



Twin Falls Planning & Zoning Commission Agenda

Wednesday, May 2, 2018, 12:00 PM

203 Main Ave E
Twin Falls, ID 83301

Members -

City Limits: Danielle Dawson, Vice-Chair; Craig Hawkins; Gerardo "Tato" Muñoz, Chairman; Ed Musser; Carolyn Bolton; Curtis Hansen; Craig Kelley

Area of Impact: Ryan Higley; David Detweiler

- 1) Confirmation of Quorum/Call Meeting to Order
- 2) Items of Consideration
 - a) Request to reactivate SUP #1342 on property located at 1947 Brook Stone Dr. c/o Ray Pickett
- 3) Training Items
 - a) One on One Meetings
Purpose: **Informational** By:
 - b) General Training by City Staff
Purpose: **Informational** By: Jonathan Spendlove
- 4) Upcoming Meeting(s)
 - a) May 8, 2018 Public Hearing
 - b) May 22, 2018 Public Hearing
- 5) Adjournment

Any person(s) needing special accommodations to participate in the above-noticed meeting could contact Lisa A. Strickland (208) 735-7267 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208) 735-7287.

CITY OF TWIN FALLS

PLANNING & ZONING COMMISSION

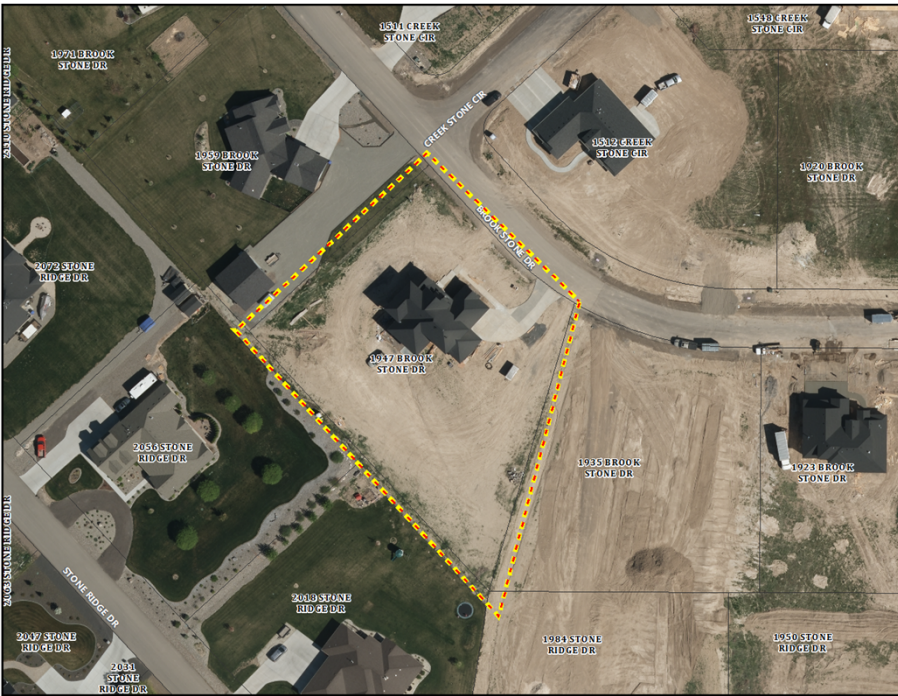
Public Hearing Procedures for Zoning Requests

1. Prior to opening the public meeting, the Chairman shall review the public hearing procedures, confirm a quorum is present and introduce staff present.
2. Individuals wishing to testify or speak before the Commission shall wait to be recognized by the Chairman, approach the microphone/podium, state their name, then commence with their comments. Following their statements, they shall write their name on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's presentation should include the following:**
 - A complete explanation and description of the request.
 - Why the request is being made.
 - Location of the Property.
 - Impacts on the surrounding properties and efforts to mitigate those impacts.

The Applicant is limited to 15 minutes, unless a written request for additional time is received and granted by the Chairman prior to commencement of the public meeting.

4. Upon completion of the applicant's presentation City Staff will present a staff report which shall summarize the application/request, history of the property, if any, staff analysis of the request and any recommendations.
 - **The Commission may ask questions of staff or the applicant pertaining to the request at this time.**
5. The public will then be given the opportunity to provide public testimony/input/comments regarding the request.
 - **The Chairman may limit public testimony to no more than two (2) minutes per person.**
 - **Five (5) or more individuals, having received personal public notice of the application under consideration, may select a spokesperson by written petition. The spokesperson shall be limited to 15 minutes.**
 - **No written comments, including e-mail, received after 12:00 o'clock noon on the date of the hearing will be accepted for consideration by the hearing body. Written comments, including e-mail, received by 12:00 o'clock noon or before the date of the hearing shall be either read into the record or displayed on the overhead projector either during or upon the completion of public comment.**
 - **Following the Public Testimony, the applicant is permitted a maximum five (5) minutes rebuttal to respond to Public Testimony.**
6. Following the Public Testimony and Applicant's response, the Public Input portion of the public hearing shall be closed- **No further public testimony is permitted.** Commission Members, as recognized by the Chairman, shall be allowed to request clarification of any public testimony received of the Applicant, Staff or any person who has testified. The Chairman may again establish time limits.
7. The Chairman shall then close the Public Hearing. The Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. **Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed.** Legal or procedural questions may be directed to the City Attorney.

Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and thereafter removed from the room by order of the Chairman.



Comprehensive Staff Report



To: Planning & Zoning Commission
From: Steve O'Connor
Presenter: Steve O'Connor
Request: Request to reactivate SUP #1342 on property located at 1947 Brook Stone Dr.

Public Meeting: May 2nd, 2018

Analysis

This is a request for the commission's consideration to reinstate SUP #1342. The SUP was approved on January 14th, 2014 and with the following conditions;

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Detached Accessory building shall be for storage of personal property only, no commercial use shall be allowed.
3. No building permit shall be issued for the detached accessory building until a building permit has been issued for the primary dwelling unit.
4. No letter of completion will be issued for Detached Accessory Building until the final Certificate of Occupancy is issued for the primary dwelling unit.

The property owner has yet to establish the oversized detached accessory building and more than one (1) year has lapsed.

Approval Process

The commission may review any Special Use Permit which has not been established within one (1) year of approval. The commission should review the current situation and determine if the conditions of

the surrounding properties has changed enough to warrant a new SUP or approve reinstatement of the SUP.

Applicable Regulations or Codes

Per City Code 10-13-2.2(I); Any Special use which was not established within one year of the date of issuance may be reviewed by the commission.

Facts

The Property is zoned SUI, Suburban Urban Interface. A SUP is required for any detached building exceeding 1,500 sq-ft. SUP #1342 was granted on January 14, 2014. Conditions 3 & 4 have been met, and no new site improvements would be required per zoning or engineering with a new SUP application. No new platted lots have been created in the Stone Ridge Estates Subdivision. Oversized detached buildings are a common feature not just in this neighborhood, but also in the SUI zone.

Conclusion

Staff recommends that the Commission review and act on the attached request to reactivate Special Use Permit #1384, as presented.

