

NOTICE OF PUBLIC MEETING Monday, November 8, 2021 City Council Chambers 680 Park Avenue Idaho Falls, ID 83402 3:00 p.m.

The public is invited to observe City Council Work Sessions. However, to observe appropriate social distancing guidelines, as recommended by the Centers for Disease Control and Prevention (CDC), seating in the Council Chambers has been limited. Seats will be available on a first-come, first-serve basis. The public also may view this meeting via livestream on the City's website at https://www.idahofallsidaho.gov/429/Live-Stream. The agenda does not include an opportunity for public interaction.

This meeting may be cancelled or recessed to a later time in accordance with law. If you need communication aids or services or other physical accommodations to participate or access this meeting or program of the City of Idaho Falls, you may contact City Clerk Kathy Hampton at 612-8414 or the ADA Coordinator Lisa Farris at 612-8323 as soon as possible and they will accommodate your needs.

CITY COUNCIL WORK SESSION

Times listed in parentheses are only estimates.

Call to Order and Roll Call

Community Development Services/ Multi-departmental:

Public Works/Multi-departmental:

Public Works/Police Department:

Mayor:

Council:

Office of the City Attorney:

Executive Session:

DATED this 5th day of November, 2021

-Discussion and Review of Eastern Idaho Regional Wastewater Authority (EIRWWA) Taxing District Map (30)

-Briefing: Impact Fee Consultant Report (60)

-Update: Law Enforcement Complex (30)

-Calendars, Announcements, Reports, and Updates (10)

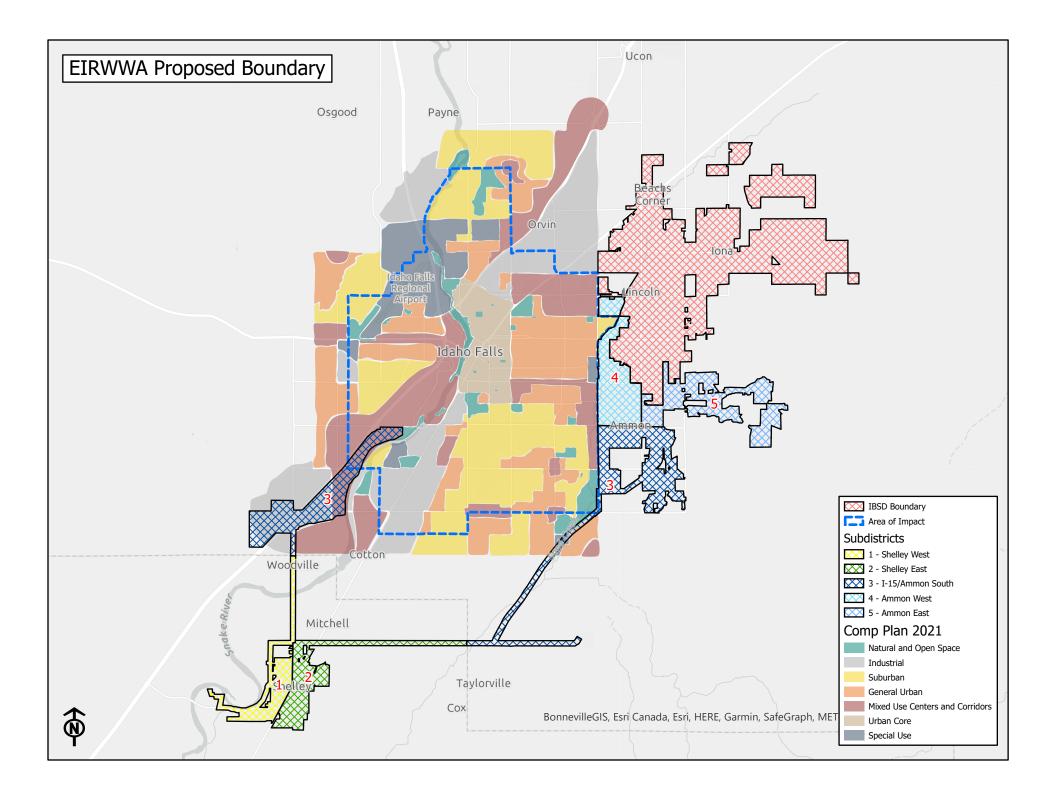
-Liaison Reports and Councilmember Concerns (10)

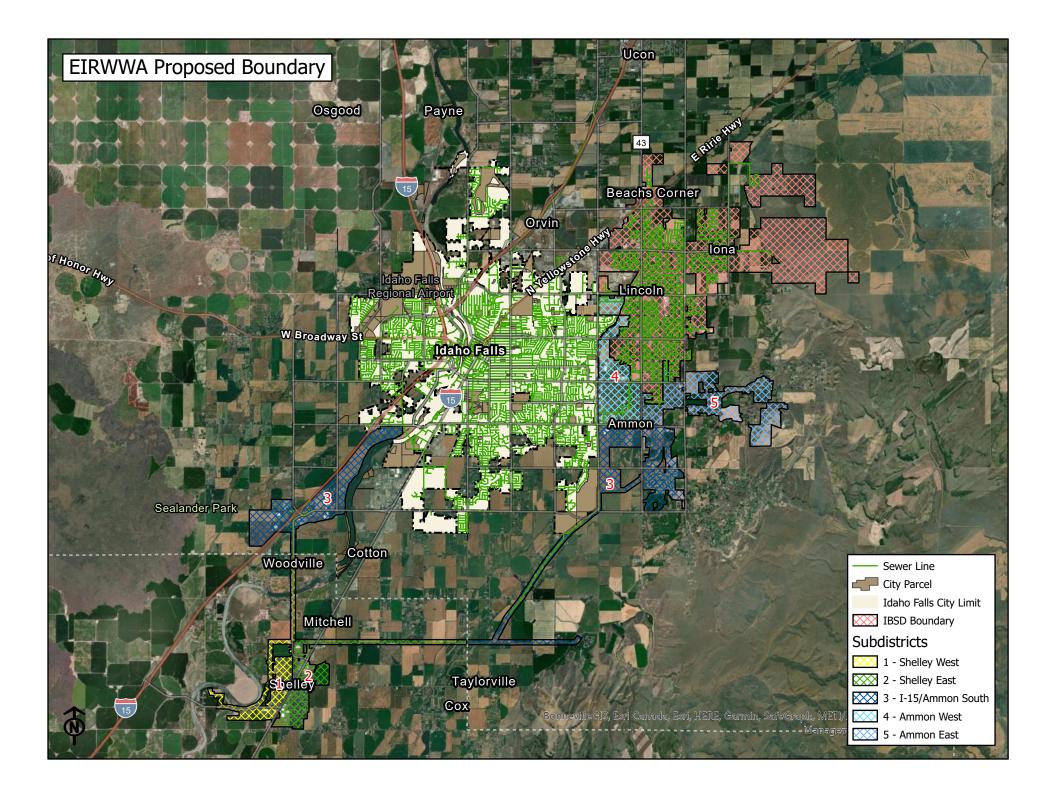
-Discussion: Final Revisions to City Code, Title 2 (15)

