



City Council Meeting

Agenda

680 Park Avenue
Idaho Falls, ID 83402

Thursday, December 16, 2021

7:30 PM

City Council Chambers

While Coronavirus (COVID-19) is still a public health risk, the City will follow Eastern Idaho Public Health (EIPH) recommendations. EIPH currently recommends observance of The Centers for Disease Control and Prevention (CDC) guidelines.

Welcome.

City Council Meetings are open to any member of the public. All are welcome to observe (either in person or via the City's website livestream). Note that not all agenda items include the opportunity for public comment. Also, please be aware that amendments 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. To participate personally, we ask you to follow these City guidelines.

Opportunity for General Public Comment.

The public is 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 to 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 approximately 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.

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. Mayor's Office

- 1) Appointments to City Boards, Commissions, and Committees-Community Development Services

21-359

Attached please find communication from Community Development Services Director, Brad Cramer, regarding the citizen volunteers I am appointing/reappointing to serve on the following City of Idaho Falls Boards, Commissions, and Committees:

Name	Board, Commission, Committee	Term Expires	Status
Kirk Larsen	Idaho Falls Redevelopment Agency	12/31/26	Re-appoint
Brent Thompson	Idaho Falls Redevelopment Agency	12/31/26	Re-appoint
Christopher Harvey	Idaho Falls Redevelopment Agency	12/31/26	Re-appoint
Margaret Wimborne	Planning and Zoning Commission	12/31/27	Re-appoint

George Morrison	Planning and Zoning Commission	12/31/27	Re-appoint
Kim Smith	Historic Preservation Commission	12/31/24	Re-appoint
Nathan Kennedy	Historic Preservation Commission	12/31/26	Re-appoint

The applicants have been recommended by Director Cramer. They have provided excellent volunteer service to our community, and I am pleased they are willing to continue. It gives me great pleasure to recommend them for reappointment. I am confident these individuals meet the criteria set forth in City Code. I anticipate each will continue to make positive contributions to the good work of the City.

I request your vote to give consent to these reappointments at the regular Council Meeting on Thursday, December 16, 2021.

If you have questions or comments, please feel free to contact me or Director Cramer.

Attachments: CDS Appoint-Reappoint Memo.pdf

B. Idaho Falls Power

- 1) Quote 1263913, Inventory for Idaho Falls Fiber **21-361**
This inventory is power meter adaptors for the installation of fiber service to customers where we connect through the meter.

Attachments: Gen Pac meter adaptors.pdf

C. Municipal Services

- 1) 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. Community Development Services

- 1) Final Plat and Reasoned Statement of Relevant Criteria and Standards, **21-352**
Parkwood Addition Division No. 4, 3rd Amended.

Attached is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards for the Parkwood Addition Division No. 4, 3rd Amended. The Planning and Zoning Commission considered this item at its January 5, 2021, meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

Recommended Action:

1. Accept the Final Plat for Parkwood Addition Division No. 4, 3rd Amended and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Parkwood

Addition Division No. 4, 3rd Amended and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: 01 Zoning Map.jpg
03 Aerial 02.jpg
Final Plat.pdf
CC Staff Report.doc
PC Minutes.docx
Reasoned Statement.docx

B. Idaho Falls Power

1) IFP 22-03 Transformer Purchase Resolution 21-357

Idaho Falls Power (IFP) solicited bids from qualified vendors to purchase transformers and found that vendors would not guarantee pricing or delivery. IFP and City Legal Services recommend that the City reject all bids and adopt a resolution authorizing staff to secure goods and services in the open market for power transformers in the approximate amount of \$1,101,675.75.

Recommended Action:

Reject all bids presented with bid number IFP 22-03 for the Transformer Purchase and adopt a resolution authorizing staff to secure goods and services on the open market for power transformers and give authorization to the Mayor and City Clerk to execute the necessary documents, (or take other action deemed appropriate).

Attachments: IFP22-03 Transformer Purchase rev2.pdf
Resolution Power Transformers.pdf

2) IFP 22-04 Conductor Inventory for Idaho Falls Power 21-360

Idaho Falls Power solicited bids from qualified vendors to purchase conductor inventory for electric service. GEN PAC and IRBY were the only responsive, responsible bidders. Based on construction projections and unit bid prices, the base value is \$1,288,033.59 with a 5% tolerance of \$64,400.18 for a total cost of \$1,352,403.77.

Recommended Action:

Approve these bid awards to GEN PAC and IRBY for the unit prices shown as bid, for a not-to-exceed amount of \$1,352,403.77 (or take other action deemed appropriate).

Attachments: IFP Conductor order and graph.pdf

C. Public Works

1) Iona Bonneville Sewer District (IBSD) - Request for Sewer Service Area Modification 21-356

Public Works is in receipt of a request from the IBSD to decrease the district's sewer service area boundary by 427.89 acres. The proposed sewer service area reductions are shown in the attached Exhibit Overview.

In conjunction with the reduction, the district is also requesting expanding the sewer service area in a

number of different locations totaling 379.65 acres as shown in the attached Exhibit A.

Section 8 of the Cooperative Agreement for Sewage Collection and Treatment between Idaho Falls and the district requires that enlargements to the sewer service area be approved by the City of Idaho Falls. The city had previously requested that the district not expand its sewer service area unless alternative means were secured for sewage to reach the Wastewater Treatment Plant. Currently, the Sunnyside Sanitary Sewer Trunk line carries all flow from the district to the Plant. The district did reduce its service area in response to our request and is approximately 118.34 acres smaller than when originally requested by the city.

The district's sewer service area would still be approximately 166.58 acres smaller than it was in 2016, if this request is approved.

Recommended Action:

Approval of request to modify the Sewer Service Area for IBSD (or take other action deemed appropriate).

Attachments: 2021-12-01 - IBSD Exhibit Overview Reduction.pdf
2021-12-09 - IBSD Exhibit A Aerial.pdf

2) Well 3 Elevated Water Tower - Location Site Change and Engineering Task Order, Addendum 3 21-355

City staff met with the Library Board to discuss the possibility of relocating the elevated water tower to the library south parking lot due to increasing anticipated costs associated with mitigation property from proposed impacts due to the Water Tower siting at the South Capital Park. The Library Board considered this request and voted unanimously to approve siting of the elevated tower at this location if it proved feasible. Furthermore, the Board discussed this during a library update to the City Council at the Work Session held on November 22, 2021.

Public Works staff has worked with design consultant Murraysmith to determine if the library south parking lot is a viable site. This engineering feasibility work has concluded and determined that the site was appropriate for siting the elevated water tower. In addition, city representatives have met with a number of stakeholders in the immediate vicinity of the proposed elevated water tower location and received positive feedback for siting the elevated tower at this location. Therefore, an addendum to the contract with Murraysmith has been developed to provide design services and preparation of bidding and construction documents for the elevated water tower at this new location. The proposed contract amount for such services to be provided is \$102,040.00.

Recommended Action:

Approval of the change in location for the Well 3 Elevated Water Tower from South Capital Park to the Library South Parking Lot; and approval of Addendum 3 to the Task Order with Murraysmith, LLC to accommodate this change in location; and authorization to City staff to take the steps necessary to implement this change in location (or take other action deemed appropriate).

Attachments: Addendum 3 for Well 3 Elevated Tank Improvements.pdf

D. City Attorney

1) Edits to Title 4, Chapter 6 Private Patrol Services 21-362

The Council discussed amendments to the Private Patrol Services Chapter of the City Code to provide clarity of license requirements and to be more consistent with requirements of similar City license provisions. Other Council discussion included consideration of whether the City should continue to license private patrol activities. One of the draft Ordinances attached amends the list of disqualifying activities, includes certain related waiting periods for qualification, reduces the minimum age from 21 to 18, and eliminates the current citizenship requirement. The other draft Ordinance attached rescinds the Private Patrol Services Chapter of the City Code in its entirety.

Recommended Action:

Approve the Ordinance amending qualifications for Private Patrol Services licenses in Title 4, Chapter 6 of the City Code, or rescind Title 4, Chapter 6 in its entirety under a suspension of the rules requiring three complete and separate readings and direct 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 or take other action).

Attachments: Ordinance
Ordinance - Rescinding Title 4 Chapter 6 Private Patrol 12.14.21.pdf

6. Announcements.**7. Adjournment.**



Memorandum

File #: 21-359

City Council Meeting

FROM: Rebecca Casper
DATE: Thursday, December 9, 2021
DEPARTMENT: Mayor's Office

Subject

Appointments to City Boards, Commissions, and Committees-Community Development Services

Council Action Desired

- ☐ Ordinance ☐ Resolution ☐ Public Hearing
☒ Other Action (Approval, Authorization, Ratification, etc.)

Approval of appointment(s), and reappointments, to Community Development Services Boards, Commissions, and Committees

Description, Background Information & Purpose

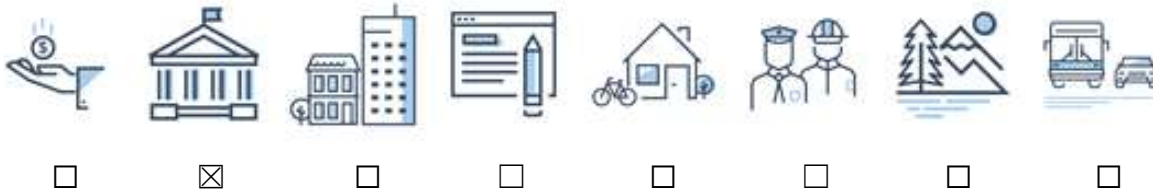
Attached please find communication from Community Development Services Director, Brad Cramer, regarding the citizen volunteers I am appointing/reappointing to serve on the following City of Idaho Falls Boards, Commissions, and Committees:

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Christopher Harvey	Idaho Falls Redevelopment Agency	12/31/26	Re-appoint
Margaret Wimborne	Planning and Zoning Commission	12/31/27	Re-appoint
George Morrison	Planning and Zoning Commission	12/31/27	Re-appoint
Kim Smith	Historic Preservation Commission	12/31/24	Re-appoint
Nathan Kennedy	Historic Preservation Commission	12/31/26	Re-appoint

The applicants have been recommended by Director Cramer. They have provided excellent volunteer service to our community, and I am pleased they are willing to continue. It gives me great pleasure to recommend them for reappointment. I am confident these individuals meet the criteria set forth in City Code. I anticipate each will continue to make positive contributions to the good work of the City.

I request your vote to give consent to these reappointments at the regular Council Meeting on Thursday, December 16, 2021.

If you have questions or comments, please feel free to contact me or Director Cramer.

Alignment with City & Department Planning Objectives

Involving citizens in governance decision making processes supports the highest values of the strategic plan.

Interdepartmental Coordination

N/A

Fiscal Impact

Any activities for these boards, commissions, and/or committees are accounted for in the Community Development Services budget.

Legal Review

N/A



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Brad Cramer, Director

DATE: December 1, 2021

RE: The re-appointment of Kirk Larsen to the Idaho Falls Redevelopment Agency

Community Development Services respectfully requests the re-appointment of Kirk Larsen to the Idaho Falls Redevelopment Agency (IFRA) for a term starting January 1, 2022, and ending December 31, 2026.

Please feel free to contact me with any questions.



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Brad Cramer, Director

DATE: October 22, 2021

RE: The re-appointment of Brent Thompson to the Idaho Falls Redevelopment Agency

Community Development Services respectfully requests the re-appointment of Brent Thompson to the Idaho Falls Redevelopment Agency for a term starting January 1, 2022, and ending December 31, 2026.

Please feel free to contact me with any questions.



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Brad Cramer, Director

DATE: October 22, 2021

RE: The re-appointment of Christopher Harvey to the Idaho Falls Redevelopment Agency

Community Development Services respectfully requests the re-appointment of Christopher Harvey to the Idaho Falls Redevelopment Agency for a term starting January 1, 2022, and ending December 31, 2026.

Please feel free to contact me with any questions.



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Brad Cramer, Director

DATE: October 22, 2021

RE: The re-appointment of Margaret Wimborne to the Planning and Zoning Commission

Community Development Services respectfully requests the re-appointment of Margaret Wimborne to the Planning and Zoning Commission for a term starting January 1, 2022, and ending December 31, 2027.

Please feel free to contact me with any questions.



