



City Council Meeting

Agenda

680 Park Avenue
Idaho Falls, ID 83402

Thursday, July 8, 2021

7:30 PM

City Council Chambers

Welcome.

This meeting is open to any member of the public to observe (either in person or via the City's website livestream). To participate personally, we ask you to follow these City guidelines. Note that not all agenda items include the opportunity for public comment. Also, please be aware that an amendment to this agenda may be made by Council during the meeting upon passage of a motion that states a good faith reason why the desired change was not included in the original agenda posting.

Opportunity for General Public Comment:

You are invited to address the City Council but only regarding general matters that are not listed on this agenda or that are already noticed for a public hearing, subject the Public Hearing Participation Guidelines below. When you address the Council, please state your name and some general contact information (e.g., city, address, neighborhood). Please limit your remarks to three (3) minutes. For legal reasons, topics you may not comment upon include matters currently pending before the City's Planning and Zoning Commission or Board of Adjustment; pending City enforcement actions (including those on appeal); and City personnel actions.

Public Hearing Participation Guidelines.

1. *In-person Comment.* Because public hearings must follow various procedures required by law, please wait to offer your comments until comment is invited/indicated. Please address your comments directly to the Council and try to limit them to three (3) minutes.
2. *Written Comment.* The public may provide written comments via postal mail sent to City Hall or via email sent to the City Clerk at IFClerk@idahofalls.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 forty-eight (48) hours prior to the date of the hearing to ensure inclusion in the permanent City record.
3. *Remote Comment.* The public may provide live testimony remotely via the WebEx meeting platform using a phone or a computer. Those desiring public hearing access should send a valid and accurate email address to VirtualAttend@idahofalls.gov no later than forty-eight (48) hours prior to the date of the hearing so log-in information can be sent to you prior to the meeting. Please indicate for which public hearing on the agenda you wish to offer testimony.

Regularly scheduled Council meetings are live-streamed and archived on the City website (idahofalls.gov). 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 ADA Coordinator Lisa Farris at 208-612-8323, so that they can help accommodate your needs.

1. **Call to Order.**
2. **Pledge of Allegiance.**
3. **Public Comment.**

Please see guidelines above.

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. Fire Department:

- 1) Bonneville County Fire Protection District #1 Service Agreement. **21-169**

This one-year renewal of the joint service agreement allows the two agencies to work together to provide proficient and cost-effective methods of firefighting to both the City and County residents.

Attachments: 2021-2022 BCFPD1.pdf

B. Idaho Falls Power:

- 1) Resolution Adjusting the City of Idaho Falls' Participant Entitlement Share in the CFPP **21-170**

The City of Idaho Falls, dba Idaho Falls Power (IFP) supports and is committed to the development of the CFPP to provide affordable, reliable, dispatchable and carbon free electricity. IFP resource forecasting shows that 5,000kW is the needed amount of the baseload generation in the coming years and requests the resolution to be approved. Approval will enable the city to continue in the project. This continuation of the support for CFPP helps move the project development into the next phase which allows for further de-risking of project cost estimates and subscription.

Attachments: 2021-7-1 (DRAFT) CFPP Entitlement Resolution Clean

C. Municipal Services

- 1) Quote, Software, Hardware and Subscription Maintenance Purchase for Information Technology **21-157**

The City has been notified by Check Point the current operating version of the software is nearing end of vendor support and an upgrade is required. This purchase provides upgraded firewall software, hardware and subscription maintenance services for the city's firewalls.

Alignment with City & Department Planning Objectives

Attachments: Check Point Firewall Quote.pdf

- 2) Treasurer's Report for May 2021 **21-173**

A monthly Treasurer's Report is required pursuant to Resolution 2018-06 for City Council review and approval. For the month-ending May 2021, total cash, and investments total \$150.9M. Total receipts received and reconciled to the general ledger were reported at \$27.1M, which includes revenues of \$25.5M and interdepartmental transfers of \$1.6M. Total disbursements reconciled to the general ledger were reported at \$22.1M, which includes salary and benefits of \$5.7M, operating costs of \$14.8M and interdepartmental transfers of \$1.6M. Funds noted with an asterisk received adjustments to cash for the 2019/20 fiscal

year-end as recommended by the city's external auditors. As reported in the attached investment report, the total investments reconciled to the general ledger were reported at \$141M.

