components that we will need to install? (ActiveX, Java, Flash, etc.)
- d. Can we get a copy of the data if we part ways with the product? What format will it be in? Can we get a copy of the data regularly for other needs?
- e. Is it delivered over a web browser or client-server? If web based, what browsers are supported? If web based, does it use responsive web design?
- f. Do you have any API's for integration? Is there an additional cost to them?
- g. What are the data protection services offered? (Backup, redundancy, frequency)



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Technology Replacement

Purpose:

To set forth the City's procedures for replacing technology.

Procedures and Related Information:

- I. The following schedule is used to replace hardware and software. All equipment will be replaced on this schedule. However, if a particular lot of equipment is problematic it may be necessary to replace equipment outside of the normal replacement cycle.
 - A. Infrastructure: 4 years or as needed
 - B. Computers: 5 years or as needed
 - C. Software: 6 years or as needed
 - D. Printers: 7 years or as needed
- II. Replaced equipment will be disposed following the City's Asset Disposal policy. Once equipment has been funded for replacement, this equipment is not eligible to be included as a replacement request (G200) a second time.



AGENDA ITEM

ITEM TOPIC: Legal Department: Discussion of Draft Ordinance Concerning City Council Districts



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

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|-------------------|--|------------------------|-------------------|
| From: | Bill Nary, City Attorney | Meeting Date: | December 14, 2021 |
| Presenter: | Bill Nary | Estimated Time: | 20 minutes |
| Topic: | Discussion—Draft Ordinance Concerning City Council Districts | | |

Recommended Council Action:

Provide input to the City Attorney's Office relative to a draft ordinance concerning City Council districts.

Background:

Under Idaho Code section 50-707A, "[a]ny city having more than one hundred thousand (100,000) inhabitants based upon the most recent federal decennial census shall establish districts and shall elect councilmen by districts for districts so established." The most recent federal decennial census places the City of Meridian's population at 117,635. Thus, the City is required, under Idaho law, to establish City Council districts prior to the City's next general election, which is scheduled for November 7, 2023. Consequently, the City Attorney's Office has prepared a draft ordinance that contemplates the creation of the Meridian Districting Committee to assist the City create City Council districts.

If the City Council concurs with this approach, the Meridian Districting Committee would begin its work after Ada County creates new election precincts, which will likely occur in early 2022. It is anticipated that the Meridian Districting Committee would complete its work prior to the end of 2022—well before the City's next general election.

The purpose of this agenda item is to solicit input from the City Council early in the process. The ordinance will be presented to the City Council in early 2022 for formal consideration.

CITY OF MERIDIAN ORDINANCE NO. _____**BY THE CITY COUNCIL:****BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER**

AN ORDINANCE REPEALING AND REPLACING MERIDIAN CITY CODE SECTION 1-7-1, REGARDING ELECTION; DISTRICTS; TERMS OF OFFICE; RESIDENCY REQUIREMENT; AMENDING MERIDIAN CITY CODE SECTION 1-7-2, REGARDING CITY COUNCIL MEMBER QUALIFICATIONS; AMENDING MERIDIAN CITY CODE SECTION 1-7-4, REGARDING CITY COUNCIL SEAT VACANCIES; ADDING A NEW SECTION TO MERIDIAN CITY CODE, SECTION 1-7-11, REGARDING MERIDIAN DISTRICTING COMMITTEE; CITY COUNCIL DISTRICTS; ADOPTING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Idaho Code section 50-707A requires cities with more than one hundred thousand (100,000) inhabitants to establish City Council districts and elect City Council members by such districts; and

WHEREAS, the City Council of the City of Meridian finds that the following ordinance will serve the purposes of Idaho Code section 50-707A, related provisions of Meridian City Code, and the people of the City of Meridian;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MERIDIAN, IDAHO:

Section 1. Meridian City Code section 1-7-1 shall be repealed, and replaced with language to read as follows.

1-7-1. ELECTION; DISTRICTS; TERMS OF OFFICE; RESIDENCY REQUIREMENT.

A. Elections. General city elections shall be held on the first Tuesday following the first Monday in November, in odd numbered years.

B. City Council districts established. There shall be six (6) City Council districts in the City of Meridian. Pursuant to the provisions of Idaho Code section 50-707A and Meridian City Code section 1-7-11, following the release of federal decennial census data and the County Clerk's establishment of election precincts, the Meridian Districting Committee shall establish and number six (6) City Council districts.

C. City Council seats established. There shall be six (6) City Council seats on the Meridian City Council. The Meridian Districting Committee shall number each City Council seat pursuant to this section and Idaho Code section 50-707. The number of each City Council seat shall correspond to the numbered City Council districts.

D. Terms. Each elected City Council member shall serve a term of four (4) years, or until his or her successor is elected and qualified.