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Brad Cramer, Director

DATE: October 22, 2021

RE: The re-appointment of George Morrison to the Planning and Zoning Commission

Community Development Services respectfully requests the re-appointment of George Morrison to the Planning and Zoning Commission for a term starting January 1, 2022, and ending December 31, 2027.

Please feel free to contact me with any questions.



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Brad Cramer, Director

DATE: October 22, 2021

RE: The re-appointment of Kim Smith to the Historic Preservation Commission

Community Development Services respectfully requests the re-appointment of Kim Smith to the Historic Preservation Commission for a term starting January 1, 2022, and ending December 31, 2024.

Please feel free to contact me with any questions.



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Brad Cramer, Director

DATE: October 25, 2021

RE: The re-appointment of Nathan Kennedy to the Board of Adjustment

Community Development Services respectfully requests the re-appointment of Nathan Kennedy to the Board of Adjustment for a term starting January 1, 2022, and ending December 31, 2026.

Please feel free to contact me with any questions.

Memorandum

File #: 21-361

City Council Meeting

FROM: Bear Prairie, General Manager
DATE: Thursday, December 9, 2021
DEPARTMENT: Idaho Falls Power

Subject

Quote 1263913, Inventory for Idaho Falls Fiber

Council Action Desired

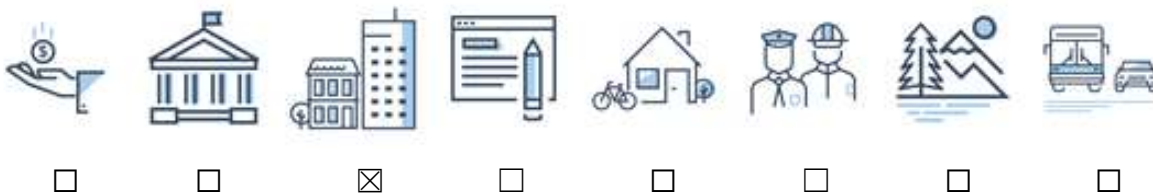
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☒ Other Action (Approval, Authorization, Ratification, etc)

Accept and approve the lowest quotes received from General Pacific, Inc. of Fairview, Oregon for a total of \$83,137.60, (or take other action deemed appropriate).

Description, Background Information & Purpose

This inventory is power meter adaptors for the installation of fiber service to customers where we connect through the meter.

Alignment with City & Department Planning Objectives



This action supports our readiness for managed, well-planned growth and development by expanding fiber optic services and ensuring reliable community connectivity. This action also supports the growth element of the IFP Strategic Plan.

Interdepartmental Coordination

Legal Services and Idaho Falls Fiber.

Fiscal Impact

This purchase is budgeted for in the 2021/22 Idaho Falls Fiber budget.

Legal Review

Legal concurs the action desired is within State Statute.

82049

Bil Knox

From: Delong, Jacob <jacob.delong@anixter.com>
Sent: Monday, November 29, 2021 8:07 AM
To: Bil Knox
Cc: Mark McMillan
Subject: Brooks Quote

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bil,

Hope you had a great holiday! Quote for Brooks item below.

416 ea - 0950600-U-S2

EK-4J-SP5060-U-S2 (UTILITY, LINE SIDE POWER CONNECTION) 4 JAW SNAP COUPLER
ADAPTER w/17-1216 12 VDC POWER SUPPLY 25 WATT

\$195.45/ea

7-8 weeks lead time

Border States
Ryan - No Quote

Gen Pct \$199.85



Jacob DeLong

3130 S 1030 W Suite #2
South Salt Lake | UT | 84119
Tel: (801) 288-2831 ext 35266
Mob: (801) 201-2169

From: Delong, Jacob
Sent: Tuesday, November 23, 2021 9:21 AM
To: Bil Knox <BKnox@ifpower.org>
Cc: Green, Judd <judd.green@anixter.wescodist.com>
Subject: RE: idaho falls power

Bil

Brooks is working on this. Hope to have it back soon.



Jacob DeLong

3130 S 1030 W Suite #2
South Salt Lake | UT | 84119
Tel: (801) 288-2831 ext 35266
Mob: (801) 201-2169

General Pacific, Inc.

P.O. Box. 70
Fairview, OR 97024
USA
503-907-2900

QUOTATION

Order Number	
1263913	
Order Date	Page
11/29/2021 10:48:17	1 of 1

Quote Expires On: 12/29/2021

Bill To:

Idaho Falls, City of
Attn: Controllers Office
PO Box 50220
Idaho Falls, ID 83405-0220
US
1-208-612-8446
Attn: Accounts Payable

Ship To:

Idaho Falls, City of
Idaho Falls Power Warehouse
140 S Capital Ave
Idaho Falls, ID 83402-3629
US

Requested By: Lincoln Beard

Customer ID: 100664

PO Number	Ship Route	Taker
adapter quote	ANY	RPITNEY

Quantities					Item ID	Pricing	Unit	Extended
Ordered	Allocated	Remaining	UOM	Disp.	Item Description	UOM	Price	Price
			Unit Size			Unit Size		
416.0000	0.0000	416.0000	EA		BRO 0950600-U-S2	EA	199.8500	83,137.60
			1.0		Line side power connection	1.0		

Total Lines: 1

SUB-TOTAL: 83,137.60

TAX: 0.00

AMOUNT DUE: 83,137.60

U.S. Dollars

Memorandum

File #: 21-352

City Council Meeting

FROM: Brad Cramer, Director
DATE: Tuesday, November 9, 2021
DEPARTMENT: Community Development Services

Subject

Final Plat and Reasoned Statement of Relevant Criteria and Standards, Parkwood Addition Division No. 4, 3rd Amended.

Council Action Desired

- ☐ Ordinance ☐ Resolution ☐ Public Hearing
- ☒ Other Action (Approval, Authorization, Ratification, etc.)

1. Accept the Final Plat for Parkwood Addition Division No. 4, 3rd Amended and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat (or take other action deemed appropriate).
2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Parkwood Addition Division No. 4, 3rd Amended and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Description, Background Information & Purpose

Attached is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards for the Parkwood Addition Division No. 4, 3rd Amended. The Planning and Zoning Commission considered this item at its January 5, 2021, meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

Alignment with City & Department Planning Objectives



Consideration of the Final Plat must be consistent with the principles of the Comprehensive Plan and Zoning Ordinance, which include many policies and goals related to Good Governance, Growth, Sustainability, Transportation, and Livable Communities.

Interdepartmental Coordination

The Final Plat was reviewed by staff from Fire, Idaho Falls Power, BMPO, Water, Planning, Sewer, Engineering, Survey, and Parks and Rec.




Fiscal Impact

NA




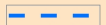

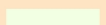
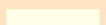
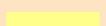





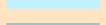
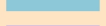







Legal Review

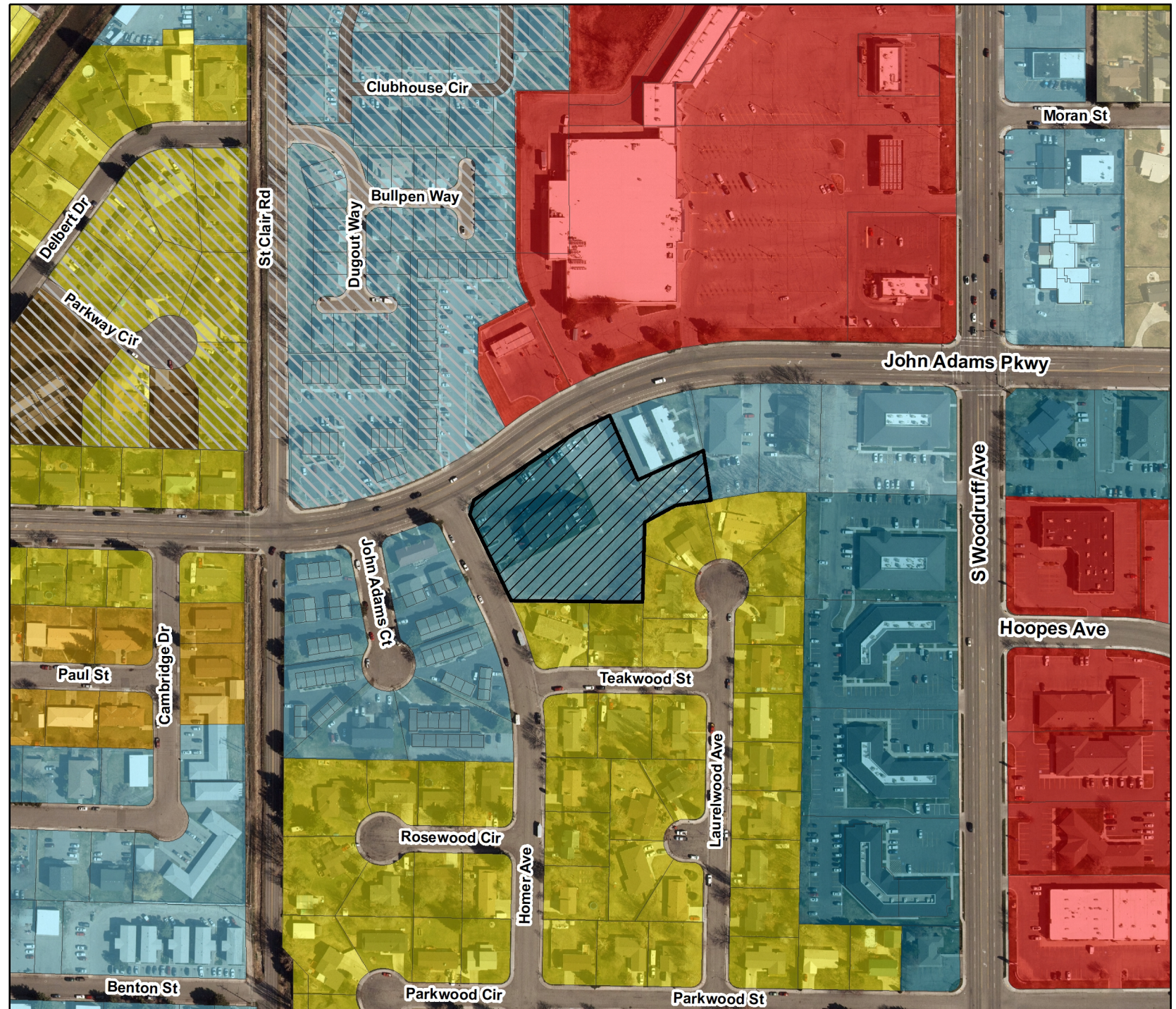
This application has been reviewed by The City Attorney pursuant to applicable law.

Legend

-  Site
-  City Limits
-  Area of Impact

Overlays

-  PT
-  PT&T-1
-  PUD
-  T-1
-  T-2
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P



Planning Division
City Annex Building
680 Park Ave.
Idaho Falls, ID 83402
(208) 612-8276





Clubhouse Cir

Bullpen Way

Dugout Way

Moran St

Delbert Dr

Parkway Cir

St Clair Rd

John Adams Pkwy

John Adams Ct

Paul St

Cambridge Dr

Teakwood St

Hoopers Ave

Rosewood Cir

Homer Ave

Laurelwood Ave

S Woodruff Ave

Benton St

Parkwood Cir

Parkwood St

STAFF REPORT
Final Plat
Parkwood Addition Div. No. 4 Third Amended



Community
Development
Services

Applicant:
Connect Engineering

Project Manager:
Brian J. Stevens

Project Number:
PLAT20-042

Location:
South east of the intersection of
John Adams Parkway and South
Woodruff Ave.

North of East 9th Street, East of
South Holmes Ave, South of
John Adams Parkway, West of S
Woodruff Ave.

Size: Approx. 2.07 acres

Lots: 2

Buildable Lots: 2

Existing Zoning:

Site: R3A

North: LC & R3A

South: R1

East: R3A & R1

West: R3A

Existing Land Uses:

Site: Com & Res

North: Com & Res

South: Res

East: Com & Res

West: Res

Future Land Use Map:

Low density

Attachments:

1. Maps
2. Aerials
3. Exhibit
4. Photos

Requested Action: To **recommend** to the Mayor and City Council approval of the final plat.

History:

In 1978 the subject property was annexed and zoned R1, R3A, and PB. It was then platted as Parkwood Addition No 4 in 1987. In late 2018 the property was rezoned to R3A.