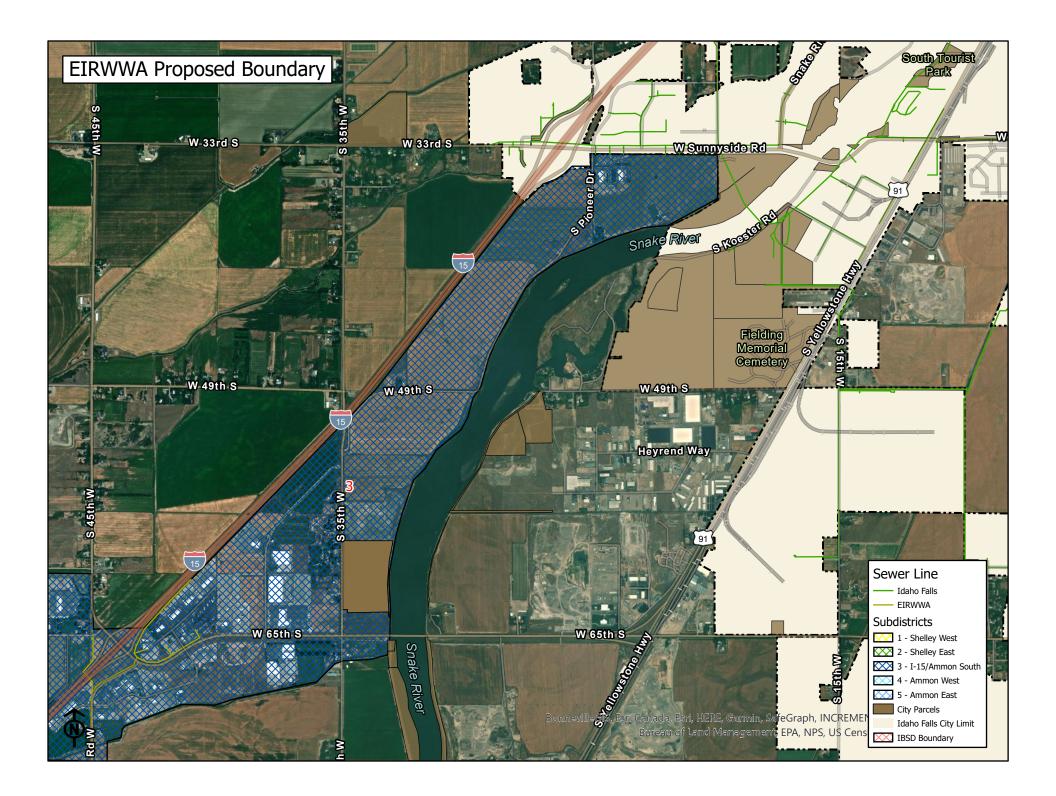
-The Executive Session is being called pursuant to the provisions of Idaho Code Section 74-206(1)(a) to consider hiring a public officer, employee, staff member or individual agent (does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general).

Kathy Hampton City Clerk

Multi-departmental - EIRWWA







Legal - City Code, Title 2

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 2 TO GENERALLY STANDARDIZE CITY COMMISSIONS, COMMITTEES, AND BOARDS IN CHAPTERS 1 THROUGH 12; THE DISCONTINUING OF THE YOUTH ADVISORY COUNCILL, TRAFFIC SAFETY COMMITTEE, CITY SAFETY COMMITTEE, BEAUTIFICATION COMMISSION, AND ELIMINATING UNNECESSARY CHAPTERS; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City benefits greatly from input from City residents, City staff, and others who serve on City boards, commissions, and committees; and

WHEREAS, the Council desires to continue utilizing the interests and efforts of such residents, staff members, and volunteers in order to gather information, insight, input, and to hear suggestions which enhances, promotes, encourages, and sustains City decisions, programs, and facilities; and

WHEREAS, the format and content in City Code Title 2 committees, commissions, and boards has been amended at various times; and

WHEREAS, a City Code Title 2 revision makes the purposes and organization of its committees, commissions, and boards more clear; and

WHEREAS, the Council, after review, has determined that some committees, councils, and commissions (Youth Advisory Council, Traffic Safety Committee, City Safety Committee, and Beautification Commission) no longer have sufficient utility for their continuance, that their functions can be continued by other means, and, in order to promote good governance, they should be discontinued; and

WHEREAS, the Council believes that this Ordinance improves City functions; clarifies the expectations committees, commissions, and boards; and more moves towards standardization of Title 2 and should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, THAT:

SECTION 1: Title 2, Chapter 1 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately amended as follows:

<u>2-1-1:</u> ESTABLISHMENT: The Idaho Falls Library Board of Trustees ("Board") is hereby established. The Mayor, with the consent of the Council, shall appoint a Board of five (5) Library trustees for the Library.

2-1-1: APPOINTMENT: The Mayor, with the consent of the City Council shall appoint a Library Board of five (5) library trustees for the Public Library. Members of the Board shall serve without salary but may receive their actual and necessary budgeted expenses while engaged in authorized business of the Library.

2-1-2: PURPOSE: In a non-partisan manner, the Library promotes the establishment and development of free library service for all City residents and assures an informed electorate by enabling the provision of free local library service, in the present and in the future, to children in their formative years and to adults for their continuing education, subject to such reasonable rules and regulations as the Board may find necessary to adopt.

2-1-2: QUALIFICATIONS: The Library Trustee shall be a citizen of the City. A member of the City Council shall not be one (1) of the five (5) appointed trustees of the Library Board, but each year the Council shall appoint one (1) of its members to be a liaison to the Board, without voting rights.

<u>2-1-3:</u> DUTIES: The Board of the Library shall have the following duties:

A. To establish bylaws for its own governance;

B. To establish policies and rules of use for the governance of the Library or libraries under its control; to exclude from the use of the Library any and all persons who violate such rules;

C. To establish, locate, maintain and have custody of Libraries to serve the City, and to provide suitable rooms, structures, facilities, furniture, apparatus and appliances necessary for Library service;

D. With the approval of the Council:

1. to acquire real property by purchase, gift, devise, lease or otherwise;

2. to own and hold real and personal property and to construct buildings for the use and purposes of the Library;

3. to sell, exchange or otherwise dispose of real or personal property when no longer required by the Library; and

4. to insure the real and personal property of the Library;

E. To prepare and adopt a budget for review and approval by the Council;

F. To control the expenditures of money budgeted for the Library;

<u>G.</u> To accept or decline gifts of money or personal property, in accordance with Library policy, and under such terms as may be a condition of the gift;

Formatte Not at 0 H. To hire, supervise and evaluate the Library Director;

I. To establish policies for the purchase and distribution of Library materials;

J. To attend all meetings of the Board;

K. To maintain legal records of all Board business; and

L. To exercise such other powers, not inconsistent with law, necessary for the orderly and efficient management of the Library.

