

Welcome to tonight's City Council meeting!

The elected officials of the City of Bonners Ferry are appreciative of an involved constituency. Testimony from the public is encouraged concerning issues when addressed under the Public Hearing portion of the agenda. Any individual who wishes may address the council on any issue, whether on the agenda or not, during the Public Comments period. Normal business will preclude public participation during the business portion of the meeting with the discretion left to the Mayor and Council. Special accommodations to see, hear, or participate in the public meeting should be made at City Hall within two days of the public meeting.

Vision Statement

Bonners Ferry, "The Friendliest City", strives to achieve balanced growth, builds on community strengths, respects natural resources, promotes excellence in Government, and values quality of life. We are a city that welcomes all people.

AGENDA CITY COUNCIL MEETING Bonners Ferry City Hall 7232 Main Street 267-3105 December 1, 2020 6:00 pm

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Each speaker will be allowed a maximum of three minutes, unless repeat testimony is requested by the Mayor/Council

REPORTS

Police/Fire/City Administrator/City Engineer/Economic Development Coordinator/Urban Renewal District/SPOT/Golf

CONSENT AGENDA – {action item}

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Approval of the November 17, 2020 Council meeting minutes

OLD BUSINESS

NEW BUSINESS

4. **City** – Consider the revised Drug and Alcohol Testing Policy (attachment) {action item}
5. **City** – Consider the revised Personnel Policy regarding On-Call/Standby duty (attachment) {action item}
6. **City** – Consider the revised Reserve Levels Policy (attachment) {action item}
7. **City** – Consider authorizing the Mayor to sign the Memorandum of Understanding with the Boundary County Sheriff regarding cleaning of the Moyie Dam trash racks (attachment) {action item}
8. **City** – Consider authorizing the Mayor to sign the 2021 beverage licenses pending receipt of payment and proper documentation (attachment) {action item}
9. **City** – Discuss the cleaning position for the Visitors Center and City Hall (attachment) {action item}
10. **Executive Session** – Executive session pursuant to Idaho Code 74-206, subsection 1 (a) to consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;

ADJOURNMENT

INFORMATION

11. Draft agreement with the Federal Highway Administration to move Electric infrastructure on Riverside Road (attachment)

**MINUTES
CITY COUNCIL MEETING
Bonners Ferry City Hall
7232 Main Street
267-3105
November 17, 2020
6:00 pm**

Mayor Dick Staples called the Council meeting of November 17, 2020 to order at 6:00 pm. Present for the meeting were: Council Members Rick Alonzo, Adam Arthur, Valerie Thompson and Ron Smith. Also present were: City Clerk/Treasurer Christine McNair, City Administrator Lisa Ailport, City Attorney Andrakay Pluid, City Engineer Mike Klaus and Economic Development Coordinator Dennis Weed. Members of the public present were: Marciavee Cossette, Jerry Higgs, David Clark, Denise Crichton, Fay Almond and Eric Lederhos.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Carolyn Testa said the Turkey Trot will be Thursday, November 26, 2020. This event helps the local food bank.

REPORTS

City Engineer Mike Klaus said the well house is still waiting on the permit for the waterline crossing with Burlington Northern Santa Fe Railroad (BNSF). BNSF added an additional step in the permitting process. This step was not advertised that it would be required and the cost is unknown. BNSF requires a third-party contractor to be a construction observer. Mike said there will not be an equipment in the right-of-way to complete this project. Mike is not sure if the project will be completed this year, due to this delay. The third-party company has three business days to provide an invoice to the City and work can start within 15 days of the company receiving the payment. The total length of the project will be approximately 2 hours, to have all of the pipe pulled through. Mike feels that the City was more than diplomatic when BNSF has a diesel spill next to our river intake and does not feel BNSF is being very diplomatic during this process. Mayor Staples asked if we will have additional fees from our contractor. Mike said that is a possibility, due to additional mobilization fees. Mike said he is looking at projects for next year in the Sewer Department. Mike is also working on a updating the cash reserve policy.

Economic Development Coordinator Dennis Weed said the Urban Renewal Agency will make a payment to the developer of the Grocery Outlet property, since the problem with the sewer line has been corrected.

CONSENT AGENDA – {action item}

1. Call to Order/Roll Call
2. Approval of Bills and Payroll
3. Approval of the October 27, 2020 Special Council meeting minutes, November 3, 2020 Council meeting minutes
4. Treasurer's Report

Valerie Thompson moved to approve the consent agenda. Adam Arthur seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

OLD BUSINESS

NEW BUSINESS

5. **City** – Review the draft brand designs – Daniel Seward will join via Zoom (attachment)

Lisa said three different options have been provided for discussion. Dan Seward said this is just the first step in the process and he is open to any ideas. Lisa said she likes the flag being a contrasting color. Valerie wants to see the elk coming from the other direction and making sure the elk is looking towards the City. Lisa likes the font style for number three. Ron said he likes number three. Daniel is not sure of the color scheme. Rick said he likes the circular design not the rectangular design and he wants the ferry, from the current logo, on the shore on the North side of the river, since that is the reason for our City's name. Lisa said we will get a rectangular design and a circular design. Daniel said he will add the ferry. Daniel cautioned adding too much detail, since it becomes blurry when it's small.