E. Staggered terms. At each election, three City Council seats shall be open for election, alternating odd-numbered seats and even-numbered seats.

1. Election in 2023. In the 2023 general city election, the first election after the establishment of City Council districts in the City of Meridian, no candidate, including an incumbent candidate, may run for election or re-election to a City Council seat in a City Council district in which the candidate is not a resident. Incumbent City Council members who are serving in City Council seats 1, 3, and 5, as such seats were designated prior to the assignment of City Council seats to City Council districts, and who are running for re-election in 2023, must be residents of the respective City Council districts in which they are running. In order to preserve staggered terms, City Council members serving in City Council seats 2, 4, and 6, as such seats were designated prior to the assignment of City Council seats to City Council districts, shall serve the remainder of their terms in those seats, during which time they shall represent the City Council districts corresponding to their City Council seat numbers, regardless of whether they are residents of the City Council district to which their seat corresponds.

2. Elections in 2025 and thereafter. In the 2025 general city election and in each election thereafter, no candidate, including an incumbent candidate, may run for election or re-election to a City Council seat in a City Council district in which the candidate is not a resident.

F. Candidate to be resident of City Council district. Any candidate seeking election to the City Council shall file his or her candidacy for one, and only one, City Council seat. Except as otherwise set forth in Meridian City Code section 1-7-1(E)(1), the candidate must be a resident of the City Council district that corresponds to the City Council seat for which the candidate is running. City Council members shall be elected by the electors of the said City Council district. To be eligible to run for City Council, the candidate shall meet this and all other qualifications for the office of City Council member, as required by law.

Section 2. Meridian City Code section 1-7-2 shall be amended as follows.

1-7-2. QUALIFICATIONS; DEFINITIONS.

A. Any person shall be eligible to hold the office of City Council member: 1) whose ~~domicile~~ residence is, at the time of declaration of candidacy or intent to seek election, and if elected, remains, ~~in the city limits of the city of Meridian~~ the City Council district to which the City Council member is elected to serve; and 2) is a qualified elector as set forth in this section and ~~within the City of Meridian~~ under the constitution and laws of the State of Idaho.

B. ~~“Domicile-Residence,”~~ for the purposes of this section, shall have the definition as set forth in Idaho Code section 50-402(d) ~~mean that individual’s true, fixed and permanent home and place of habitation. It is the place where that individual intends to remain, and to which that individual expects to return when that individual leaves without intending to establish a new domicile elsewhere.~~

C. “Qualified elector,” for the purposes of this section, shall mean a person who is at least eighteen (18) years of age, is a United States citizen, has resided in Meridian City Limits and the City Council district for which the City Council member is elected to serve for at least the thirty (30) days preceding the election at which he desires to be elected, and who is registered to vote in such jurisdiction as required by law.

Section 3. Meridian City Code section 1-7-4 shall be amended as follows.

1-7-4. VACANCIES.

In the event ~~an Office of the Council member becomes vacant~~ a City Council seat is vacated, through death, ~~moves by moving out of the ward~~ City Council district, or for any other cause, the Mayor shall appoint, with the approval of the City Council, an individual to fill the unexpired portion of the term, until the next general election, when the unexpired term shall be filled by regular election. Any individual so appointed must be duly qualified to hold such office as set forth in Meridian City Code section 1-7-2.

Section 4. A new section shall be added, Meridian City Code section 1-7-11, to read as follows.

1-7-11. MERIDIAN DISTRICTING COMMITTEE; CITY COUNCIL DISTRICTS.

A. Establishment. There is hereby established the Meridian Districting Committee, the purpose of which shall be to establish six (6) City Council districts and assign one (1) City Council seat to represent each City Council district, in accordance with applicable laws, available federal decennial census data, and principles of districting as are or may be established by law, policy, and custom governing the same.

B. Duties and powers. The Meridian Districting Committee shall be charged with, and authorized to:

1. Evaluate and apply federal decennial census data regarding the City of Meridian in order to establish six (6) City Council districts pursuant to the provisions of Idaho Code section 50-707A; Title 1, Chapter 7, Meridian City Code; and all other applicable provisions of local, state, and federal law.
2. Assign City Council seats, numbering 1 through 6, to the corresponding numbered City Council districts, pursuant to the provisions of Idaho Code section 50-707 and Title 1, Chapter 7, Meridian City Code.
3. Act independently to make decisions regarding City Council districts and City Council seat numbers, without regard for the residency of elected officials or candidates running for municipal office of the City of Meridian.