2-1-3: TERM: Library Trustees shall hold office for five (5) years. The term of the members shall run from May 1 through April 30. The term of not more than one (1) member shall expire in any one (1) calendar year. The Board shall report all vacancies to the Mayor within five (5) working days. All appointments to fill vacancies shall be made in the same manner as appointments are originally made. Appointments to complete unexpired terms shall be for the remainder of the term only. Any trustee may be removed by the City Council by the unanimous vote of all its members.

2-1-4: ORGANIZATION: Every Board trustee shall be a resident of the City. A member of the Council, the Mayor, or an appointed officer of the City shall not be one (1) of the five (5) appointed trustees of the Board, but each year, the Council shall appoint one (1) of its members to be a liaison to the Board, without voting rights. Appointment to the Board shall be made solely upon consideration of the ability of such appointees to serve the interests of the people, without regard to sex, age, race, nationality, religion, disability, political affiliation, sexual orientation, or gender identity/expression.

2-1-4: QUORUM: Three (3) Trustees of the Library Board shall constitute a quorum for the purpose of conducting business. All actions by the Board of Trustees shall require an affirmative vote of at least three (3) Trustees.

2-1-5: TERM OF OFFICE: A Board trustee shall hold office for five (5) years. The term of a trustee shall run from January 1 through December 31. The term of not more than one (1) Board member shall expire in any one (1) calendar year. Appointments to complete unexpired terms shall be for the remainder of the term only.

2-1-5: POWERS AND DUTIES OF TRUSTEES: The Board of Trustees of the City Library shall have the following powers and duties:

(A) To establish bylaws for its own governance;

(B) To establish policies and rules of use for the governance of the library or libraries under its control; to exclude from the use of the library any and all persons who violate such rules;

(C) To establish, locate, maintain and have custody of libraries to serve the City, and to provide suitable rooms, structures, facilities, furniture, apparatus and appliances necessary for library service;