6. **City** – Consider authorizing the Mayor to sign the Public Right-of-Way Dedication Deed from the Boundary County School District (attachment) {action item}

Lisa said the first legal description contained an error and this is a corrected deed. Ron asked if that is the area between the gates and will there be a lane in each direction. Lisa said yes. Valerie Thompson moved to accept the 15-foot dedication and authorize the Mayor to sign the public right-of-way dedication deed for the purpose of extending Garden Lane to Fry Street. Adam Arthur seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

7. **City** – Consider the draft fee table

Lisa said these are the amendments asked of staff. Lisa is asking for any recommendation to the draft fee table. Valerie asked about the electric vehicle charging station. Lisa said since this is new to the City, we will track it and make recommendations as needed. Rick said we should use the recommendations from Charge Point. Lisa said the Fire Department fees are currently in the fee table and she wants to know if the fees should remain. Adam feels the fees should stay in the fee table and remain the same.

8. **City** – Consider authorizing the purchase of secondary network attached storage (attachment) {action item}

Lisa said the IT manager has been working on our storage needs for the network and this will provide redundancy for the network. Adam asked if a full IT plan has been completed. Lisa said the plan is still being worked on. Rick Alonzo moved to authorize the purchase of secondary network attached storage not to exceed \$5,000. Adam Arthur seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

9. **City** – Consider authorizing the Mayor to sign the contract with Tyler Technologies for new software (attachment) {action item}

Christine said four responses were received during the RFP process. Two companies presented demonstrations and the committee decided on Tyler Technologies. Brian Errett's input regarding how the companies will mesh with our system was a big influence. Several modules were removed, but can be purchased in the future, if necessary. This software will provide more online availability for customers and employees. Valerie asked if their customer service is what we need. Christine said yes. Mayor Staples asked about CARES funds and if we will still be able to pay for this over two fiscal years. Christine said that is possible. Rick said this is something we have to have. Ron Smith moved to authorize the Mayor to sign the contract with Tyler Technologies for new software in the amount of \$106,250 for initial start-up and an annual rate of \$36,851. Rick Alonzo seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

10. **Police** – Consider advertising for a patrol officer {action item}

Rick Alonzo moved to allow the Police Department to advertise for a patrol officer for a potential vacancy. Ron Smith seconded the motion. Adam wants to take this to executive session to discuss personnel issues. Valerie asked if there needs to be a vote due to the motion. Rick said there can still be a vote. The motion passed. Adam Arthur – no, Valerie Thompson – no, Rick Alonzo – yes, Ron Smith – yes, Mayor Staples – yes

11. **Water/Sewer** – Consider adjusting the pay range for the Water/Sewer position (attachment) {action item}

Lisa said this position has been advertised for three weeks and two applications were received. Lisa wants to re-advertise this position as possibly an entry level position. Lisa spoke with the City of Sandpoint. Rick said we need to be competitive. Valerie said the cost of living in Sandpoint is higher. Lisa said Sandpoint only requires the employee work for one department, not both the Water and Sewer like we do. Adam asked if we need to consider having two separate departments. Lisa said it may be a future consideration. Mike said the range allows for flexibility. Lisa said this is just a hiring range. Mayor Staples asked if Lisa wants to advertise this as an entry level position. Lisa said it can be opened to all levels. Valerie Thompson moved to adjust the pay range for the Water and Sewer position according to the table as shown. Rick Alonzo seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

12. **City** – Consider authorizing the Mayor to sign the contract with Inland Forest Management for the forest management plan update (attachment) {action item}

Mike said IFM provided a forest management plan in the past. Since we have several areas of land that has been logged, it is a good idea to have an update. Rick Alonzo moved to authorize the Mayor to sign the contract with Inland Forest Management for the forest management plan update. Valerie Thompson seconded the motion. The motion passed. Adam Arthur – yes, Valerie Thompson – yes, Rick Alonzo – yes, Ron Smith – yes

ADJOURNMENT

The meeting adjourned at 7:17 pm.

CITY OF BONNERS FERRY
DRUG AND ALCOHOL TESTING POLICY

POLICY STATEMENT

In recognition of the harmful effects that the use of illegal drugs and the misuse of alcohol or ~~prescription drugs used incorrectly~~ can have on employees in the workplace, the City of Bonners Ferry has a responsibility to its employees, and the public at large, to see that its employees are both drug and alcohol free while on duty. This responsibility comes in light of recent studies showing that employees who are under the influence of drugs or alcohol while on duty are more likely to cause accidents and injuries, both to themselves and co-workers, as well as the public at large. Therefore, the City of Bonners Ferry is ~~implementing reviewing and reaffirming~~ this Drug and Alcohol Testing Policy that includes within its provisions those regulations relating to ~~random periodic~~ the testing of all employees in a "safety-sensitive" position as hereinafter defined ~~and to require drug testing of any employee when circumstances, as enumerated herein, may warrant.~~

Implementation Schedule

This policy ~~will become~~ became effective April 1, 1996 and ~~will continues~~ to apply to all prospective and current employees of this City.

Questions Regarding This Policy

The City hereby designates the City Clerk as the person responsible for answering employees' questions relating to the provisions of this policy.

Safety Sensitive Employees Defined

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For the purpose of this policy, a "safety-sensitive" position is one in which:

- A. The duties involve a greater-than-normal level of trust for, responsibility for, or impact on the health and safety of the employee or others; and,
- B. Errors in judgment, inattentiveness or diminished coordination, dexterity, or composure while performing the duties could result in mistakes that would endanger the health and safety of the employee or others; and,
- C. Employees in these positions work with such independence that it cannot be safely assumed that mistakes such as those described in subsection (B) could be prevented by a supervisor or another employee.