4. Consult resources and experts in demographics and population distribution, including, without limitation, the Community Planning Association of Southwest Idaho, the United States Census Bureau, and their delegates and staff, as needed or desired.
5. Consult resources and experts in districting and apportionment, including, without limitation, the Idaho Secretary of State, the Idaho Commission for Reapportionment, the Ada County Clerk, and the delegates and staff thereof, as needed or desired.
6. Consult City of Meridian Geographic Information System and Planning staff for information and assistance with establishment of City Council districts and the preparation of maps.
7. Consult the City Attorney or designee regarding compliance with applicable Idaho Code and Meridian City Code provisions.

C. Meridian Districting Committee membership and qualifications.

1. The Mayor shall, by proclamation, appoint members to the Meridian Districting Committee. Should a vacancy subsequently occur on the Meridian Districting Committee, the Mayor shall fill the vacancy in a like manner within fourteen (14) days, or as soon thereafter as practicable. In addition to the names of the members so appointed, the proclamation shall include the following directives to the City Clerk:
 - a. Directing the City Clerk to convene the Meridian Districting Committee.
 - b. Directing the City Clerk to post on the City of Meridian website the agenda and minutes of the Meridian Districting Committee meetings, as well as the census data used by the Meridian Districting Committee in the course of its charge under this section.

In the event that the Mayor fails to timely act pursuant to this provision, the City Council President shall so act.

2. Voting members of the Meridian Districting Committee shall include six (6) Meridian residents from diverse geographic areas of Meridian, to include at least one (1) individual who resides south of Interstate 84, one (1) individual who resides north of Ustick Road, one (1) individual who resides west of Meridian Road, and one (1) individual who resides east of Meridian Road. The six (6) Committee members shall be voting members, and shall serve without salary or compensation for their service.
3. The Meridian Districting Committee shall include the following ex-officio, non-voting members:
 - a. The City of Meridian Geographic Information System Manager or designee;
 - b. The City of Meridian Planning Manager or designee; and
 - c. The Ada County Clerk or designee.
4. The Meridian Districting Committee may include the following ex-officio, non-voting members, as may be hired by the City of Meridian: a statistician, a cartographer, and/or

any other experts whose services may be helpful in the discharge of the Meridian Districting Committee's responsibilities.

5. A person who has served on the Meridian Districting Committee shall be ineligible to run for a Meridian City Council seat for five (5) years following such service.

D. Organization and meetings.

1. At the initial meeting of the Meridian Districting Committee, the Committee members shall elect a Chair and Vice Chair.
 - a. The Chair shall be a voting member of the Meridian Districting Committee and shall hold the same rights and privileges as any other Committee member. The decisions, statements, and/or actions of the Chair shall obligate, commit, and/or represent the Meridian Districting Committee only insofar as the Committee has specifically authorized. The Chair's duties shall include:
 - 1) Preparing Meridian Districting Committee meeting agendas in cooperation with the City Clerk or designee;
 - 2) Presiding over all Meridian Districting Committee meetings, and
 - 3) Signing all documents requiring an official signature on behalf of the Meridian Districting Committee, including the Meridian Districting Plan.
 - b. The Vice Chair shall perform the duties of the Chair in the absence of the Chair, and such other duties as may be delegated by the Chair.
 - c. A special election may be held at any time to fill a vacancy of the office of Chair or Vice Chair.
2. The Chair shall propose, and the Committee members shall adopt, a timeline of meetings and actions to timely complete the Meridian Districting Committee's work in accordance with this section and with Idaho Code section 50-707A.
3. The Meridian Districting Committee shall comply in all respects with the Idaho Open Meetings Law. The agenda for all meetings shall be prepared by the Chair in consultation with the City Clerk or designee. The City Clerk or designee shall assist the Chair with scheduling meetings, posting meeting and agenda notices, preparing meeting minutes, and distributing agendas, minutes, and other materials to Committee members prior to each meeting.
4. A majority of currently-appointed Committee members shall constitute a quorum for the transaction of any business of the Meridian Districting Committee.
5. Each voting member shall be entitled to one (1) vote on any matter before the Meridian Districting Committee. Except as otherwise designated herein, the vote of the majority of the voting members present at any meeting at which a quorum is present shall effectuate any decision of the Meridian Districting Committee. Voting shall be verbal and on the record; proxy voting, secret voting, and written voting shall not be permitted.

6. Scheduling of public hearings, public comment, or presentations before the Meridian Districting Committee shall be at the discretion of the Chair. The Chair may set rules to maximize efficiency and productivity of meetings, including setting a time limit for comments or presentations to the Meridian Districting Committee.
7. Upon the City Clerk's filing of the Meridian Districting Plan with the County Clerk as set forth in Meridian City Code section 1-7-11(H), the Meridian Districting Committee shall automatically dissolve and may be reconvened only upon appointment by the Mayor pursuant to Meridian City Code section 1-7-11(C)(1).

