



NOTICE OF PUBLIC MEETING

Monday, December 5, 2016

CITY COUNCIL CHAMBERS

680 Park Avenue

Idaho Falls, ID 83402

3:00 p.m.

The public is invited to attend. 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 make an effort to accommodate your needs.

SPECIAL MEETING (Council Work Session)

Call to Order and Roll Call

Mayor and Council:

- Acceptance and/or Receipt of Minutes
- Mayor's Report, Calendar Items, and Announcements (10)
- City Council Reports (10)

Human Resources:

- Military Leave Policy Update (10)

Public Works:

- Snow Removal Update (10)

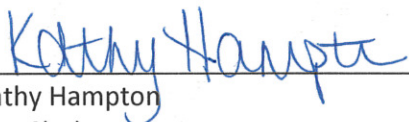
Community Development Services:

- Community Development Block Grant (CDBG) Introduction (30)

Parks and Recreation:

- Presentation of Tautphaus Park and Heritage Park Master Plans (60)

DATED this 2nd day of December, 2016



Kathy Hampton
City Clerk

XXV. MILITARY LEAVE

- A. The City of Idaho Falls is committed to protecting the job rights of employees absent on military leave. In accordance with the Uniformed Service Employment and Reemployment Rights Act of 1994 (USERRA), it is the City of Idaho Falls' policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under this policy. If any employee believes that he or she has been subjected to discrimination in violation of this policy, the employee should immediately contact the Division of Human Resources or the employee's direct supervisor or Division Director for assistance.
- B. National Guard and Other Military Reservists. In addition to the rights and benefits provided to employees taking extended military leave (as described in this policy) any regular employee of the City who are members of the National Guard or other reserve component of the armed forces of the United States who are ordered to participate in field training shall receive, for a period of no greater than two (2) weeks, that portion of his or her regular salary which will together with his or her military pay, equal his or her regular salary, excluding shift differential. This provision does not apply to weekend duty.
- C. Extended Military Leave. Any regular employee shall be granted military leave with partial pay upon presentation of satisfactory pay verification data that are called to active duty in support of a contingency operation by the President of the United States or under the authority of a Governor as members of the Reserve or National Guard. Partial pay shall be the difference between the employee's regular City salary and the employee's fulltime military salary (excluding expense pay).
- D. Requesting Military Leave. Any employee called to active duty must notify their supervisor either verbally or in writing of the need for military leave. Employees are requested to provide such notice as soon as they have knowledge of upcoming military service and that they provide a copy of their military orders to their supervisor, if available.
- E. Reporting Back to Work. An employee returning from military service has all the rights to reemployment and certain seniority entitlements, as provided for under the Uniformed Services Employment and Reemployment Rights Act, (USERRA). The employee must report back to work or request reemployment following discharge within the time limits under USERRA.

1. An employee must generally be returned to the same position as was held when the duty commenced.
2. If an employee is not qualified to perform the duties of his or her former position or able to become re-qualified with reasonable efforts by the City, by reason of disability sustained during military service, but is qualified to perform the duties of any other position, he or she shall be offered employment in such other position as will provide him or her like seniority, status and pay, unless circumstances have so changed to make it impossible or unreasonable to do so.

- F. Loss of Protection under USERRA. An employee will lose the protections of the Uniformed Services Employment and Reemployment Rights Act (USERRA), including reemployment rights if the employee receives a dishonorable discharge or is separated from military service under other than honorable conditions. The City shall require an employee to present written documentation, such as a DD-214, to confirm the type of discharge received.
- G. Benefit Accrual. Accrued non-seniority based leave such as vacation, sick leave, or holiday pay will continue to accrue at the appropriate rate while an employee receives paid leave from the City in the form of either vacation pay or partial military pay. Additionally, returning employees will be treated as though they were continuously employed for purposes of determining accrual rates, benefits and awards based on length of service (ie. seniority-based). If an employee does not return to work, he or she shall receive payment for any leave balances and longevity compensation in accordance with the policies and procedures in effect when the employee separates from City employment.
- H. Healthcare Benefits. Continuation of health insurance benefits is available in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