Staff Comments: The plat incudes 2 lots, the 1st will remain as a commercial use and the 2nd will become housing. The 2 lots meet the requirements for the R3A zone. Several of the utilities are in place and several of the easements are also in place. No Street improvements are required.

Staff Recommendation: Staff has reviewed the Final Plat and finds that it complies with the subdivision ordinance. Staff recommends approval of the plat.

Subdivision Ordinance: Boxes: with an "X" indicated compliance with the ordinance

REQUIREMENTS	Staff Review
Building envelopes sufficient to construct a building.	X
Lot dimensions conform to the minimum standards of Zoning Ordinance.	X
Lots have full frontage on, and access to, a dedicated street.	X
Residential lots do not have direct access to arterial streets.	X
Direct access to arterial streets from commercial or industrial lots shall be permitted only where it can be demonstrated that: 1) The direct access will not impede the flow of traffic on the arterial or otherwise create an unsafe condition; 2) There is no reasonable alternative for access to the arterial via a collector street; 3) There is sufficient sight distance along the arterial from the proposed point of access; 4) The proposed access is located so as not to interfere with the safe and efficient functioning of any intersection; and 5) The developer or owner agrees to provide all improvements, such as turning lanes or signals, necessitated for the safe and efficient uses of the proposed access.	Existing
Adequate provisions shall be made for soil preservation, drainage patterns, and debris and waste disposal and collection.	X
Sidelines of lots shall be at, or near, right angles or radial to the street lines. All corner lots shall have a minimum radius of twenty feet on the property line.	Infill
All property within the subdivision shall be included within a lot or area dedicated for public use.	X
All corner lots zoned RP through R3, inclusive, shall be a minimum of ten percent larger in area than the average area of all similarly zoned lots in the plat or subdivision under consideration.	NA
All major streets in subdivision must conform to the major street plan of the City, as set forth in Comprehensive Plan.	X
The alignment and width of previously platted streets shall be preserved unless topographical conditions or existing buildings or structures required otherwise.	X
Residential lots adjoining arterial streets shall comply with: 1) Such lots shall have reverse frontage on the arterial streets, 2) such lots shall be buffered from the arterial street by any effective combination of the following: lot depth, earth berms, vegetation, walls or fences, and structural soundproofing, 3) Minimum lot depth shall be 150ft except where the use of berms, vegetation, and structures can be demonstrated to constitute an effective buffer, 4) Whenever practical, existing roadside trees shall be saved and used in the arterial buffer, 5) Parking areas shall be used as part of the arterial buffer for high density residential uses, 6) Annexation and development agreement shall include provisions for installation and continued maintenance of arterial buffers.	X
Planning Director to classify street on basis of zoning, traffic volume, function, growth, vehicular & pedestrian safety, and population density.	No new streets created

Comprehensive Plan Policies:

Encourage development in areas served by public utilities or where extensions of facilities are least costly. (p. 67)

Zoning:

R3A Residential Mixed Use Zone. To provide for a mix of uses in which the primary use of the land is for residential purposes, but in which office buildings and certain other uses of a semi-commercial nature may be located. Characteristic of this Zone is a greater amount of automobile traffic, greater density, and a wider variety of dwelling types and uses than is characteristic of the R3 Residential Zone. While office buildings and certain other uses of a semi-commercial nature may be located in the Zone, the R3A Zone is essentially residential in character. Therefore, all uses must be developed and maintained in harmony with residential uses. This zone should be located along major streets such as arterials and collectors.

11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

Table 11-3-1: Standards for Residential Zones

	RE	RP	R1	R2	TN	R3	R3A	RMH
Lot Area								
Lot Area Minimum in ft ²	1 acre*	12,000	7,000	6,000*	3,000*	5,000*	5,000	5,000
Lot Area Maximum in ft ²			13,500*					
Site Width								
Site Width at Front Setback, Minimum in ft.	150	60	50	50	25	50	50	50
Setbacks, Minimum in ft.								
Front	40	30*	25*	20*	15*	15	15	30
Front Maximum in ft.					20*			
Side	20	7.5/10*	6	6	5	6	6	10
Rear	40	25	25	25	10	25*	25*	25*
Lot Coverage, Building Height, and Density								
Maximum Lot Coverage in %	30	40	40	80	50	80	80	40
Maximum Building Height in ft*	24	24	24	24	*			24
Maximum Density in net units/acre	1	4	6	17	15	35	35	8
*See explanations, exceptions and qualifications in Section 11-3-4A,B,C of this Zoning Code.								

(Ord. 3218, 9-13-18)

(A) Minimum and Maximum Lot Area.

- (1) In the R1 Zone, the maximum lot size shall be thirteen thousand five hundred square feet (13,500 ft²), except for corner lots, wedge-shaped lots in cul-de-sacs, or other unusual shaped lots. This shall also not apply to conditional uses such as schools and religious institutions.
- (2) In the R2 zone, seven hundred and fifty square feet (750 ft²) shall be added to the minimum required area for each additional dwelling unit.
- (3) In the TN Zone, the maximum average lot area for subdivisions approved after the adoption of this Code, April 12, 2018, shall be six thousand two hundred and fifty square feet (6,250 ft²) in order to encourage a mix of lot sizes and dwelling types. (Ord. 3210, 8-23-18)

January 5, 2021

7:00 p.m.

Planning Department

City Annex Building

MEMBERS PRESENT: Commissioners Natalie Black, Gene Hicks, Brent Dixon, Joanne Denney, Margaret Wimborne, Lindsey Romankiw.

MEMBERS ABSENT: George Morrison, Arnold Cantu

ALSO PRESENT: Planning Director Brad Cramer; Assistant Planning Directors Kerry Beutler; Naysha Foster, Brian Stevens; and interested citizens.

CALL TO ORDER: Natalie Black called the meeting to order at 7:00 p.m.

CHANGES TO AGENDA: There was discussion about adding an item for nomination committee for elections. Kirkham indicated that they need to state a good faith reason why that change wasn't published earlier. Beutler stated that it is normal practice for them to set out a nomination committee, but it isn't a formal agenda item.

MINUTES:

Wimborne moved to approve the December 1, 2020 Minutes with the requested correction, Hicks seconded the motion. Black called for roll call vote: Hicks, yes; Wimborne, yes; Romankiw, yes; Denney, yes; Dixon, yes. The motion passed unanimously.

Business:

4. PLAT 20-042: FINAL PLAT. Final Plat Parkwood Addition Division No. 4 Third Amended.

Applicant: Blake Jolley, Connect Engineering 1150 Hollipark, Idaho Falls, Idaho. Jolley stated that the property is between Woodruff and St. Clair on John Adams Parkway. Jolley stated that the property currently has a 2- story commercial building on it. Jolley stated that they are proposing to break the property into two different lots to provide the ability to split the ownership. Jolley stated that the current owner will maintain ownership of both pieces of property, but he has two sons that are partnering with him on the project that are being built on the back, and to make the partnership clear they need to parcel this into two lots. Jolley stated that the plat will require cross access easements where the project is being built in the back (townhomes).

Stevens presented the staff report, a part of the record.

Wimborne asked where the divide between the two pieces is located. Stevens showed on the slide where the division line will be.

Wimborne clarified that the cross access would stay in place if ownership changed. Stevens stated that easements are put into place to protect them at the time of sales, so the cross access will carry with the land.

Dixon moved to recommend to the Mayor and City Council approval of the Final Plat for Parkwood Addition Division No. 4, Third Amended, as presented, Hicks seconded the

motion. Black called for roll call vote: Hicks, yes; Wimborne, yes; Romankiw, yes; Denney, yes; Dixon, yes. The Motion passed unanimously.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FINAL PLAT OF PARKWOOD ADDITION DIV. NO 4 THIRD AMENDED, LOCATED GENERALLY SOUTH WEST OF THE INTERSECTION OF JOHN ADAMS PARKWAY AND SOUTH WOODRUFF AVE. NORTH OF EAST 9TH STREET, EAST OF ST. CLAIR ROAD, SOUTH OF JOHN ADAMS PARKWAY, WEST OF S WOODRUFF AVE.

WHEREAS, the applicant filed an application for a final plat on October 27, 2020; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public meeting on January 5, 2021; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public meeting on December 16, 2021 and

WHEREAS, having reviewed the application, including all exhibits entered and having considered the issues presented:

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 2.07 acre parcel located generally south west of the intersection of John Adams Parkway and South Woodruff Ave. North of East 9th Street, east of St. Clair Road, south of John Adams Parkway, and west of S Woodruff Ave.
3. The plat complies with all requirements of the Subdivision Ordinance and Zoning Ordinance.
4. The proposed development is consistent with the principles of the City's Comprehensive Plan.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the Final Plat.

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2021

Rebecca L. Noah Casper, Mayor

Memorandum

File #: 21-357

City Council Meeting

FROM: Bear Prairie, General Manager
DATE: Thursday, December 9, 2021
DEPARTMENT: Idaho Falls Power

Subject

IFP 22-03 Transformer Purchase Resolution

Council Action Desired

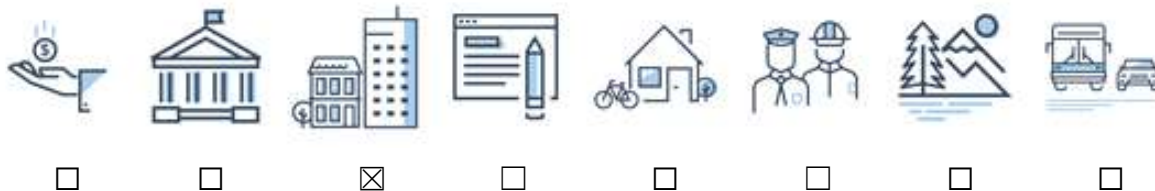
- ☐ Ordinance
 ☒ Resolution
 ☐ Public Hearing
☐ Other Action (Approval, Authorization, Ratification, etc)

Reject all bids presented with bid number IFP 22-03 for the Transformer Purchase and adopt a resolution authorizing staff to secure goods and services on the open market for power transformers and give authorization to the Mayor and City Clerk to execute the necessary documents, (or take other action deemed appropriate).

Description, Background Information & Purpose

Idaho Falls Power (IFP) solicited bids from qualified vendors to purchase transformers and found that vendors would not guarantee pricing or delivery. IFP and City Legal Services recommend that the City reject all bids and adopt a resolution authorizing staff to secure goods and services in the open market for power transformers in the approximate amount of \$1,101,675.75.

Alignment with City & Department Planning Objectives



This action supports the well-planned growth and development community-oriented result by replenishing required inventory ensuring reliable electric service. This action also supports the growth element of the IFP Strategic Plan.

Interdepartmental Coordination

Legal Services and Idaho Falls Power.

Fiscal Impact

Funds for the transformer inventory are budgeted within in the 2021/22 Idaho Falls Power budget.