Employees' Use of Alcohol

The City is committed to ensuring that all employees are not at work while under the influence of alcohol. Therefore, employees of this City are not to consume alcohol within four (4) hours of reporting to work. Employees are not to report to work or remain at work while having an alcohol concentration of .02 or greater. Employees are prohibited from using or possessing alcohol while they are on duty.

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Possession, Use, Distribution of Illegal Drugs or Alcohol

The possession, use, purchase, or distribution of illegal drugs as defined or amended in Idaho Code (or drug paraphernalia) by an employee in a City vehicle, at a job site, on City property, or during work hours without City approval, is strictly prohibited. Any employee violating this prohibition will be immediately terminated from employment with the City.

This City has an absolute prohibition against an employee's use of illegal drugs both on and off the worksite. An employee's off the job duty illegal use, manufacture, purchase, possession, or distribution of illegal drugs or drug paraphernalia, that results in criminal charges being brought against the employee, will result in the employee being requested to submit to drug testing and may result in the employee being suspended from work without pay. Any employee who is convicted of a criminal drug statute will be terminated from employment with the City.

Self-Referral

All employees of the City who consider themselves drug or alcohol dependent and who voluntarily identify themselves as such will be encouraged to get an evaluation by a State certified or recognized substance abuse counselor and seek treatment, if this is the counselor's recommendation. The City will provide informational assistance in locating professional substance abuse counseling to any employee who requests it.

Employees who undergo drug or alcohol rehabilitation will be expected to do so at their own expense (other than those expenses covered by the City insurance program), on their own time, or during a non-paid leave of absence, approved by the City. Arrangements may be made to allow an employee to use ~~vacation or sick leave~~ PTO during any such leave of absence.

Employees, who demonstrate successful progress, or completion of a recommended course of treatment, may return to work after taking and passing a drug and/or alcohol test with the recommendation of a State certified or recognized substance abuse counselor. Any such employee returning to work after treatment will be expected to comply with all aspects of this drug/alcohol testing policy. A request for rehabilitation may not be made in order to avoid the consequence of a positive drug result or to avoid taking a drug test when requested to do so under the terms of this policy.

TYPE OF DRUG AND ALCOHOL TESTING

Pre-Employment Testing

All prospective employees will take, and pass, a drug test as part of the application process. Furthermore, all prospective CDL operators must disclose to the City all previous employers for whom they have worked as an operator within the past two (2) years. The City will then request from those employers all information regarding any incidents where the prospective operator has tested positive for illegal drugs or alcohol, or

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refused to test within the last two (2) years. In the event that the City receives information from a past employer that the prospective operator has tested positive for drugs or alcohol within the last year, that prospective operator will not be offered employment, or his/her conditional employment will be terminated with the City. Operators must sign a consent form authorizing the City to conduct a check with each employer the operator has been employed with during the past two (2) years as an operator to determine if the operator has tested positive for illegal drugs or alcohol.

Any operator that is found to have previously tested positive for illegal drugs or alcohol and who is hired by the City must show that they have been evaluated by a substance abuse professional and were found to be non drug or alcohol dependent. The City will ensure that any follow-up tests of such operators are conducted as required by DOT regulations.

Baseline Testing

~~In initiating the provisions of this policy, the district will require safety sensitive employees to submit to testing for the presence of illegal drugs as soon after the effective date of this policy as is deemed necessary.~~

Random Testing

Safety sensitive employees will be subject to random drug and alcohol testing. Random selections will be made by a scientifically valid method that will result in each employee having an equal chance of being tested each time selections are made. Random testing for alcohol will take place during employee duty time.

Post-Accident

~~Safety sensitive employees~~ Any Employees involved in a work-related accident will be tested for use of illegal drugs and alcohol as soon as possible after the accident, but no later than two (2) hours in the case of alcohol, and no later than thirty two (32) hours in the case of illegal drugs. Examples of an accident that will require an employee to take a drug and alcohol test include, but are not limited to, accidents resulting in:

1. The death of a person;
2. Injury to another person requiring medical treatment; away from the accident;
3. An injury to the employee that may result in that employee filing a worker's compensation claim and whose lost time will likely exceed one working day; or;
4. Damage to property owned by the City, or third party, that may reasonably be estimated to exceed \$750.00.; or
- 4.5. Any accident which occurs while the employee is operating a City owned vehicle or equipment, regardless of damages or injuries.

III.B

DRUG AND ALCOHOL TESTING POLICY

Safety-sensitive employees seriously injured and who cannot provide a specimen to testing will be required to authorize the release of relevant hospital reports, or other documentation, that would indicate whether there were drugs or alcohol in his/her system at the time of the accident. Any employee required to be tested under this section must remain readily available for such testing and such an employee may not consume alcohol within eight (8) hours of the accident.

Any employee who is involved in a work-related accident requiring medical attention is to inform his/her supervisor of the accident as soon as possible so that any needed drug or alcohol test may be promptly conducted in conjunction with the medical treatment.

Reasonable Cause

The City will require an employee to be tested for the use of alcohol, illegal drugs, or the use of prescription medication if an employee's physical appearance or pattern of behavior give City officials or the employee's supervisor acting in consultation with City officials, reason to believe the employee is impaired because of substance abuse which would endanger his/her well being, as well as the safety of fellow employees or the general public. The basis of suspicion indicating drug or alcohol abuse may be a specific, contemporaneous event, or conduct evidencing impairment observed over a period of time. The supervisor or official shall clearly document the basis of the suspicion. An employee who refuses to submit to testing will be terminated.

