

**February 11, 2019**

The City Council of the City of Idaho Falls met in Special Meeting (Council Work Session), Monday, February 11, 2019, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 3:00 p.m.

Call to Order and Roll Call:

Mayor Rebecca L. Noah Casper  
Councilmember Thomas Hally  
Councilmember Jim Francis  
Councilmember Michelle Ziel-Dingman (departed at 6:05 p.m.)  
Councilmember Shelly Smede  
Councilmember Jim Freeman  
Councilmember John Radford

Also present:

Pamela Alexander, Municipal Services Director  
Bruce Young, Accountant II  
Chad Ranstrom, Moreton & Company  
Allan Ranstrom, Moreton & Company  
Aimee Assendrup, Moreton & Company  
Ryan Tew, Human Resources Director  
Stephen Scattergood, Human Resources Manager  
Todd Mary, Hartwell Corporation President  
Staci Matheson, Hartwell Corporation Advisor  
Penny Manning, Bonneville County Clerk  
Brenda Prudent, Bonneville County Elections Supervisor  
Mike O'Bleness, Targhee Regional Public Transportation Authority (TRPTA)  
Stephen Boorman, Idaho Falls Power Assistant General Manager  
PJ Holm, Parks and Recreation Assistant Director  
Ronnie Campbell, Parks and Recreation Superintendent  
Chris Fredericksen, Public Works Director  
Brad Cramer, Community Development Services Director  
Abigail French, Legal Services Extern  
Michael Kirkham, Assistant City Attorney  
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:01 p.m. with the following:

2017/18 Annual Workers Compensation Presentation:

Director Alexander introduced the Moreton & Company staff. She then turned the presentation to Moreton & Company. Mr. Chad Ranstrom stated Moreton & Company is the largest Workmans' Compensation Insurance Company in the State. He reviewed the following with general discussion throughout:

In Idaho, Public Entities have two choices when it comes to workers compensation – purchase a fully-insured program through Idaho State Insurance Fund or, become approved as a qualified self-insurer through the Idaho Industrial Commission.

Why partial self-funding:

- Cost savings – Since October 1, 2012, the City has realized a savings of approximately \$2,074,670 as compared to the premium it would have paid to the Idaho State Insurance Fund. That number is valued as of September 30, 2018 and will fluctuate as losses develop.
- Improved Claims Service – Mr. Ranstrom reviewed the various premiums and fees of the self-insured program savings since October 1, 2012. As part of the program, the City engaged with a Third Party Claims adjuster, Idaho Intermountain Claims. According to studies performed by the Idaho Industrial Commission,

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self-funded employers in Idaho pay, on average, about 50% less per indemnity claim than Idaho State Insurance Fund clients.

- Safety and Loss Control Support – Ms. Assendrup stated Moreton & Company staff provides loss analysis and trending on a quarterly basis; industrial hygiene services to the City; safety training; and, safety materials and programs. There are no additional costs for these requested services.

Excess Insurance:

- The program is set up for the City to self-insure a portion of their claims, and then an excess insurance policy is purchased to protect against catastrophic claims
- The City retains the first \$500,000 of any occurrence resulting in employee injury
- The excess coverage also provides aggregate coverage should total claims in a year exceed \$2,318,288

Ms. Assendrup reviewed number of claims by department (3-year history). She noted the number of claims is consistent with other cities. She also reviewed cost of claims by department (3-year history). Mr. Young stated Parks and Recreation, being the department with the highest number of claims and highest cost of claims, is receiving additional safety training. Director Alexander stated similar training has recently occurred with Municipal Services. It was suggested seasonal employees receive mandatory on-line training,

Funding for Future Losses – it becomes very important that the City maintain a loss paying reserve that can meet the liabilities associated with this program and, actuarial studies can be performed to provide the City with an estimate of adequate funding levels for the loss paying fund.

Director Alexander introduced The Hartwell Corporation staff. She then turned the presentation to The Hartwell Corporation.