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(1	D)	With the approval of the City:
		(1) to acquire real property by purchase, gift, devise, lease or otherwise;
		(2) to own and hold real and personal property and to construct buildings for the use and purposes of the library;
		(3) to sell, exchange or otherwise dispose of real or personal property when no longer required by the library; and
		(4) to insure the real and personal property of the library;
(<u>E)</u>	To prepare and adopt a budget for review and approval by the City Council;
(F)	To control the expenditures of money budgeted for the library;
```````````````````````````````````````		To accept or decline gifts of money or personal property, in accordance with der such terms as may be a condition of the gift;
(	<u>H)</u>	To hire, supervise and evaluate the library director;
(	I)	To establish policies for the purchase and distribution of library materials;
(,	J)	To attend all meetings of the Board of Trustees;
(	<u>K)</u>	To maintain legal records of all Board business;
`	L)	To exercise such other powers, not inconsistent with law, necessary for the nanagement of the library.

<u>2-1-6:</u> REMOVAL: Any trustee may be removed by the Council by the unanimous vote of all its members.

2-1-6: EXCLUSIVE CONTROL OF LIBRARY FUNDS AND PROPERTY: The Board shall prepare and adopt an annual budget, stating anticipated revenues and expenditures, indicating what support and maintenance of the library will be required for review and approval by the City Council for the ensuing year.

All funds for the library shall be in the custody of the City Treasurer and shall be used only for library purposes. The Board shall have control of library expenditures. Money shall be paid for library purposes, only upon properly authenticated vouchers of the Board of Trustees. The Board shall not make expenditures or incur indebtedness in any year in excess of the amount appropriated for library purposes. The Board may hold a separate checking account to be used to pay petty cash expenses of the library. This account shall be audited along with other library funds.

2-1-7: VACANCY: The Board shall report all vacancies to the Mayor within five (5) working days. All appointments to fill vacancies shall be made in the same manner as appointments are originally made.

2 1-7: REPORTS OF TRUSTEES: The Board of Trustees shall annually, not later than the first day of January, file with the State Library Board a report of the operation of the library for the fiscal year just ended. The report shall be of such form and contain such information as the State Library Board may require, but in all cases, must include a complete accounting of all financial transactions for the fiscal year being reported. The Board shall also report to the City Council and Mayor as requested or required.

<u>2-1-8:</u> ATTENDANCE: Three (3) trustees of the Board shall constitute a quorum for the purpose of conducting business. All actions by the Board shall require an affirmative vote of at least three (3) trustees.

2-1-8: LIBRARY TO BE FREE: The Library shall be free for the use of the inhabitants of the City, provided, however, nothing herein shall prohibit the charging of any fee for use by persons who do not reside within the City. Nothing herein shall prevent the execution of any contract with any school district, library district, county or other governmental unit whose service area or territory is located wholly or partially outside the City, for the purpose of providing library services to non residents residing within such governmental units. Nothing herein shall prohibit the charging of any reasonable fee for: (i) interlibrary loan services or line service charges, or (ii) use of computer equipment, peripheral devices, software, audio-visual or video equipment, microfilm or microfiche devices; fax machines, photocopiers, printers, or other electronic equipment or devices not customarily used or associated with the use of printed media, or (iii) for the temporary use of any room or facility in the Library for group meetings or any other purpose other than for reading or general use of library services, equipment or facilities.

<u>2-1-9: OPEN MEETINGS: All meetings of the Board shall be open to the public and shall follow the requirements of the Idaho Open Meeting law.</u>

2 1-9 LIBRARY EMPLOYEES: Library employees shall be considered employees of the City and shall be subject to the Personnel Policy and other rules, regulations and ordinances adopted by the City Council.

<u>2-1-10:</u> MINUTES: The Board shall keep minutes of its proceedings, including the vote of each voting member on every presented issue. The meeting minutes and other records of the Board shall be open to the public.

<u>2-1-11:</u> NO COMPENSATION: Board members shall receive no compensation for their service on the Board, but may receive their actual and necessary budgeted expenses while engaged in authorized business of the Library.

2-1-12: EXCLUSIVE CONTROL OF LIBRARY FUNDS AND PROPERTY: The Board shall prepare and adopt an annual budget, stating anticipated revenues and expenditures, indicating what support and maintenance of the Library will be required for review and approval by the Council for the ensuing year.

All funds for the Library shall be in the custody of the City Treasurer and shall be used only for Library purposes. The Board shall have control of Library expenditures. Money shall be paid for Library purposes, only upon properly authenticated vouchers of the Board. The Board shall not make expenditures or incur indebtedness in any year in excess of the amount appropriated for Library purposes. The Board may hold a separate checking account to be used to pay petty cash expenses of the Library. This account shall be audited along with other Library funds.

2-1-13: REPORTS OF TRUSTEES: The Board shall annually, not later than the first day of January, file with the State Library Board, a report of the operation of the Library for the fiscal year just ended. The report shall be of such form and contain such information as the State Library Board may require, but in all cases, must include a complete accounting of all financial transactions for the fiscal year being reported. The Board shall also report to the Council and Mayor as requested or required.

2-1-14: LIBRARY TO BE FREE: The Library shall be free for the use of the inhabitants of the City; provided, however, nothing herein shall prohibit the charging of any fee for use by persons who do not reside within the City. Nothing herein shall prevent the execution of any contract with any school district, library district, county or other governmental unit whose service area or territory is located wholly or partially outside the City, for the purpose of providing Library services to non-residents residing within such governmental units. Nothing herein shall prohibit the charging of any reasonable fee for: (i) interlibrary loan services or line service charges, or (ii) use of computer equipment, peripheral devices, software, audio-visual or video equipment, microfilm or microfiche devices; fax machines, photocopiers, printers, or other electronic equipment or devices not customarily used or associated with the use of printed media, or (iii) for the temporary use of any room or facility in the Library for group meetings or any other purpose other than for reading or general use of Library services, equipment or facilities.

2-1-15: LIBRARY EMPLOYEES: With the recommendation of the Library Director, the Board shall budget to hire employees, as may be necessary for the operation of the Library in accordance with City policies and procedures. The Library Director shall hire or oversee the hiring of all Library employees (other than the Library Director) based on policies, procedures, and job descriptions of the City. Library employees shall be considered employees of the City and shall be subject to the Personnel Policy, classifications, and other rules, regulations and ordinances adopted by the Council.

**SECTION 2**: Title 2, Chapter 2 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately amended as follows:

2-2-1: ESTABLISHMENT: The Idaho Falls Planning and Zoning Commission ("Commission") is hereby established. The Mayor, with the consent of the Council, shall appoint not less than six (6) nor more than nine (9) members to serve on the Commission. All members of the Commission shall reside within Bonneville County, provided no more than three (3) members may reside outside the boundaries of the City. All members shall have resided within Bonneville County for a period of two (2) consecutive years immediately preceding their appointment. No elected or appointed officer of the City shall serve as an official member of the Commission. Members shall be selected without respect to political affiliation.

2-2-2: PURPOSE: The Commission shall examine all proposals, applications, and petitions and shall make recommendations to the Council concerning the zoning of properties within the City and properties to be annexed thereto. The Commission shall recommend to the Council changes regarding the City's comprehensive plan. The Commission may suggest changes to the Zoning Code and shall study and make recommendations for the laying out, widening, extending, and locating of streets, roads, and highways in the City. The Commission shall study and make recommendations regarding future City development, and the growth and beautification of the City's streets, grounds, and lands.