SPECIMEN COLLECTION PROCEDURES AND TEST RESULT NOTIFICATION

Adulteration or Submission of a Concealed Specimen

If, during the collection procedure, the collection monitor detects an effort by an employee to adulterate or substitute a specimen, a second specimen will be requested. If a second specimen is provided, that specimen will be tested. If the request for a second specimen is refused, altered, or substituted, the collection monitor will inform the city contact of the employee's refusal to submit a true specimen. Such conduct by the employee will be considered as a refusal to test.

In the event that a prospective or current employee submits a specimen that the laboratory later identifies as a diluted specimen, the City will advise the employee of that result and request that the employee submit a second specimen. The donor will be advised by the City not to drink any fluids prior to the test.

Drug/Alcohol Specimen Collection Procedures

All testing for illegal drugs will be done by the testing of an employee's urine specimen. All such testing will utilize the split specimen collection procedure. Under that procedure, each employee will have his/her urine specimen sealed in two separate containers and both sent to SAMHSA certified laboratory for testing. If employee's first specimen tests positive, that employee may request, within three (3) days of the positive notification, that the other specimen be tested at another SAMHSA laboratory. This

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second test will be done at the employee's expense unless the second test comes back negative. During the time the second specimen is being tested, that employee may be suspended without pay. Any employee who has a test come back negative will be given back pay for the time of the suspension.

All specimen collections will be conducted by personnel that have been instructed and trained in collection procedures. Any specimen that screens positive for the presence of illegal drugs will be confirmed by the Gas Chromatography/Mass Spectrometry (GC/MS) confirmation method.

All testing for alcohol will be by approved DOT procedures with qualified technicians.

Notification of Test Results

All drug test results will be forwarded to the City through Minert & Associates, Inc., as the representative of the Medical Review Officer (MRO). Prior to the City being informed that a prospective or current employee has tested positive for illegal drugs, the employee will be offered an opportunity to personally discuss the positive drug test with the MRO or his representative. The MRO will follow up on such information as is deemed appropriate.

Any employee who is taking a prescription drug that may have been the cause of a positive test result will be asked to provide the name of the medication and the identity of the prescribing physician for verification. If this is verified, the employee's test result will be reported as negative. If, after consideration of the matter, the MRO finds no reason to doubt the validity of the positive test, that result will be conveyed to the City contact.

Refusal

An employee may not refuse to take a drug/alcohol test when requested to do so, consistent with the terms of this policy. Such a refusal will be considered equivalent to testing positive for illegal drugs or alcohol. An employee will be considered as refusing to test if he/she expressly refuses to take a test, or otherwise fails to provide an adequate breath or urine sample without a valid medical explanation. Additionally, an employee will be considered as refusing to test if he/she engages in conduct that clearly obstructs the testing process, including willfully failing to meet post-accident testing requirements.

Effect of Testing Positive for Drugs or Alcohol

Any prospective employee who tests positive for illegal drugs will not be offered employment. Any current employee that tests positive for illegal drugs or alcohol will be terminated from further employment with the City.

For purposes of this policy, an employee tests positive for alcohol when that employee's blood alcohol concentration (BAC) is .04 or above. Any employee that twice tests between .02 and .039 in a year's time will be treated as the equivalent of testing positive for alcohol.

III.B

DRUG AND ALCOHOL TESTING POLICY

CITY OF BONNERS FERRY
DOT DRUG TESTING PROGRAM
Controlled Substance Testing Consent Form
(~~Current Employees~~)

As a condition of my ~~continued~~ employment with the City of Bonners Ferry, I consent to take a drug and/or alcohol test as required by the terms of the City's Substance Abuse Policy.

I understand that if I test positive for illegal drugs or alcohol I will be terminated from further employment with the City.

I further agree that in the event that I am involved in an on-the-job accident (as defined by the terms of the City's Substance Abuse Policy) I authorize the release of relevant hospital reports, or other documentation, that would indicate whether there were any illegal drugs or alcohol in my system at the time of the accident.

I consent to the release of my drug and alcohol test results received by Minert & Associates, Inc. as the representative of the Medical Review Officer, to management officials at the City of Bonners Ferry, and understand that those results will be held in confidence by them.

I have received, read, and understand the terms of the City of Bonners Ferry's Drug and Alcohol Testing Policy and agree to abide by those terms.

Employee's Name (print)

Employee's Signature

Date



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

TO: Mayor and City Council

FROM: Lisa Ailport, City Administrator

DATE: November 24, 2020

RE: **Personnel Policy Amendment- Call Out & Standby Time**

The following policy amendment is presented to Council for consideration as it relates to both Standby/On-Call time and Call Out time.

After reviewing the policy, it appears that inequities exist in how the standby time is offered to each Department. The current language of the policy specifically addresses when weekend standby time is available to employees, (starting on Saturday at 7:00 am and ending Monday at 7:00 pm). That means that if an employee is required to work the weekend because it is part of their regularly schedule week, then under the current language the only time available for standby time would be nighttime work. If an employees' scheduled "weekend" is during the business week of Monday-Friday, and they are scheduled to be "On-Call" for any one of those days, then they should be afforded the same rights as an employee who's weekend does not fall on a weekday.

The draft language of the policy attempts to correct for this by removing the weekend on-call time frame and providing for any employee who is schedule to be on-call for a full day to be compensated at a rate of two (2) hours.

The policy also provides for definitions of words, where previously they were not.