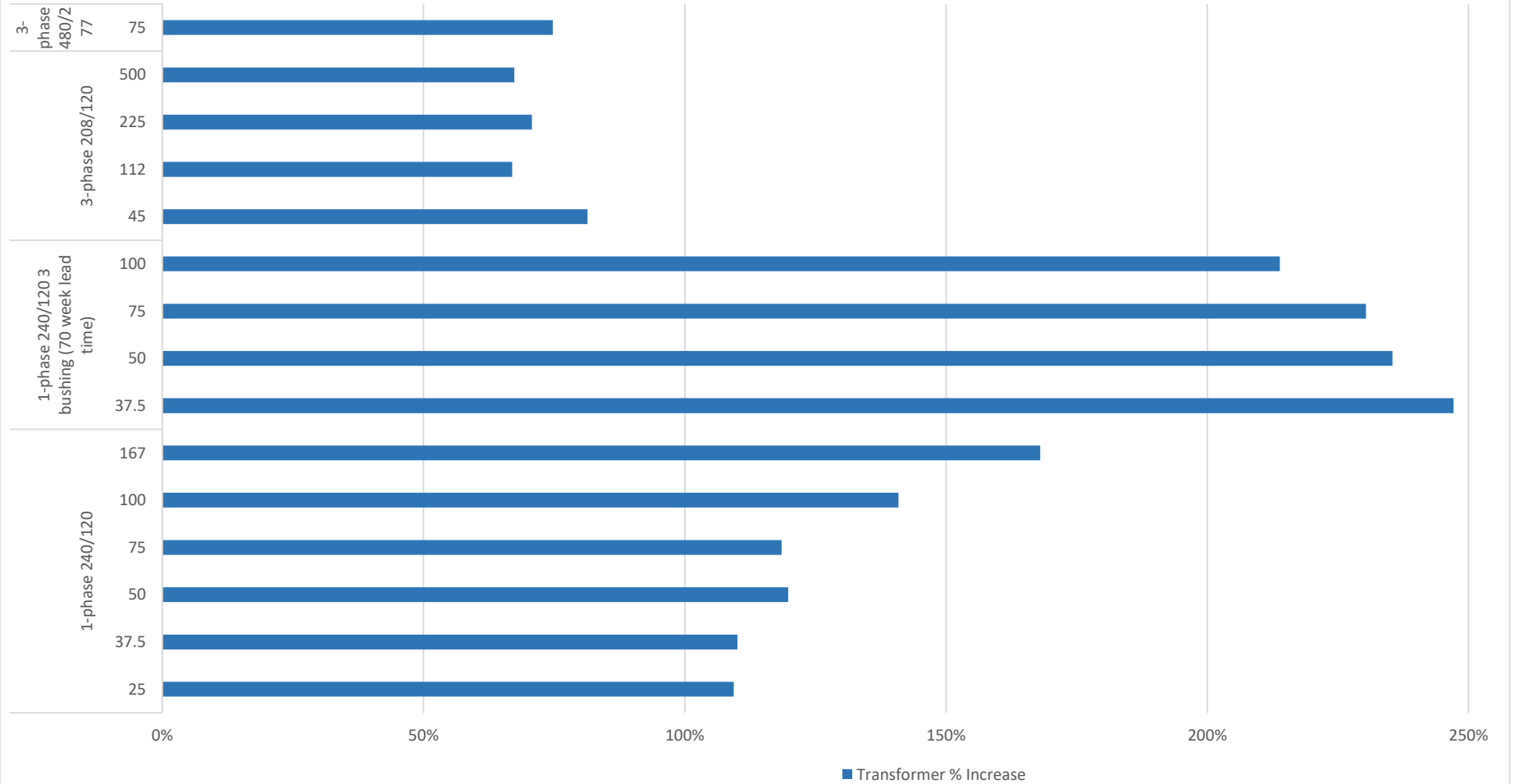
Legal Review

Legal Services concur the action desired permitted under Idaho's public purchasing rules, Idaho Code § 67-2806(2)(h).

Idaho Falls Power																				
Bid Tabulation																				
Project: IFF 2022 Transformer Purchase										Number: IFF 22-03										
Subm Nikk Bradford, Administrative Assistant										Date: November 30, 2021										
Item	KVA	Description	Voltage	Quantity	Power West Engineering (United Electric)			Anixter (ERMCO)			Irby (Howard)			Irby (Power Partners)			Irby (Hitachi Energy)			Comments
					Unit Price	Extended Price	Delivery Time	Unit Price	Extended Price	Delivery Time	Unit Price	Extended Price	Delivery Time	Unit Price	Extended Price	Delivery Time	Unit Price	Extended Price	Delivery Time	
1-phase 240/120																				
		12470 GndV/7200 - 240/120V	-	10	\$11,085	\$221,700	10-12 Weeks				\$9,235	\$184,700	6-38 Weeks	\$3,790	\$75,800	52 Weeks	\$6,227	\$124,540	38-70 Weeks	
2	37.5	1 Ph u/g									\$10,320	\$206,400	6-38 Weeks	\$4,275	\$85,500	52 Weeks	\$6,355	\$127,100	38-70 Weeks	
50 1 Ph u/g 12470 GndV/7200 - 240/120V																				
			-	10	\$11,936	\$238,720	10-12 Weeks				\$10,320	\$206,400	6-38 Weeks	\$4,275	\$85,500	52 Weeks	\$6,355	\$127,100	38-70 Weeks	
3	50	1 Ph u/g									\$10,320	\$206,400	6-38 Weeks	\$4,275	\$85,500	52 Weeks	\$6,355	\$127,100	38-70 Weeks	
12470 GndV/7200 - 240/120V																				
			-	30	\$13,759	\$137,590	10-12 Weeks				\$12,375	\$123,750	6-38 Weeks	\$4,950	\$49,500	52 Weeks	\$7,110	\$213,300	38-70 Weeks	(10) Each to Power West, Irby (Howard), and Irby (Power Partners)
4	75	1 Ph u/g									\$12,375	\$123,750	6-38 Weeks	\$4,950	\$49,500	52 Weeks	\$7,110	\$213,300	38-70 Weeks	
12470 GndV/7200 - 240/120V																				
			-	30	\$18,623	\$186,230	10-12 Weeks				\$14,950	\$149,500	6-38 Weeks	\$6,740	\$67,400	52 Weeks	\$8,445	\$253,350	38-70 Weeks	(10) Each to Power West, Irby (Howard), and Irby (Power Partners)
5	100	1 Ph u/g									\$14,950	\$149,500	6-38 Weeks	\$6,740	\$67,400	52 Weeks	\$8,445	\$253,350	38-70 Weeks	
3-phase 208/120																				
		12470 GndV/7200 - 208V/120V	-	2	\$11,595	\$23,190	10-12 Weeks	\$9,764	\$9,764	TBD 2022	\$12,570	\$25,140	18-20 Weeks				\$10,825	\$10,825	24-26 Weeks	(1) Each from Anixter and Irby (Hitachi)
13	45	3 Ph u/g									\$12,570	\$25,140	18-20 Weeks				\$10,825	\$10,825	24-26 Weeks	
12471 GndV/7200 - 208V/120V																				
			-	2	\$18,614	\$18,614	10-12 Weeks	\$10,940	\$10,940	TBD 2022	\$15,350	\$15,350	18-20 Weeks				\$12,320	\$12,320	24-26 Weeks	(1) Each from Anixter and Irby (Hitachi)
14	112	3 Ph u/g									\$15,350	\$15,350	18-20 Weeks				\$12,320	\$12,320	24-26 Weeks	
12472 GndV/7200 - 208V/120V																				
			-	2	\$23,383	\$23,383	10-12 Weeks	\$13,645	\$13,645	TBD 2022	\$17,690	\$17,690	18-20 Weeks				\$13,625	\$13,625	24-26 Weeks	(1) Each from Anixter and Irby (Hitachi)
15	225	3 Ph u/g									\$17,690	\$17,690	18-20 Weeks				\$13,625	\$13,625	24-26 Weeks	
12473 GndV/7200 - 208V/120V																				
			-	2	\$23,383	\$23,383	10-12 Weeks	\$13,645	\$13,645	TBD 2022	\$17,690	\$17,690	18-20 Weeks				\$13,625	\$13,625	24-26 Weeks	(1) Each from Anixter and Irby (Hitachi)
16	500	3 Ph u/g									\$17,690	\$17,690	18-20 Weeks				\$13,625	\$13,625	24-26 Weeks	(1) Each from Anixter and Irby (Hitachi)
12474 GndV/7200 - 208V/120V																				
			-	3	\$29,888	\$89,664	10-12 Weeks	\$20,320	\$20,320	TBD 2022	\$25,175	\$75,525	18-20 Weeks				\$18,870	\$37,740	24-26 Weeks	(1) From Anixter and (2) Irby (Hitachi)
3-phase 480/277																				
		12470 GndV/7200 - 480V/277V	-	2	\$13,078	\$26,156	10-12 Weeks	\$10,158	\$10,158	TBD 2022	\$12,990	\$25,980	18-20 Weeks				\$11,125	\$11,125	24-26 Weeks	(1) Each from Anixter and Irby (Hitachi)
17	75	3 Ph u/g									\$12,990	\$25,980	18-20 Weeks				\$11,125	\$11,125	24-26 Weeks	
12470 GndV/7200 - 480V/277V																				
			-	2	\$29,207	\$29,207	10-12 Weeks	\$11,153	\$11,153	TBD 2022	\$16,550	\$16,550	18-20 Weeks				\$12,330	\$12,330	24-26 Weeks	(1) Each from Anixter and Irby (Hitachi)
18	150	3 Ph u/g									\$16,550	\$16,550	18-20 Weeks				\$12,330	\$12,330	24-26 Weeks	
																Sub-Total		\$1,049,215		
																5% Inflation Contingency		\$52,460.75		
																Grand Total		\$1,101,675.75		
Notes:																				

Notes:
1 Anixter/ERMCO prices stated to not be firm
2 Irby / Hitachi prices have a price adjustment clause

Tranformer Bid Percent Increase from Prior Purchase



RESOLUTION NO. 2021-

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AUTHORIZING STAFF TO SECURE GOODS AND SERVICES IN THE OPEN MARKET FOR POWER TRANSFORMERS AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City has recently invited qualified persons and entities to bid on providing the City with Single Phase Padmount Distribution Power Transformers, Three Phase Padmount Distribution Power Transformers, and Single Phase Polemount Distribution Power Transformers that were in accordance with the latest applicable ANSI, IEEE, and NEMA standards; and,

WHEREAS, a number of solicitations were received by interested bidders; and,

WHEREAS, the bids received would not provide guaranteed pricing; and,

WHEREAS, the bids received provided extended lead times and, in some cases, did not provide a guaranteed delivery time; and

WHEREAS, the City does not wish to enter into an agreement with any bidder; and

WHEREAS, Idaho Code § 67-2806(2)(h) allows the City, in its discretion, to reject all bids presented and allows the City to pass resolution declaring that the subject goods and services can be produced more economically on the open market; and

WHEREAS, the overage of those bids which were submitted clearly shows that these goods and/or services can be procured more economically on the open market.

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

1. Council declares that the goods and services contained in Bid IFP-22-03 New Electric Distribution Transformers can be procured more economically on the open market.
2. City staff is hereby directed to pursue such goods and services on the open market.

ADOPTED and effective this ____ day of December, 2021.

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, AUTHORIZING STAFF TO SECURE GOODS AND SERVICES IN THE OPEN MARKET FOR POWER TRANSFORMERS AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.”

.”

Kathy Hampton, City Clerk

(SEAL)

Memorandum

File #: 21-360

City Council Meeting

FROM: Bear Prairie, General Manager
DATE: Thursday, December 9, 2021
DEPARTMENT: Idaho Falls Power

Subject

IFP 22-04 Conductor Inventory for Idaho Falls Power

Council Action Desired

- ☐ Ordinance ☐ Resolution ☐ Public Hearing
☒ Other Action (Approval, Authorization, Ratification, etc)

Approve these bid awards to GEN PAC and IRBY for the unit prices shown as bid, for a not-to-exceed amount of \$1,352,403.77 (or take other action deemed appropriate).

Description, Background Information & Purpose

Idaho Falls Power solicited bids from qualified vendors to purchase conductor inventory for electric service. GEN PAC and IRBY were the only responsive, responsible bidders. Based on construction projections and unit bid prices, the base value is \$1,288,033.59 with a 5% tolerance of \$64,400.18 for a total cost of \$1,352,403.77.

Alignment with City & Department Planning Objectives



This action supports the well-planned growth and development community-oriented result by replenishing required inventory ensuring reliable electric service. This action also supports the growth element of the IFP Strategic Plan.

Interdepartmental Coordination

Legal Services and Idaho Falls Power.

Fiscal Impact

Funds for this conductor inventory are budgeted within the 2021/22 Idaho Falls Power budget.

Legal Review

Legal Services concur the action desired is within State Statute.

