



PARKS AND RECREATION COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue, Meridian, Idaho
Wednesday, March 13, 2024 at 5:30 PM

Mission:

The Meridian Parks & Recreation Commission is a volunteer citizens' group that is created and empowered to advise the City on issues relating to park facilities and recreation programs of the City. Their mission is to gather input from staff and other qualified personnel on issues relating to the creation and design of public parks and open spaces; to listen to public input; and to provide advice and recommendations on parks and recreation related matters to the Mayor and City Council.

All materials presented at public meetings become property of the City of Meridian. Anyone desiring accommodation for disabilities should contact the City Clerk's Office at 208-888-4433 at least 48 hours prior to the public meeting.

Agenda

VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/81095276712>

ROLL-CALL ATTENDANCE

<input type="checkbox"/> Mandi Roberts, President	<input type="checkbox"/> Dom Gelsomino, Vice President
<input type="checkbox"/> Jennifer Bobo	<input type="checkbox"/> Terry Dennington
<input type="checkbox"/> Keith Bevan	<input type="checkbox"/> John Nesmith
<input type="checkbox"/> Jo Greer	<input type="checkbox"/> Alan Helms
<input type="checkbox"/> Elle Hood	

ADOPTION OF THE AGENDA

APPROVAL OF THE MINUTES

1. January 10, 2024 Regular Meeting

Mandi Roberts, MPRC President ~ 2 minutes

ANNOUNCEMENTS

2. Upcoming Events

Shelly Houston, MPR Marketing Coordinator ~ 5 minutes

OLD BUSINESS ~ NONE

NEW BUSINESS

3. MPR Parks Maintenance Division Update

Roger Norberg, MPR Parks Maintenance Manager ~ 20 minutes

4. Updates to Meridian City Code Provisions Regarding Commission Duties, Powers, Membership, Qualifications, and Meetings

Emily Kane, Meridian Deputy City Attorney ~ 20 minutes

WORKSHOP ~ NONE

STAFF REPORTS

5. MPR Staff ~ 15 minutes

ADJOURNMENT

NEXT MEETING ~ April 10, 2024 at 5:30 PM

2024 All-Commission Goals:

1. Participate in the development of the Pathways Master Plan Update.
2. Support development of a connected pathway system across the City of Meridian, with a focus on user experience amenities and improved connectivity.
3. Support future improvements at Lakeview Golf Course, including clubhouse/patio improvements and new on-course restrooms.
4. Participate in the partnership with the Meridian Arts Commission to add theming and identity reinforcing art in Meridian parks and along pathways. Focus this year on Discovery Park, Fuller Park, and Chateau Park.
5. Participate in the design and programming of a new Community Center.
6. Support replacement of the Settlers Park Splash Pad.
7. Continue to provide feedback for ongoing park improvements and enhancements.
8. Engage other task forces, commissions, entities, and agencies through workshops and other outreach for partnership opportunities.
9. Support ongoing operations of the Meridian Pool.
10. Pursue improved communication tools and opportunities to engage the community and diverse interests.



PARKS & RECREATION COMMISSION

REGULAR MEETING • MINUTES

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 Wednesday, January 10, 2024 • 5:30 p.m.

The Meridian Parks & Recreation Commission is a volunteer citizens' group that is created and empowered to advise the City on issues relating to park facilities and recreation programs of the City. Their mission is to gather input from staff and other qualified personnel on issues relating to the creation and design of public parks and open spaces; to listen to public input; and to provide advice and recommendations on parks and recreation related matters to the Mayor and City Council.

Roll-Call Attendance

Commission President Mandi Roberts called the meeting to order at approximately 5:32 p.m. MPR Administrative Assistant II Rachel Myers took roll-call attendance as follows:

<u>X</u> Mandi Roberts, President	<u>X</u> Elle Hood
<u>X</u> Dom Gelsomino, Vice President	<u>X</u> John Nesmith
<u>X</u> Keith Bevan	<u>X</u> Terry Dennington
<u>X</u> Jennifer Bobo	<u>X</u> Alan Helms (arrived at approx. 5:57 p.m.)
<u>X</u> Jo Greer	

Others present were: MPR Department staff—Parks and Recreation Director Steve Siddoway, Parks Superintendent Mike Barton, Recreation Manager Garrett White, Pathways Project Manager Kim Warren, Marketing Coordinator Shelly Houston, Arts & Culture Coordinator Cassandra Schiffler, Meridian Dairy Board President Hans Bruijn, and Deputy City Attorney Emily Kane.

Adoption of the Agenda

Commission President Mandi Roberts entertained a motion to adopt the agenda as presented. Commissioner Jo Greer moved to approve the agenda. Commission Vice President Dom Gelsomino seconded. All were in favor of the motion.