2-2-3: DUTIES: The Commission shall have all powers and duties assigned to it by the Zoning Code. It shall act in an advisory capacity to the Board of Adjustment, when requested by that Board. All maps, plats, and re-plats of land which require the approval of the Council shall be submitted first to the Commission for its recommendation, as provided in this Code. The Commission also shall perform other duties required under Idaho state law or as directed by the Council.

2-2-4: ORGANIZATION AND MEETINGS: During the first meeting of each calendar year, the Commission shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside. One (1) regular meeting shall be held each month in no fewer than nine (9) months of each year.

2-2-5: TERM OF OFFICE: Members of the Commission shall serve terms of six (6) years. The term of each member shall expire on December 31 of the sixth year following their appointment, provided the terms of no more than two (2) members shall expire in any one (1) year. Commission members may be reappointed.

2-2-6: REMOVAL: A Commission member may be removed from the Commission by the Mayor and at the Commission Chair's request, following two (2) meeting absences in a single year unexcused by the Chair or at any time by the majority vote of the Council.

2-2-7: VACANCY: The Mayor, with the consent of the Council, shall appoint a person that meets the qualifications of this Chapter to fill the unexpired term of any member of the Commission in the event of a vacancy.

2-2-8: ATTENDANCE: A majority of voting Commission members present at a meeting shall constitute a quorum for purposes of conducting the business of the Commission. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

2-2-9: OPEN MEETINGS: All meetings of the Commission shall be open to the public and shall follow the requirements of the Idaho Open Meeting law

2-2-10: MINUTES: The Commission shall keep minutes of its proceedings, including the vote

of each member on every presented issue. The meeting minutes and other records of the Commission shall be open to the public.

2-2-11: NO COMPENSATION: Commission members shall receive no compensation for their service on the Commission; however, expenses for equipment and supplies necessary for the Commission to conduct its business shall be allowed by the Council.

2-2-12: INDEBTEDNESS: Nothing herein conveys or otherwise delegates authority to the Commission to incur any liability, obligation, or indebtedness on behalf of the City without the express, written authorization of the Council.

**SECTION 3**: Title 2, Chapter 3 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately amended as follows:

2-3-1: ESTABLISHMENT: The Idaho Falls Board of Adjustment ("Board") is hereby established. The Mayor, with the consent of the Council, shall appoint seven (7) members to serve on the Board. Members of the Board shall be residents and electors of the City. The Mayor, members of the Council, and any appointed officer of the City shall not serve as a member of the Board. No fewer than one (1) member of the Board also shall be a member of the Planning and Zoning Commission.

2-3-2: PURPOSE: The purpose of the Board is to act as an independent fact-finding and decision-making body in order to uphold the principles of the Zoning Code and other City Codes; to act as an appellate body, when directed; and to provide insight and adjustment when the Code is applied to a specific parcel of land, where necessary, and within the law.

2-3-3: DUTIES: The Board shall have such duties and authority as set forth in the Zoning Code and this Code, and shall perform all other duties as required by State law or as directed by the Council.

2-3-4: ORGANIZATION: During the first meeting of each calendar year, the Board shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside.

2-3-5: TERM OF OFFICE: Members of the Board shall be appointed for a term of five (5) years. Terms shall expire on December 31 of the fifth year following their appointment. Not more than two (2) members' terms shall expire in any one (1) year. Committee members may be reappointed.

2-3-6: REMOVAL: A Board member may be removed from the Board by the Mayor and at the Chair's request, following two (2) meeting absences in a single year unexcused by the Chair or at any time by the majority vote of the Council.

2-3-7: VACANCY: The Mayor, with consent of the Council, shall appoint a qualified person to fill the unexpired term of any member of the Board in the event of a vacancy.

2-3-8: ATTENDANCE: A majority of voting Board members present at a meeting shall constitute a quorum for purposes of conducting the business of the Board. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

2-3-9: OPEN MEETINGS: All meetings of the Board shall be open to the public and shall follow the requirements of the Idaho Open Meeting law.

2-3-10: MINUTES: The Board shall keep minutes of its proceedings, including the vote of each member on every presented issue. The meeting minutes and other records of the Board shall be open to the public.

2-3-11: NO COMPENSATION: Board members shall receive no compensation for their service on the Board; however, expenses for equipment and supplies necessary for the Board to conduct its business shall be allowed by the Council.

2-3-12: INDEBTEDNESS: Nothing herein conveys or otherwise delegates authority to the Board to incur any liability, obligation, or indebtedness on behalf of the City without the express, written authorization of the Council.

**SECTION 4**: Title 2, Chapter 4 (War Bonnet Roundup Advisory Committee) of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

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. . .

2-4-4: ORGANIZATION: During the first meeting of each calendar year, the Committee shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside.

2-4-4: ORGANIZATION: During the first meeting of each calendar year, the Committee shall elect, by majority vote of the Committee, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected.

2-4-5: <u>TERM OF OFFICETERMS</u>: Each Committee member shall be appointed to serve a term of three (3) years, except that the terms of the initial Board members may be less than three years as necessary to provide for staggered terms of office. Terms of no more than three (3) members shall expire in any calendar year. Committee members may be reappointed.

2-4-10: MINUTES: <u>The Committee shall keep minutes of its proceedings, including the vote</u> **Formatte** of each member on every presented issue. The meeting minutes and other records of the <u>Committee shall be open to the public.</u> The Committee shall provide an annual report, as approved by the Director of Parks and Recreation, to the Council in within sixty (60) days of the conclusion of the annual WBRU, which report shall include activities and accomplishments, a financial report, and any recommendations for subsequent WBRUs. The Mayor or the Council may also require special reports, as deemed necessary.

Page 9 of 22

**SECTION 5**: Title 2, Chapter 5 (Parks and Recreation Commission) of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

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. . .

2-5-4: ORGANIZATION: During the first meeting of each calendar year, the Commission shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside.
2-5-4: ORGANIZATION: The Commission shall annually elect a Chair and other necessary officers from its membership, who shall serve until replaced or re-elected pursuant to this Subsection.

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**SECTION 6**: Title 2, Chapter 6 (Golf Advisory Board) of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

2-6-4: ORGANIZATION: During the first meeting of each calendar year, the Board shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside.

2-6-4: ORGANIZATION: During the last meeting of each calendar year, the Board shall elect, by a majority vote, persons from its membership to serve as Chair and other necessary officers, who shall serve until replaced or re-elected pursuant to this Chapter.

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**SECTION 7**: Title 2, Chapter 7 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately amended as follows:

2-7-1: ESTABLISHMENT: The Americans with Disabilities Act Advisory Board ("Board") is hereby established. The Mayor, with consent of the Council, shall appoint five (5) members of the Board who shall be a City resident with a disability or with a demonstrated interest, competence, or knowledge of the needs and the concerns of the disability community. Board members shall serve without compensation. The Mayor may appoint, with the consent of the Council, additional persons with expertise and experience to be non-voting ex-officio members of the Board.

2-7-2: PURPOSE: The purpose of the ADA Advisory Board ("Board") is to assist the City's ADA Coordinator, the Mayor, and Council in identifying, evaluating, designating, prioritizing, and modifying accessibility within the City and to suggest improvements to City facilities, properties, and programs.

2-7-3: DUTIES: The Board shall have the following powers, duties, and responsibilities:

A. Advise the City ADA coordinator regarding the identification, evaluation,