Attachments

1. SUP #1342
2. Site plan
3. Elevations
4. Aerials

Public Meeting: May 2nd, 2018



**CITY OF TWIN FALLS
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East
P.O. Box 1907
Twin Falls, Idaho 83303-1907

SPECIAL USE PERMIT

Permit No.1342

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on January 14, 2014 to Ray & Kristy Pickett whose address is P.O. Box 5858 Twin Falls, ID 83303 for the purpose of constructing an 1824 sq. ft. detached accessory building for residential and personal use on property located at 1947 Brook Stone Drive and legally described as Lot 16 Blk 2 Twin Falls Stone Ridge Estates Subdivision

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

This permit corresponds to Zoning Application No.2610

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Detached Accessory building shall be for storage of personal property only, no commercial use shall be allowed.
3. No building permit shall be issued for the detached accessory building until a building permit has been issued for the primary dwelling unit.
4. No letter of completion will be issued for Detached Accessory Building until the final Certificate of Occupancy is issued for the primary dwelling unit.



CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

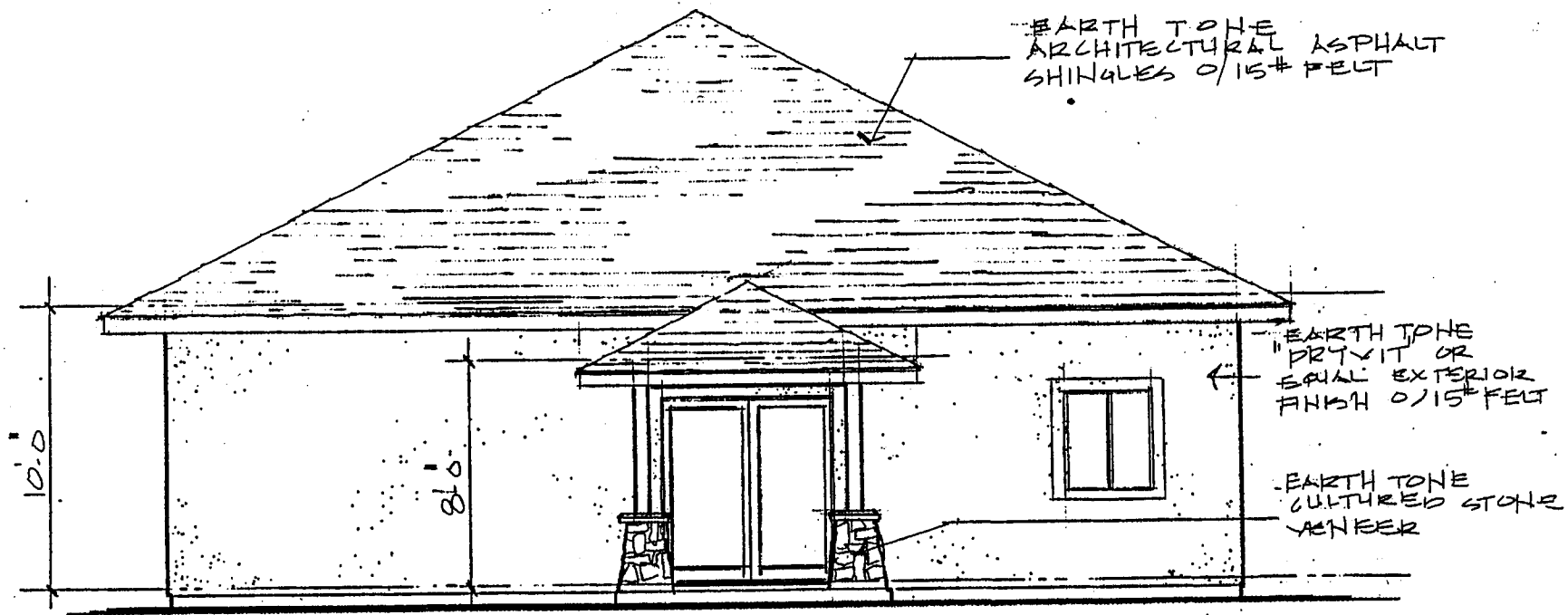
11/25/14

DATE

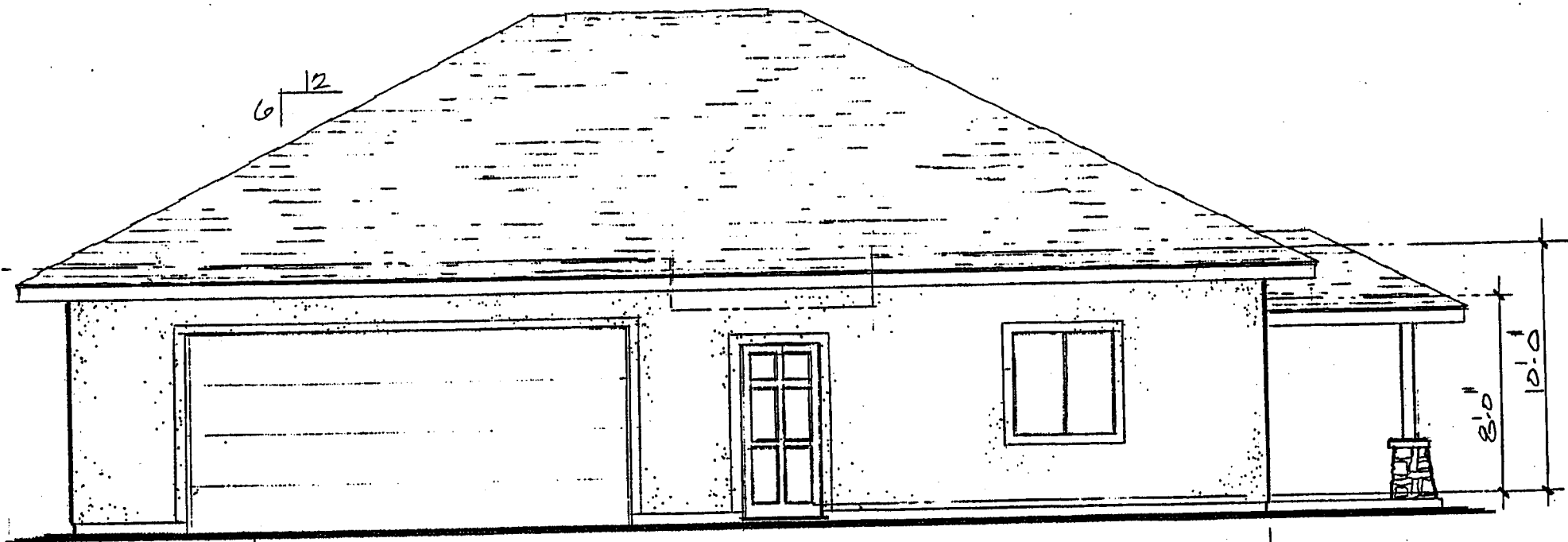
This permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

Please contact the Building Department at 735-7238 for further information.