Approval of the Minutes

1. December 13, 2023 Regular Meeting – Mandi Roberts

Commission President Mandi Roberts entertained a motion to adopt the minutes as presented. Commission Vice President Dom Gelsomino moved to approve the minutes. Commissioner Jo Greer seconded. All were in favor of the motion.

Announcements

2. Upcoming Events – Shelly Houston, MPR Marketing Coordinator

- Updated 2024 City of Meridian events flyer (attached to these meeting minutes).
 - No community events coming up.
 - We will be planning some Spring grand opening events for the pathway trail hub and Tully Park playground.
 - Meridian Life Style Magazine would like to do a piece on Lakeview Golf Course.
- MPR now has its own Instagram account @MeridianParksAndRecreation
- Discovery Park - Bike and Skate park influencers (Kyle and April) latest video on Discovery Park bike park.
<https://www.youtube.com/watch?v=Re-DSqqrGFE>

Old Business ~ NONE

New Business

3. MPR Commissioner Keith Bevan Recognition – Steve Siddoway, MPR Director

- Recognized and thanked Keith Bevan for his service as 2023 Meridian Parks & Recreation Commission President.

4. Meridian Dairy Board Update – Hans Bruijn

- Hans introduced himself and gave the commission a brief history of Dairy Days and how he became involved.
- Dairy Days are held at the Meridian Speedway and Storey Park.
- Last year they handed out approximately \$23,000 in scholarships to FFA students.
- Support 4H groups attending events, pay-to-play with Meridian athletic program, speech contests throughout the Treasure Valley, and the princess pageant with scholarship awards.

Commission Feedback:

- **Jo Greer** – Is there a decreased interest in 4H?
On the dairy side of it there is a program called “The Treasure Valley Heifer Replacement Program”. That program is for 4H and FFA kids to buy, raise and show a dairy heifer. It’s a 15-month program and they sell at the Western Idaho Fair but the animal goes to a dairy and becomes a productive animal. The program has approximately 30 animals right now.
- **Jennifer Bobo** – Thank you for all you do for education. I didn’t grow up on a farm and I learned about milking cows from programs like yours. I also was not aware of the scholarships, so thank you.
- **Terry Dennington** – I appreciate you wanting to continue to educate people.
- **Steve Siddoway** – Thank you for putting on what has become a signature event in Meridian. It’s a wonderful tradition for our community.
- **Mandi Roberts** – Having pride in our community is important and a big part of that is recognizing our history and keeping that alive for future generations. Thank you for doing that.

- **Garrett White** – I've been fortunate enough to attend their meetings for the last 4 years and have been amazed at all they do. They have 9 board members, give \$23,000 in scholarships and the passion about Meridian and Meridian history has been fun to watch and learn from them.

5. **MPR Department Arts & Culture Update – Cassandra Schiffler**

Cassandra gave an update from 2023 and plans for 2024 Meridian Parks and Rec Arts & Culture via Power Point. Copies of her slides are attached to these meeting minutes.

Commission Feedback:

- **Jennifer Bobo** – Thank you for all you do. The art is amazing in Meridian.
- **Terry Dennington** – I love the Initial Point Gallery and having the artists there to talk with is so cool. Thank you so much.
- **Mandi Roberts** – The Initial Point Gallery is definitely a hidden gem in the community. What are the general hours of the Gallery? *The Gallery is open when City Hall is open so Monday through Friday 8am – 5pm, excluding holidays.*
- **Garrett White** – What Cassandra showed you is just a snapshot of everything she does. The pool mural has exceeded my expectations. She is busy year-round and does a great job!!
- **Steve Siddoway** – I appreciate what Cassandra does for the department. Getting Arts and Culture in our department was really great. Thank you for all you do.
- **Madi Roberts** – Thank you for recognizing and honoring our history. I am really excited for the historic preservation plan. Art enriches all of our lives and is so important. Thank you!

6. **Open Meetings, Ethics & Bylaws Update – Emily Kane, Meridian Deputy City Attorney**

Emily gave a presentation on Open meetings, ethics and bylaws via Power Point. Copies of her slides are attached to these meeting minutes.

