



**CITY COUNCIL CHAMBERS**

**680 Park Avenue  
Idaho Falls, ID 83402**

**CITY COUNCIL MEETING**  
**Thursday, December 10, 2020**  
**7:30 p.m.**

Thank you for your interest in City Government. In response to the COVID-19 crisis, and in compliance with the Idaho Rebounds Stage 2 Order, which requires the avoidance of public gatherings, the City of Idaho Falls hereby provides reasonable means for citizens to participate in the above-noticed meeting. The City believes strongly in public participation and has therefore identified the following ways to participate in this meeting:

**General Meeting Participation.**

1. *Livestream on the Internet.* The public may view the meeting at [www.idahofallsidaho.gov](http://www.idahofallsidaho.gov). City Council Meetings are also archived for later viewing on the City's website.
2. *Email.* Public comments may be shared with the Mayor and members of the City Council via email at any time. Electronic addresses for elected officials are located at <https://www.idahofallsidaho.gov/398/City-Council>.
3. *In-person attendance.* The public may view the meeting from the Council Chambers, or, if the Chambers are full, via livestream in a nearby room. To comply with the Centers for Disease Control and Prevention (CDC) social distancing guidelines, appropriate seating will be provided in the Council Chambers. Such seating is available on a first-come, first-served basis. Given the Idaho Rebounds State 2 Order, we would likely only have 2-3 seats available. *Citizens are required to wear face masks for the protection of others.*

**Official Public Hearing Participation.** Members of the public wishing to participate in a public hearing noticed on this agenda may do so. Public testimony on an agenda item will be taken only for public hearings indicated on this agenda. Please note that not all meeting agenda items include a public hearing or the opportunity for public comment.

1. *Written Public Hearing Testimony.* The public may provide written comments via postal mail sent to City Hall or via email sent to the City Clerk at [IFClerk@idahofallsidaho.gov](mailto:IFClerk@idahofallsidaho.gov). Comments will be distributed to the members of the Council and become a part of the official public hearing record. Written testimony must be received **no later than 4:00 p.m.** the date of the hearing.
2. *Remote Public Hearing Testimony.* The public may provide live testimony remotely via the WebEx meeting platform with a phone or a computer. This platform will allow citizens to provide hearing testimony at the appropriate time. Those desiring public hearing access **MUST** send a valid and accurate email address to [VirtualAttend@idahofallsidaho.gov](mailto:VirtualAttend@idahofallsidaho.gov) no later than 4:00 p.m. the day of the hearing so log-in information can be sent to you prior to the meeting. Please indicate for which public hearing you wish to offer testimony.
3. *In-person Testimony.* Live testimony will be received in the Council Chambers at the appropriate time throughout the meeting. To comply with the Centers for Disease Control and Prevention (CDC) social distancing guidelines, appropriate seating will be provided in the Council Chambers and in a nearby overflow room. Such seating is available on a first-come, first-served basis. *Citizens are required to wear face masks for the protection of others.*

Please be aware that an amendment to this agenda may be made in the meeting upon passage of a motion that states the reason for the amendment and the good faith reason why the desired change was not included in the original agenda posting. All regularly scheduled City Council Meetings are live-streamed and then archived on the city website (barring electronic failure). If communication aids, services or other physical accommodations are needed to facilitate participation or access for this meeting, please contact City Clerk Kathy Hampton at 208-612-8414 or the ADA Coordinator Lisa Farris at 208-612-8323 as soon as possible so they can seek to accommodate your needs.

1. **Call to Order.**
2. **Pledge of Allegiance.**
3. **Public Comment.** *(Temporarily suspended—see above)*
4. **Coronavirus (COVID-19) update.**

5. **Consent Agenda.** *Any item may be removed from the Consent Agenda at the request of any member of the Council for separate consideration.*