Idaho Falls Power																				
Bid Tabulation																				
Project: IFP 2022 Conductor Purchase						Number: IFP 22-04														
Subr Nikki Bradford, Administrative Assistant						Date: 12/6/2021		GEN PAC				IRBY (OKONITE/SOUTHWIRE)				IRBY (OKONITE/PRIORITY)				
			Item #	Desc	2nd Desc	Qty Feet	Delivery time	MFG	Unit price \$/ft	Extended price	Delivery time	MFG	Unit price \$/mft	Extended price (Note 2)	Delivery time	MFG	Unit price \$/mft	Extended price (Note 2)		
1	U/G	Pri	910 152 60010	1/0 str	Primary	40,000	33-36 Wks	CME	\$3.52	\$ 161,920.00	Late Aug	Okonite	3,200	\$ 128,000.00	Late Aug	Okonite	3200/mft	\$ 128,000.00		
2	U/G	Pri	910 152 63010	1/0 str	Primary Triplex	21,000	33-36 Wks	CME	\$11.87	\$ 249,270.00	Late Aug	Okonite	3,200	\$ 201,600.00	Late Aug	Okonite	3200/mft	\$ 201,600.00		
3	U/G	Pri	910 152 63040	4/0 str	Primary Triplex	20,000	33-36 Wks	CME	\$18.83	\$ 376,600.00	Late July	Okonite	3,300	\$ 198,000.00	Late July	Okonite	3300/mft	\$ 198,000.00		
4	U/G	Sec	910 152 35040	#350 - 350 - 4/0 str	"Wesleyan"	30,000	25-28 Wks	CME	\$3.67	\$ 110,100.00	In Stock	South Wire	3,815	\$ 114,450.00	In Stock	Priority	4610/mft	\$ 138,300.00		
5	U/G	Sec	910 152 30002	#4 str Duplex, Street Light	"Delgado"	9,000	25-28 Wks	CME	\$0.594	\$ 5,346.00	In Stock	South Wire	657	\$ 5,913.00	In Stock	Priority	655/mft	\$ 5,895.00		
6	U/G	Sec	910 152 30010	#1/0 Triplex	"Brenau"	25,000	25-28 Wks	CME	\$1.32	\$ 33,000.00	In stock	South Wire	1,442	\$ 36,050.00	In stock	Priority	1535/mft	\$ 38,375.00		
7	U/G	Sec	910 150 50510	500mcm Cu	THHN	6,000	Factory Std	KHW&C	\$16.21	\$ 97,260.00	In Stock	South Wire	13,868	\$ 83,208.00	In Stock	South Wire	13868/mft	\$ 83,208.00		
8	O/H	Pri	910 151 00004	#4 str ACSR	"Swanate"	9,000	33-36 Wks	CME	\$0.187	\$ 1,674.59	in stock	South Wire	235	\$ 2,115.00	in stock	Priority	190/mft	\$ 1,701.45		
9	O/H	Pri	910 151 00795	#795 ACSR	"Drake"	21,000	33-36 Wks	CME	\$3.19	\$ 66,415.80	10-12 Wks	South Wire	3,250	\$ 68,250.00	10-12 Wks	Priority	3457/mft	\$ 71,974.74		
10	O/H	Pri	910 151 03779	#795 Aluminum	"Arbutus"	200,000	33-36 Wks	CME	\$2.32	\$ 460,659.20	16-18 Wks	South Wire	2,420	\$ 484,000.00	16-18 Wks	Priority	2506/mft	\$ 497,190.40		
total										\$ 1,562,245.59					\$ 2,315,966.80					\$ 2,032,525.39

Notes:

- 1 All orders are approximate, actual order amount is based on the standard reel quantity within 5% of the requested reel amount.
- 2 Bid at \$ per linear foot of wire. Converted to linear foot of triplexed wire for comparison purposes.
- * Factory Stock subject to Prior sale. Please allow 2-3 weeks after receipt of order for delivery.

sub-total\$1,288,003.59

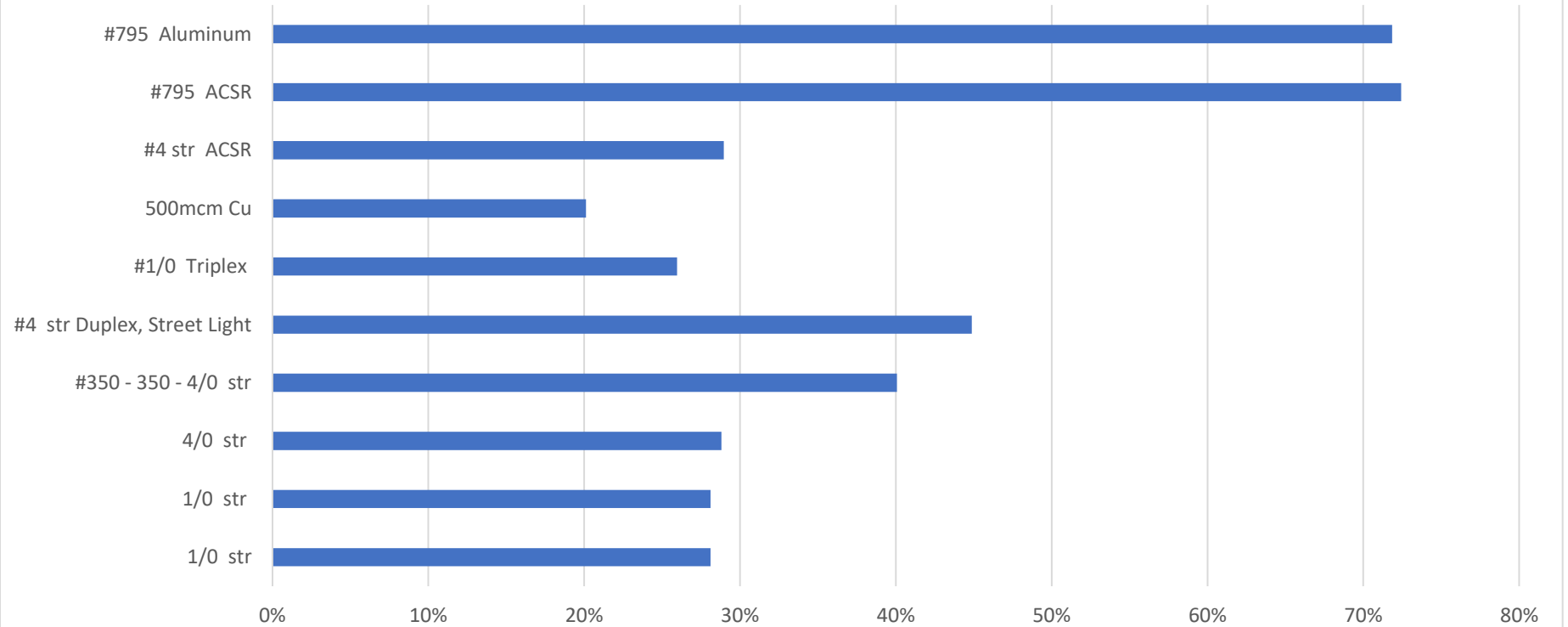
5% tolerance\$64,400.18

Total\$1,352,403.77

Signatures:

- 1
- 2
- 3
- 4

Current Wire Low Bid Price Increase from Last Purchase





Memorandum

File #: 21-356

City Council Meeting

FROM: Chris H Fredericksen, Public Works Director
DATE: Thursday, December 9, 2021
DEPARTMENT: Public Works

Subject

Iona Bonneville Sewer District (IBSD) - Request for Sewer Service Area Modification

Council Action Desired

- ☐ Ordinance ☐ Resolution ☐ Public Hearing
☒ Other Action (Approval, Authorization, Ratification, etc.)

Approval of request to modify the Sewer Service Area for IBSD (or take other action deemed appropriate).

Description, Background Information & Purpose

Public Works is in receipt of a request from the IBSD to decrease the district's sewer service area boundary by 427.89 acres. The proposed sewer service area reductions are shown in the attached Exhibit Overview.

In conjunction with the reduction, the district is also requesting expanding the sewer service area in a number of different locations totaling 379.65 acres as shown in the attached Exhibit A.

Section 8 of the Cooperative Agreement for Sewage Collection and Treatment between Idaho Falls and the district requires that enlargements to the sewer service area be approved by the City of Idaho Falls. The city had previously requested that the district not expand its sewer service area unless alternative means were secured for sewage to reach the Wastewater Treatment Plant. Currently, the Sunnyside Sanitary Sewer Trunk line carries all flow from the district to the Plant. The district did reduce its service area in response to our request and is approximately 118.34 acres smaller than when originally requested by the city.

The district's sewer service area would still be approximately 166.58 acres smaller than it was in 2016, if this request is approved.

Alignment with City & Department Planning Objectives



This request is in conformance with community-oriented results of well-planned growth and development and environmental sustainability.

Interdepartmental Coordination

N/A

Fiscal Impact

Expansion of the sewer service area will have no out of pocket expense to the city.

Legal Review

N/A

Exhibit Overview

December 1, 2021

1" = 2,500'