XXV. MILITARY LEAVE

- A. Purpose. The Uniformed Service Employment and Reemployment Rights Act of 1994 (“USERRA”) prohibits employers from discriminating against employees who fulfill non-career military obligations in the Uniformed Services and requires employers to provide a leave of absence within the parameters described below to allow employees to perform military obligations. The purpose of this Military Leave Policy is to provide military leave as required by law and to comply with the other relevant provisions of USERRA.
- B. Eligibility. This Military Leave Policy applies to all full-time and part-time employees of the City who are also members of one of the Uniformed Services.
- C. Definitions. For the purposes of this Military Leave Policy, the following definitions apply:
1. “Benefit,” “Benefit of Employment,” “Rights and Benefits,” or any variation of these—Any advantage, privilege, or gain (other than wages or salary for work performed) that accrues by reason of employment.
 2. “Calendar Year”—January 1 through December 31 of each year.
 3. “Military Service”—The performance of military duty on a voluntary or involuntary basis in a Uniformed Service.
 4. “Partial Pay”—Partial pay is the difference between the employee’s regular salary and the employee’s full-time military salary, excluding expenses, Basic Allowance for Substance (BAS), Basic Allowance for Housing (BAH), or combat pay where the employee’s City salary is more than the employee’s full-time military salary.
 5. “Seniority”—Longevity in employment together with any benefit(s) that accrue with or are determined by longevity.
 6. “Uniformed Service(s)”—The Armed Forces of the U.S. Army, Navy, Marine Corps, Air Force, and Coast Guard; the reserve components of the Armed Forces; the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty; and any other category of service designated by the President of the United States in time of war or national emergency.
 7. “Working day(s)”—A working day for a City employee is comprised of:
 - (a) an eight (8) hour day, a ten (10) hour day, or other alternate work days for a thirty-five (35) to forty (40) hour per week employee;
OR
 - (b) a twenty-four (24) hour shift for a fifty-six (56) hour per week employee;
OR
 - (c) any combination of shifts that comprise seventy (70) to eighty (80) hours in a bi-weekly pay period
 - (d) part-time employees will be evaluated on a case by case basis.

D. Requests for Military Leave: All requests for military leave shall comply with the following:

1. Every employee requesting military leave shall notify their supervisor either verbally or in writing of the orders requiring military service as soon as they have knowledge of upcoming military service or as soon as practicable thereafter.
2. All military leave requests shall be accompanied by a copy of the order, directive, notice, or other documentation requiring absences from scheduled work. Employees shall complete the Military Leave Request Form.
3. An employee in a reserve program often has some discretion on dates for annual training exercises. The City may request that the employee select dates that will least interfere with the City's objectives or may lessen the impact of the employee's absence. If the employee has a choice, it shall be the employee's responsibility to discuss scheduling of the training with his/her supervisor and will be up to the military unit to accept agreed upon or recommended dates.
4. An employee returning from military service retains all rights to reemployment and certain seniority entitlements, as provided for by USERRA and this Policy. The employee must report back to work or request reemployment pursuant to USERRA by contacting the Human Resources office and the employee's Department Director in advance of returning to work.

E. Benefits:

1. Continuation of insurance benefits is available in accordance with USERRA based on the length of leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible. While the employee is on military leave, accrued non-seniority based leave (such as vacation, sick leave, or holiday pay) will continue to accrue at the rate the employee was accruing when the employee was called to active duty.
2. The employee who is a member of the Uniformed Services and called to active duty can continue regular employee insurance benefits for thirty (30) calendar days for military service pursuant to this Policy. The City will pay the City's portion of the employee's insurance premium during such thirty (30) calendar days. The employee will pay the employee's portion of the insurance premium during those thirty (30) calendar days.
3. Should the employee's active duty continue longer than thirty (30) calendar days, the employee will pay the full premium if they decide to remain on the city insurance. If the employee's City paycheck is not substantial enough to cover the cost of the insurance premiums or other automatic deductions the employee participates in, the employee may make arrangements to pay to the City those premiums by personal check through the Human Resources office.