**A. Item from Office of the Mayor:**

- 1) Reappointments to City Boards, Commissions, and Committees
  - Arthur Kull, Civic Center for the Performing Arts Committee
  - Carrie Scheid, Civic Center for the Performing Arts Committee
  - Anne Staton-Vollique, Civic Center for the Performing Arts Committee
  - Bonnee Taggart, Civic Center for the Performing Arts Committee
  - Deidre Warden, Civic Center for the Performing Arts Committee
  - Carrie Athay, Historic Preservation Commission
  - Catherine Smith, Historic Preservation Commission
  - Rachel McMurtrey, Historic Preservation Commission
  - Alden Allen, Board of Adjustment
  - Mark Cole, Golf Advisory Board
  - Gerry Bates, Shade Tree Committee
  - Rich Potter, Shade Tree Committee
  - Aaron McCracken, Shade Tree Committee
  - Brandon Lee, Parks & Recreation Commission
  - Rodd Rapp, Idaho Falls Public Library Board of Trustees

**B. Items from Idaho Falls Power:**

- 1) Renewal of BPA Network Operating Agreement, No. 20TX-17016
- 2) Minutes from the November 12, 2020 Idaho Falls Power Board Meeting

**C. Items from Municipal Services:**

- 1) Purchase of Replacement Dump Truck with Underbody Scraper for Public Works
- 2) Amend Red, Inc. Agreement for Marketing Services for Idaho Falls Power
- 3) Minutes from the November 23, 2020 City Council Work Session and Executive Session; and November 24, 2020 Special City Council Meeting
- 4) License Applications, all carrying the required approvals

RECOMMENDED ACTION: Approve, accept, or receive all items on the Consent Agenda according to the recommendations presented (or take other action deemed appropriate).

6. **Regular Agenda.**

**A. Fire Department**

**1) Sole Source Purchase of LIFEPAK 15 V4 Monitor/Defibrillators:** Emergency Medical and Advanced Life Support servicers rely on sufficient, adequate and dependable equipment. Cardiac monitor/defibrillators are necessary equipment that allow for immediate assessment of life-threatening cardiac rhythms; immediate intervention with CPR is scientifically proven to increase positive outcomes of cardiac arrest. The purchase of these replacement monitors/defibrillators ensures we remain within industry best practice.

RECOMMENDED ACTION: Declare that “this sole source purchase is based on the compatibility of equipment, components, accessories, computer software, replacement parts, and service with the Fire Department’s existing emergency medical services system hardware and software” and approve

the authorization of contingency funds for the sole source purchase of nine LIFEPAK 15 V4 Monitor/Defibrillators, authorize advertisement of the City's intent to make a sole source procurement following a 14-day period per Idaho Code §67-2808, and authorize the City to then issue a purchase order to STRYKER for a total of \$216,835.52 (or take other action deemed appropriate).

## **B. Police Department**

**1) Sole Source Purchase for MOTOROLA Solutions portable radios and vehicle mount mobile repeater:** During the Pandemic the Police Department has determined that effective, reliable communications continue to be a significant department need. Purchase of these radios will ensure that our Police Department can directly communicate with our Fire and EMS responders within our city and response areas and allow our agencies to align with secure P25 compatibility for the first time. This purchase will also help us ensure industry best practices for safety, hygiene, and health because it allows our agency to provide each police officer with an individual radio to prevent cross contamination during use. This will reduce the risk of COVID-19 spreading from one police shift to another without reducing their information exchanges and productivity.

RECOMMENDED ACTION: Declare that "there is only one source of Radios reasonably available because the paramount consideration for this purchase is the compatibility of equipment, components, accessories, computer software, replacement parts, or service" and authorizes advertisement of the City's intent to make a sole source procurement following a 14-day period, per Idaho Code §67-2808, and authorizes the City to then issue a purchase order to MOTOROLA Solutions for a total of \$619,250.50 (or take other action deemed appropriate).

## **C. Municipal Services**

**1) Resolution to Approve a Direct Loan to Idaho Falls Regional Airport:** Resolution 2020-27 approved the Inter-Departmental Direct Loan Policy. Upon request from Idaho Falls Regional Airport Director Cloutier, the Loan committee reviewed the request for a direct loan for \$8M to fund land acquisition for the Idaho Falls Regional Airport. Funds will be reimbursed by Federal Aviation Administration (FAA) within the federal fiscal year 2021/22. As part of the FAA grant policies, interest and fees are eligible for reimbursement.