Commission Feedback:

- **Alan Helms** – The information gathering seems strange. We often don't know all the facts so are we just supposed to go blind until we come here then make a decision? *What's important is to make sure you have all the information you need to make a decision. If you are faced with a decision and feel like you need more information, the answer would be to have staff go get that for you and bring it back to the next meeting. If it's something you need to have "eyes on" then the whole commission needs to go together to look.*
- **Terry Dennington** – All the items that we discussed for the goals for the coming year are likely things that will be coming up on the agenda, so we shouldn't actively go out and look at things on that list and solicit information, right? *You're here because you are interested in parks and are active in your community. People do talk to you and you do talk to other people. That's encouraged and that's really the point of having a commission. Don't make it a point to go down the list and do research and site visits on each of those things but keeping your eyes and ears open and experiencing Meridian Parks and Recreation programs, that's all definitely ok. If it's on an agenda and you know it's an item you're going to be asked to make a recommendation on then it's really important to focus*

on that meeting and think about what information you would like to see at the meeting. Let Steve and Rachel know and they will gather that information for you.

Workshop ~ NONE

Staff Reports

7. Steve Siddoway –

- Park land donation was recently made by Marty Hill and Brighton Corporation at Hillsdale Park. This will give citizens better pedestrian access to the park.
- Last night on the Council agenda was an agreement with Meridian Youth Baseball for a small shade awning in front of the concession area in Settlers park.
- Still working with WARD (Western Ada Recreation District) on the transfer of assets (golf course and pool). Currently we manage both locations and we should be taking ownership of both on October 1, 2024.
- Tully Park playground is almost finished. We are working on a pilot program called a communication board which is used by autistic children to communicate. It should be done for a ribbon cutting in the late Spring. This is something we are really excited about!
- I want to publicly acknowledge the tremendous efforts of our parks crew during the recent snow removal. They were working here at 5am today. They are responsible for City Hall, the police station, all fire stations, Homecourt, the senior center and they will all be back tomorrow at 5am again. I want to give a public thank you to them.

8. Mike Barton –

- I want to reiterate the thank you and appreciation to the parks crew for snow removal. They will be back tomorrow morning and will also work all weekend.
- We are continuing to work on golf course improvements: getting ready to order a couple of new restrooms and the inside renovation is moving forward. Carpet and furniture for inside the clubhouse has been ordered. We are designing a new bar top that the crew at the parks shop is building and the wood came from a tree in Centennial park.

9. Garrett White –

- City Council approved the budget for improvements at Homecourt bay 6.
- Railing in front of the pool building is being replaced in the next month.
- Submitted all the forms and paperwork for the Meridian Main Street Market.
- Admin assistant position open. So far, we have over 60 applicants.

10. Kim Warren –

- Fivemile pathway is still waiting for the bridge.
- Mary McPherson Pathway got most of the paving done but there is a small corner at the school that needs to be done.
- Request in to Purchasing for the Pathways Masterplan update.
- Highway 16 and Fivemile creek pedestrian underpass may go on a list of possible future projects.
- Rail with Trail now has a consultant who is submitting various applications to the City.

Commission Feedback:

- **Terry Dennington** – Is there any snow removal on the trails and pathways or do people just clear it themselves? Mike: *Snow removal is on a tiered priority system and pathways are on tier three. When we get back to back storms the pathways will not get done but we will eventually get to them once the snow stops.*

Commission President Mandi Roberts entertained a motion to cancel the next meeting which was scheduled for February 14, 2024. Commissioner Jo Greer moved to cancel the next meeting. Commission Vice President Dom Gelsomino seconded. The vote was unanimous and in favor of the motion.

Next meeting March 13, 2024 at 5:30 p.m.

Adjourn

Commission President Mandi Roberts entertained a motion to adjourn the meeting. Commissioner Jo Greer moved to adjourn. Commission Vice President Dom Gelsomino seconded. The vote was unanimous and in favor of the motion.

There being no further business, the meeting adjourned at approximately 7:25 p.m.

APPROVED:

MANDI ROBERTS, PRESIDENT

_____/_____/_____
DATE

DOM GELSOMINO, VICE PRESIDENT

/tmk

Attachments:

- 1) 2024 City of Meridian Events Flyer
- 2) PowerPoint: Arts & Culture Update – Cassandra Schiffler (15 pages)
- 3) PowerPoint: Open Meetings Law – Emily Kane (15 pages)