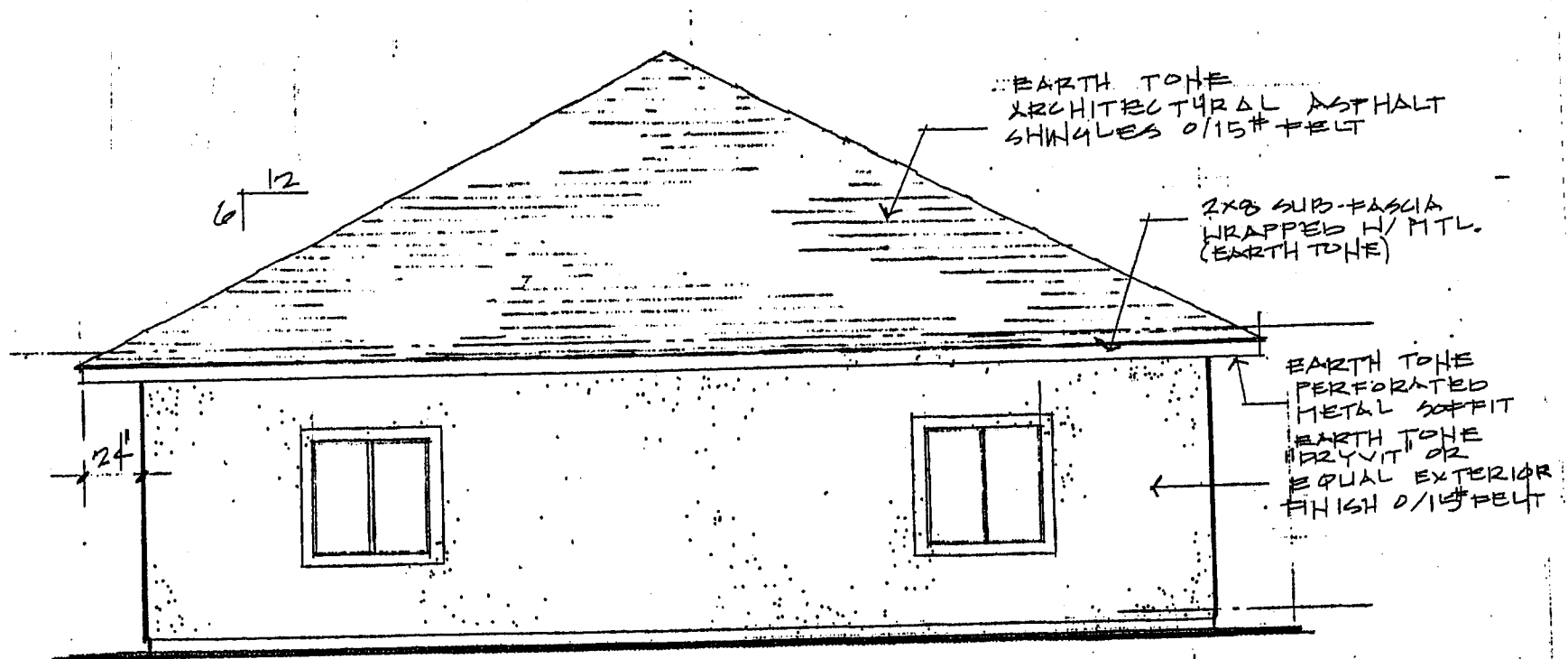
cc: Building Inspection



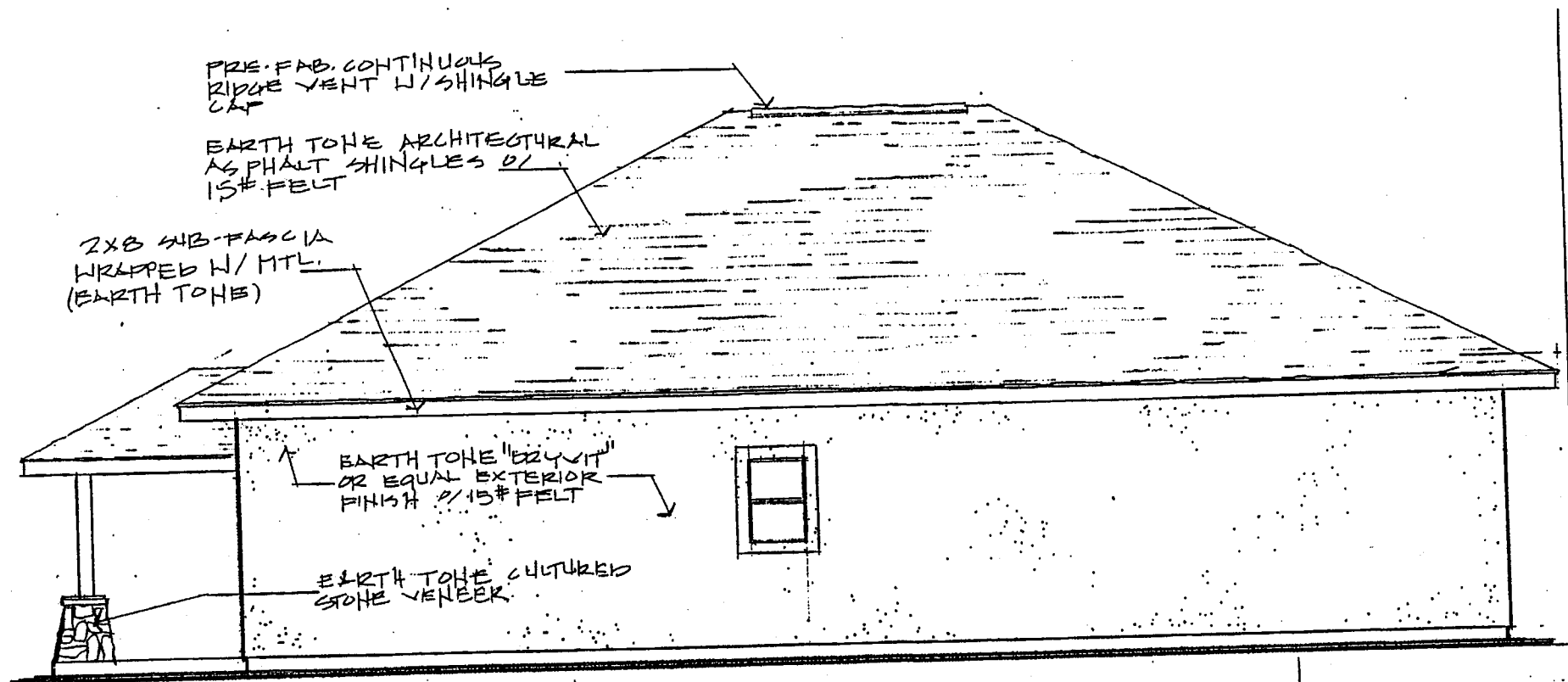
WEST ELEVATION



N O R T H E L E V A T I O N



EAST ELEVATION



SOUTH ELEVATION

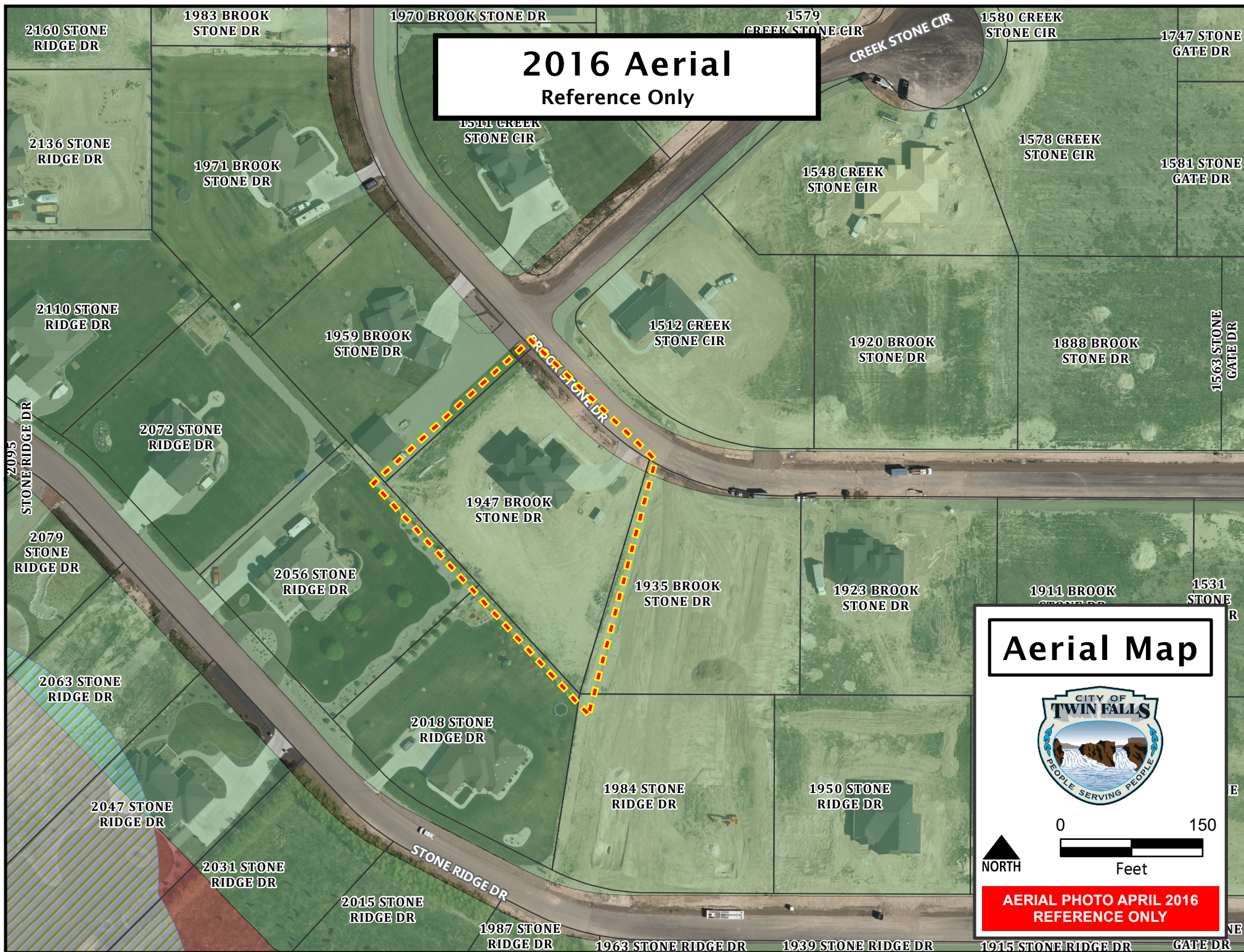
2016 Aerial Reference Only

Aerial Map

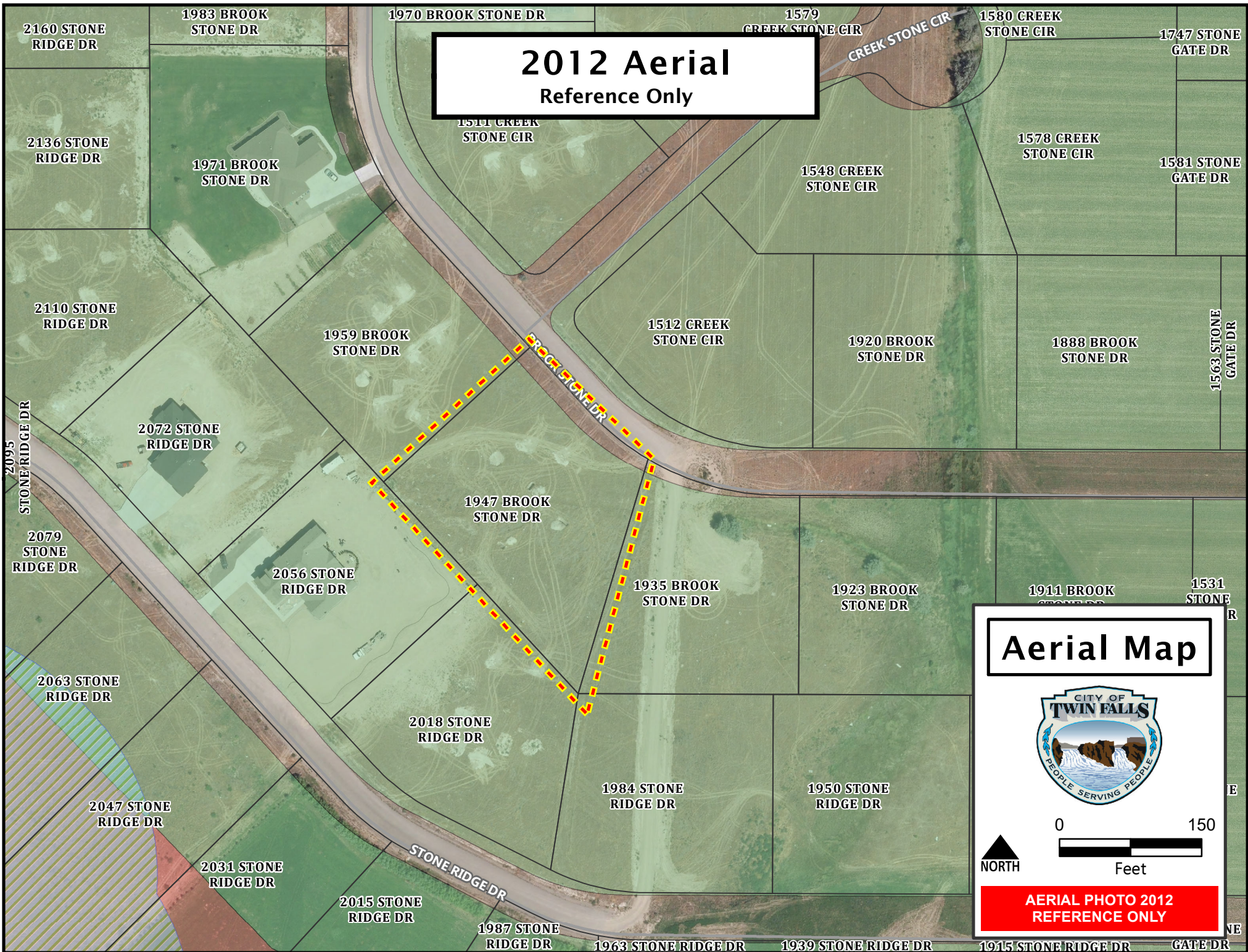


Frequency	Percentage
Never	15%
Often	85%

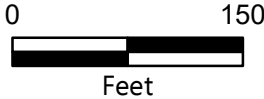
**AERIAL PHOTO APRIL 2016
REFERENCE ONLY**



2012 Aerial
Reference Only



Aerial Map



AERIAL PHOTO 2012
REFERENCE ONLY



Date: Wednesday, May 2, 2018
To: Planning and Zoning Commission
From:

Informational

Request:

One on One Meetings

Time Estimate:

Background:

Approval Process:

Budget Impact:

Regulatory Impact:

History:

N/A

Analysis:

N/A

Conclusion:

Attachments:

None



Date: Wednesday, May 2, 2018
To: Planning and Zoning Commission
From: Jonathan Spendlove

Informational

Request:

General Training by City Staff

Time Estimate:

20 - 30 Minutes for information and discussion.