RECOMMENDED ACTION: Approve the resolution to provide a direct loan to the Idaho Falls Regional Airport for a total of \$8M for the purpose of land acquisition, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

**2) Resolution to Approve a Direct Loan to Pinecrest Golf Course:** Resolution 2020-27 approved the Inter-Departmental Direct Loan Policy. Upon request from Parks and Recreation Director Holm, the Loan committee reviewed the request for a direct loan request for \$3M to fund the Pinecrest Golf Course Irrigation Water Conservation project. This project will provide conversion of surface irrigation water from the Idaho Canal to irrigate the golf course and replace the aging irrigation system. Upon completion, this project will restore the potable water supply capacity to our City system during peak usage of approximately 1,500 gallons per minute, providing a lasting benefit to the City.

RECOMMENDED ACTION: Approve the resolution to provide a direct loan to the Parks and Recreation, Golf Division for a total of \$3M for the purpose of funding the Pinecrest Golf Course Irrigation Water Conservation project, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

#### **D. Public Works**

**1) Partial Easement Vacations – First Amended Westridge Commercial Plaza, Division 1:** For consideration is an ordinance for partial easement vacations, Instruments 1535420 & 1535421, located within the First Amended Plat of Westridge Commercial Plaza, Division 1. These vacations have been requested by the owner, DLR Investments, LLC, for the purpose of better facilitating development of their property.

RECOMMENDED ACTION: Approve the Easement Vacation Ordinance under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or approve the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

**2) Agreement for Professional Services for the Design and Construction of the Police Complex Project:** The purpose of this agreement is to establish a contract with Architectural Design Group (ADG) to provide architectural design and construction services for the Police Complex Project. The proposed contract amount for services to be provided is \$2,405,769.00 with possible additional services in the amount of \$117,663.00, for a total potential contract value of \$2,523,432.00.

RECOMMENDED ACTION: Approve the agreement with Architectural Design Group (ADG) and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

#### **E. Community Development Services**

**1) Public Hearing for Consideration of Requested CV1 CDBG Activities:** CV1-CDBG CARES Act funds were allocated to entitlement cities in August of 2020 for the purpose of preventing, addressing, and assisting with COVID 19/Infectious Disease. The City of Idaho Falls received \$250,072 in the first round of CARES Act funding for FY2020 referred to as CV1-CDBG, a Program made available through Housing and Urban Development (HUD). To date, the City has allocated \$155,303.2 of CV1-CDBG funds toward projects and activities that prevent, address, and assist with COVID 19/Infectious Disease. With the balance of CV1- CDBG funds (\$94,768.8) the City of Idaho Falls issued a Notice to Apply through Nov 22-30, 2020. Following a public hearing to present applications for Council consideration, a 5-day public comment period will run through December 15, 2020, followed by consideration of a Council Resolution on December 17, 2020.

RECOMMENDED ACTION: No action required.

**2) Public Hearing for Consideration of Requested CV3 CDBG Activities:** CV3-CDBG CARES Act funds were allocated to entitlement cities in September of 2020 for the purpose of preventing, addressing, and assisting with COVID 19/Infectious Disease. In order to receive CV3-CDBG allocations, the City will submit a Substantial Amendment to their FY2020 Community Development Block Grant (CDBG) Annual Action Plan. The City of Idaho Falls is expecting to receive \$257,585 in a third round of CARES Act funding for FY2020 referred to as CV3-CDBG, a Program made available through Housing and Urban Development (HUD). The City of Idaho Falls issued a Notice to Apply on Nov 22-30, 2020. Following a public hearing to present applications for Council consideration, a 5-day public comment period will run through December 15, 2020, followed by consideration of a Council Resolution on December 17, 2020.

RECOMMENDED ACTION: No action required.

**3) Public Hearing – 2018 I-Codes Adoption:** Adoption of the 2018 I-Codes is required in accordance with the Idaho State Building Board, as published in Idaho Statute, Title 39, Chapter 41 of the Idaho Building Code Act, Idaho Code 39-4109 for local government adoption and enforcement of building codes and in IDAPA 24.39.30, “Rules of Building Safety,” and Division of Building Safety.