Page 10 of 22

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designation, priority, and modification of accessibility to City facilities, properties, and programs; and

B. Assist the City ADA coordinator in conducting and maintaining an accessibility survey of all City facilities, properties, and programs; and

C. Assist the City ADA coordinator in determining priorities for recommended modifications to City facilities, properties, and programs; and

D. In coordination with the City's ADA coordinator, promote and conduct educational programs for City staff regarding ADA accessibility

2-7-4: ORGANIZATION: During the first meeting of each calendar year, the Board shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside.

2-7-5: TERM OF OFFICE: A Board member shall be appointed to serve a term of three (3) years. Terms of no more than two (2) memberships shall expire in any calendar year. Members may be reappointed.

2-7-6: REMOVAL: A Commission member may be removed from the Commission by the Mayor and at the Chair's request, following two (2) meeting absences unexcused by the Chair in any calendar year or at any time by the majority vote of the Council.

2-7-7: VACANCY: The Mayor, with the consent of the Council, shall appoint a qualified member to fill any unexpired term of a Board member in the event of a vacancy.

2-7-8: ATTENDANCE: A voting Board member may be removed by the Board following two (2) consecutive absences which are not excused by the Chair, or where the Board members absent for more than two (2) consecutive Board meetings in any calendar year. Following either of these occurrences, the Chair may request that the Mayor remove such Board member.

2-7-9: OPEN MEETINGS: The Board shall meet at least one (1) time annually and as often as deemed necessary by the City ADA Coordinator. All meetings of the Board shall be open to the public and shall follow the requirements of the Idaho Open Meetings Law.

2-7-10: MINUTES: The ADA Coordinator shall keep minutes of its proceedings, including the vote of each member on every presented issue. The meeting minutes and other records of the Commission shall be open to the public.

2-7-11: NO COMPENSATION: Commission members shall receive no compensation for their service on the Commission; however, expenses for equipment and supplies necessary for the Commission to conduct its business shall be allowed by the Council.

2-7-12: INDEBTEDNESS: Nothing herein shall convey or otherwise delegate authority to the Commission to incur any obligation or indebtedness of the City, without the express authorization

of the Council.

**SECTION 8**: Title 2, Chapter 8 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately amended as follows:

2-8-1: ESTABLISHMENT: The Sister Cities Advisory Committee ("Committee") is hereby established. The Mayor, with the consent of the Council, shall appoint the Committee, which shall consist of seven (7) voting members and three (3) ex-officio non- voting members, as set forth in this Chapter. Committee members shall demonstrate interest in the Sister City's purposes, duties, and goals, and shall serve without compensation. Voting members of the Committee shall consist of the current Mayor or the Mayor's appointee to the Committee; one (1) member of the Sister Cities Adult Association recommended by its President; one (1) adult leader of the Sister Cities Youth Association; one (1) member recommended by Idaho School District 91 or by School District 93; one (1) member of a business located in the City; one (1) member of a local service club or cultural or arts organization; and one (1) member of the Idaho National Laboratory or one of its contractors or affiliates.

All voting members shall be City residents and shall not be members of a Sister Cities Association, except for voting members from the Sister Cities Youth Association and Sister Cities Adult Association, who may be non-City residents and members of a Sister Cities Association. Non-voting ex-officio members of the Committee shall consist of one (1) senior high school student who is an active member of the Sister Cities Youth Association, as recommended by the Association; one (1) employee of an institution of higher education located within the City; and one (1) member of a service organization located within the City.

2-8-2: PURPOSE: Committee is established to improve, promote, and sustain cultural understanding and to facilitate personal and business ties, friendships, and fellowships between Tokai-mura, Japan, and the City by providing input and advice to City elected officials and staff.

## 2-8-3: DUTIES AND GOALS:

A. DUTIES. Committee duties include expansion of the Idaho Falls community's awareness of and participation in the cultural understandings made possible by the Sister Cities program; development of economic relationships and specific joint projects; cultivation of long-term personal relationships and friendships among people in both communities; development and presentation of a two-year budget for the Sister Cities program, which should be presented to and considered by the Council for annual appropriation of the Sister Cities program; and demonstration of the value to the taxpayers of Idaho Falls including economic benefits, as well as educational opportunities. When requested by the Mayor or the Council, the Committee shall report on the purposes, duties, and goals of the Committee.

B. GOALS. Goals to verify the continuing value of the Sister Cities program to City taxpayers may be achieved by implementing the following elements of the Sister Cities program: enhancing outreach to the community through such institutions as the Idaho Falls Library, local schools, the arts, and cultural organizations; expanding exchange opportunities through such programs as City-to-City and City Departmental-level

exchanges; classroom-to-classroom or school-to-school exchanges; arts and cultural exchanges; expanding and promoting historical and cultural understandings of Japan for community travelers to Japan and for the City; in conjunction with the Idaho Falls Library and with the Museum of Idaho providing support for the Sister Cities Library exhibit; pursuing, where feasible, economic development opportunities and connections with Tokai-mura; and providing oversight of City monies budgeted for the Sister Cities program.

2-8-4: ORGANIZATION: During the first meeting of each calendar year, the Committee shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside.

2-8-5: TERM OF OFFICE: All voting members shall serve terms of three (3) years, except that the terms of the initial Committee members may be less than three (3) years as necessary to provide for staggered terms of office. The terms of no more than three (3) voting members shall expire at any calendar year. Terms of voting members shall expire December 31 of the third year of their appointment. All non-voting ex-officio members of the Committee shall serve the greater of two (2) years or as long as they continue to serve in the offices or capacities designated in this Chapter. The Mayor's or Mayor's appointee's term shall coincide with the Mayor's term of office.

2-8-6: REMOVAL: A voting Committee member may be removed from the Committee by the Mayor and at the Chair's request, following either two (2) consecutive meeting absences unexcused by the Chair, or two (2) meeting absences in any calendar year, or at any time by the majority vote of the Council.

2-8-7: VACANCY: The Mayor, with the consent of the Council, shall appoint a qualified person to fill the unexpired term of any Committee member in the event of a vacancy or in the event any member ceases to be qualified.

2-8-8: ATTENDANCE: A majority of voting Committee members shall constitute a quorum for purposes of conducting the business of the Committee. Non-voting members present at meetings shall not be considered when determining the number required for a quorum or whether a quorum is present.

2-8-9: OPEN MEETINGS: All meetings of the Committee shall be open to the public and shall follow the requirements of the Idaho Open Meeting Law.

2-8-10: MINUTES: The Committee shall keep minutes of its proceedings, including the vote of each voting member on every presented issue. The meeting minutes and other records of the Committee shall be open to the public.

2-8-11: NO COMPENSATION: Committee members shall receive no compensation for their service on the Committee; however, expenses for equipment and supplies necessary for the Committee to conduct its business shall be allowed by the Council.

2-8-12: FUNDING AND DONATIONS: The Committee is authorized to seek outside funding and in-kind donations for Sister Cities projects, as may be approved by the Council and in accordance with City budget procedures. Expenditure of budgeted amount shall follow City budgeting and financial policies.

**SECTION 9**: Title 2, Chapter 9 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately amended as follows:

2-9-1: ESTABLISHMENT: The Idaho Falls Civic Center for the Performing Arts Advisory Committee ("Committee") is hereby established. The Mayor, with the consent of the Council, shall appoint no less than three (3) nor more than five (5) City residents to serve on the Committee as voting members. The Committee shall also include, as non-voting ex officio members, at least one (1) member of the Council, one (1) member of the Municipal Services Department, and the current manager of the Idaho Falls Civic Center for the Performing Arts.