Mr. Mary and Ms. Matheson reviewed the following with general discussion throughout:

The Hartwell Corporation:

- Founded in 1963
- Headquartered in Idaho Falls with offices in Caldwell and Boise
- Became 100% employee owned in 2012
- 50 employee-owners with 24 employees in the Idaho Falls office
- One of the largest, privately owned independent insurance agencies in Idaho

Mr. Mary briefly reviewed The Hartwell Corporation Service Team. Ms. Matheson briefly reviewed community commitment.

Idaho Counties Risk Management Program (ICRMP):

- Formed in 1985 by several counties to remedy the lack of specialized, affordable private insurance available to local governments
- Member-owned and governed, self insurance and risk management pool serving ONLY Idaho members operating as a Joint Powers Authority
- 957 members

Public Entity Expertise:

- City of Idaho Falls became an ICRMP member in 2003 with The Hartwell Corporation
- The Hartwell Corporation presently writes 81 public entities

Member Owned, Member Driven:

- ICRMP is the primary source of property and casualty loss protection for Idaho's public entities
- Governed by a 10-member Board of Directors comprised of elected officials from each side of the State
- Longevity and stability are at the heart of the ICRMP mission
- More than "just" insurance, tailored to the City's risk
- Additional Services – Legal Consulting; Conference Workshops; Appraisal Service and Online Training - the City currently has \$161m of building structure value. As part of the Risk Management Program, the City saves 5%.

Ms. Matheson briefly reviewed the multiple coverages included in the policy.

Mr. Young presented the following with general discussion throughout:

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### Risk Management Committee:

- Organized on July 25, 2013 and consists of Risk Manager, Division Director of Claimant, Municipal Services Director, City Attorney, and Controller. Currently the Risk Manager has \$5,000 settlement authority and the committee is authorized to settle claims up to \$50,000
- Meets with Moreton Insurance and Intermountain claims on a quarterly basis
- Meets on semi-regular basis and/or as needed to resolve time sensitive issues and review policies

Mr. Young briefly reviewed the Fund Balance Summary, including Premiums Transferred to the Fund; Workers Compensation Claims; Insurance Costs; Total Gain(Loss) for Period; and, Accumulative Gain(Loss) for the previous four (4) years.

### Budgeting:

- Workers' compensation is allocated by per \$ of payroll
- A rate for each job class code is derived by a combination of a fixed and variable rate

### Mr. Scattergood reviewed Human Resources (HR) Processes:

- Notified of accident through Supervisors Report of Accident
- Complete First Report of Incident (FROI) on Intermountain Claims website
- Start a case file that is maintained in HR for ten (10) years
- Ongoing communication with employee, department, Intermountain Claims, and Mountain View Occupational Health
- Review employee Accident on Duty (AOD) time for extended injuries
- Request a Risk Management Working Group meeting for cases that need review

### Mr. Young reviewed the Five Year Plan:

- Update Risk Management Committee and authorization
- Review and revise Personnel Policy
- Dedicated funds for the promotion of work place safety
- Inter-department light duty programs
- Safety Officer/Claims Coordinator Position funded by self-insurance fund
- Move toward an actuarial based budgeting

Brief general discussion followed.

### Election Reform Discussion:

Mr. Kirkham briefly reviewed Idaho Falls City Code 1-6-15, Run-off Elections City Council Seats including majority of the votes, a tie vote, calendaring mechanism per Idaho Code, and, announcement mechanism. Mayor Casper briefly reviewed the history of Idaho Falls City Elections; run-off elections in Idaho data (Idaho Falls is the only City in Idaho with a City Council run-off election, there are eight Idaho cities with a Mayoral run-off election); financial cost (cost to the City, cost to the candidates, and cost to the community); voting and turnout (voting in a democracy, run-offs are associated with decreased turnout, and absentee voters); efficacy (voter turnout was substantially lower than general election, election outcome was not changed, establishing the will of the majority is elusive, seeking majority is expensive); and, policy options and Council actions (no change, repeal the run-off provision, modify the run-off election, change the electoral system, or, initiate a ballot question). Ms. Manning stated as an election is planned all individuals requesting absentee or early-voting ballots are educated on the potential of a special (run-off) election occurring in December. She also stated individuals have the opportunity to receive all ballots for the voting year. The turn-around time for individuals who may be out of town takes a longer amount of time and, only ballots can be emailed to an individual overseas although the ballot cannot be returned by email. Ms. Manning indicated any run-off election date is coordinated with the City, this date generally falls on a Tuesday for consistency. She briefly reviewed the calendar for a City run-off election. The County prepares for two (2) elections in the event a run-off election occurs, all planning occurs in the month prior to the general election. Ms. Manning clarified absentee and early-voting ballot requests can be received electronically if the individual is currently registered to vote. Voter registration closes 25 days prior to an election. If an individual did not register within this timeframe they can register and vote at the same time. Ms. Prudent noted there are currently 27 precincts. Mayor Casper questioned the process for the additional cities for Mayoral run-off elections. Ms. Manning indicated the process varies by the individual County. Mayor Casper questioned the preference of the County for run-off elections. Ms. Prudent stated the County