RECOMMENDED ACTION: Approve the Ordinance adopting the 2018-I Codes with State and City of Idaho Falls amendments, under the suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

**4) Public Hearing – Amendments to Zoning Ordinance regarding multi-unit attached dwellings:** For consideration is an ordinance amending Chapters 2 and 7 of the Zoning Ordinance, which adds and defines Multi-Unit Attached Dwellings as an allowed land use. This is a portion of the changes recommended by the Planning and Zoning Commission on July 21, 2020, by unanimous vote. A full explanation of why only a portion of the recommended changes are being brought forward at this time is contained in the revised staff report.

RECOMMENDED ACTION: Approve the Ordinance amending City Code Title 11, Chapter 7, to allow for Multi-Unit Attached Dwellings, under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

**5) Public Hearing – Annexation and Initial Zoning of RP & R1, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, 13.479 Acres, Southpoint Division 10:** For consideration is the application for Annexation and Initial Zoning of RP and R1, Annexation and Zoning Ordinances, and Reasoned Statement of Relevant Criteria and Standards, 13.479 Acres, Southpoint Division 10. The Planning and Zoning Commission considered this item at its April 21, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. Approve the Ordinance annexing 13.479 acres, Southpoint Division 10 under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 13.479 acres, Southpoint Division 10 and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).
- c. Assign a Comprehensive Plan Designation of “Low Density Residential” and approve the Ordinance establishing the initial zoning for RP & R1 under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate), that the City limits documents be

amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office.

- d. Approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of RP and R1 and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

**6) Final Plat and Reasoned Statement of Relevant Criteria and Standards, Southpoint Division 10:**

For consideration is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards for Southpoint Division 10. The Planning and Zoning Commission considered this item at its April 21, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

**RECOMMENDED ACTIONS (in sequential order):**

- a. Approve the Development Agreement for Southpoint Division 10 Subdivision, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).
- b. Accept the Final Plat for Southpoint Division 10 Subdivision, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).
- c. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Southpoint Division 10 Subdivision, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

**7) Public Hearing – Annexation and Initial Zoning of RP & R1, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B: Approximately 33 Acres, NW1/4, Section 4, Township 1 North, Range 38 East:** For consideration is the application for annexation and initial zoning and accompanying ordinances for approximately 33 acres, NW1/4, Section 4, Township 1 North, Range 38E. This is a Category A Annexation. It was advertised for a public hearing for December 10 but as the City's Surveyor reviewed the legal description, errors were found that were not able to be resolved before the meeting. Staff is therefore requesting that rather than pulling the item from the agenda and re-advertising for a new hearing, which would put the application to the end of January, the Council instead conduct the public hearing and pass the ordinances on the first reading only. The second or final reading is currently scheduled for the December 17, 2020, meeting. The Reasoned Statements of Relevant Criteria and Standards will also be considered and voted upon at that time. The Planning and Zoning Commission considered this application at its July 21, 2020, meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

**RECOMMENDED ACTIONS (in sequential order):**

- a. Approve the Ordinance annexing approximately 33 acres, on the first reading and request that it be read by title (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

- b. Assign a Comprehensive Plan Designation of “Low Density Residential” and approve the Ordinance establishing the initial zoning for RP & R1 on the first reading and request that it be read by title (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

**8) Public Hearing – Rezone from LC to HC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Approximately 5 acres, Part of the SW1/4 Section 24, Township 2 North, Range 37 East:** For consideration is the application for Rezoning from LC to HC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, approximately 5 acres, part of the SW1/4, Section 24, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its November 10, 2020, meeting and recommended approval by a 5-1 vote. Staff concurs with this recommendation.

**RECOMMENDED ACTIONS (in sequential order):**

- a. Approve the Ordinance rezoning approximately 5 acres, part of the SW1/4, Section 24, Township 2 North, Range 37 East from LC to HC under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from LC to HC of approximately 5 acres, part of the SW1/4, Section 24, Township 2 North, Range 37 East and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

**F. Parks and Recreation**

**1) Council discussion of City Sports and use of City Recreation facilities under the guidelines set forth in the Idaho Rebounds Stage 2 Stay Healthy Order and consideration of possible Council action.**

- 7. **Announcements.**
- 8. **Adjournment.**