IDAHO FALLS
PUBLIC
WORKS

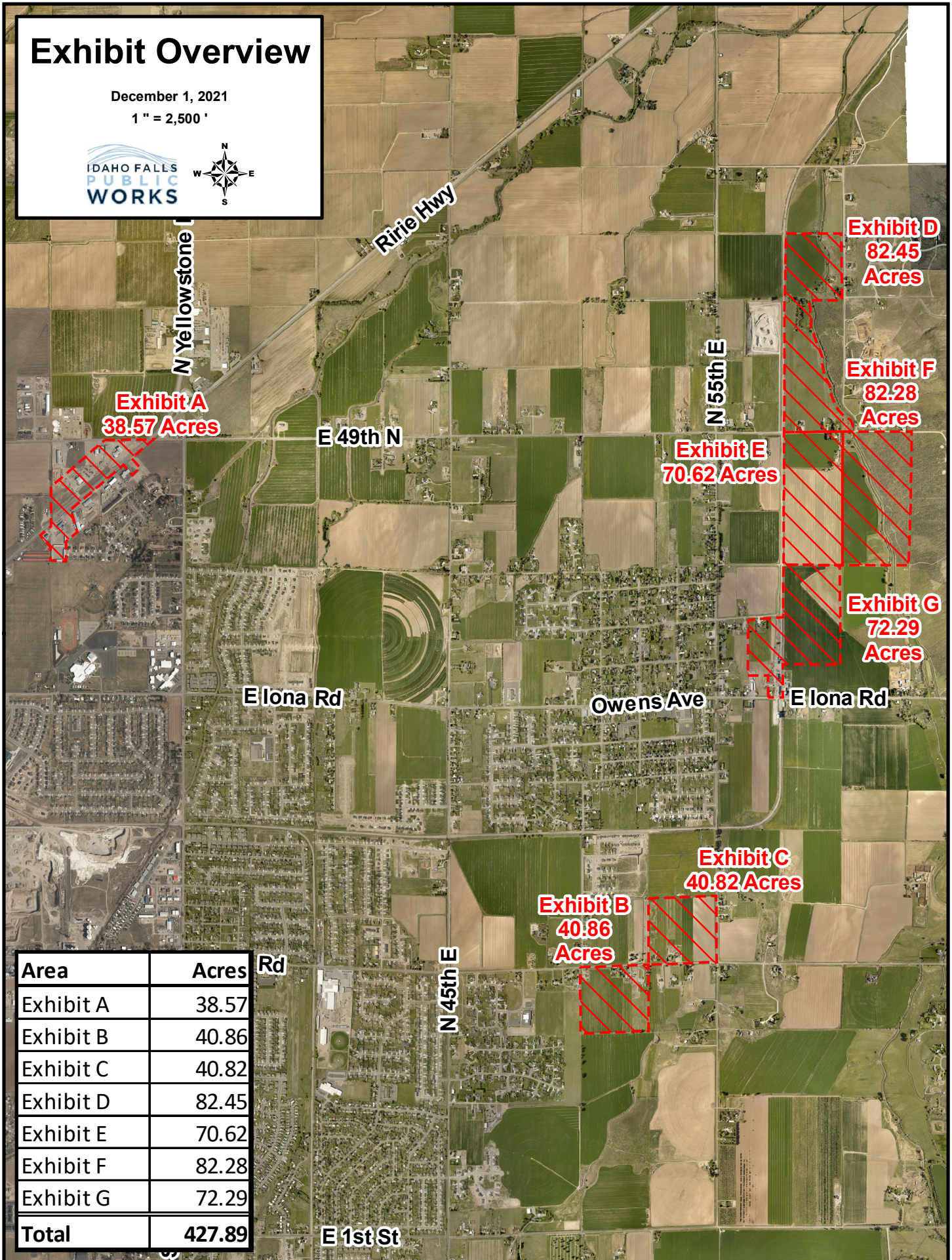


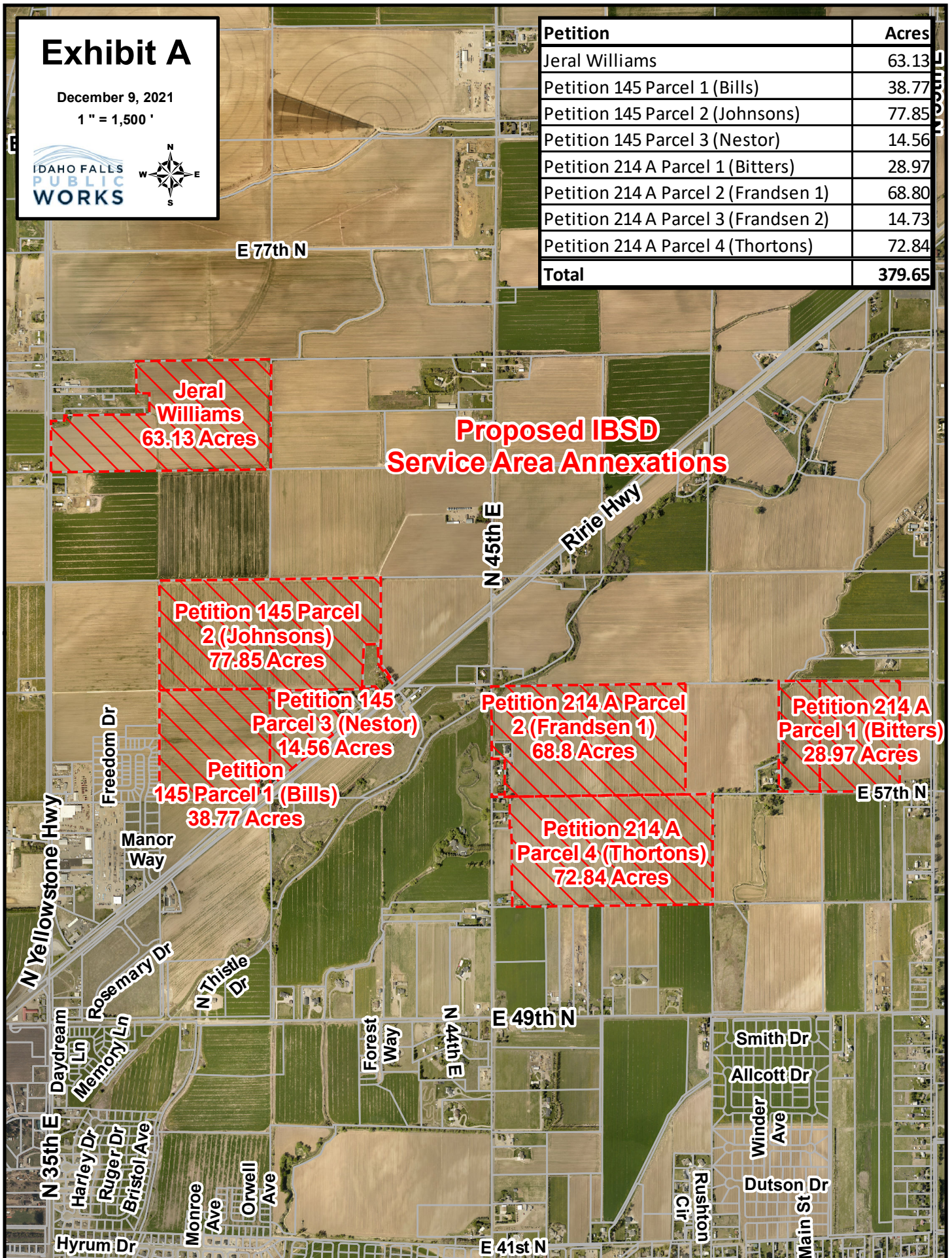
Exhibit A

December 9, 2021

1" = 1,500'



Petition	Acres
Jeral Williams	63.13
Petition 145 Parcel 1 (Bills)	38.77
Petition 145 Parcel 2 (Johnsons)	77.85
Petition 145 Parcel 3 (Nestor)	14.56
Petition 214 A Parcel 1 (Bitters)	28.97
Petition 214 A Parcel 2 (Frandsen 1)	68.80
Petition 214 A Parcel 3 (Frandsen 2)	14.73
Petition 214 A Parcel 4 (Thortons)	72.84
Total	379.65



Memorandum

File #: 21-355

City Council Meeting

FROM: Chris H Fredericksen, Public Works Director
DATE: Thursday, December 9, 2021
DEPARTMENT: Public Works

Subject

Well 3 Elevated Water Tower - Location Site Change and Engineering Task Order, Addendum 3

Council Action Desired

- ☐ Ordinance ☐ Resolution ☐ Public Hearing
☒ Other Action (Approval, Authorization, Ratification, etc.)

Approval of the change in location for the Well 3 Elevated Water Tower from South Capital Park to the Library South Parking Lot; and approval of Addendum 3 to the Task Order with Murraysmith, LLC to accommodate this change in location; and authorization to City staff to take the steps necessary to implement this change in location (or take other action deemed appropriate).

Description, Background Information & Purpose

City staff met with the Library Board to discuss the possibility of relocating the elevated water tower to the library south parking lot due to increasing anticipated costs associated with mitigation property from proposed impacts due to the Water Tower siting at the South Capital Park. The Library Board considered this request and voted unanimously to approve siting of the elevated tower at this location if it proved feasible. Furthermore, the Board discussed this during a library update to the City Council at the Work Session held on November 22, 2021.

Public Works staff has worked with design consultant Murraysmith to determine if the library south parking lot is a viable site. This engineering feasibility work has concluded and determined that the site was appropriate for siting the elevated water tower. In addition, city representatives have met with a number of stakeholders in the immediate vicinity of the proposed elevated water tower location and received positive feedback for siting the elevated tower at this location. Therefore, an addendum to the contract with Murraysmith has been developed to provide design services and preparation of bidding and construction documents for the elevated water tower at this new location. The proposed contract amount for such services to be provided is \$102,040.00.

Alignment with City & Department Planning Objectives





This project supports the community-oriented results of environmental sustainability and reliable public infrastructure by replacing the cities elevated water storage tank.

Interdepartmental Coordination

Extensive interdepartmental coordination has been conducted to this point and will continue as required to facilitate advancement of this project.

Fiscal Impact

Cost allocations for this project will be provided by the Water Fund. Sufficient funding and budget authority exist to complete the work associated with the contract addendum.

Legal Review

The contract addendum has been reviewed by the Legal Department.

TASK ORDER
TASK NO. 2-37-27-1-WTR-2018-26

ADDENDUM 3

MURRAYSMITH
PROPOSED SCOPE AND FEE FOR
WELL 3 ELEVATED TANK IMPROVEMENTS
CITY OF IDAHO FALLS, IDAHO

This Scope is for professional services between Murraysmith and the City of Idaho Falls, Idaho (City) for design of improvements to the Well 3 Elevated Tank. The terms of this work shall be in accordance with the *Agreement for Professional Engineering Services for the City of Idaho Falls, Idaho* - dated June 28, 2018.

Background

The City would like to abandon the existing elevated tank located at the Well 3 site and replace it with a new 1.0 MG elevated tank in the same area. The original Scope included the following tasks to implement these recommended improvements.

- Site analysis for the new elevated tank
- Elevated Tank style alternatives analysis and conceptual design
- Support for public involvement effort and site acquisition led by the City
- Preliminary geotechnical analysis to support site selection and final tank design
- Final design at the selected park site

During final design of the park site, Murraysmith was directed by the City to assess the feasibility of constructing the elevated tank in the Library Parking Lot. This location had not been previously considered because of its potential impact to Library patrons. Murraysmith performed an initial evaluation of the site and concluded that it would be feasible to construct a tower at this location.

This addendum is for final design of the elevated tank at the Library location.

Task 1 – Project Management

This task includes project management time for the extended project design timeline.

Task 1 Assumptions

- The original SOW assumed that the project would be bid and contracted by January 2022 with 20 months for construction. This addendum assumes that the project will be bid and contracted by July 2021 (also with 20 months of construction). The addendum includes seven (7) months of additional project management time.

Task 1 Deliverables

- No change

Task 2 – Task 8

This Amendment 3 does not change Tasks 2-8 of the original task and Amendments 1-2.

Task 9– Library Site Final Design

Task 9.1 Library Site - Data Collection

This subtask includes geotechnical investigation of the Library site.

- Field investigation will include a single boring to be advanced to a depth of 25 feet in the location of the proposed tank. The boring will be backfilled at completion of exploration. Surfaces will be patched with cold-mix asphalt. Excavated soils will be left onsite in an inconspicuous location. If needed, these soils can be transported offsite for an additional fee.
- Information regarding regional geology will be provided.
- A seismic site evaluation will be conducted, and recommended Site Class and Seismic Design Parameters will be provided.
- Potential geologic hazards will be identified.
- A summary of soil conditions encountered will be provided.
- Hydrology
 - A review of localized groundwater conditions will be included.
 - Estimated soil infiltration rates will be provided based on soil classification.
- Foundations and Floor Slabs-on-Grade
 - Bearing capacity for applicable foundation types will be provided.

- Recommended frost embedment depths will be included.
- Foundation and floor slab subgrade preparation and drainage recommendations will be presented.
- Applicable pavement section recommendations will be provided.
- Fill material type and placement recommendations will be presented.
- Recommendations for construction activities including limitations for cut/fill slopes will be provided.

Task 9.1 Assumptions

- The City Water Department will help coordinate permission to access the site for the field investigation
- City will be responsible for private utility locates

Task 9.1 Deliverables

- Draft and final Geotechnical Report Addendum (PDF)

Task 9.2– Library Site Permit Review

Subtask 9.2.1 Conditional Use Permit (CUP) Review and Approval

Murraysmith will complete the CUP application and submit it, along with the required site plan, to the City Planning Department. Murraysmith will provide exhibits as required for the public hearing. After the CUP is approved, Murraysmith will complete the City's engineering template and submit for Site Plan review and approval.

As part of this task, Murraysmith will develop up to three (3) additional site renderings to support the Conditional Use Permit public hearing.

Subtask 9.2.2 Idaho Department of Environmental Quality (IDEQ)

Murraysmith will develop an updated PER for the project at the new site and submit to DEQ for review and approval.

Submittal of stamped plans to IDEQ for review and approval is included in the original SOW.

Task 9.2 Assumptions

- Murraysmith will perform the design in parallel with the CUP review

- Murrysmith does not need to attend the public hearing that is required as part of the CUP review and approval process.
- There will be one (1) round of revisions to address comments for each agency review submittal. Additional reviews and associated revisions are outside the scope of work.
- Section 404 Permit from the US Army Corps of Engineers is not required.
- The construction contractor will be responsible for obtaining any permits not listed in this task (e.g. grading, erosion control, ROW).
- Submittal of plans for building permit following issuance of the CUP and final approval from IDEQ is included in the original SOW.
- Permitting fees are not included in this SOW and any fees will be paid by others.

Task 9.2 Deliverables

- PDF of CUP application and associated figures
- PDF of Site Plan Review application and associated figures
- PDF and hard copies as required for IDEQ review
- PDF of Building Permit application and associated figures

Task 9.3 – Library Site Final Design

Under this task, the design team will complete final designs and specifications for construction of the new reservoir and related appurtenances at the Library Site. With the new site, the following design elements will need to be revised:

- Traffic Control
- Erosion Control
- Site layout and grading
- Site piping
- Storm drain design
- Foundations and structural support for the reservoir, including Structural calculations required for permitting
- Tank layout (e.g. access)
- Mechanical system layout
- Electrical and instrumentation and control systems site layout

- External lightning layout
- Construction cost estimates
- Construction schedule

Subtask 9.3.1 Prepare 60% Plans and Specifications

The project team will prepare 60% technical specifications, drawings, cost estimate, and contractor prequalification documents.

Murraysmith will submit the 60% drawings for review and meet with the City to discuss comments.

Murraysmith will finalize the prequalification documents based on City comments. This task also includes time to evaluate the prequalification documents submitted by interested bidders/contractors.

Subtask 9.3.2 Prepare 90% Plans and Specifications

The project team will incorporate comments from the City's review of 60% designs and prepare 90% technical specifications, drawings, and a cost estimate.

Murraysmith will submit the 90% drawings for review and meet with the City to discuss comments.

