



SPECIAL CITY COUNCIL MEETING

Thursday, December 17, 2020

7:30 p.m.

CITY COUNCIL CHAMBERS

680 Park Avenue

Idaho Falls, ID 83402

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. 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. 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 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) Appointments to City Boards, Commissions, and Committees
Renee Foote, Parks & Recreation Commission
Bob Nitschke, Parks & Recreation Commission

B. Item from Idaho Falls Airport:

- 1) Real Property Purchase

C. Item from Idaho Falls Power:

- 1) Construction Agreement with BPA for 161/46/12.47 kV Paine Substation

D. Item from Public Works:

- 1) Bid Award – Sunnyside Sanitary Sewer Trunk Lining - 2021

E. Items from Municipal Services:

- 1) Treasurer's Report for October 2020
- 2) 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. Police Department

1) Memorandum of Understanding with Law Enforcement Chaplaincy of Idaho: This is a Memorandum of Understanding (MOU) with the Law Enforcement Chaplaincy of Idaho and the IFPD. The chaplaincy program will serve the community by providing support, for citizens that want it, in times of crisis such as the death of a family member or other traumatic event. The chaplaincy program also will provide internal support to IFPD employees who desire it.

RECOMMENDED ACTION: Approve the MOU with Law Enforcement Chaplaincy of Idaho and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate)

B. Public Works

1) Sewer Service Cooperative Agreement Extension with Iona Bonneville Sewer District (IBSD): The existing Cooperative Sewer Service Agreement between the City of Idaho Falls and IBSD expires on 31 December 2020. If approved, this Agreement would extend the existing cooperative agreement under the same terms and conditions until 31 May 2021. COVID-19 and substantial changes to IBSD billing determinants and connection fees have delayed the development of a new cooperative agreement.

RECOMMENDED ACTION: Approve the Sewer Service Agreement Extension and authorize the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

C. Parks and Recreation

1) Professional Services Agreement for the Design and Construction of the Reinhart Park Splash Pad: The purpose of this agreement is to establish a professional agreement with Stratton & Bratt to provide design and construction of the Reinhart Park Splash Pad project. This vendor was selected after the evaluation committee, composed of Parks and Recreation and Public Works staff, evaluated all request for proposals received. Based on the evaluation criteria, Stratton & Bratt ranked highest and is therefore recommended for contract award.

RECOMMENDED ACTION: Approve the agreement with Stratton & Bratt for a total of \$299,674.59 and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

D. Community Development Services

1) Final Plat and Reasoned Statement of Relevant Criteria and Standards, M&B: 48.9 acres, Rose Nielsen Addition Division No. 101, Fifth Amended: For consideration is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards, M&B: 48.9 acres, Rose Nielsen Addition Division No. 101, Fifth Amended. The Planning and Zoning Commission considered this item at its October 20, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. Accept the Final Plat for Rose Nielsen Addition Division No. 101, Fifth Amended, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Rose Nielsen Addition Division No. 101, Fifth Amended, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

2) Public Hearing-Ordinance-2018 I-Code Adoption: Following the December 10, 2020 City Council meeting, it was discovered that the 2018 edition of the International Existing Building Code was not included in the ordinance. This revised ordinance is to correct that error.

RECOMMENDED ACTION: Approve the Ordinance adopting the 2018-I Code 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).

3) 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/Initial Zoning to RP & R1, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: approximately 33 acres, NW1/4, Section 4, Township 1 North, Range 38E. The Planning and Zoning Commission considered this item at its July 21, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation. The Council approved the

ordinances for annexation and initial zoning on December 10, 2020, pending corrected legal descriptions of the property. This second reading includes the corrected legal descriptions.

RECOMMENDED ACTIONS (in sequential order):

- a. Approve the Ordinance annexing Approximately 33 Acres, NW1/4, Section 4, Township 1 North, Range 38 East 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 second 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 Approximately 33 Acres, NW1/4, Section 4, Township 1 North, Range 38 East 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” 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 second 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 or RP & R1 and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

4) CV1-CDBG Resolution for Balance of Funds \$25,007.20: CV1-CDBG CARES Act funds, in the amount of \$250,072, were allocated to the City in August of 2020, for the purpose of preventing, addressing, and assisting with impacts of COVID- 19/Infectious Disease. To date, the City has allocated \$130,296, leaving a balance of \$119,776. The Resolution allocates \$25,007.20 to projects approved during the first application process for CV1-CDBG funding. A substantial plan amendment is only triggered when changes in funding are 10% or more than the original allocation. 10% of \$250,072 is \$25,007.20; therefore, these changes are not subject to the substantial amendment process. The balance of funds subject to the substantial amendment process is \$94,768.80 and is currently being addressed a new and separate application process. With this Resolution, the City will be allocating an additional \$25,007.20 of CV1-CDBG funds, not subject to the substantial amendment process, to the activities/projects provided on the attached list.

RECOMMENDED ACTION: Approve the Resolution approving CV1-CDBG funding allocations to previously approved projects as listed and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

5) CV1-CDBG Resolution for Balance of Funds \$94,768.80, subject to a substantial 2020 plan amendment: CV1-CDBG CARES Act funds, in the amount of \$250,072, were allocated to the City in August of 2020, for the purpose of preventing, addressing, and assisting with impacts of COVID-19/Infectious Disease. To date, the City has allocated \$155,303.20, which includes \$130,296 allocated

during the first application period and \$25,007.20 of additional allocation to these previously approved projects. This leaves a balance of \$94,768.80, which is more than 10% of the original allocation and therefore triggers a substantial amendment to the 2020 plan. With this Resolution, the City will be allocating an additional \$94,768.80 of CV1-CDBG funds to the activities/projects provided on the attached list. The activities/projects were presented during the 12/10/20 public hearing. A five-day public comment period was held 12/10/20 through 12/15/20 and all comments were considered.

RECOMMENDED ACTION: Approve the Resolution approving CV1-CDBG funding allocations, subject to a substantial 2020 plan amendment, to projects as listed in the Resolution, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

6) CV3-CDBG Resolution for New Funds of \$257,585: A third round of CARES Act funds, CV3-CDBG (\$257,585), was allocated to the City in September of 2020 for the purpose of preventing, addressing, and assisting with impacts of COVID- 19/Infectious Disease. With this Resolution, the City will be allocating \$257,585 of new CV3-CDBG funds to the activities/projects provided on the attached list. This new round of funding also triggered a substantial amendment to the 2020 plan. A five-day public comment period was held 12/10/20 through 12/15/20 and all comments were considered.

RECOMMENDED ACTION: Approve the Resolution for CV3-CDBG funding allocations per the project list, subject to a substantial amendment to the 2020 plan, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

7. **Announcements.**

8. **Adjournment.**