CITY OF MERIDIAN

2024 EVENTS

Initial Point Gallery Opening Receptions

Feb 6, April 2, May 7, June 4, Aug 6, Oct 1, Nov 5, Dec 3

Do the Right Day

Thursday, April 4

Meridian Main Street Market

Saturdays, April 13 – October 12

Prescription Drug Take-Back

Saturday, April 27

Historic Preservation Month

May

Trash or Treasure

May 4 & 5

Unplug & Be Outside

May 11—18

Memorial Day Ceremony

Monday, May 27

State of the City Address

Wednesday, June 5

Sparklight Movie Nights

May 31, June 14, June 28, July 12, July 26, Aug 9

Public Works Week Expo

Wednesday, May 22

Go with the Flow Bus Tour

Thursday, May 23

Bri Kleiner Park Live

June 9, 23, July 7, 21, August 4, 18

Meridian Pool Season Opens

Monday, June 3

Gene Kleiner Day

Saturday, June 8

Meridian Dairy Days

June 19 – 22

Independence Day Celebration

Thursday, July 4

National Night Out

Tuesday, August 6

Firefighters' Salmon BBQ

Friday, August 2

Concerts on Broadway

August 24, September 7 & 21

Meridian Art Week

September 8 – 14

Community Art Party

Saturday, September 14

Recovery Day Breakfast

Thursday, September 26

Public Safety Day Open House

Saturday, September 28

Trunk or Treat

Thursday, October 24

Rake Up Meridian

Late October / Early November

Veterans Day Ceremony

Monday, November 11

Christmas in Meridian

Winter Lights Parade & Tree Lighting

Friday, December 6

Children's Winterland Festival

Saturday, December 14

Note: Schedule subject to slight revision.

Arts & Culture Coordinator Report to the Meridian Parks and Rec Commission 1-10-24

Cassandra Schiffler



Meridian Arts Commission

To develop, advance, and nurture all facets of the arts and to enhance the quality of life for Meridian residents and its visitors.

- Jessica Peters, Chair
- Crystal Paulsen, Vice Chair
- Lizzie Taylor, IPG subcommittee Chair
- Bobby Gaytan, Public Art Committee Chair
- Shaun Muscolo
- Brecken Bird
- Vassil Ivanov
- Patrick O'Leary
- Hannah Scoville, Youth



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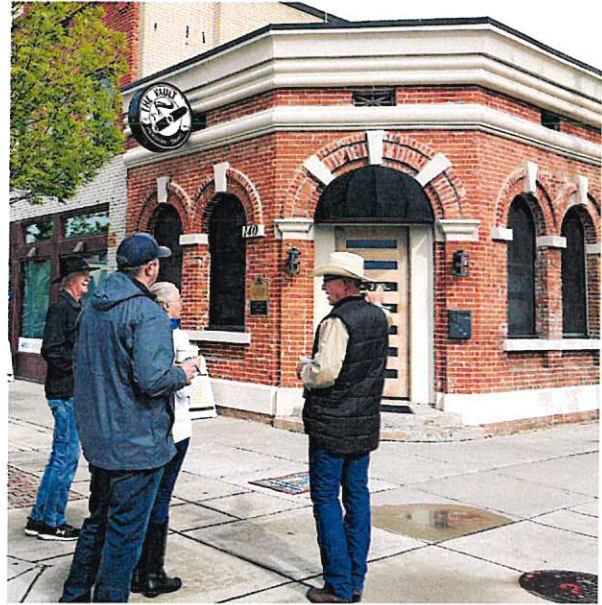
Historic Preservation Commission

To preserve the character and fabric of historically-significant areas and structures within the City of Meridian to honor and preserve its rich heritage for future generations.

- Blaine Johnston, President
- Jody Ault, Vice President
- Pam Jagosh
- Patrick Gittings
- Debra Pitts
- Ken Freeze
- Jack Keller, Youth



Historic Preservation Projects



Historic Preservation Projects: May is Preservation Month

In 2023, we celebrated the month with a proclamation from the Mayor’s Office for National Preservation month, framed and donated a historic print to the Meridian Library District, posted informational sandwich boards downtown to identify historic buildings, and hosted a presentation and guided walking tour of downtown Meridian.



Bank of Meridian, then and now



Historic Preservation Projects: Virtual Tours

We partner with Hull Film to create virtual tours of various Meridian History sites

Completed Sites: Meridian City Hall/Creamery (City Hall views, History Center, Main and Broadway Street), Pine Street School (exterior and interior), Black Cat Farm, Meridian Speedway, Downtown areas along Idaho Street, near Centennial Park/Community Center, along Idaho Street between 4th and 5th, Highway 16

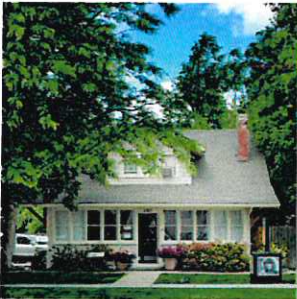
In 2023 we completed a new virtual tour site for Egger’s Farmstead on Black Cat Road

<https://hullfilm360.com/projects/meridian/tour13/>



Historic Preservation Projects: Self-Guided Walking Tours

A self-guided Meridian Historic Walking Tour is available year-round. Free booklets with a map and interpretive information are available at Meridian City Hall. For an enhanced Historic Meridian Downtown Walking Tour experience, download the Meridian Historic Tour mobile app for [iPhone](#) or [Android](#) to enjoy additional photos, videos and narratives about each property while you walk.



