



City Council Meeting

Agenda

680 Park Avenue
Idaho Falls, ID 83402

Thursday, April 22, 2021

7:30 PM

City Council Chambers

Thank you for your interest in City Government. In response to the COVID-19 crisis, and in compliance with the Idaho Rebounds Stage 3 Order, which recommends 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. 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. We request that citizens 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. Such seating is available on a first-come, first-served basis. We request that citizens 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.

4. Consent Agenda.

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

A. Idaho Falls Power:

- 1) 249686 Battelle Energy Alliance, LLC Renewable Energy Certificate Purchase **21-083**

BEA, a management and operating contractor for the Department of Energy (DOE) at the Idaho National Laboratory (INL) solicited bids for Renewable Energy Certificate purchases. Idaho Falls Power has been awarded the contract to provide 19,611 renewable energy certificates totaling \$93,152.25 to supply their renewable and green energy needs.

Attachments: 249686 Contract - Executed - 2021

B. Public Works:

- 1) Bid Award - Heritage Park Stormwater **21-098**
On Thursday, April 15, 2021, bids were received and opened for the Heritage Park Stormwater project. A tabulation of bid results is attached. The purpose of the proposed bid award is to enter into contract with the lowest bidder to perform storm drainage installation in advance of constructing other park amenities.

Attachments: 2021 - Bid Award - Heritage Park Stormwater.pdf

- 2) Bid Award - Reinhart Park Splash Pad Parking Lot **21-099**
On Thursday, April 15, 2021, bids were received and opened for the Reinhart Park Splash Pad Parking Lot project. A tabulation of bid results is attached. The purpose of the proposed bid award is to enter into contract with the lowest bidder to construct a parking lot to serve the Reinhart Park splash pad.

Attachments: 2021 - Bid Award - Reinhart Park Splash Pad Parking Lot.pdf

- 3) Bid Award - WWTP Secondary Clarifier 1 Mechanism Reconstruction project **21-064**
On Tuesday, April 13, 2021, bids were received and opened for the WWTP Secondary Clarifier 1 Mechanism Reconstruction project. A tabulation of bid results is attached. The purpose of the proposed bid award is to enter into contract with the lowest bidder to perform reconstruction of the Secondary Clarifier 1 Mechanism.

Attachments: 2021 - Bid Award - WWTP Clarifier 1.pdf

- 4)** Development Agreement -1457 Carson Street **21-095**
This Development Agreement supports the community-oriented results of well-planned growth and development and reliable public infrastructure and transportation by ensuring that new development participates financially in expanding needed infrastructure.

Attachments: 2021 - Development Agreement 1457 Carson St Yellowstone Addition
- Sanchez.pdf

C. Municipal Services:

- 1)** Quote 21-017 Replacement Mower for Parks and Recreation Department **21-091**
This purchase will replace unit #6806, a 2007 Jacobsen HR 9016 mower that has reached its useful life and scheduled for replacement. Unit #6806 will be sold on public surplus.
Attachments: MS_Quote 21-017 Mower for Parks and Recreation.pdf
- 2)** Bid IF-21-25, Purchase of Electrical Conductor for Idaho Falls Power **21-092**
This request is to purchase various quantities of electrical conductor for Idaho Falls Power.
Attachments: MS_Bid IF 21-25 Electrical Conductor for Idaho Falls Power.pdf
- 3)** Bid IF-21-26, Purchase of Fiber Inventory for Idaho Falls Power **21-093**
This request is for approval to purchase a variety of quantities of fiber inventory for Idaho Falls Power.
Attachments: MS_Bid IF-26 Fiber Inventory for Idaho Falls Power.pdf
- 4)** Treasurer's Report for February 2021 **21-088**
A monthly Treasurer's Report is required pursuant to Resolution 2018-06 for City Council review and approval. For the month-ending February 2021, total cash and investments total

\$148.7M. Total receipts received and reconciled to the general ledger were reported at \$13.9M, which includes revenues of \$12.8M and interdepartmental transfers of \$1.1M. Total disbursements reconciled to the general ledger were reported at \$13.3M, which includes salary and benefits of \$5.5M, operating costs of \$6.7M and interdepartmental transfers of \$1.1M. As reported in the attached investment report, the total investments reconciled to the general ledger were reported at \$138M.