Subtask 9.3.3 – Prepare 100% Plans and Specifications

The project team will incorporate comments from the City's review of 90% designs and prepare stamped technical specifications, drawings and a cost estimate for IDEQ review (see Task 5). Murraysmith will incorporate comments from the IDEQ review and prepare stamped technical specifications and drawings for bidding.

Task 9.3 Assumptions

- Detailed design assumptions are as follows.
 - It is anticipated the reservoir foundation will have a shallow, spread footing type foundation, thus not requiring a deep foundation.
 - Design includes yard piping, valves, vaults, and connections to off-site piping that will be designed by City staff. Off-site piping will be routed to Well #3.
 - No environmentally sensitive areas are present on the site.
 - Reservoir and site drainage improvements will comply with City of Idaho Falls requirements and include on-site piping and subsurface detention storage. It is anticipated the storm water from the site can be discharged to the existing stormwater

drainage system in the parking lot. This system discharges into the existing storm drain system in the ROW. Downstream stormwater system has adequate capacity and does not need to be analyzed or upgraded.

- Landscape design is not required.
- Project may be funded with state and/or federal funds. The City will lead any required loan paperwork. The City will lead any required environmental assessments. Murraysmith will include requirements for American Iron and Steel (AIS) compliance requirements.
- City will administer the prequalification advertisement and receive the prequalification submittals.

Task 9.3 Deliverables

- Design meeting agendas and notes
- 60% design in PDF format
- 90% design in PDF format
- PDF and hard copies as required for the permit review set
- 100% design package in PDF format

Project Schedule

A detailed schedule is attached. Murraysmith will make every effort to complete the work in a timely manner; however, it is agreed that Murraysmith cannot be responsible for delays occasioned by factors beyond its control, nor by factors that could not reasonably have been foreseen at the time this scope was executed.

Project Budget

The work provided in this Task Order will be billed on a time and materials basis. The addendum and overall budget estimate breakdown for this work is outlined in the Table 1 below. Murraysmith will manage the work identified in this Task Order to the aggregate budget amount (Project Total) which shall not be exceeded without prior written authorization from the City. When any budget has been increased or follow-on work contracted, Murraysmith's excess costs expended prior to such an increase will be allowable to the same extent as if such costs had been incurred after the approved increase.

Payment will be made at the Billing rates for personnel working directly on the project, which will be made at Murraysmith's Hourly Rates, plus Direct Expenses incurred. Billing rates will be reviewed with the City and updated at the beginning of each calendar year. The overall project budget has been developed using estimated 2022 rates.

Subconsultants, when required by the Murraysmith, will be charged at actual costs plus a 10 percent fee to cover administration and overhead. Direct expenses will be paid at the rates shown in the table below.

Expenses incurred in-house that are directly attributable to the project will be invoiced at actual cost. These expenses include the following.

Computer Aided Design and Drafting	\$18.00/hour
GIS/Hydraulic Modeling Software	\$10.00/hour
Mileage	Current IRS Rate
Postage and Delivery Services	At Cost
Printing and Reproduction	At Cost
Travel, Lodging and Subsistence	At Cost

Table 1 | Total Project Fee

Task Number	Current Fee (Through Addendum 2)	Addendum 3	Total Fee
Task 1 – Project Management	\$47,687	\$6,619	\$54,306
Task 2 – Tank Siting Study	\$35,183	-	\$35,183
Task 3 – Data Collection	\$15,369	-	\$15,369
Task 4 – Public Involvement Support	\$41,868	-	\$41,868
Task 5 – Concept Design and Permit Review	\$51,055	-	\$51,055
Task 6 – Final Design	\$229,675	-	\$229,675
Task 7 – Services During Bidding and Construction	\$165,486	-	\$165,486
Task 8 – Management Reserve	\$20,000	-	\$20,000
Task 9 – Library Site			
Task 9.1 – Library Site Data Collection	-	\$9,309	\$9,309
Task 9.2 – Library Site Permit Review	-	\$6,991	\$6,991
Task 9.3 – Library Site Final Design	-	\$79,121	\$79,121
Project Total	\$606,323	\$102,040	\$708,363

CITY OF IDAHO FALLS

MURRAYSMITH INC.

Dennis M Galinato

Digitally signed by Dennis M Galinato
DN: CN=Dennis M Galinato,
OU=A01427E00000169CA4432B100000DF5,
O=MURRAYSMITH, C=US
Date: 2021.12.09 12:10:53-07'00'

Signature

Signature

Name (printed)

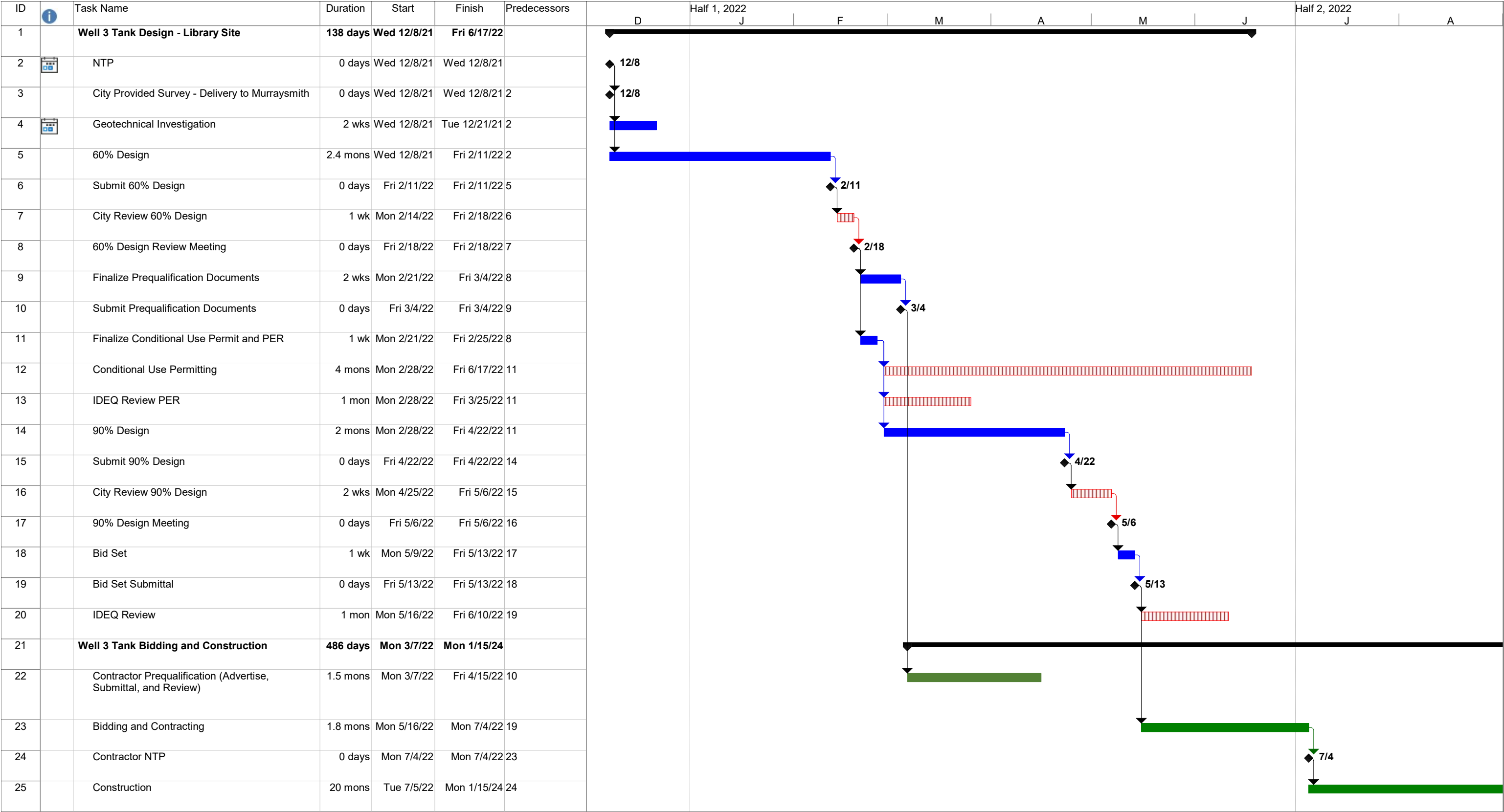
Dennis Galinato
Name (printed)

Title

Principal Engineer
Title

Date

12/9/21
Date



Idaho Falls Well 3 Elevated Tank Fina
Date: Tue 11/30/21

Task

Split

Milestone

Summary

Project Summary

External Tasks

External Milestone

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

External Tasks

External Milestone

Progress

Deadline

Memorandum

File #: 21-362

City Council Meeting

FROM: Randy Fife
DATE: Tuesday, December 14, 2021
DEPARTMENT: City Attorney

Subject

Edits to Title 4, Chapter 6 Private Patrol Services

Council Action Desired

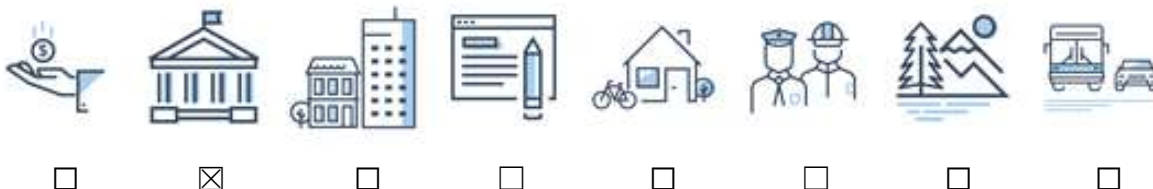
- ☒ Ordinance ☐ Resolution ☐ Public Hearing
☐ Other Action (Approval, Authorization, Ratification, etc.)

Approve the Ordinance amending qualifications for Private Patrol Services licenses in Title 4, Chapter 6 of the City Code, or rescind Title 4, Chapter 6 in its entirety under a suspension of the rules requiring three complete and separate readings and direct 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 or take other action).

Description, Background Information & Purpose

The Council discussed amendments to the Private Patrol Services Chapter of the City Code to provide clarity of license requirements and to be more consistent with requirements of similar City license provisions. Other Council discussion included consideration of whether the City should continue to license private patrol activities. One of the draft Ordinances attached amends the list of disqualifying activities, includes certain related waiting periods for qualification, reduces the minimum age from 21 to 18, and eliminates the current citizenship requirement. The other draft Ordinance attached rescinds the Private Patrol Services Chapter of the City Code in its entirety.

Alignment with City & Department Planning Objectives



Promotes good governance by providing clarity, consistency, transparency, and legal compliance with associated laws.

Interdepartmental Coordination

The City Attorney's office worked with the Police Department and the Clerk's office to produce the drafts to be considered by the Council.

Fiscal Impact

None

Legal Review

Drafts produced by City Attorney's office.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 4, CHAPTER 6 TO CLARIFY CONDITIONS FOR ISSUANCE OF A PRIVATE PATROL SERVICES LICENSE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City currently licenses companies and individuals who provide private patrol services within City limits; and

WHEREAS, conditions and disqualifications for licensing are set out in Title 4, Chapter 6; and

WHEREAS, recently the Council has reviewed the current conditions and qualifications and has determined that there are clarifications and improvements that should be made; and

WHEREAS, the Council has determined that a licensee should be at least eighteen (18) years of age due to the maturity and reasonable decision making required to carry out the activities permitted by the private patrol license, and because the minimum age requirement promotes the health, safety, and welfare of the general public; and

WHEREAS, the Ordinance sets out City private patrol services license conditions in a thorough and clear manner so that applicants, licensees, and members of the public understand them.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, THAT:

SECTION 1: Title 4, Chapter 6 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

...

4-6-5: **QUALIFICATIONS, PRIVATE PATROL PERSON:** No person shall be issued a license as a private Patrol Person who:

(A) Is not at least ~~twenty-one (21)~~eighteen (18) years of age.