Fiscal Impact Statement:

With the proposed amendment, certain departments will see an increase to their overall budgets because those employees were only eligible (1) hour of standby time will now be eligible for two (2) hours per day. Superintendents should continue to work with the Clerk and watch their overall budgets with respect to call out and standby time.

Please let me know if you have any questions.

Existing Language

6. Call Outs:

Will be compensated at a minimum of two (2) hours worked. A "Call-out" is defined as the event when an employee is called in for unanticipated work outside of their scheduled work hours.

The two hour minimum does not apply to time worked adjacent to the scheduled shift, issues that can be addressed remotely, or work scheduled outside of the normal work hours. Such work shall be compensated as actual time worked.

7. On-Call/Standby duty:

a. Weekend duty is from 7:00 a.m. on Saturday morning through 7:00 a.m. Monday morning and includes holidays. Weekend standby duty is compensated at a rate equivalent to two hours at overtime rate for each full day of standby duty. This is compensation for standby and not for hours worked. Weekend standby duty compensation does not apply when an employee's normal work schedule encompasses the weekend, which will be compensated at the employee's regular rate of pay.

b. Night duty is the time after normal working hours of one day and before the normal working hours of the next day. Night standby duty is compensated at a rate equivalent to one hour at overtime rate for each night of standby duty. This is compensation for standby and not for hours worked.

Proposed Language

6. On-Call/Standby duty:

- a. **Definition:** Time which an employee is not required to be at work, but who is available should the City schedule, call or otherwise desire the employee to attend to work matters. An employee who is on-call is not working but is available in case they need to be called upon. Employees who are schedule for on-call work are expected to be available at any time during their scheduled availability to carry out their full working duties.
- b. **Compensation:** An employee shall be paid for standby time at a rate of two (2) hours of overtime for each full day of standby duty. This is compensation for standby and does not include hours worked. Employees shall be compensated for any hours worked in addition to the on-call or standby duty.
- c. **Scheduling:** An Employee may be schedule for On-Call or Standby time during their normal scheduled weekend or weekday off, or when scheduled to work on observed holidays.

7. Nighttime On-Call / Standby duty:

- a. **Definition:** The time an employee is scheduled to be available should the city call, schedule or otherwise require the employee to be available for work after normal working hours of one day and before the normal working hours of the next day.
- d. **Compensation:** Nighttime On Call duty is compensated at a rate equivalent of one (1) hour of overtime rate for each night of duty. This is compensation for standby and does not include hours worked. Employees shall be compensated for any hours worked in addition to the nighttime on-call or standby duty.
- e. **Scheduling:** An Employee may be schedule for On-Call or Standby time during their normal scheduled weekend or weekday off, or when scheduled to work on observed holidays.

8. Call Outs

- a. **Definition:** An event when an employee is called-in for unanticipated work outside of their normal scheduled work hours. Call Outs may coincide with On-Call or Standby Duty time.
- b. **Compensation:** Employees, shall be compensated a minimum of two (2) hours worked for any call-outs, as defined. Call-Out time is typically scheduled or authorized by the Superintendent or Department Head. Call Out pay does not apply in the following situations:
 - i. Time worked adjacent to a scheduled shift,
 - ii. Issues that can be addressed remotely, or
 - iii. Worked not scheduled in conjunction with On-Call or Standby time, such time shall be treated as normal or overtime hours and be paid in accordance with the FLSA.



MEMO

CITY OF BONNERS FERRY
CITY ENGINEER

Date: November 25, 2020
To: City Council
From: Mike Klaus, City Engineer
Subject: Reserve Policy

I have included a proposed policy regarding reserves that is intended to replace City Policy V.E, titled "Contingency Levels", with new policy titled "Reserve Policy". The existing policy and the proposed policy have been included with this memo for reference.

The intention of the new policy is to utilize a methodology for setting reserves for each department that matches more closely with our electric department reserve amount that was developed by FCS in 2019. I believe it is a good idea to eliminate specific amounts shown in the policy, since those numbers will change yearly. Instead, I propose that staff should calculate the reserve amount each year for each department, as needed, based on the actual operating, capital, and bond reserve needs.

I look forward to discussing this with you at the Council meeting. Please call me or email with any questions you may have for me.

Thank you,

Mike

A. GENERAL

It is the goal of the City of Bonners Ferry to maintain adequate levels of assets in reserve for the below purposes. These levels are reflective of the risk for general government and each enterprise fund. The amounts listed are for reference during the budgeting process and will vary year to year. For departments with below the recommended levels it is expected that it will take a number of years to reach the target levels.

Following are the categories used to determine a desired reserve level for each department. They are derived from the attached spread sheet and rounded to the nearest \$50,000.

1. Cash flow for payroll and other normal expenses. This is set at 25% of the annual operating budget, which is 90 days of cash flow.
2. Mechanical failures that may occur during the year. Amount set at the value of the most expensive single mechanical device.
3. Storms, flooding, and acts of God. This the replacement/repair cost of the infrastructure identified that could be damaged by storm or earthquake.
4. Bond Reserves. For enterprise departments that have a bond this amount is generally required by the lending agency or bond agreement. This amount varies over the life of the bond and is set at the highest required amount.
5. Rate Stabilization. This amount is designed to allow stable rates from year to year based on the variability of revenues. This is particularly relevant due to the City's hydroelectric projects variability in generation.
6. Capital Investment Fund. This amount is designed to capture one year of average revenue financed capital improvements.