Background:

General Training on the following items:

1. Reiteration of the "Rules of Order" Roberts Rules vs other rules.
 - Chairman leads the meeting, calls to order, identifies motions of members, opens and closes public hearing "portions" of items, ect
 - Making Motions. Structure of a motion.
 - Asking questions of applicants and staff
2. Conditions of approval
 - related to "impact" of proposed use
 - Staff will avoid placing conditions that are already required by code.
3. House Bill 611
4. City Transparency Resolution

Approval Process:

N/A

Budget Impact:

Regulatory Impact:

N/A

History:

N/A

Analysis:

N/A

Conclusion:

N/A

Attachments:

1. H0611
2. Ord 1912 - Transparency Resolution

LEGISLATURE OF THE STATE OF IDAHO
Sixty-fourth Legislature Second Regular Session - 2018

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 611

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO TRANSPARENT AND ETHICAL GOVERNMENT; AMENDING SECTION 74-204, IDAHO CODE, TO REVISE PROVISIONS REGARDING OPEN MEETING NOTICES AND AGENDAS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 74-204, Idaho Code, be, and the same is hereby amended to read as follows:

74-204. NOTICE OF MEETINGS -- AGENDAS. (1) Regular meetings. No less than a five (5) calendar day meeting notice and a forty-eight (48) hour agenda notice shall be given unless otherwise provided by statute. Provided however, that any public agency that holds meetings at regular intervals of at least once per calendar month scheduled in advance over the course of the year may satisfy this meeting notice by giving meeting notices at least once each year of its regular meeting schedule. The notice requirement for meetings and agendas shall be satisfied by posting such notices and agendas in a prominent place at the principal office of the public agency, or, if no such office exists, at the building where the meeting is to be held. The notice for meetings and agendas shall also be posted electronically if the entity maintains an online presence through a website or a social media platform.

(2) Special meetings. No special meeting shall be held without at least a twenty-four (24) hour meeting and agenda notice, unless an emergency exists. An emergency is a situation involving injury or damage to persons or property, or immediate financial loss, or the likelihood of such injury, damage or loss, when the notice requirements of this section would make such notice impracticable, or increase the likelihood or severity of such injury, damage or loss, and the reason for the emergency is stated at the outset of the meeting. The notice required under this section shall include at a minimum the meeting date, time, place and name of the public agency calling for the meeting. The secretary or other designee of each public agency shall maintain a list of the news media requesting notification of meetings and shall make a good faith effort to provide advance notification to them of the time and place of each meeting.

(3) Executive sessions. If only an executive session ~~only~~ will be held, a twenty-four (24) hour meeting and agenda notice shall be given according to the notice provisions stated in subsection (2) of this section and shall state the reason and the specific provision of law authorizing the executive session.

(4) An agenda shall be required for each meeting. The agenda shall be posted in the same manner as the notice of the meeting. An agenda may be amended, provided that a good faith effort is made to include, in the original agenda notice, all items known to be probable items of discussion. An agenda item that requires a vote shall be identified on the agenda as an

1 "action item" to provide notice that action may be taken on that item. Iden-
2 tifying an item as an action item on the agenda does not require a vote to be
3 taken on that item.

4 (a) If an amendment to an agenda is made after an agenda has been posted
5 but forty-eight (48) hours or more prior to the start of a regular meet-
6 ing, or twenty-four (24) hours or more prior to the start of a special
7 meeting, then the agenda is amended upon the posting of the amended
8 agenda.

9 (b) If an amendment to an agenda is proposed after an agenda has been
10 posted and less than forty-eight (48) hours prior to a regular meeting
11 or less than twenty-four (24) hours prior to a special meeting but prior
12 to the start of the meeting, the proposed amended agenda shall be posted
13 but shall not become effective until a motion is made at the meeting and
14 the governing body votes to amend the agenda.

15 (c) An agenda may be amended after the start of a meeting upon a mo-
16 tion that states the reason for the amendment and states the good faith
17 reason the agenda item was not included in the original agenda posting.
18 Final action may not be taken on an agenda item added after the start of
19 a meeting unless an emergency is declared necessitating action at that
20 meeting. The declaration and justification shall be reflected in the
21 minutes.

SECOND AMENDED RESOLUTION NO. 1912

TRANSPARENCY IN CITY GOVERNMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, DECLARING A POLICY OF TRANSPARENCY AND OPENNESS IN CITY GOVERNMENT IN ORDER TO PROMOTE ACCOUNTABILITY, TO ENHANCE DISSEMINATION OF PUBLIC INFORMATION, AND TO ENCOURAGE CITIZEN PARTICIPATION IN CITY GOVERNMENT.

WHEREAS, The Twin Falls City Council finds that transparency in government promotes accountability and provides information to its citizens regarding the business of the City; and,

WHEREAS, The Twin Falls City Council finds that information regarding the activities of City government must be widely dispersed in order to encourage public engagement and to improve the quality of its decisions; and,

WHEREAS, The Twin Falls City Council finds that collaboration and communication between City government and its citizens is enhanced through the use of well-designed web technologies; and

WHEREAS, The policy consideration underlying the Idaho Open Meeting Law is to ensure transparency of the legislative and administrative process within state and local governments (Idaho Open Meeting Law Manual, p. 3); and,

WHEREAS, The Idaho Code sets forth only minimum requirements for all local governments in order to promote transparency and openness in government, including the Idaho Open Meeting Law, the Idaho Public Records Law, and other statutes; and,

WHEREAS, The City Council acknowledges that, in the past, ad hoc volunteer groups have formed without the authority of statute, ordinance, or other legislative act, and without authorization to make decisions or recommendations. The Idaho Supreme Court in *Safe Air for Everyone v. Idaho Dept. Agriculture*, 145 Idaho 164, 177 P.3d 378 (Idaho 2008), in interpreting the requirements of the Idaho Open Meeting Law, held that, where there is no statute, ordinance or other legislative act creating a subagency and granting the authority to make decisions for or recommendations to a public agency regarding a matter, the Idaho Open Meeting Law requirements are inapplicable. The City Council finds that the existence of these groups may create the feeling by some that they are being excluded from public participation in City government; and,

WHEREAS, The Twin Falls City Council finds that the minimum requirements of the Idaho Open Meeting Law, the Idaho Public Records Law, and other statutes, are inadequate to provide the transparency and openness that it finds should be provided to its citizens in order to permit them to constructively engage with City government; and,

WHEREAS, The Twin Falls City Council intends, with this resolution, to establish a policy of additional government transparency and openness, over and above the minimum requirements of the Idaho Open Meeting Law, the Idaho Public Records Law, and other applicable statutes, to encourage and enhance information, participation and collaboration between City government and the citizens of the City of Twin Falls.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF
THE CITY OF TWIN FALLS, IDAHO:

Section 1: The City Council of the City of Twin Falls, and all commissions and committees created by statute, ordinance or other legislative act shall always comply with all requirements of the Idaho Open Meeting Law, the Public Records Law, and all other applicable statutes.