Clara Hill House

Historic Preservation Projects: Updating the Meridian Historic Preservation Plan



Meridian currently has a [Historic Preservation Plan](#) that was completed in 2014. The Idaho State Historic Preservation Office (SHPO) recommends updating preservation plans every ten years.

Grant submitted to SHPO for funding

If awarded, we will contract a historic preservation researcher to complete the plan.

2023 Preservation Idaho Orchid Award

The Tolleth House – Hidden Gem Events

[\(Channel 6 news story\)](#)



Historic Preservation Projects: Reconnaissance Survey of North Main Street

TAG Historical Research and Consulting completed a reconnaissance-level survey and completed individual site forms for 256 properties

The survey identified two small potential districts eligible for the National Register of Historic Places. SHPO is reviewing the survey.



Arts Projects

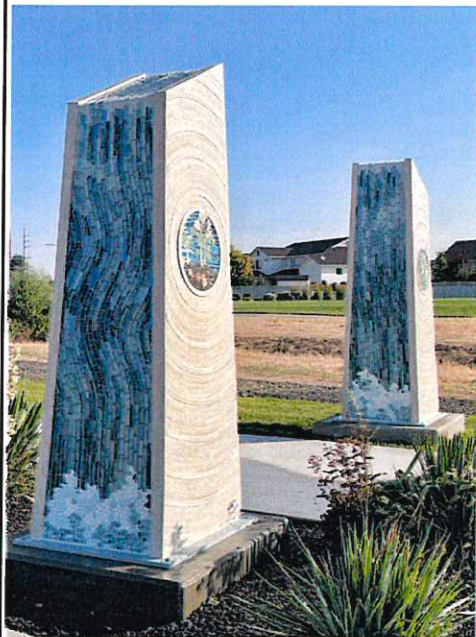


Meridian Art in Public Spaces (MAPS)

- Through the MAPS ordinance, City Council allocates 50 cents per Meridian resident to MAPS funding for public art projects.
- This year staff completed a Public Art workplan in collaboration with the public art committee to plan for MAPS projects. The plan was approved by MAC.
- 2023 projects completed:
 - 1 mural at the Meridian Pool
 - 6 traffic boxes wrapped
 - Mosaic sculptures at the Fivemile Creek Trailhub
 - 4 public art benches
 - A four part sculpture called “The Hole Ball Game”