Below are the budget target levels for each fund and depending on events in each fund they may or may not be met in any given year.

General Government	\$750,000
Electric Department	\$4,200,000
Water Department	\$1,400,000
Sewer Department	\$1,000,000
Garbage	\$30,000

Note 1: One additional factor for General Government contingency is for above normal labor expenses for the fire department and street department during bad fire or snow years. ,

A. GENERAL

It is the goal of the City of Bonners Ferry to maintain adequate reserve levels for its enterprise funds and the general fund. The reserve components listed below are intended to be used as a guideline for City Council and staff in determining the cumulative reserve needed for each department or fund:

1. **Operating Reserve:** An operating reserve is intended to provide a cash cushion that protects the department or fund from the risk of short-term variation in the timing of revenue collection or repayment of expenses and can help smooth rate increases over time. It is the goal of the City to maintain an operating reserve equivalent to 90 days of operating and maintenance (O&M) expenses.
2. **Capital Reserve:** A capital reserve is an amount of cash set aside in case of an emergency should a piece of equipment, or a portion of the City's infrastructure fail unexpectedly. This reserve component should be reviewed annually as the capital reserve number may change based on the age of a department's assets.
3. **Bond Reserve:** A bond reserve is intended to meet the requirements of a lending agency or bond agreement. Typically, a borrower is required to maintain a restricted reserve amount equal to a one-year bond payment, including principal and interest. It is the goal of the City to maintain a bond reserve amount equal to the largest yearly bond payment(s) within the term of the bond. If a department or fund has more than one bond, it should maintain a cumulative amount in restricted reserve equal to the largest sum of the bond payments.

It is the goal of the City to maintain, at a minimum, a department or fund reserve equal to the sum of the Operating, Capital, and Bond categories described above. The City Council may also elect to include amounts in the reserve such as:

- A. **Capital Improvement Program (CIP) Reserve:** This amount is designed to capture one year of average revenue financed capital improvements. Typically, a CIP is based on an infrastructure study that outlines improvements for 5-20 periods, making it possible to include an annual amount in the reserve total if desired.
- B. **Other Reserve Components:** The Council may opt to include other reserve features when deemed necessary to accommodate events that vary from year to year, such as snow removal, fire expenses, etc.

**MEMORANDUM OF UNDERSTANDING BETWEEN
BOUNDARY COUNTY SHERIFF AND
THE CITY OF BONNERS FERRY**

This Memorandum of Understanding (hereinafter "MOU") is made and entered into by and between the City of Bonners Ferry and the Boundary County Sheriff effective September 1, 2020.

SECTION 1. PURPOSE OF MOU

The MOU formalizes the relationship between the participating entities in order to ensure that the City's Hydroelectric Facility (hereinafter Moyie Dam) receives regular inspection and maintenance of its "trash racks" by means of the Dive Team, a division of the Boundary County Sheriff's Office, is compensated for this valuable service.

SECTION 2. TERM

The term of this MOU shall begin on September 1, 2020 and shall continue on an as needed basis until terminated by either party.

SECTION 3. SERVICES

The services provided by this MOU shall include the Sheriff's Dive Team performing inspection and as needed cleaning of the "trash racks" at the Moyie Dam. This service shall be performed on a yearly basis unless otherwise requested by the City. The services shall be performed at the request of the City Engineer in consult with the Hydroelectric Facility staff.

SECTION 4. COMPENSATION

Compensation per occurrence will be Four Hundred Dollars (\$400.00). This is to offset the cost of the gear, training, and compensating divers as necessary. The Sheriff's Office will submit an invoice to the City following each occurrence.

SECTION 5. TERMINATION

This Agreement may be terminated by either party, with or without cause, upon thirty (30) day written notice to the other party.

SECTION 6. HOLD HARMLESS

Each party agrees to hold harmless, defend, and indemnify each other including its officers, agents, and employees against all claims, demands, actions and suits (including all attorney fees and cost) arising from the indemnitors performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of that party.

The Boundary County Sheriff and the City of Bonners Ferry mutually covenant and agree that neither party will insure the actions of the other, and each party will assume its own responsibility in connection with any claims made by a third party against the City of Bonners Ferry and/or the Boundary County Sheriff subject to the provisions of this section.

SECTION 7. NOTICE

Any notice, consent or other communication in connection with this Agreement shall be in writing and may be delivered in person, by mail or by email. If hand delivered, the notice shall be effective upon delivery. If by email, the notice shall be effective when sent. If served by mail, the notice shall be effective three (3) business days after being deposited in the United States Postal Service by certified mail, return receipt requested, addressed appropriately to the intended recipient as follows:

Boundary County Sheriff
6438 Kootenai Street
PO Box 127
Bonners Ferry, ID 83805

City of Bonners Ferry
7232 Main Street
PO Box 149
Bonners Ferry, ID 83805

This has been agreed to in cooperation with the City of Bonners Ferry and the Boundary County Sheriff. As agreed to and in partnership with:

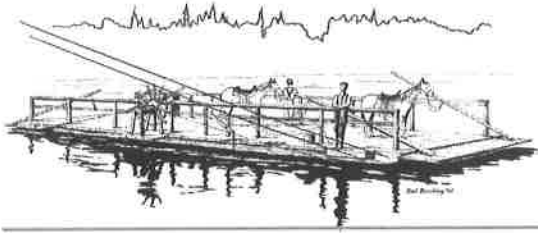
BOUNDARY COUNTY SHERIFF:

Date: _____

CITY OF BONNERS FERRY:

Date: _____

James R. Staples, Mayor



CITY OF BONNERS FERRY

7232 Main Street
P.O. Box 149
Bonners Ferry, Idaho 83805
Phone: 208-267-3105 Fax: 208-267-4375

Memo

To: Mayor and City Council
From: Christine McNair, Clerk/Treasurer
Date: 11/24/2020
Re: 2021 Beverage Licenses

The following is a list of the 2021 beverage licenses for the City of Bonners Ferry:

Sam's Stop & Shop #14
Bonners Ferry Pizza Factory
Eagle Aerie #3522
Bonners Ferry Conoco
Heartrock Wines/Crosstime Saloon
South Hill Qwik Stop
Jack's Club
Kootenai River Brewing Co.
Kootenai River Inn
Lane 9
Mi Pueblo II
Mugsy's Tavern & Grill
Cenex Zip Trip #33
Rusty Moose Tavern & Grill/ Goat Mountain Pizza
Safeway #2954
Super 1 Foods
The Pearl Theater
Two Tones Café
Under the Sun
Badger's Den
Grocery Outlet
Bonners Ferry Pupuseria

EXHIBIT A City Hall Cleaning

BI-WEEKLY TASKS (two times per week):

1. Vacuum all carpet, entry areas, and mats
2. Sweep and damp mop all hard floors, including stairs
3. Clean all restrooms including but not limited to: toilets, sinks, mirrors, soap dispensers, and any area that needs addressing
4. Spot cleaning on walls, doors, and light switches where visible marks have appeared
5. Disinfect phone handsets and computer keyboards
6. Clean all glass entry way doors
7. Clean the kitchen, clean and wipe down microwave. Kitchen sinks shall be scrubbed with a whitening product
8. Clean and disinfect drinking fountain
9. All trash cans shall receive new and clean trash bags
10. Garbage and trash shall be taken to and placed in dumpster, with the exception of recyclables

WEEKLY TASKS: Dust all cabinets, tables, shelves, desks (not cluttered with personal items or paperwork) and any areas visible to the public

MONTHLY TASKS:

1. Dust all horizontal surfaces. This shall include, but is not limited to: window sills and ledges, baseboard heaters, chair rungs, and bases, and any surface within six feet of the floor
2. The light fixtures shall be cleaned and dusted, mainly on exposed top surfaces. All picture frames shall be dusted
3. Wipe out refrigerator

BI-ANNUAL TASKS (twice per year):

1. All carpets and mats shall be steam cleaned or shampooed, whichever option is mutually agreed upon by Contractor and City
2. Clean outside of windows on main floor of City Hall including council room and kitchen
3. Clean and dust bugs from light fixtures

CONFIDENTIALITY: The CONTRACTOR shall provide full personal information for any person cleaning in City Hall so a background check may be performed by City Police. If the background check discloses any information that may disqualify the person, a meeting shall be set to discuss the issue and possible disqualification.

NO information received, in ANY form, while performing duties shall be disseminated in any manner. If disclosed, it could result in possible criminal prosecution.

The CONTRACTOR will contact a designated city employee each week to review any problems or concerns. The Contractor will complete a "squawk" sheet when they find areas

of concern or needing repairs. The City shall provide toilet paper, paper towels, germicidal cleaning products, garbage and trash bags, and glass cleaner.

EXHIBIT B

Visitor's Center Cleaning

Restroom

1. Wipe down and sanitize all stalls and baby changing tables
2. Clean the wall tiles and clean the edges where the tile meets the floor especially in the corners
3. Sweep the vents with a broom to get the dust down
4. Sanitize the doors, door handles and the door frames
5. Remove cobwebs
6. Sanitize sinks, counters and clean area under the sink counters
7. Sanitize and restock toilet paper, paper towels and sanitary napkin holders
8. Replace fresheners in the urinals
9. Sanitize the soap dispensers removing residue where soap is put in the dispensers
10. If a toilet seat is loose please tighten the nuts underneath
11. Sweep and mop the floors
12. Empty garbage and replace liners
13. Clean the top of the light fixtures above the sinks

Visitor's Center Main Area

1. Sweep and mop the floors
2. Vacuum the entry mats
3. Sanitize the restroom
4. Empty garbage and replace liner
5. Dust the window sills and furniture
6. Remove cobwebs
7. Wash the windows and glass doors
8. Sanitize the door handles and elevator
9. Clean light diffuser in the elevator as needed

Visitor's Center Meeting Room

1. Spot clean stains on the carpet
2. Dust the light fixtures
3. Dust the picture frames, the picture rail and window sills
4. Clean the glass door
5. Empty the garbage and replace liners
6. Sanitize the door handles
7. Vacuum window frames

Stairs to Meeting Room

1. Wipe the stairs down with a rag getting the corners and edges clean
2. Spot clean the walls

3. Dust the window sills
4. Sanitize the hand rails
5. Vacuum window frames

Outside the Visitor's Center

1. Keep the covered area swept and free of debris
2. Remove debris from the rock areas
3. Wipe down the window sills near the picnic area and front door of the visitor's center
4. Clean the visitor's center door and windows
5. Remove snow and ice

Janitor Room

1. Dump and rinse the mop bucket daily
2. Straighten up the shelves and keep the room tidy



MEMO

CITY OF BONNERS FERRY
CITY ENGINEER

Date: November 25, 2020
To: City Council
From: Mike Klaus, City Engineer
Subject: Agreement with the Federal Highway Administration (FHWA) to move Electric Infrastructure on Riverside Road

The City has been working with Boundary County and the FHWA to relocate our electric infrastructure to help accommodate a Boundary County project to widen Riverside Road from City limits extending west to the game refuge. Initially it appeared that the City would need to move over 70 poles to facilitate the project.