Attachments: MS_ Treasurer's Report for May 2021.pdf

- 3) Minutes from Council Meetings **21-178**
June 24, 2021 City Council Meeting; and June 28, 2021 City Council Work Session.

Attachments: 20210624 Council Meeting - Unapproved.pdf
20210628 Work Session - Unapproved.pdf

- 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).

5. Regular Agenda.

A. Idaho Falls Power

- 1) Reimbursement and Asset Transfer Agreement with Rocky Mountain Power (RMP) **21-171**

The City of Idaho Falls has over the years annexed areas encompassing RMP's historical service territory. In the past two years, RMP has filed seven cases before the Idaho Public Utilities Commission to transfer customers and service territory to Idaho Falls Power (IFP). As filing individual cases at the Commission is administratively burdensome, this agreement allows for the transfer of multiple assets and territories as described in Exhibit A, for a total sales price of \$4,152,351.00.

Recommended Action:

Approve this agreement with PacifiCorp, an Oregon corporation, d/b/a/ in Idaho as Rocky Mountain Power (RMP) of Salt Lake City, Utah to transfer assets from City annexed areas encompassing RMP's service territory at a not-to-exceed amount of \$4,152,351.00 and give authorization to the Mayor and City Clerk to execute the necessary documents, or take other action deemed appropriate.

Attachments: Idaho Falls Power - Rocky Mountain Power Asset Transfer Agreement
Final 06212021 G.Hoogeveen signed requires Mayors sign

- 2) Sugarmill Purchase Asset Agreement with Bonneville Power Administration **21-172**

Idaho Falls Power (IFP) and BPA each own assets located at the Idaho Falls Power-owned portion of Sugarmill Substation. This agreement is to purchase all of BPA's assets at Sugarmill, resulting in IFP's full control of the 46kv yard at Sugarmill.

Recommended Action:

Approve this agreement with Bonneville Power Administration (BPA) of Vancouver, Washington for property assets located at the Sugarmill Substation as identified in Exhibit A of

the agreement for a not-to-exceed amount of \$119,000.00 and give authorization to the Mayor and City Clerk to execute the necessary documents, or take other action deemed appropriate.

Attachments: Attachment A1 -Sugar Mill Equipment Sale List_NS21BP017
NS21BP017_Idaho Falls Power_ Sugarmill Sub
SF114C Terms
Sugar Mill Sub B4431_03

B. Public Works

1) Bid Rejection - Storm Drain Improvements - 2021 21-175

On Tuesday, June 29, 2021, bids were received and opened for the Storm Drain Improvements - 2021 project. A tabulation of bid results is attached. The lowest bid received from JM Concrete Inc., was approximately 162% of the Engineer's Estimate. Public Works staff reviewed the bids and concluded that contract award is not in the best interest of the City.

Recommended Action:

Rejection of all bids received for the Storm Drain Improvements - 2021 project and that notice of such will be sent to all bidders.

Attachments: Bid Rejection.pdf

2) Service Agreement for Wastewater Collection and Treatment with the Iona Bonneville Sewer District (IBSD) 21-176

Attached for your consideration is a Service Agreement for Wastewater Collection and Treatment with the IBSD. The existing wastewater service agreement expired December 31, 2020 and was extended through May 31, 2021. The proposed Service Agreement under consideration shall be effective upon signing and shall expire on June 30, 2026.

Recommended Action:

Approval of the Service Agreement and authorization for the Mayor and City Clerk to sign the necessary documents.