2023 Traffic Box Series



"Water Metrics" by Eileen Gay
Fivemile Creek Trailhub

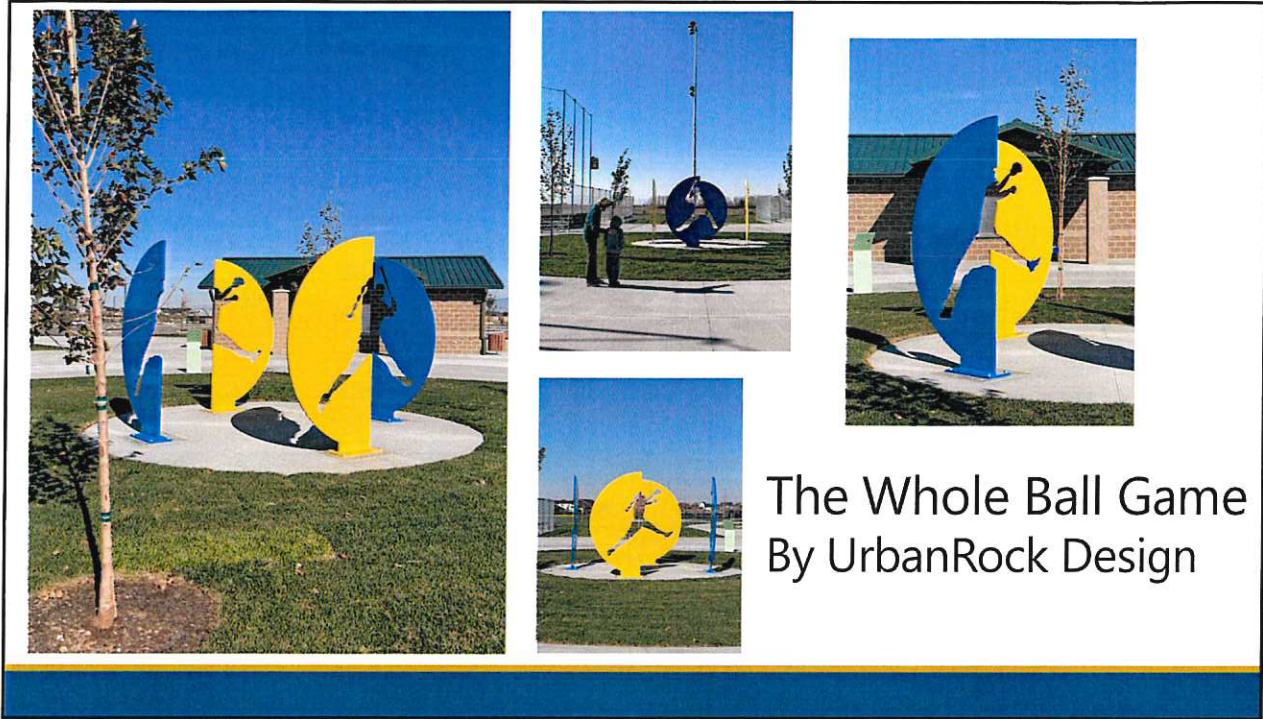


Discovery Park Public Art Projects and Signage

Entryway Signage
by Stephanie Inman



Hawk Benches & Trout Benches
By Colin Selig



Park Identity Projects

- Using our Park Identity and Public Art Roster of artists, we also create additional public art elements to create a sense of place and identity for parks
- 2023 completed projects:
 - Season’s Park
 - Bike Racks at the Fivemile Creek Trailhub
- Upcoming 2023 projects:
 - Signage at the Fivemile Creek Trailhub (fabrication in progress)
 - Chateau Park



Youth Performing Arts Projects

In 2023 we issued a Call for Youth Performing Arts Projects

The Arts Commission juried applications and selected two projects for funding at \$3,500 each:

- The Huckleberry Star Theater funding covered cast fees and enabled three promotional performances in the City of Meridian
- The Treasure Valley Children's Theater will received funding for subsidizing registration fees for youth involved in the program and supporting production and operational costs, allowing them to present all performances of The Grunch for free.



2023 Concerts on Broadway



CONCERTS ON BROADWAY
2023

Meridian Arts Commission
FREE OUTDOOR CONCERT SERIES
SATURDAY EVENINGS 9-10PM • MERIDIAN CITY HALL PLAZA

AUG. 26TH	SEPT. 9TH	SEPT. 23RD
GUILTY PLEASURE	KINGS OF SWING	SUMMER GROOVE PARTY BAND

Meridian Arts Commission
Meridian
Oregon Department of Cultural Resources
meridiancity.org/concmissionbroadway



2023 Meridian Art Week

- Art Drop
- Community Art Party ~600 people
 - Chalk art contest
 - Buskerfest
 - Mural
 - Awards supported by Connections Credit Union
- Classes
 - History Walk
 - Artrepreneur class
 - Writing Class
 - Plein Air Class
 - Improv class (canceled)
- Discussion Panel
- Gallery Reception
- Concerts on Broadway



Community Art Party



Initial Point Gallery Exhibits

- 2023: 11 total exhibits with 236 artists shown
 - 1 solo show
 - Annual WASD show of youth art
 - 4 organization group exhibits: IWS, PAPI, TVAA, CCG
 - 5 group shows



- Current exhibit at Initial Point Gallery:
- Exhibiting the artists from Capitol Contemporary Gallery



- Upcoming exhibit at Initial Point Gallery:
- BOSCO and Ballet Idaho collaboration



To follow Arts and Culture Activities on social media:

- Meridian Arts Commission on Facebook
- @meridianarts on Instagram

- Meridian History on Facebook
- @meridianhistory on Instagram

Arts and Culture Upcoming Projects and Priorities for 2024

- Call to Artists for Transit Stop Shelter Public Art (deadline Feb 2)
- Call for Youth Performing Arts Projects (deadline Feb 16)
- Ballet Idaho/BOSCO exhibit at Initial Point Gallery (opening Feb 6)
- Chateau Park identity and theming project
- Planning for a Public Art Project at Fuller Park (FY25)
- Planning for Art Week and Concerts on Broadway
- Preservation Month activities
- Historic Preservation Plan



 **Call to Artists:**
Meridian Transit Stop
Shelter Public Art Project

Questions? Comments?

Thank you!

For questions or more information, please contact Meridian Arts
and Culture Coordinator, Cassandra Schiffler at (208) 489-0399 or
cschiffler@meridiacity.org

OPEN MEETINGS LAW COMMISSION BYLAWS GOVERNMENTAL ETHICS

Emily Kane, Deputy City Attorney
Presentation to Meridian Arts Commission
January 10, 2024



What is the OML?