Attachments: MS_ Treasurers Report for February 2021.pdf

- 5) Minutes from Council Meetings **21-100**
April 5, 2021 City Council Work Session; and April 8, 2021 City Council Meeting.

Attachments: 20210405 Work Session and Executive Session - Unapproved.pdf
20210408 Council Meeting - Unapproved.pdf

- 6) 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).

5. Regular Agenda.

A. City Attorney

- 1) Resolution - Condemnation of Property for Expansion, **21-095**
Improvement, and Protection of the Idaho Falls Regional Airport.

The City of Idaho Falls, Idaho, owns and operates the Idaho Falls Regional Airport (Airport). Since the mid 1930's the Airport has grown into a vital part of the region's economic development and provides the public with easy access to air travel to the City, County, and region. The City's 2010 Airport Master Plan identified critical areas to the Airport operations that require additional adjacent land for the expansion, improvement, or protection of the Airport. The City has acquired some of this additional adjacent land through arm's length negotiations. However, the City's effort to negotiate for the property identified in this proposed Resolution has not been successful. City staff have negotiated with the property owner and made fair-market offers to purchase the property, but staff have been unable to reach agreement for the property. Therefore, it is recommended that the City exercise its eminent domain authority to acquire necessary right-of-way to complete the proposed intersection improvements.

Recommended Action:

Approval of the resolution and authorization for Mayor and City Clerk to sign the document or take other action deemed appropriate.

Attachments: order of condemnation - Airport 4.19.21.pdf

B. Idaho Falls Power

- 1) IF21-07 Change Order No. 5 Summit Line Construction 161kV Line Project **21-087**

The following change order for \$423,464.00 is about eight percent (8%) of the total approved project, which is allowed to be executed by the Mayor or their Designee under Resolution No. 2020-26. However, staff felt it appropriate due to the magnitude of the dollar amount to bring to Council for approval. It is also unique in that the change is actually for additional work outside the original contractor's scope of work for the project. Originally, IFP crews were going to perform this construction work, but due to other construction and city growth projects, IFP is limited on internal resources to complete the project on the timeline needed. Furthermore, in comparing the cost analysis, the costs are comparable to what it would cost IFP internal crews versus having Summit complete with their current work on the project.

Recommended Action:

Approve Change Order No. 5 with Summit Line Construction for the 161kV Line Project from Lincoln Rd. To Paine Substation for a not-to-exceed amount of \$423,464.00 (or take other action deemed appropriate).

Attachments: Change order #5

C. Public Works

- 1) State Local Agreement and Resolution with the Idaho Transportation Department (ITD) to improve ADA Access and Crosswalks along 17th Street, 1st Street and Lincoln Road. **21-094**

Attached for your consideration is a State Local Project Development Agreement with ITD for the ADA access and crosswalk improvements along 17th Street (Yellowstone Avenue to 25th East), 1st Street (Yellowstone Avenue to 25th East), and Lincoln Road (Northgate Mile to 25th East) project. The purpose of the project is to improve ADA access at intersections and thermoplastic stop bars and crosswalks as needed to better delineate safe street crossing locations.

Recommended Action:

Approval of the State Local Agreement and Resolution with ITD for the 17th Street, 1st Street, and Lincoln Road ADA Access and Crosswalk Improvements and authorization for Mayor and City Clerk to sign the documents or take other action deemed appropriate.