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will perform any run-off elections as needed. Councilmember Francis questioned the process since 2005. Ms. Manning stated a yearly request for ballots began in 2011. These requests occur on a frequent basis. Councilmember Francis questioned if the system is denying individuals the right to vote. Ms. Manning stated all ballots are mailed 45 days prior to an election. Run-off ballots are mailed 20 days prior to the run-off election. It was noted a run-off ballot is generally more simple than a general election ballot. Mayor Casper questioned outreach of the County. Ms. Manning stated outreach is generally performed by the individuals/committees. Councilmember Francis questioned the recount process. Ms. Manning stated a recount would be extremely difficult per the deadlines. Councilmember Francis questioned the process from 2003 until now. Ms. Manning stated the laws have changed over the course of time for any comparison. She also stated the City's ran their own elections prior to 2008. Mayor Casper questioned the election turnout. Ms. Manning expressed her concern for the minority setting the laws. Councilmember Radford questioned the inclusion of a ballot item. Ms. Manning stated the County does not determine the language. Mr. Kirkham stated he will research this item. Councilmember Dingman questioned the cost of adding an item to the ballot. Ms. Manning stated there would not be an additional cost. Mayor Casper stated in summary - voting systems are complex and important, aggregating group preferences is not easy; facilitating maximum participation is very desirable, and, holding multiple elections is expensive. Councilmember Smede stated she takes her voting privilege very seriously. She believes repealing the run-off election may need to be presented/returned to the voters with thorough information. Councilmember Radford questioned seeking majority when there is plurality. Councilmember Francis believes, due to the local election, it's easier for individuals to file and become candidates, although there is the risk of several individuals filing and the plurality being low which may not reflect the will of the people. He expressed his concern for this outcome without a run-off election. Councilmember Hally stated there are several elections without the majority of votes cast. Councilmember Radford believes for the most part, plurality shows the will of the people. Councilmember Dingman stated the Council makes decisions for the residents on a regular basis although several comments have been received regarding this issue. She believes public input and data matters. She prefers to include this initiative on the ballot. Councilmember Freeman concurred with Councilmember Smede and, he also believes voters need to be informed. He questioned placing Council, as well as Mayoral, initiatives on the ballot. Mayor Casper does not prefer both initiatives. Following brief comments, there was consensus to place an initiative on the November 2019 ballot.