E. Procedure.

1. The Meridian Districting Committee shall evaluate and apply the federal decennial census data for the City of Meridian in order to establish six (6) City Council districts pursuant to the provisions of Idaho Code section 50-707A; Title 1, Chapter 7, Meridian City Code; and all other applicable provisions of local, state, and federal law.
2. Upon completion of a draft districting map, the Meridian Districting Committee shall designate each City Council district with a number from 1 to 6 pursuant to the provisions of Meridian City Code section 1-7-1(C) and this chapter. The draft map and numbered City Council districts shall constitute the draft districting plan. The Meridian Districting Committee shall hold a minimum of one (1) public hearing to receive public testimony on the draft districting map.
3. The Meridian Districting Committee shall act to establish, by resolution, the Meridian Districting Plan, to include the following documents, which shall be appended to the resolution, and incorporated into the same by reference:
 - a. A map of the City of Meridian showing the exact locations of the designated City Council districts, labeled with the district numbers and corresponding City Council seat numbers.
 - b. A description of the boundaries of the City Council districts, described by the names of streets or other established features or landmarks.
 - c. A declaration that the City Council seats shall be designated with numbers corresponding to the like-numbered City Council districts, in accordance with Meridian City Code section 1-7-1(C).The resolution must be approved by at least four (4) voting members to be effective, and shall certify that the established City Council districts meet the criteria set forth in Idaho Code section 50-707A and other applicable statutes and laws.
4. The Meridian Districting Committee shall transmit its resolution to the City Clerk, and the City Clerk shall:
 - a. Schedule a public hearing before the City Council on the resolution;
 - b. Make the resolution available on the City of Meridian's website; and
 - c. Publish a notice of hearing on the matter before the City Council.

- F. The City Clerk shall publish notice of the public hearing on the Meridian Districting Committee's Meridian Districting Plan before City Council at least once prior to the date set for the public hearing, which notice shall solicit written and verbal testimony on the City Council districts as established by the Meridian Districting Committee, and shall include a link to the City of Meridian's webpage with access to the resolution and documents described in Meridian City Code section 1-7-11(E)(3).
- G. The City Council shall conduct a public hearing on the Meridian Districting Plan as established by the Meridian Districting Committee, in accordance with the procedures set forth in Meridian City Code section 1-7-7. Following such public hearing, the City Council shall review the Meridian Districting Plan as established by the Meridian Districting Committee, and upon a finding that it meets the criteria set forth in Idaho Code section 50-707A, shall adopt it by ordinance as the final Meridian Districting Plan. Such act shall be a ministerial function of the City Council; modification of the Meridian Districting Plan established by the Meridian Districting Committee shall occur only upon remand to the Meridian Districting Committee. The City Council may remand the matter to the Meridian Districting Committee only upon a finding, supported by substantial evidence, that the Meridian Districting Plan established by the Meridian Districting Committee does not meet the criteria set forth in Idaho Code section 50-707A. Should the City Council fail to adopt the Meridian Districting Plan via ordinance at least one hundred thirty-five (135) days prior to the date of the next general city election, the Meridian Districting Committee's last resolution shall comprise the final Meridian Districting Plan.
- H. The City Clerk shall file the Meridian Districting Plan with the County Clerk at least one hundred thirty-four (134) days prior to the next general city election, with a request that the County Clerk prepare ballots and establish polling places for all subsequent Meridian City Council elections in accordance with the Meridian Districting Plan.

Section 5. That all ordinances, resolutions, orders, or parts thereof or in conflict with this ordinance are hereby voided.

Section 6. That this ordinance shall be effective immediately upon its passage and publication.

PASSED by the City Council of the City of Meridian, Idaho, this ____ day of ____, 2022.

APPROVED by the Mayor of the City of Meridian, Idaho, this ____ day of ____, 2022.

APPROVED:

ATTEST:

Robert E. Simison, Mayor

Chris Johnson, City Clerk

**STATEMENT OF MERIDIAN CITY ATTORNEY AS TO
ADEQUACY OF SUMMARY OF ORDINANCE NO. 22-_____**

The undersigned, William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance no. 22-_____ of the City of Meridian, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this _____ day of _____, 2022.

William L.M. Nary, City Attorney

**NOTICE AND PUBLISHED SUMMARY
OF ORDINANCE PURSUANT TO I.C. § 50-901(A)**

CITY OF MERIDIAN ORDINANCE NO. 22-_____

An ordinance repealing and replacing Meridian City Code section 1-7-1, regarding election; districts; terms of office; residency requirement; amending Meridian City Code section 1-7-2, regarding City Council member qualifications; amending Meridian City Code section 1-7-4, regarding City Council seat vacancies; adding a new section to Meridian City Code, section 1-7-11, regarding Meridian Districting Committee; City Council districts; adopting a savings clause; and providing an effective date.