- Title 74, Idaho Code: Transparent and Ethical Government
- Chapter 2: Open Meetings Law
- “The people of the state of Idaho, in creating the instruments of government that serve them, do not yield their sovereignty to the agencies so created. Therefore, the legislature finds and declares that it is the policy of this state that **the formation of public policy is public business and shall not be conducted in secret.**”

Does the OML apply to the Commission?



YES!

- “All meetings of a governing body of a public agency shall be open to the public.”
 - Public Agency: City + any “subagency”
 - Governing body: Board with authority to make decisions or recommendations
 - Meridian City Council = Governing body
 - Meridian Parks & Rec Commission = subagency

What is a “meeting”?



Meeting:	Quorum + Decision Quorum + Deliberation
Decision:	Action
Deliberation:	Receiving information Exchanging information Exchanging opinions

...related to the business of MPRC

OML meeting requirements



All Commission and Committee meetings must:

- Be noticed prior to convening: 48 hours (regular meeting) or 24 hours (special meeting)
 - Notice = posted at City Hall + City website
- Be open to the public
- Provide the opportunity for all persons to attend
- Follow published/adopted agenda
 - Law allows limited amendment of agenda after noticing or during meeting
 - Action may not be taken on an item added to agenda during meeting
- Be memorialized in summary minutes

Word to the Wise



“The requirement that the Open Meeting Law be complied with **should not be evaded** by holding smaller meetings with less than a quorum present or by having a go-between contact each of the governing body members to ascertain his/her sentiment.”

Is it a “meeting”?



Scenario	Is it a meeting?
5 Commissioners at a New Year’s party talking about their pets.	No. “Meeting” does not include informal gatherings without deliberations.
5 Commissioners at a New Year’s party talking about whether Meridian parks should have an off-leash guinea pig park.	Probably not. “Meeting” does not include informal gatherings, and this is not deliberation toward a decision. BUT: If the Commission is later asked to make a decision regarding this issue, disclose this discussion on the meeting record.

Is it a “meeting”?



Scenario	Is it a meeting?
5 Commissioners at New Year’s party talking about an off-leash guinea pig proposal that is on their upcoming agenda.	Yes. While “meeting” does not include informal gatherings, whenever a quorum convenes and deliberates, even informally, this is a “meeting.”
4 Commissioners at a New Year’s party talking about an off-leash guinea pig park proposal that is on their upcoming agenda.	No...but it’s too close to yes. Not technically a meeting (no quorum). BUT: It is “deliberation.” Violates the purpose of the law, even if no actual violation.

Ex parte info



- **Ex Parte Information Gathering (EPIG):** Receiving, off the record, information or opinion regarding a matter pending before the Commission
 - Informal conversations with citizens
 - E-mail or phone/voice mail opinions (even unsolicited)
 - Individual site visits, research, interviews
- EPIG happens outside a meeting → EPIG deviates from the public record
 - “The formation of public policy is public business and shall not be conducted in secret.”

Word to the wise



“When a governing body deviates from the public record, it essentially conducts a second **fact-gathering session without proper notice.**”

- How to handle ex parte information:
 - Avoid it!

BUT another word to the wise:



The Commission is not held to a standard of **disinterestedness.**

- How to handle ex parte information:
 - Disclose it!
 - Public meeting, on site, as a Commission

Is it inappropriate ex parte info?



Scenario	Is it ex parte?
Commissioner goes to the proposed site of a future off-leash guinea pig park that is to be discussed at an upcoming Commission meeting, in order to see what the site looks like.	Yes – AVOID! This is an off-record fact-gathering session not properly noticed or open to the public.
Commissioner lives near the site and drives by every day on her way to and from work.	No...but disclose. Incidental observation is not necessarily inappropriate fact-gathering. BUT: The Commissioner should disclose her experience on the record.

Is it inappropriate ex parte info?



Scenario	Is it ex parte?
The Commission wishes to see the site of a proposed off-leash guinea pig park that is to be discussed at an upcoming Commission meeting.	No – this is OK. Since this is a meeting at which information will be received for the purposes of making a decision, it must be properly noticed, minutes must be taken, and the public must be allowed to attend.

Public testimony



- ❑ The Open Meetings Law does not require that the Commission take public comments or testimony.
- ❑ BUT: The Commission president may allow or request public comments or testimony.

Executive session



- Executive session = A closed meeting.
- There are 10 specific exceptions to the open meeting requirement.
- It is unlikely that MPRC would conduct deliberations under any of these exceptions.
- If you foresee the need to hold an executive session, please consult your attorney in advance.