### Targhee Regional Public Transportation Authority (TRPTA) In-kind Service Request Discussion and Consideration:

Mayor Casper stated TRPTA has requested in-kind assistance from the City. She briefly reviewed TRPTA leadership and background information, TRPTA routes, TRPTA payment history from the City since 2015, documentation from TRPTA requesting services/support, and, she recognized previous and current Council Board Members. She then turned the discussion to Mr. O'Bleness. Mr. O'Bleness clarified he is presenting as the citizen representative appointed to TRPTA by the City, not as a Board Chair role. He believes there have been several in-house accomplishments from TRPTA including implementation of a true fixed-route system (which included Federal Transit Administration (FTA) requirement to provide para-transit), three (3) years of audit backlog completed including corrected deficiencies, and, a Short-range Transit Plan. Mr. O'Bleness stated planning generally occurs five (5) years in advance, the Short-range Transit Plan is the outcome of this planning. He stated the first year of the Short-range Transit Plan has been completed and there have been significant challenges to this plan. TRPTA has invested reserves in the plan although they are now short on match on local investments and there is need to draw down federal funds to fully implement the plan. Mr. O'Bleness noted there is a corrective action plan in place as reserves have been requested. The request to the City, and other partnering cities, is an in-kind match. The FTA sees an in-kind match as a cash contribution, is matchable to federal funds, and, will also lower the operating expenses at TRPTA. Mr. O'Bleness stated the State of Idaho changed their Medicaid provider mid-year, this transition did not go smoothly which amounted in a lower amount of transit funding for Medicaid individuals. He also stated there were challenges due to the recent Federal government shut down as there was no access to FTA funds. Councilmember Freeman questioned the missed funds during the Federal government shut down. Mr. O'Bleness indicated the FTA still has no federal budget, TRPTA is operating on under-utilized funds from prior years. He emphasized the Short-range Transit Plan for the urban/Idaho Falls area. Without local resources, the available services need to be determined. Without local match, Idaho has no state funding to match federal transit dollars. Councilmember Freeman questioned the rural areas. Mr. O/Bleness stated the rural areas are administered through FTA. He also stated TRPTA incurred an operations financial loss, in the amount of \$300,000 this year. The loss includes depreciation costs of the fleet. He

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indicated there is a plan moving forward to operate within their means. Mr. O'Bleness stated in the previous fiscal year TRPTA provided 61,279 rides in urban areas (majority were in City of Idaho Falls) with four (4) fixed routes and three (3) para-transit buses. In addition to City and counties providing matching funds there was also non-emergency medical transportation funds, Eastern Idaho Community Action Partnership (EICAP) support, and, Development Workshop Incorporated (DWI) support. Mr. O'Bleness stated although EICAP and DWI funds are matchable, fares are not matchable. He stated the goal is to implement the Short-range Transit Plan, including partners to be engaged, and, meet the needs of the community expressed in the plan. Moving forward is cost containment, increase amount of funding that FTA will recognize, working on additional partners, working with Medicaid on the non-emergency medical transportation, and, exploring with the State for a non-emergency medical transportation broker. Councilmember Dingman commended Mr. O'Bleness and the recent improvements per the audit report although she expressed her concern with the auditors' concern regarding the sustainability of TRPTA. She questioned the \$336,000 amount in year one of the Short-range Transit Plan. Mr. O'Bleness stated the TRPTA staff, in good faith, implemented the Short-range Transit Plan however, the funding was not received, therefore, TRPTA used their reserves. He reiterated there is a challenge to implement the plan due to shortage of funding. Councilmember Dingman stated the City of Idaho Falls is the only community to significantly increase their contribution to TRPTA. She briefly reviewed the contribution amounts. She expressed her concern as the City of Idaho Falls is the only primary contributor. She believes the Short-range Transit Plan does not match reality and there is a sustainability issue. Councilmember Freeman believes the City of Idaho Falls pays a fair share of the cost and this should be sufficient. Councilmember Dingman noted there are approximately 1,028 active City of Idaho Falls riders and 1,250 active riders in all of Bonneville County. She believes the City in-kind requests are not feasible. Councilmember Francis concurred. Mayor Casper stated City contribution, in the amount of \$35,000, is disbursed on a quarterly basis, she requested Council preference for the next quarterly disbursement. Councilmember Dingman prefers a TRPTA staff plan presentation prior to disbursing any additional funding. Following brief comments it was moved by Councilmember Dingman, seconded by Councilmember Freeman, to request a presentation on the sustainability of TRPTA, including a plan for sustainability from the staff of TRPTA, prior to the release of the April 2019 contribution. Councilmember Radford questioned Mr. O'Bleness regarding the sustainability. Mr. O'Bleness believes the current issue is the partners/funders of TRPTA. He also believes the in-kind request was a new idea to help with federal match. Additional comments followed regarding the TRPTA presentation. Roll call as follows: Aye - Councilmembers Freeman, Francis, Hally, Radford, Smede, Dingman. Nay - none. Motion carried.