2-9-2: PURPOSE: The Committee shall study the function and operation of the Idaho Falls Civic Center for the Performing Arts and advise and assist the Director of the Municipal Services Department in the development of a long-term financial and facility plan to improve and sustain the viability of the Idaho Falls Civic Center for the Performing Arts.

2-9-3: DUTIES: The Committee shall seek funding, donations, and present recommendations, consistent with available City funds, to the Director of the Municipal Services Department, as necessary in connection with the ongoing maintenance and successful operation of the Idaho Falls Civic Center for the Performing Arts. The Committee shall also report its recommendations and activities from time to the Mayor and Council, at <u>Council's</u> request.

2-9-4: ORGANIZATION: During the first meeting of each calendar year, the Committee shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside.

2-9-5: TERM OF OFFICE: Three (3) voting members of the Committee shall serve a term of two (2) years and two (2) voting members of the Committee shall serve one (1) year terms. Non-voting ex-officio members shall serve on the Committee as long as they serve in their ex-officio capacities, or until removed or replaced pursuant to the provisions of this Chapter. The terms of members shall expire on December 31 of the second year after their appointment. Committee members may be reappointed.

2-9-6: REMOVAL: A voting Committee member may be removed from the Committee by the Mayor and at the Chair's request, following either two (2) consecutive meeting absences unexcused by the Chair, or two (2) meeting absences in any calendar year, or at any time by the majority vote of the Council.

2-9-7: VACANCY: The Mayor, with the consent of the Council, shall appoint a qualified person to fill the unexpired term of a Committee member in the event of a vacancy.

2-9-8: ATTENDANCE: A majority of voting Committee members present at a meeting shall constitute a quorum for purposes of conducting the business of the Committee. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

2-9-9: OPEN MEETINGS: All meetings of the Committee shall be open to the public and shall follow the requirements of the Idaho Open Meeting law.

2-9-10: MINUTES: The Committee shall keep minutes of its proceedings, including the vote of each voting member on every presented issue. The meeting minutes and other records of the Committee shall be open to the public.

2-9-11: NO COMPENSATION: Committee members shall receive no compensation for their service on the Committee; however, expenses for equipment and supplies necessary for the Committee to conduct its business shall be allowed by the Council.

2-9-12: INDEBTEDNESS: Nothing herein conveys or otherwise delegates authority to the Committee to incur any liability, obligation, or indebtedness on behalf of the City without the express, written authorization of the Council.

**SECTION 10**: Title 2, Chapter 10 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately amended as follows:

2-10-1: ESTABLISHMENT OF A SHADE TREE COMMITTEE: The Shade Tree Advisory Committee ("Committee") is hereby established. The Mayor, with the consent of the Council, shall appoint of seven (7) at-large members who reside within the City to serve on the Committee. One (1) employee from Idaho Falls Power Department and one (1) employee from the Community Development Services Department shall be designated by their respective Department Directors as non-voting, ex-officio Committee member.

2-10-2: PURPOSE: The Committee shall advise the Director of the Parks and Recreation Department on how to preserve, protect, and manage the community forest.

2-10-3: DUTIES: The Committee shall provide advice to the Director of Parks and Recreation and City Forester as to the preservation, protection, and management of the community forest. The Committee shall have the following duties and responsibilities:

A. At the request of the City Forester, encourage to the City Forester ways for landscaping installation and maintenance on private property by providing information on the value of landscaping and the proper planting and care of trees and other vegetation;

B. Recommend policies and procedures to identify, mark, publicize, and preserve historic and notable trees on both public and private property;

C. Assist the City Forester in promoting appreciation of trees and the City Forest through annual Arbor Day observances and other activities;

D. At the direction of the City Forester, encourage improvement of the community forest through planning and policy development:

E. At the direction of the City Forester, enhance opportunities for obtaining monetary funds for tree purchases, related supplies and community forestry activities through local and federal assistantship grants and donations.

2-10-4: ORGANIZATION: During the first meeting of each calendar year, the Committee shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside.

2-10-5: TERM OF OFFICE: All Committee members, except for at-large members, shall serve as long as they continue in the offices or capacities designated in this Chapter. Every at-large Committee member shall be appointed to serve a term of three (3) years. Terms of no more than three (3) members shall expire in any calendar year. Committee members may be reappointed.

2-10-6: REMOVAL: A voting Committee member may be removed from the Committee by the Mayor and at the Chair's request, following either two (2) consecutive meeting absences unexcused by the Chair, or two (2) meeting absences in any calendar year, or at any time by the majority vote of the Council.

2-10-7: VACANCY: The Mayor, with the consent of the Council, shall appoint a person that meets the qualifications of this Chapter to fill the unexpired term of any member of the Committee in the event of a vacancy.

2-10-8: ATTENDANCE: A majority of Committee members present at a meeting shall constitute a quorum for purposes of conducting the business of the Committee.

2-10-9: OPEN MEETINGS: All meetings of the Committee shall be open to the public and shall follow the requirements of the Idaho Open Meeting law.

2-10-10: MINUTES: The Committee shall keep minutes of its proceedings, including the vote of each voting member on every presented issue. The meeting minutes and other records of the Committee shall be open to the public.

2-10-11: NO COMPENSATION: Committee members shall receive no compensation for their service on the Committee; however, expenses for equipment and supplies necessary for the Committee to conduct its business shall be allowed by the Council.

2-10-12: INDEBTEDNESS: Nothing herein conveys or otherwise delegates authority to the Committee to incur any liability, obligation, or indebtedness on behalf of the City without the express, written authorization of the Council.

**SECTION 11**: Title 2, Chapter 11 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately amended as follows:

2-11-1 ESTABLISHMENT: The Historic Preservation Commission ("Commission") is hereby established. The Mayor, with the consent of the Council, shall appoint seven (7) City residents to the Commission. All members of the Commission shall have a demonstrated interest, competence, or knowledge in history or historic preservation. Four (4) members of the Commission shall have professional training, experience, or interest in the disciplines of architecture, history, architectural history, urban planning, archaeology, engineering, law, or other historic preservation related disciplines.

2-11-2: DEFINITIONS: The following words and phrases, when used in this Chapter, shall have, unless the context clearly indicates otherwise, the following meanings:

COMMISSION: The Historic Preservation Commission of the City of Idaho Falls, as established under this Chapter.

HISTORIC PRESERVATION: The research, documentation, protection, restoration and rehabilitation of historic property.

HISTORIC PROPERTY: Any building, structure, object, district, area or site that is significant in the history, architecture, archaeology or culture of this community, the state, or the nation.

2-11-3 PURPOSE: The Commission shall assist the Director of the Community Development Services Department with promotion of educational, cultural, economic, and general welfare of the City residents through the identification, evaluation, designation, and protection of those buildings, sites, areas, structures, and objects which reflect the City's, State's and nation's historic, architectural, archaeological, and cultural heritage.

2-11-4 DUTIES: The Commission shall have the following powers, duties, and responsibilities:

A. Advise and consult with the Mayor and the Council the Director of the Community Development Services Department regarding the identification, evaluation, designation, and protection of historic buildings, site areas, and objects.

B. Assist the Director of Community Service Department with <u>conducting</u> a survey of local historical properties;

C. Recommend to the Director of the Community Development Services Department the acquisition of fee and lesser interests in historic properties, including adjacent or associated lands, by purchase, bequests, or donation;