In the past two weeks FHWA has helped the City to reduce the number of poles requiring relocation. It appears that the City will only need to move 30 poles to make way for the widening project, which will greatly reduce the cost of the relocation. Who bears the cost of the relocation is unknown at this point, and will likely be determined based on the legal interpretation of the easements that the City has for the electric infrastructure on Riverside Road.

Regardless of who is responsible for the electric relocation costs, the poles will need to be moved for the road project to move forward in April of 2021. Attached is a draft agreement from FHWA that will need to be modified once the easement question is answered. The Agreement contains some information that will likely change, like the cost allocation percentages shown on page 2.

In the past, I estimated that the electric relocation would cost the City approximately \$220,000. At the time of the estimate, no specifics were really known regarding where the poles would need to be moved to facilitate the project. Now that we know more specifics regarding which poles need to be moved, I can produce a more accurate cost estimate for the relocation.

The goal of this memo is provide the Council with an update with respect to where this project is going and what the agreement from FHWA looks like. It is my intention to come to Council soon with an estimate of what the relocation will cost. Please call me or email with any questions you may have for me.

Thank you,
Mike



UTILITY RELOCATION AGREEMENT
FHWA Project "ID BOUNDARY 5806(1) Riverside Road"
Boundary County, Idaho

Adjustment and/or Relocation of Facilities

THIS AGREEMENT, by and between the U.S. Department of Transportation, Federal Highway Administration, hereinafter called the "Government," the County of Boundary of the State of Idaho, hereinafter called the "County," and the City of Bonners Ferry, Idaho, hereinafter called the "City," is authorized by Title 23 CFR 645.

WHEREAS, the Government and County have planned the reconstruction of approximately 4.5 miles of Riverside Road, from the west edge of the City of Bonners Ferry (M.P. 4.22) to the refuge facilities at Kootenai National Wildlife Refuge (M.P. 8.75). The road reconstruction project, known as "ID BOUNDARY 5806(1) Riverside Road," includes, but is not limited to, construction of an all-season pavement structure, road widening, re-alignment in some areas, and raising grade and improving drainage structures. Construction of said project is scheduled to begin in April, 2021.

WHEREAS, due to the construction of said project, it is necessary to relocate or adjust certain overhead power facilities and poles owned by the City, in accordance with the Government's project plans and the City's relocation plans and design, by reference made a part of this agreement; and

WHEREAS, it is deemed to be in the best public interest that the required relocation or adjustment of said power facilities will be accomplished by the City as owner of these facilities, and will be performed under the terms of this agreement, and in accordance with and governed by the provisions of the Government's Code of Federal Regulations 23 CFR 645.

Performance of Work

NOW, THEREFORE, in consideration of the foregoing, IT IS MUTUALLY AGREED that:

The City will perform, or cause to be performed, the work herein described, furnishing all materials, labor, and equipment necessary and incidental to the relocation, adjustment, and protection of its facilities, in accordance with the City's relocation plans and design, by reference made a part of this agreement, and in accordance with the Government's project plans.

Preliminary Engineering work will be performed by the City.

Relocation of said facilities will be performed by the City BEFORE and DURING construction of said project.

Material, labor, and equipment to perform the work will be furnished by the City.

All relocation work will remain within County road rights of way.

Costs

The City's cost share shall be 50% of all relocation costs incurred.

The Government's cost share shall be 50% of all relocation costs incurred of which the County is responsible for 7.34% of the Government's cost share.

Scheduling and Coordination

The Government's Highway Contractor will coordinate and cooperate with the City, per the requirements of the Highway Contract. The City will schedule the performance of its relocation work to avoid unnecessary delay or hindrance to the progress of road reconstruction. The City will be available to meet with the Government's Project Engineer or Highway Contractor prior to commencement of road reconstruction to review potential utility conflicts and construction timelines, and to provide contact persons and emergency phone numbers. The City will be available to coordinate and cooperate with the Government's Highway Contractor throughout the entire road reconstruction schedule, or until determination is made that the City's facilities are no longer in conflict with said reconstruction.

Authorization to Proceed

The City is authorized to commence relocation work upon execution of this agreement, provided that all necessary approvals, permits, and environmental clearances have been obtained. The City will complete all relocation work of its facilities no later than July 30, 2021.

The City will give no less than 14 days advance notice to the Government and the County of the date relocation work will begin. The City will notify the Government and the County of the completion date of its relocation work, and will allow the Government and the County to inspect or review its relocation work.

The Government or its Highway Contractor will notify the City no less than 14 days of the notice to proceed for road reconstruction.

Permits

The City shall make application to appropriate authorities to obtain all necessary permits required to perform the relocation work herein described.

IN WITNESS WHEREOF, the parties hereto have executed this Utility Relocation Agreement as of the date of signature of the Company.

CITY OF BONNERS FERRY (CITY)

BY: _____

TITLE: _____

DATE: _____

BOUNDARY COUNTY (COUNTY)

BY: _____

TITLE: _____

DATE: _____

U.S. DEPT. OF TRANSPORTATION, FEDERAL HIGHWAY ADMN. (GOVERNMENT)

BY: _____
Dan Donovan

TITLE: Chief of Business Operations, FHWA-WFLHD

DATE: _____