**Line Clearance Program:**

Mr. Boorman stated there is need to keep the clearance of lines for the safety of Idaho Falls Power (IFP) facilities. He noted the line clearance is not paid by the customers, this fee is passed on to the ratepayers. IFP is focusing on feeders more than problem spots, which has been successful. There has been an overall good response from customers and the citizens. Mr. Boorman also indicated other City departments can utilize the line clearance contractor if needed. Mayor Casper reiterated the Line Clearance Program is for backyards, safety, and, is utility customer paid.

**Tree Trimming Ordinance Enforcement Discussion:**

Director Fredericksen stated coordination has occurred with Parks and Recreation (P&R) and Community Development Services (CDS) regarding the ordinance of street trees. He reviewed the seven (7) construction work zones that occur in a seven-year cycle. He indicated there are concerns with the height of trees regarding taller vehicles. He stated letters will be distributed to the Freeman Zone to complete street tree trimmings by May 1. Mr. Holm distributed a tree trimming ordinance brochure that will be distributed to all property owners for information and safety purposes. The brochure includes the importance of pruning trees to ensure large vehicles are able to navigate and operate safely; the requirement of property owners to keep sidewalks and streets free of overhanging branches; canopy of trees; blockage of traffic signs; disfigured trees; tree pruning tips; and, hiring an arborist. It was noted trees planted in the right-of-way are City property. Mr. Holm reviewed the draft letter, which includes the related City Code for trees and shrubs and, abatement, to allow compliance within a six-week timeframe. General comments followed regarding the homeowner responsibility of trees in the right-of-ways. Director Fredericksen stated City Code Title 8, Chapter 9, has established the ordinance for aesthetically pleasing street trees. Councilmember Freeman questioned the method of branch removal. Director Fredericksen stated all information will be available on the website. Councilmember Radford questioned the timeframe. Director Fredericksen stated the

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intent is to address the issue before the trees begin to bud. He stated there will be coordination with the Public Information Officer (PIO) for City-wide awareness. Director Cramer stated all inspectors will be able to share problem areas through technology of the software system. General discussion followed including suggestions for the brochure and homeowner responsibility. Mayor Casper believes this transition may be difficult for citizens. Director Fredericksen commended the interaction between the Public Works, P&R and CDS departments. Mayor Casper questioned potential funding assistance. Director Fredericksen stated funding could possibly be reviewed through Enterprise Funds or the Community Development Block Grant (CDBG).

**Acceptance and/or Receipt of Minutes:**

It was moved by Councilmember Smede, seconded by Councilmember Freeman, to receive recommendations from the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA). Roll call as follows: Aye – Councilmembers Smede, Hally, Radford, Freeman, Francis. Nay – none. Motion carried.

**Calendar, Announcements and Reports:**

Mayor Casper stated she, along with Councilmembers Radford and Francis, will be absent from the February 25 Council Work Session. The Council Work Session is tentative at this point. Mayor Casper also stated per the pending legislative annexation bill, Director Cramer has recommended postponing the Bonneville County Area of Impact meeting scheduled for February 19. Mayor Casper briefly reviewed the Engineers' Week Agenda.

- February 14, City Council Meeting
- February 15, Idaho Falls Police Department (IFPD) Awards Banquet
- February 18, Presidents Day, City offices closed
- February 21, Airport Development Stakeholder Meeting
- February 22, Zoo Education Center Ribbon Cutting
- February 25, (tentative) Council Work Session
- February 28, IFP Board Meeting; and, City Council Meeting

**Liaison Reports and Concerns:**

Councilmember Hally reiterated the IFPD Awards Banquet.  
Councilmember Smede had no items to report.  
Councilmember Freeman encouraged the Councilmembers to contact Senator Rice regarding the Hands Free Ordinance. He reviewed potential improvements to 17th Street and Woodruff Avenue intersection. He also stated there are flooding issues to the recently-annexed Happyville, Public Works is exploring some solutions.  
Councilmember Francis stated Human Resources will improve the onboarding process for new employees.  
Councilmember Radford had no items to report.

There being no further business, the meeting adjourned at 6:58 p.m.

s/ Kathy Hampton \_\_\_\_\_  
CITY CLERK

s/ Rebecca L. Noah Casper \_\_\_\_\_  
MAYOR