D. Recommend to the Director of the Community Development Services Department methods and procedures necessary to preserve, restore, maintain, and operate historic properties under the ownership or control of the City;

E. Recommend to the Director of the Community Development Services Department the lease, sale, other transfer or disposition of historic properties subject to rights of public access and other covenants and in a manner that will preserve the property; F. At the direction of the Director of Community Development Services Department, <u>c</u>ooperate with federal, State, and local governments in promoting historic preservation;

G. At the direction of the Director of Community Development Services Department, make recommendations in the planning processes undertaken by Bonneville County, the City, the State, or the federal government and agencies thereof;

H. Recommend to the Director of the Community Development Services Department the adoption of ordinances that promote or regulate historic preservation within the City, in accordance with the powers set forth in Idaho Code Section 67-4612, as amended;

I. At the direction of the Director of Community Development Services Department, promote and conduct educational and interpretive programs regarding historic preservation and historic properties in the City;

J. Review nominations of properties to the National Register of Historic Places for properties within the City's jurisdiction.

2-11-4: ORGANIZATION: During the first meeting of each calendar year, the Commission shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside. The Commission may, with the approval of the Council, employ or contract with other persons or entities for the services of technical or professional experts or other consulting services it deems necessary to carry on the functions of the Commission.

2-11-5: TERM OF OFFICE: Initial appointments to the Commission shall be made as follows: One (1) one-year term; three (3) two-year terms; three (3) three-year terms. All subsequent appointments shall be made for terms of three (3) years each. Terms shall expire on December 31 of the designated year from their appointment. Committee members may be reappointed.

2-11-6: REMOVAL: A Commission member may be removed from the Commission by the Mayor and at the Chair's request, following two (2) meeting absences unexcused by the Chair in any calendar year or at any time by the majority vote of the Council.

2-11-7: VACANCY: The Mayor, with the consent of the Council, shall appoint a person that meets the qualifications of this Chapter to fill the unexpired term of any member of the Commission in the event of a vacancy.

2-11-8: ATTENDANCE: A majority of voting Committee members present at a meeting shall constitute a quorum for purposes of conducting the business of the Committee. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

2-11-9: OPEN MEETINGS: All meetings of the Commission shall be open to the public and

shall follow the requirements of the Idaho Open Meeting law.

2-11-10: MINUTES: The Commission shall keep minutes of its proceedings, including the vote of each voting member on every presented issue. The meeting minutes and other records of the Commission shall be open to the public.

2-11-11: NO COMPENSATION: Commission members shall receive no compensation for their service on the Commission; however, expenses for equipment and supplies necessary for the Commission to conduct its business shall be allowed by the Council.

2-11-12: INDEBTEDNESS: Nothing herein shall convey or otherwise delegate authority to the Commission to incur any obligation or indebtedness of the City, without the express authorization of the Council.

**SECTION 12**: Title 2, Chapter 12 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately amended as follows:

2-12-1: ESTABLISHMENT: The Development Impact Fee Advisory Committee ("Committee") is hereby established. The Mayor, with the consent of the Council, shall appoint five (5) voting members to the Committee. The Committee shall include not less than two (2) members who are active in the business of development, building, or real estate. All members shall be residents of the City. No members shall be employees or officials of any governmental entity. Members shall be selected without regard to political affiliation, race, color, national origin, gender, family status, sex, handicap, sexual orientation, gender identity/expression or religion. Committee members shall serve without compensation. The Mayor may appoint, with the consent of the Council, additional persons with interest, expertise, and experience to be non-voting ex-officio members of the Committee.

2-12-2: PURPOSE: The purpose of the Committee is to advise and assist the Director of the Public Works Department, the Mayor, and the Council in matters related to the City's proposed and adopted development impact fees, in compliance with Idaho Code provisions related thereto.

2-12-3: DUTIES: The Committee shall have the following powers, duties, and responsibilities:

A. Assist the governmental entity in adopting land use assumptions; and

B. Review the capital improvements plan, and proposed amendments, and file written comments; and

C. Monitor and evaluate implementation of the capital improvements plan; and

D. File periodic reports, at least annually, with respect to the capital improvements plan and report to the governmental entity any perceived inequities in implementing the plan or imposing the development impact fees.

E. All other activities required by Idaho Code related to development impact fees.

2-12-4: ORGANIZATION: During the first meeting of each calendar year, the Commission shall elect, by majority, a person to act as Chair and Vice-Chair from its membership. The Chair and Vice-Chair shall serve until replaced or re-elected. The Chair shall preside at all meetings. If the Chair is absent or unable to act at any meeting, the Vice-Chair shall preside.

2-12-5: TERMS: Each Committee member shall be appointed to serve a term of three (3) years, except that the terms of the initial Board members may be less than three years as necessary to provide for staggered terms of office. Terms of no more than three (3) members shall expire in any calendar year. Committee members may be reappointed.

2-12-6: REMOVAL: A voting Committee member may be removed from the Committee by the Mayor and at the Chair's request, following either two (2) consecutive meeting absences unexcused by the Chair, or two (2) meeting absences in any calendar year, or at any time by the majority vote of the Council.

2-12-7: VACANCY: The Mayor, with the consent of the Council, shall appoint a qualified member to fill any unexpired term of a Committee member in the event of a vacancy.

2-12-8: ATTENDANCE: A majority of voting Committee members shall constitute a quorum for purposes of conducting the business of the Committee. Non-voting members present at meetings shall not be considered in determining the number required for a quorum or whether a quorum is present.

2-12-9: OPEN MEETINGS: The Committee shall meet as often as deemed necessary by the Director of the Public Works Department. All meetings of the Committee shall be open to the public and shall follow the requirements of the Idaho Open Meetings Law. The Director of the Public Works Department shall keep minutes and other appropriate records pursuant to the Idaho Code.

2-12-10: MINUTES: The Committee shall keep minutes of its proceedings, including the vote of each member on every presented issue. The meeting minutes and other records of the Committee shall be open to the public. The Committee shall provide an annual report, as approved by the Director of the Public Works Department, to the Council with respect to City capital improvement plans related to impact fees and any perceived inequities in implementing the plan or imposing development impact fees.

2-12-11: NO COMPENSATION: Commission members shall receive no compensation for their service on the Commission; however, expenses for equipment and supplies necessary for the Commission to conduct its business shall be allowed by the Council.

2-12-12: INDEBTEDNESS: Nothing herein shall convey or otherwise delegate authority to the Commission to incur any obligation or indebtedness of the City, without the express authorization of the Council.

**SECTION 13**: Title 2, Chapters 13, 14, and 15 of the City Code of the City of Idaho Falls, Idaho, are hereby rescinded in their entirety.

**SECTION 14.** Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

**SECTION 15.** Codification Clause. The City Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

**SECTION 16.** Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

**SECTION 17.** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of _____, 2021.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

KATHY HAMPTON, CITY CLERK

REBECCA L. NOAH CASPER, Ph.D., MAYOR

(SEAL)

STATE OF IDAHO	

County of Bonneville

**ORDINANCE – TITLE 2 REVISION 9.27.21** 

) ss:

# I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 2 TO GENERALLY STANDARDIZE CITY COMMISSIONS, COMMITTEES, AND BOARDS IN CHAPTERS 1 THROUGH 12; THE DISCONTINUING OF THE YOUTH ADVISORY COUNCILL, TRAFFIC SAFETY COMMITTEE, CITY SAFETY COMMITTEE, BEAUTIFICATION COMMISSION, AND ELIMINATING UNNECESSARY CHAPTERS; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

### KATHY HAMPTON, CITY CLERK

(SEAL)