Section 2: The Idaho Open Meeting Law requires only physical posting of the notice and agenda for public meetings in a prominent place at the City's principal place of business. This notice is insufficient to provide full transparency to the citizens of the legislative and administrative processes of the City. The City will include a hyperlinked calendar showing Council and commission meetings as well as community events on the main page of its website (www.tfid.org), in order to provide not only more accessible notice of public meetings, but also hyperlinks to agendas and staff reports, in order to provide a much more useful and meaningful notification to its citizens regarding the City's business.

Section 3: The Idaho Open Meeting Law applies only to meetings of the governing board of a public agency or subagency which is created by statute, ordinance, or other legislative act, with the authority to make decisions for or recommendations to a public agency regarding any matter. The Idaho Attorney General, in the Idaho Open Meeting Law Manual, states that "the Open Meeting Law does not apply to voluntary, internal staff meetings *if the group is not created by or pursuant to statute, ordinance or other legislative act*, even though the discussions may lead to recommendations to the governing body." A subcommittee is a creation of, and is responsible to, the agency that created it.

In order to provide more transparency in City government, neither the Twin Falls City Council nor any of its commissions will permit the formation of ad hoc volunteer groups intended to report back to the City Council or commission, unless that group is formed as a committee or commission, created by a vote of the City Council or commission. Notwithstanding the foregoing, the Mayor may request the Council Liaison, commission chairman, department head, and/or such other persons deemed appropriate, to participate in the interviews for commission vacancies, without posting notices or agendas, and without opening such interviews to the public. Members of the Historic Preservation Commission may provide school and civic education programs without posting notices, agendas, and without opening the education programs to the public. No more than two elected City Council persons may serve on any committee, including ad hoc groups and subcommittees created by statute, ordinance, or other legislative act. The City Council, and its committees and commissions, shall always comply with all requirements of the Idaho Open Meeting Law.

Section 4: The Idaho Open Meeting Law requires only the keeping of summary minutes of the City Council and commission meetings. This information is insufficient to provide full transparency and openness to the citizens of the legislative and administrative process of the City. The City will stream and video record all Council and commission meetings (excepting: Council executive sessions, a quorum of the City Council attending a meeting held by another entity, Airport Advisory Commission meetings, Economic Development Ready Team, and Youth Council), with hyperlinks to agendas and staff reports for the next upcoming meetings, as well as agendas, staff reports and minutes of past meetings, on the City's website (www.tfid.org). This will provide real time as well as recorded access to public meetings by those citizens who are unable to attend in person, or who would prefer to view the meeting at a later time.

Section 5: The Idaho Public Records Law requires only that the City make public records available for inspection and copying at the location of the custodian of those public records. This access to public records is insufficient to provide full transparency and openness to the citizens of the legislative and administrative process of the City. The City will provide access to the annual budget, monthly financial reports, accounts payable, financial dashboard, the Comprehensive Plan and Future Land Use Map, the Transportation Plan, the Water Plan, the Strategic Plan, the Twin Falls City Code, the Zoning Map, the Subdivision Map, the Pressure Irrigation Map, the Garbage Pickup and Recycling Map, the Flood Plain Map, and such other documents as the Council or City Manager deems important for public dissemination, on the City's website (www.tfid.org).

Section 6: The Idaho statutes have no requirements for contact information for public officials. This access is insufficient to provide full transparency to the citizens of the legislative and administrative process of the City. The City will provide hyperlinked email addresses for all City Council members, the City Manager, and all City departments, as well as mailing addresses, telephone numbers, fax numbers, on the City's website (www.tfid.org).

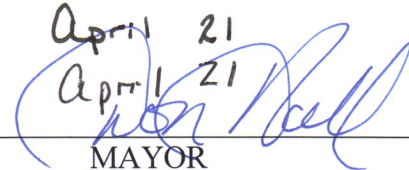
Section 7: The Idaho Statutes have no requirement for the posting of information on job opportunities, and requires only newspaper publication for public bidding projects. This notification is totally insufficient to provide adequate notice to potential employees and bidders of the job and project opportunities in the City. The City will post current bidding and job opportunities on the City's website (www.tfid.org) so that this information is available to its citizens as well as those potential job applicants and project bidders, wherever they may be.

Section 8: The Idaho Open Meeting Law does not require that citizens have the opportunity to be notified automatically of legislative and administrative matters of the City, on a regular and ongoing basis. The City will provide, on its website at (www.tfid.org), the opportunity for citizens to subscribe to notifications, alerts, job openings, news, and meetings, so that the information is emailed or sent via text message directly to the subscriber on a regular basis.

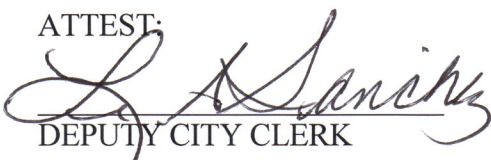
Section 9: The City Council finds that the Idaho statutes relating to the conduct of the business of local government have fallen far behind the technology currently available to provide greater transparency and openness to the legislative and administrative process of local government. The City will endeavor to work with its legislative representatives, the Association of Idaho Cities, and other interested parties, to update those statutes affecting the conduct of local government, in order to provide greater transparency and openness to all citizens in this state.

PASSED BY THE CITY COUNCIL

SIGNED BY THE MAYOR

April 21, 2014.
April 21, 2014.

MAYOR

ATTEST:


DEPUTY CITY CLERK

AMENDED RESOLUTION NO. 1912

TRANSPARENCY IN CITY GOVERNMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, DECLARING A POLICY OF TRANSPARENCY AND OPENNESS IN CITY GOVERNMENT IN ORDER TO PROMOTE ACCOUNTABILITY, TO ENHANCE DISSEMINATION OF PUBLIC INFORMATION, AND TO ENCOURAGE CITIZEN PARTICIPATION IN CITY GOVERNMENT.