Attachments: 2021 - SLA - 17th St Lincoln 1st st Thermo ADA x-walks.pdf

D. Community Development Services

- 1) Approval of CDBG Contract for Professional Services **21-090**
Attached is a professional services contract with Western Economic Services, LLC (WES) for development of the 2021-2025 5-Year Consolidated Plan and Analysis of Impediments to Fair

Housing. The total contract amount is \$61,460. These plans and reports are due to HUD by August 4th. Typically, the City Council does not review CDBG contracts even when they exceed the \$50,000 threshold because the expenditures are approved during the grant allocation approval process. In this case, however, the Council has only reviewed two-thirds of the cost during the CV-1 and CV-3 grant approval processes. The remaining one-third of the cost will come from the 2021 CDBG grant, which has already been allocated to the City by HUD but which has not gone through the full allocation process by the City. That process will take place as part of this project. In short, the full \$61,460 will be covered by grant funds and no general funds will be applied. The cost is also sufficiently covered in the current CDBG budget. Because Council had not reviewed that one-third, CDS and Legal staff agreed the contract should be reviewed and approved through the standard approval process.

Recommended Action:

Approve the Professional Services contract with Western Economic Services, LLC and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

Attachments: Professional Services Agreement

- 2) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Rising Sun Townhomes Division No. 1.

21-089

Attached is the application for the Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Rising Sun Townhomes Division No. 1. The Planning and Zoning Commission considered this item at its August 5, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Recommended Action:

1. Approve the Development Agreement for Rising Sun Townhomes Division No. 1 and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).
2. Accept the Final Plat for Rising Sun Townhomes Division No. 1 and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).
3. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Rising Sun Townhomes Division No. 1 and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map.pdf
Aerial.pdf
FP Map.pdf
Staff Report.docx
PC Minutes.docx
Development Agreement.pdf
Reasoned Statement.docx

- 3)** Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for M&B: 70.496 acres, a part of the SW1/4, Section 6, Township 1 North, Range 38 East. **21-084**

Attached is part 1 of 2 of the application for Annexation/Initial Zoning to R1, R3, and LC, which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for M&B: 70.496 acres, a part of the SW1/4, Section 6, Township 1 North, Range 38 East. The Planning and Zoning Commission considered this item at its February 2, 2021 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Recommended Action:

1. Approve the Ordinance annexing 70.496 acres, a part of the SW1/4, Section 6, 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 first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
2. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 70.496 acres, a part of the SW1/4, Section 6, Township 1 North, Range 38 East and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map.jpg
Proposed Zoning Boundaries
Aerial.jpg
Comp Plan Map.jpg
Staff Report.docx
PC Minutes.docx
Annexation Ordinance.docx
Reasoned Statement Annexation.docx

- 4)** Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning-Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, M&B: 70.496 acres, a part of the **21-085**

SW1/4, Section 6, Township 1 North, Range 38 East.

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of R1, R3, and LC, which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, M&B: 70.496 acres, a part of the SW1/4, Section 6, Township 1 North, Range 38 East. The Planning and Zoning Commission considered this item at its February 2, 2021 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Recommended Action:

1. Assign a Comprehensive Plan Designation of “Low Density, Higher Density, Employment Center, and Commercial” and approve the Ordinance establishing the initial zoning for R1, R3, and LC under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, 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 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).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R1, R3, and LC and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map.jpg
Proposed Initial Zoning
Aerial.jpg
Comp Plan Map.jpg
Initial Zoning Ordinance.docx
Reasoned Statement Zoning.docx

- 5) Public Hearing-Rezone from PB to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: 7.99 acres, SW1/4, Section 28, Township 2 North, Range 38 East. **21-082**

Attached is the application for Rezoning from PB to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards for M&B: 7.99 acres, SW1/4, Section 28, Township 2 North, Range 38 East. The Planning and Zoning Commission considered this item at its March 16, 2021, meeting and recommended approval by a vote of 5-2. Staff concurs with this recommendation.

Recommended Action:

1. Approve the Ordinance Rezoning M&B: 7.99 acres, SW1/4, Section 28, Township 2 North, Range 38 East from PB to LC under 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).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from PB to LC and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map.jpg
Aerial.jpg
Comp Plan Map.jpg
Staff Report.docx
PC Minutes.docx
Public Input.msg
Ordinance
Reasoned Statement.docx

6. **Announcements.**

7. **Adjournment.**