Attachments: IBSD Service Agreement for Wastewater Collection and Treatment.pdf

3) Easement Vacations - Instrument Numbers 53912 and 534834 within Sand Creek Estates. 21-177

Public Works and Idaho Falls Power recommend vacation of two (2) transmission line easements located in Block 1 of Sand Creek Estates, Division 1. The Developer desires the vacation of these easements to better enable planned development and Idaho Falls Power agrees with the vacation providing the southerly 15 feet of Instrument No. 534834 is not vacated as described within the ordinance.

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 (or consider the ordinance on the first reading, reject the ordinance, or take other action deemed appropriate).

Attachments: Easement Vacation.pdf

C. City Attorney

- 1) Policy Regarding Utility Relocation to Accommodate Development **21-174**

City subdivision development requirements include construction of infrastructure, such as arterial and collector streets identified in the Bonneville Metropolitan Planning Organization (BMPO) and City transportation planning instruments. Expansion or enhancement of transportation systems often requires relocation of public and private utilities. This policy addresses Idaho and City law, cost allocation, and orderly process related to the relocation of utilities when necessitated by development.

Recommended Action:

Approve the Resolution regarding utility relocation to accommodate development (or take other action deemed appropriate).

Attachments: Development Relocation of Utilities Resolution 6.10.21.pdf

D. Community Development Services:

- 1) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Equinox Townhomes. **21-168**

Attached is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards for Equinox Townhomes. The Planning and Zoning Commission considered this item at its March 16, 2021, meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation. All reviewing departments have reviewed the plat and found it in compliance with the subdivision ordinance. Section 10-1-9(A)(9) of the City's Subdivision Code states, "If the final plat conforms to the provisions of this Chapter and all other applicable State or Federal laws, or local ordinances, the Council shall approve the final plat and authorize the Mayor and Clerk to sign the original plat."

Recommended Action:

1. Approve the Development Agreement for Equinox Townhomes 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 Equinox Townhomes, 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

Equinox Townhomes 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
Final Plat Map.PNG
Staff Report.docx
PC Minutes.docx
Development Agreement for Equinox Townhomes.pdf
Reasoned Statement.docx

- 2) Public Hearing-Rezone from R&D with Airport Overlay to R3A with Airport Overlay, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: approximately 18.594 acres, in the SE 1/4 of Section 1, Township 2 North, Range 37 East. 21-167

Attached is the application for Rezoning from R&D with Airport Overlay to R3A with Airport Overlay, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards for approximately 18.594 acres, in the SE 1/4 of Section 1, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its May 4, 2021, meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Recommended Action:

1. Approve the Ordinance Rezoning approximately 18.594 acres, in the SE 1/4 of Section 1, Township 2 North, Range 37 East, from R&D with Airport Overlay to R3A with Airport Overlay 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 R&D with Airport Overlay to R3A with Airport Overlay and give authorization for the Mayor to execute the necessary documents (or take other action as deemed appropriate).

Attachments: Zoning Map.jpg
Aerial.jpg
Comp Plan Map.jpg
Staff Report.docx
PC Minutes.docx
Zoning Ordinance.docx
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: 39.543 acres, SE ¼ of Section 1, Township 2 North, Range 37 East. 21-165

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of R3A which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for M&B: 39.543 acres, SE ¼ of Section 1, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its May 4, 2021 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

Recommended Action:

1. Approve the Ordinance annexing 39.543 acres, SE ¼ of Section 1, Township 2 North, Range 37 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 39.543 acres, SE ¼ of Section 1, Township 2 North, Range 37 East 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
Annexation Ordinance.docx
Exhibit A.pdf
Map Exhibit.pdf
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: 39.543 acres, in the SE1/4 of Section 1, Township 2 North, Range 37 East. 21-166

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of R3A with Airport Overlay which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, M&B: 39.543 acres, in the SE1/4, Section 1, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its May 4, 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 Higher Education” and approve the Ordinance establishing the initial zoning for

R3A with Airport Overlay 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 (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 R3A with Airport Overlay 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
Initial Zoning Ordinance
Exhibit A.pdf
Map Exhibit.pdf
Reasoned Statement Zoning.docx

6. **Announcements.**

7. **Adjournment.**