WHEREAS, The Twin Falls City Council finds that transparency in government promotes accountability and provides information to its citizens regarding the business of the City; and,

WHEREAS, The Twin Falls City Council finds that information regarding the activities of City government must be widely dispersed in order to encourage public engagement and to improve the quality of its decisions; and,

WHEREAS, The Twin Falls City Council finds that collaboration and communication between City government and its citizens is enhanced through the use of well-designed web technologies; and

WHEREAS, The policy consideration underlying the Idaho Open Meeting Law is to ensure transparency of the legislative and administrative process within state and local governments (Idaho Open Meeting Law Manual, p. 3); and,

WHEREAS, The Idaho Code sets forth only minimum requirements for all local governments in order to promote transparency and openness in government, including the Idaho Open Meeting Law, the Idaho Public Records Law, and other statutes; and,

WHEREAS, The City Council acknowledges that, in the past, ad hoc volunteer groups have formed without the authority of statute, ordinance, or other legislative act, and without authorization to make decisions or recommendations. The Idaho Supreme Court in *Safe Air for Everyone v. Idaho Dept. Agriculture*, 145 Idaho 164, 177 P.3d 378 (Idaho 2008), in interpreting the requirements of the Idaho Open Meeting Law, held that, where there is no statute, ordinance or other legislative act creating a subagency and granting the authority to make decisions for or recommendations to a public agency regarding a matter, the Idaho Open Meeting Law requirements are inapplicable. The City Council finds that the existence of these groups may create the feeling by some that they are being excluded from public participation in City government; and,

WHEREAS, The Twin Falls City Council finds that the minimum requirements of the Idaho Open Meeting Law, the Idaho Public Records Law, and other statutes, are inadequate to provide the transparency and openness that it finds should be provided to its citizens in order to permit them to constructively engage with City government; and,

WHEREAS, The Twin Falls City Council intends, with this resolution, to establish a policy of additional government transparency and openness, over and above the minimum requirements of the Idaho Open Meeting Law, the Idaho Public Records Law, and other

applicable statutes, to encourage and enhance information, participation and collaboration between City government and the citizens of the City of Twin Falls.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

Section 1: The City Council of the City of Twin Falls, and all commissions and committees created by statute, ordinance or other legislative act shall always comply with all requirements of the Idaho Open Meeting Law, the Public Records Law, and all other applicable statutes.

Section 2: The Idaho Open Meeting Law requires only physical posting of the notice and agenda for public meetings in a prominent place at the City's principal place of business. This notice is insufficient to provide full transparency to the citizens of the legislative and administrative processes of the City. The City will include a hyperlinked calendar showing Council and commission meetings as well as community events on the main page of its website (www.tfid.org), in order to provide not only more accessible notice of public meetings, but also hyperlinks to agendas and staff reports, in order to provide a much more useful and meaningful notification to its citizens regarding the City's business.

Section 3: The Idaho Open Meeting Law applies only to meetings of the governing board of a public agency or subagency which is created by statute, ordinance, or other legislative act, with the authority to make decisions for or recommendations to a public agency regarding any matter. The Idaho Attorney General, in the Idaho Open Meeting Law Manual, states that "the Open Meeting Law does not apply to voluntary, internal staff meetings *if the group is not created by or pursuant to statute, ordinance or other legislative act*, even though the discussions may lead to recommendations to the governing body." A subcommittee is a creation of, and is responsible to, the agency that created it.

In order to provide more transparency in City government, neither the Twin Falls City Council nor any of its commissions will permit the formation of ad hoc volunteer groups intended to report back to the City Council or commission, unless that group is formed as a committee or commission, created by a vote of the City Council or commission. Notwithstanding the foregoing, the Mayor may request the Council Liaison, commission chairman, department head, and/or such other persons deemed appropriate, to participate in the interviews for commission vacancies, without posting notices or agendas, and without opening such interviews to the public. Members of the Historic Preservation Commission may provide school and civic education programs without posting notices, agendas, and without opening the education programs to the public. No more than two elected City Council persons may serve on any committee, including ad hoc groups and subcommittees created by statute, ordinance, or other legislative act. The City Council, and its committees and commissions, shall always comply with all requirements of the Idaho Open Meeting Law.

Section 4: The Idaho Open Meeting Law requires only the keeping of summary minutes of the City Council and commission meetings. This information is insufficient to provide full transparency and openness to the citizens of the legislative and administrative process of the City. The City will stream and video record all Council and commission meetings (excepting Council executive sessions, Airport Advisory Commission meetings, which meets at the Airport, and the Youth Council), with hyperlinks to agendas and staff reports for the next upcoming meetings, as

well as agendas, staff reports and minutes of past meetings, on the City's website (www.tfid.org). This will provide real time as well as recorded access to public meetings by those citizens who are unable to attend in person, or who would prefer to view the meeting at a later time.

Section 5: The Idaho Public Records Law requires only that the City make public records available for inspection and copying at the location of the custodian of those public records. This access to public records is insufficient to provide full transparency and openness to the citizens of the legislative and administrative process of the City. The City will provide access to the annual budget, monthly financial reports, accounts payable, financial dashboard, the Comprehensive Plan and Future Land Use Map, the Transportation Plan, the Water Plan, the Strategic Plan, the Twin Falls City Code, the Zoning Map, the Subdivision Map, the Pressure Irrigation Map, the Garbage Pickup and Recycling Map, the Flood Plain Map, and such other documents as the Council or City Manager deems important for public dissemination, on the City's website (www.tfid.org).

Section 6: The Idaho statutes have no requirements for contact information for public officials. This access is insufficient to provide full transparency to the citizens of the legislative and administrative process of the City. The City will provide hyperlinked email addresses for all City Council members, the City Manager, and all City departments, as well as mailing addresses, telephone numbers, fax numbers, on the City's website (www.tfid.org).

Section 7: The Idaho Statutes have no requirement for the posting of information on job opportunities, and requires only newspaper publication for public bidding projects. This notification is totally insufficient to provide adequate notice to potential employees and bidders of the job and project opportunities in the City. The City will post current bidding and job opportunities on the City's website (www.tfid.org) so that this information is available to its citizens as well as those potential job applicants and project bidders, wherever they may be.

Section 8: The Idaho Open Meeting Law does not require that citizens have the opportunity to be notified automatically of legislative and administrative matters of the City, on a regular and ongoing basis. The City will provide, on its website at (www.tfid.org), the opportunity for citizens to subscribe to notifications, alerts, job openings, news, and meetings, so that the information is emailed or sent via text message directly to the subscriber on a regular basis.

Section 9: The City Council finds that the Idaho statutes relating to the conduct of the business of local government have fallen far behind the technology currently available to provide greater transparency and openness to the legislative and administrative process of local government. The City will endeavor to work with its legislative representatives, the Association of Idaho Cities, and other interested parties, to update those statutes affecting the conduct of local government, in order to provide greater transparency and openness to all citizens in this state.

PASSED BY THE CITY COUNCIL

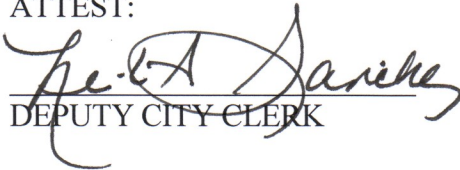
SIGNED BY THE MAYOR

April 7, 2014.

April 7, 2014.

MAYOR

ATTEST:


DEPUTY CITY CLERK

RESOLUTION NO. 1912

TRANSPARENCY IN CITY GOVERNMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TWIN FALLS, IDAHO, DECLARING A POLICY OF TRANSPARENCY AND OPENNESS IN CITY GOVERNMENT IN ORDER TO PROMOTE ACCOUNTABILITY, TO ENHANCE DISSEMINATION OF PUBLIC INFORMATION, AND TO ENCOURAGE CITIZEN PARTICIPATION IN CITY GOVERNMENT.