Phone/online meetings



- The law specifically allows meeting by telephone conference call (or online platform) IF:
 - At least one Commissioner is physically present at the noticed location
 - The communications are audible to all attending in person or remotely
 - Voting is not secret

E-mail, text, social media



- Quorum of commissioners on an email thread + Deliberations = Illegal Meeting. Violates:
 - Notice requirement
 - Physical presence requirement
 - Audible communications requirement
 - Secret voting prohibition
- Creates public records – subject to disclosure to the public under Idaho Public Records Act
 - Even if it is your personal e-mail account, personal device
- Administrative message is not “deliberation”

Open meeting violations



- Any action taken in violation of the Open Meeting Law is void.
- Subsequent actions are also considered tainted and therefore void.
- **FIX:** Do-over, from the beginning.
- If an action is knowingly taken in violation of the Law, the actor is subject to being individually sued and fined, and may be subject to criminal prosecution.
 - Any affected citizen can sue.

COMMISSION BYLAWS



City Code Provisions



- Title 2, Chapters 1 (general) and 4 (MPRC)
- Annual report mandatory
- 3-year term
- Commissioner term expires → Position noticed; incumbent may reapply
- Third consecutive term by City Council vote only
- Absent for 1/2 of meetings in 12 months = automatic dismissal


Bylaws



- ❑ Committees must comply with Open Meetings Laws
- ❑ Appearances before Commission are at discretion of Council president
- ❑ Elections are in December
- ❑ Sitting vice president is automatically nominated for president


ETHICS IN GOVERNMENT





Self-interested contracts

- Idaho Code Title 74, Chapter 5; Idaho Code section 18-1359; Meridian City Code section 1-14-8
- Commissioners may not be “interested in” any contract with the City (no “self-interested contracts”)



Self-interested contracts

STEP 1: Contact City Attorney’s Office!

Exceptions:

- Other suppliers scarce (<3 in 15-mile radius)
- Contract necessary for disaster response
- Commissioner has “remote interest” in contract + makes written disclosure
- Unpaid commissioner strictly follows competitive bidding rules in Idaho Code section 18-1361A

Conflicts of interest



- Title 74, Chapter 4, Idaho Code; City Code section 1-14-5
- Commissioner is asked to make a decision as a commissioner that benefits you or your household member personally or professionally

Possible conflict of interest?



STEP 1: Contact City Attorney's Office!

- If CAO finds potential conflict:
 - Commissioner must submit to Commission a written statement describing potential conflict.
 - Commission consults CAO; CAO advises:
 - Allow conflicted Commissioner's participation notwithstanding conflict (usually Commissioner must follow 18-1361A); Or
 - Excuse conflicted Commissioner from further participation on the issue.
 - Commission/Council votes on whether to excuse.

Gifts and favors



- ❑ Idaho Code section 18-1359; City Code section 1-14-10
- ❑ Commissioners (in course of official duties) may not accept gifts more than \$50 in value
- ❑ Commissioners may not accept ANY gift that might influence actions on the Commission
- ❑ Commissioners may not grant favors

Ethics laws violations



- ❑ Unlawful City contract: \$1,000 fine, 1 yr. jail
- ❑ Fail to consult CAO + fail to disclose conflict of interest: \$500 civil fine
- ❑ Accept bribe: \$50,000 fine + 5 years jail
- ❑ Corrupt acts: \$1,000 fine, 1 year jail
- ❑ Violate Meridian City Code: \$300 fine + reprimand, suspension, discharge from the commission

Listen to your PANGS



- **Personal benefit?** Contact the City Attorney's Office if you think you may have a conflict of interest; must separate service to personal and public interests
- **Avoid/Disclose:** Avoid gathering facts and opinions outside of noticed meetings as much as possible; if you can't avoid, you must disclose
- **Notice:** Agenda and minutes provide public portal to Commission actions; only meet in public and stick to the noticed agenda as closely as possible
- **Gifts:** Be wary of gifts given to you as a commissioner or from an interested party; always observe \$50 limit
- **Self-interested contracts:** Usually allowed for unpaid commissioners, if follow statutory procedures

Questions?



- **City Attorney's Office, 208-898-5506**
 - Emily Kane, ekane@meridiancity.org
 - Bill Nary, bnary@meridiancity.org
- **Idaho Code**
 - legislature.idaho.gov, Click on "Laws & Rules," then "Idaho Statutes"
 - Title 74: Transparent and Ethical Government
- **Attorney General's Office Manuals**
 - ag.idaho.gov, Click on "Manuals"
 - Open Meeting Law Manual
 - Public Records Law Manual
 - Ethics in Government Manual