F. Leave(s) of Absence for Military Service:

1. An employee who is a member of the Uniformed Services will be granted up to fifteen (15) working days of paid leave per calendar year for days during which the employee is engaged in authorized training or duty ordered or authorized by the proper authority to be calculated as follows:

- a. Up to a total of one hundred twenty (120) hours for an employee who normally at a rate of eight (8) hours or ten (10) hours per day or works other alternate work days that equal thirty-five (35) to forty (40) working hours within a pay week or seventy (70) to eighty (80) hours in a bi-weekly pay period;

OR

- b. Up to a total of one hundred sixty-eight (168) hours for an employee who normally works fifty-six (56) hours in a pay week at a rate of eleven and two tenths (11.2) hours per day.
2. If leave(s) of absence for military service exceed the fifteen (15) working days of paid military leave, an employee shall be permitted upon request to use any accrued vacation and/or compensatory time during military leave past the fifteen (15) working days of paid military leave. The employee must provide a written request to their supervisor prior to the use of such time.
 3. If leave(s) of absence for military service exceeds more than thirty (30) working days of military leave, then after the first thirty (30) day period of active duty, the City will pay to the employee partial pay during the remainder of active duty service up to a maximum of two (2) years from the first day when partial pay for active duty began. Partial pay during this period will be paid on the same schedule that the employee would be paid if they were not on active duty.
 4. An employee called for active duty shall, upon their return to City employment, receive credited service hours for regularly-scheduled hours away from work while on federal active duty. In other words, there will be no break in the employee's City employment that may disrupt benefits that are based on continuous employment.

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING TAUTPAHUS PARK MASTER PLAN 2016 AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Tautphaus Park is a historical park that is an identifiable community gem; and

WHEREAS, the park will continue to have user groups that vary in perspective in how to determine uses which should be slated for additional space; and

WHEREAS, the Master Plan process has produced a useful document based upon extensive community input; and

WHEREAS, the Master Plan provides a “road map” for the park while balancing the needs for current and future user groups; and

WHEREAS, the Master Plan provides a visionary and implementable approach grounded in the City’s ability to maintain and fund improvements to Tautphaus Park; and

WHEREAS, the City’s goal is to provide a Master Plan for ten (10) to twenty (20) years from the date of the adoption of the Master Plan; and

WHEREAS, the Council desires to adopt the Tautphaus Park Master Plan 2016 attached to this Resolution.

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

1. The City Council hereby adopts the Tautphaus Park Master Plan 2016 attached to this Resolution as Exhibit “A”.

ADOPTED and effective this ____ day of December, 2016.

CITY OF IDAHO FALLS, IDAHO

Rebecca L. Noah Casper, Mayor

ATTEST:

Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

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 Resolution entitled, "A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING TAUTPAHUS PARK MASTER PLAN 2016 AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW."

Kathy Hampton, City Clerk

(SEAL)

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING HERITAGE PARK MASTER PLAN 2016 AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the acquisition of over fourteen (14) acres comprising Heritage Park was made possible by a land donation and strong commitments by private and non-profit partners; and

WHEREAS, the donation of Heritage Park is intended to showcase the natural, cultural, and historical heritage of Idaho Falls and surrounding community; and

WHEREAS, the Park's wonderful location along the Snake River presents an opportunity to add significantly and meaningfully to the Idaho Falls parks system; and

WHEREAS, Heritage Park's development will play an important role in connecting children and families to nature while blending the richness of the area's culture; and

WHEREAS, the City wishes to celebrate the Park's unique location along the Snake River and establish a visionary approach to the Park's design; and

WHEREAS, the Park must be designed for longevity in the Intermountain West, understanding seasonality, highlighting the unique heritage of Idaho Falls and eastern Idaho, restoring the ecological value inherent in the location, and becoming a choice destination of the community members of all ages; and

WHEREAS, in order to effectuate such goals and changes the Council desires to adopt the Heritage Park Master Plan 2016 by passage of this Resolution.

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

1. The City Council hereby adopts the Heritage Park Master Plan 2016 attached to this Resolution as Exhibit "A".

ADOPTED and effective this ____ day of December, 2016.

CITY OF IDAHO FALLS, IDAHO

Rebecca L. Noah Casper, Mayor

ATTEST:

Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

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 Resolution entitled, "A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING HERITAGE PARK MASTER PLAN 2016 AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW."

Kathy Hampton, City Clerk

(SEAL)