WHEREAS, The Twin Falls City Council finds that transparency in government promotes accountability and provides information to its citizens regarding the business of the City; and,

WHEREAS, The Twin Falls City Council finds that information regarding the activities of City government must be widely dispersed in order to encourage public engagement and to improve the quality of its decisions; and,

WHEREAS, The Twin Falls City Council finds that collaboration and communication between City government and its citizens is enhanced through the use of well-designed web technologies; and

WHEREAS, The policy consideration underlying the Idaho Open Meeting Law is to ensure transparency of the legislative and administrative process within state and local governments (Idaho Open Meeting Law Manual, p. 3); and,

WHEREAS, The Idaho Code sets forth only minimum requirements for all local governments in order to promote transparency and openness in government, including the Idaho Open Meeting Law, the Idaho Public Records Law, and other statutes; and,

WHEREAS, The City Council acknowledges that, in the past, ad hoc volunteer groups have formed without the authority of statute, ordinance, or other legislative act, and without authorization to make decisions or recommendations. The Idaho Supreme Court in *Safe Air for Everyone v. Idaho Dept. Agriculture*, 145 Idaho 164, 177 P.3d 378 (Idaho 2008), in interpreting the requirements of the Idaho Open Meeting Law, held that, where there is no statute, ordinance or other legislative act creating a subagency and granting the authority to make decisions for or recommendations to a public agency regarding a matter, the Idaho Open Meeting Law requirements are inapplicable. The City Council finds that the existence of these groups may create the feeling by some that they are being excluded from public participation in City government; and,

WHEREAS, The Twin Falls City Council finds that the minimum requirements of the Idaho Open Meeting Law, the Idaho Public Records Law, and other statutes, are inadequate to provide the transparency and openness that it finds should be provided to its citizens in order to permit them to constructively engage with City government; and,

WHEREAS, The Twin Falls City Council intends, with this resolution, to establish a policy of additional government transparency and openness, over and above the minimum requirements of the Idaho Open Meeting Law, the Idaho Public Records Law, and other

applicable statutes, to encourage and enhance information, participation and collaboration between City government and the citizens of the City of Twin Falls.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TWIN FALLS, IDAHO:

Section 1: The City Council of the City of Twin Falls, and all commissions and committees created by statute, ordinance or other legislative act shall always comply with all requirements of the Idaho Open Meeting Law, the Public Records Law, and all other applicable statutes.

Section 2: The Idaho Open Meeting Law requires only physical posting of the notice and agenda for public meetings in a prominent place at the City's principal place of business. This notice is insufficient to provide full transparency to the citizens of the legislative and administrative processes of the City. The City will include a hyperlinked calendar showing Council and commission meetings as well as community events on the main page of its website (www.tfid.org), in order to provide not only more accessible notice of public meetings, but also hyperlinks to agendas and staff reports, in order to provide a much more useful and meaningful notification to its citizens regarding the City's business.

Section 3: The Idaho Open Meeting Law applies only to meetings of the governing board of a public agency or subagency which is created by statute, ordinance, or other legislative act, with the authority to make decisions for or recommendations to a public agency regarding any matter. The Idaho Attorney General, in the Idaho Open Meeting Law Manual, states that "the Open Meeting Law does not apply to voluntary, internal staff meetings *if the group is not created by or pursuant to statute, ordinance or other legislative act*, even though the discussions may lead to recommendations to the governing body." A subcommittee is a creation of, and is responsible to, the agency that created it.

In order to provide more transparency in City government, neither the Twin Falls City Council nor any of its commissions will permit the formation of ad hoc volunteer groups intended to report back to the City Council or commission, unless that group is formed as a committee or commission, created by a vote of the City Council or commission. No more than two elected City Council persons may serve on any committee, including ad hoc groups and subcommittees created by statute, ordinance, or other legislative act. The City Council, and its committees and commissions, shall always comply with all requirements of the Idaho Open Meeting Law.

Section 4: The Idaho Open Meeting Law requires only the keeping of summary minutes of the City Council and commission meetings. This information is insufficient to provide full transparency and openness to the citizens of the legislative and administrative process of the City. The City will stream and video record all Council and commission meetings (excepting Council executive sessions, Airport Advisory Commission meetings, which meets at the Airport, and the Youth Council), with hyperlinks to agendas and staff reports for the next upcoming meetings, as well as agendas, staff reports and minutes of past meetings, on the City's website (www.tfid.org). This will provide real time as well as recorded access to public meetings by those citizens who are unable to attend in person, or who would prefer to view the meeting at a later time.

Section 5: The Idaho Public Records Law requires only that the City make public records available for inspection and copying at the location of the custodian of those public records. This

access to public records is insufficient to provide full transparency and openness to the citizens of the legislative and administrative process of the City. The City will provide access to the annual budget, monthly financial reports, accounts payable, financial dashboard, the Comprehensive Plan and Future Land Use Map, the Transportation Plan, the Water Plan, the Strategic Plan, the Twin Falls City Code, the Zoning Map, the Subdivision Map, the Pressure Irrigation Map, the Garbage Pickup and Recycling Map, the Flood Plain Map, and such other documents as the Council or City Manager deems important for public dissemination, on the City's website (www.tfid.org).

Section 6: The Idaho statutes have no requirements for contact information for public officials. This access is insufficient to provide full transparency to the citizens of the legislative and administrative process of the City. The City will provide hyperlinked email addresses for all City Council members, the City Manager, and all City departments, as well as mailing addresses, telephone numbers, fax numbers, on the City's website (www.tfid.org).

Section 7: The Idaho Statutes have no requirement for the posting of information on job opportunities, and requires only newspaper publication for public bidding projects. This notification is totally insufficient to provide adequate notice to potential employees and bidders of the job and project opportunities in the City. The City will post current bidding and job opportunities on the City's website (www.tfid.org) so that this information is available to its citizens as well as those potential job applicants and project bidders, wherever they may be.

Section 8: The Idaho Open Meeting Law does not require that citizens have the opportunity to be notified automatically of legislative and administrative matters of the City, on a regular and ongoing basis. The City will provide, on its website at (www.tfid.org), the opportunity for citizens to subscribe to notifications, alerts, job openings, news, and meetings, so that the information is emailed or sent via text message directly to the subscriber on a regular basis.

Section 9: The City Council finds that the Idaho statutes relating to the conduct of the business of local government have fallen far behind the technology currently available to provide greater transparency and openness to the legislative and administrative process of local government. The City will endeavor to work with its legislative representatives, the Association of Idaho Cities, and other interested parties, to update those statutes affecting the conduct of local government, in order to provide greater transparency and openness to all citizens in this state.

PASSED BY THE CITY COUNCIL

SIGNED BY THE MAYOR

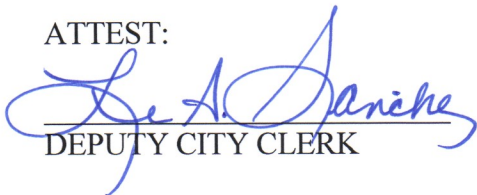
12-02, 2013.

12-04, 2013.



MAYOR

ATTEST:


DEPUTY CITY CLERK