(B) ~~Is not a citizen of the United States.~~ Where the applicant or licensee has:

1. Been found guilty of, plead guilty to, received a withheld judgment, or admitted to the elements of any of the following enumerated crimes, or admitted that sufficient evidence exists which could be likely to convince a judge or jury to find the applicant or licensee to be guilty beyond a reasonable doubt, or any substantially similar provision of foreign criminal violation, notwithstanding the form of judgment(s):

- a. Attempt, Section 18-306, Idaho Code, conspiracy, Section 18-1701, Idaho Code, or accessory after the fact, Section 18-205, Idaho Code, to commit any of the crimes designated in this subsection.
- b. Aggravated, first degree, second degree and third-degree arson, Sections 18-801 through 18-805, Idaho Code.
- c. Felony injury of a child, Section 18-1501, Idaho Code.
- d. Abuse, neglect or exploitation of a vulnerable adult, Section 18-1505, Idaho Code.
- e. The sexual abuse of a child under sixteen years of age, Section 18-1506, Idaho Code.
- f. The ritualized abuse of a child under eighteen years of age, Section 18-1506A, Idaho Code.
- g. The sexual exploitation of a child, Section 18-1507 or 18-1507A, Idaho Code.
- h. Lewd conduct with a child under the age of sixteen years, Section 18-1508, Idaho Code.
- i. Enticing of children, Section 18-1509 or 18-1509A, Idaho Code.
- j. The sale or barter of a child for adoption or other purposes, Section 18-1511, Idaho Code.
- k. Murder in any degree, Section 18-4001 or 18-4003, Idaho Code.
- l. Voluntary manslaughter, Section 18-4006, Idaho Code.
- m. Poisoning, Section 18-4014 or 18-5501, Idaho Code.
- n. Assault with intent to murder, Section 18-4015, Idaho Code.
- o. Kidnapping, Sections 18-4501 through 18-4503, Idaho Code.
- p. Mayhem, Section 18-5001, Idaho Code.
- q. Inducing individuals under eighteen years of age into prostitution, Section 18-5609, Idaho Code.
- r. Inducing a person under eighteen years of age to patronize a prostitute, Section 18-5611, Idaho Code.
- s. Rape, Section 18-6101 or 18-6108, Idaho Code.
- t. Robbery, Section 18-6501, Idaho Code.

u. Incest, Section 18-6602, Idaho Code.

v. Crimes against nature (excepting consensual sexual activities), Section 18-6605, Idaho Code.

w. Forcible sexual penetration by use of foreign object, Section 18-6608, Idaho Code.

x. Video voyeurism, Section 18-6609, Idaho Code.

y. Stalking in the first degree, Section 18-7905, Idaho Code.

z. Any felony punishable by death or life imprisonment.

2. Been classified as a voluntary patient or involuntary patient pursuant to Chapter 3, Title 66, Idaho Code, or similar provision in another jurisdiction, unless:

a. Such person has been released from, and is no longer under, any form of treatment in relation to such classification, and

b. Such person has been examined by at least one (1) professional licensed to evaluate mental health and such professional certifies that the person is no longer mentally ill and presents no threat or danger to any child. Such examination shall not be at City expense.

~~(C) Has been convicted of a felony or of any crime or offense involving violence or moral turpitude, or of any offense concerning the sale or transportation of intoxicating or alcoholic liquor.~~Where the applicant or licensee has:

1. Been found guilty of, plead guilty to, or received a withheld judgment, or admitted to the elements of any of the following enumerated crimes, or any substantially similar provision of foreign criminal violation, notwithstanding the form of judgment(s) for any offense involving neglect or any physical injury to, or other abuse of a child, or any of the following offenses or a similar provision in another jurisdiction, for a period of five (5) years immediately preceding the date of application for license or renewal:

a. Any crime of physical violence against persons, other than those listed in Section A.1. hereinabove.

b. Any felony as defined by Idaho Code, Sections 18-111 and 18-111A, other than those listed in Subsection A.1. hereinabove.

c. Attempt, Section 18-306, Idaho Code, conspiracy, Section 18-1701, Idaho Code, or accessory after the fact, Section 18-205, Idaho Code, to commit any of the crimes designated in this subsection.

d. Arson, as defined in Sections 18-801 through 18-804, Idaho Code.

- e. Aggravated assault, Section 18-905, Idaho Code.
- f. Aggravated battery, Section 18-907(1), Idaho Code.
- g. Felony domestic violence, Section 18-918, Idaho Code.
- h. Attempted strangulation, Section 18-923, Idaho Code.
- i. Burglary, Section 18-1401, Idaho Code.
- j. Misdemeanor injury to a child, Section 18-1501(2), Idaho Code.
- k. Transporting a minor in a motor vehicle while under the influence, Section 18-1501(3), Idaho Code.
- l. Disseminating obscene material to minors, as defined in Sections 18-1513 through 18-1515, Idaho Code.
- m. Misdemeanor theft, as defined in Title 18, Chapter 24 of the Idaho Code.
- n. Felony theft, Sections 18-2403 and 18-2407(1), Idaho Code.
- o. Grand theft, Section 18-2407(1), Idaho Code.
- p. Forgery of a financial transaction card, Section 18-3123, Idaho Code.
- q. Fraudulent use of a financial transaction card or number, Section 18-3124, Idaho Code.
- r. Misappropriation of personal identifying information, Section 18-3126, Idaho Code.
- s. Forgery or counterfeiting, Chapter 36, Title 18, Idaho Code.
- t. Driving without privileges, Section 18-8001, Idaho Code.
- u. Driving under the influence of alcohol, drugs, or other intoxicating substances, Section 18-8004, Idaho Code.
- v. Persons under twenty-one (21) years of age with at least point zero two (0.02) but less than point zero eight (0.08) alcohol concentration, Section 18-8004A, Idaho Code.
- w. Driving under the influence with excessive alcohol concentration, Section 18-8004C, Idaho Code.

x. Any person who pleads guilty to or is found guilty of a violation of the misdemeanor driving under the influence of alcohol, drugs, or other intoxicating substances provisions of Section 18-8004(1)(a), Section 18-8005, Idaho Code.

y. Aggravated driving while under the influence of alcohol, drugs, or any other intoxicating substances, Section 18-8006, Idaho Code.

z. Leaving scene of accident resulting in injury or death, Section 18-8007, Idaho Code.

aa. Any person who is eighteen (18) years of age or older who sells, gives, or furnishes, or causes to be sold, given, or furnished, alcoholic beverages, including any distilled spirits, beer or wine, to a person under the age of twenty-one (21) years, Section 23-603, Idaho Code.

bb. Any violation (felony or misdemeanor) of the Uniform Controlled Substances Act, Chapter 27, Title 37, Idaho Code.

cc. Insurance fraud, Section 41-293, Idaho Code.

dd. Damage to or destruction of insured property, Section 41-294, Idaho Code.

ee. Reckless driving, Section 49-1401(1), Idaho Code.

ff. Public assistance fraud, Section 56-227, Idaho Code.

gg. Provider fraud, Section 56-227A, Idaho Code.

(D) Has supplied false or misleading information, failed or refused to provide or to disclose information required on the application form or by this Chapter, failed to disclose a suspension or revocation of a driver's license, or refused to authorize the investigation required herein. No such applicant or licensee shall be able to apply to receive a license under this Chapter for a period of less than six (6) months following the date of the denial or revocation of the license under this Subsection or for a period of six (6) months following the date that the Clerk became aware of disqualifying information, whichever is later in time.

(E) Has violated any of the provisions of this Chapter during licensure. Violation of any provision of this Chapter during licensure, shall result in immediate and automatic revocation of the license. Such revocation of the license shall be effective as of the date of such violation. No such person shall be qualified to apply to receive a license under this Chapter for a period of less than six (6) months following the date of the revocation of the license under this Subsection or for a period of six (6) months following the date the Clerk became aware of such information, whichever is later in time, unless otherwise provided in this Chapter.

(F) Where an applicant or licensee does not meet the conditions of licensure in this Chapter.

...

4-6-7: QUALIFICATIONS, PRIVATE PATROL SERVICE: A private patrol service license shall not be issued to any individual, firm, partnership or corporation under any of the following conditions:

(A) If the individual, any member of the firm or partnership, or any officer of the corporation is less than ~~twenty-one (21)~~eighteen (18) years of age.

(B) ~~If the individual, any member of the firm or partnership or any officer of the corporation is not citizen of the United States.~~Where the applicant or licensee has:

1. Been found guilty of, plead guilty to, received a withheld judgment, or admitted to the elements of any of the following enumerated crimes, or admitted that sufficient evidence exists which could be likely to convince a judge or jury to find the applicant or licensee to be guilty beyond a reasonable doubt, or any substantially similar provision of foreign criminal violation, notwithstanding the form of judgment(s):

a. Attempt, Section 18-306, Idaho Code, conspiracy, Section 18-1701, Idaho Code, or accessory after the fact, Section 18-205, Idaho Code, to commit any of the crimes designated in this subsection.

b. Aggravated, first degree, second degree and third-degree arson, Sections 18-801 through 18-805, Idaho Code.

c. Felony injury of a child, Section 18-1501, Idaho Code.

d. Abuse, neglect or exploitation of a vulnerable adult, Section 18-1505, Idaho Code.

e. The sexual abuse of a child under sixteen years of age, Section 18-1506, Idaho Code.

f. The ritualized abuse of a child under eighteen years of age, Section 18-1506A, Idaho Code.

g. The sexual exploitation of a child, Section 18-1507 or 18-1507A, Idaho Code.

h. Lewd conduct with a child under the age of sixteen years, Section 18-1508, Idaho Code.

i. Enticing of children, Section 18-1509 or 18-1509A, Idaho Code.

j. The sale or barter of a child for adoption or other purposes, Section 18-1511, Idaho Code.

k. Murder in any degree, Section 18-4001 or 18-4003, Idaho Code.

l. Voluntary manslaughter, Section 18-4006, Idaho Code.

- m. Poisoning, Section 18-4014 or 18-5501, Idaho Code.
- n. Assault with intent to murder, Section 18-4015, Idaho Code.
- o. Kidnapping, Sections 18-4501 through 18-4503, Idaho Code.
- p. Mayhem, Section 18-5001, Idaho Code.
- q. Inducing individuals under eighteen years of age into prostitution, Section 18-5609, Idaho Code.
- r. Inducing a person under eighteen years of age to patronize a prostitute, Section 18-5611, Idaho Code.
- s. Rape, Section 18-6101 or 18-6108, Idaho Code.
- t. Robbery, Section 18-6501, Idaho Code.
- u. Incest, Section 18-6602, Idaho Code.
- v. Crimes against nature (excepting consensual sexual activities), Section 18-6605, Idaho Code.
- w. Forcible sexual penetration by use of foreign object, Section 18-6608, Idaho Code.
- x. Video voyeurism, Section 18-6609, Idaho Code.
- y. Stalking in the first degree, Section 18-7905, Idaho Code.
- z. Any felony punishable by death or life imprisonment.

2. Been classified as a voluntary patient or involuntary patient pursuant to Chapter 3, Title 66, Idaho Code, or similar provision in another jurisdiction, unless:

- a. Such person has been released from, and is no longer under, any form of treatment in relation to such classification, and
- b. Such person has been examined by at least one (1) professional licensed to evaluate mental health and such professional certifies that the person is no longer mentally ill and presents no threat or danger to any child. Such examination shall not be at City expense.

~~(C) If the individual, any member of the firm or partnership or any officer of the corporation has been convicted of a felony or of any crime or offense involving violence or moral turpitude, or of any offense concerning the sale or transportation of intoxicating or alcoholic liquor. Where the applicant or licensee has:~~

1. Been found guilty of, plead guilty to, or received a withheld judgment, or admitted to the elements of any of the following enumerated crimes, or any substantially similar provision of foreign criminal violation, notwithstanding the form of judgment(s) for any offense involving neglect or any physical injury to, or other abuse of a child, or any of the following offenses or a similar provision in another jurisdiction, for a period of five (5) years immediately preceding the date of application for license or renewal:

a. Any crime of physical violence against persons, other than those listed in Section A.1. hereinabove.

b. Any felony as defined by Idaho Code, Sections 18-111 and 18-111A, other than those listed in Subsection A.1. hereinabove.

c. Attempt, Section 18-306, Idaho Code, conspiracy, Section 18-1701, Idaho Code, or accessory after the fact, Section 18-205, Idaho Code, to commit any of the crimes designated in this subsection.

d. Arson, as defined in Sections 18-801 through 18-804, Idaho Code.

e. Aggravated assault, Section 18-905, Idaho Code.

f. Aggravated battery, Section 18-907(1), Idaho Code.

g. Felony domestic violence, Section 18-918, Idaho Code.

h. Attempted strangulation, Section 18-923, Idaho Code.

i. Burglary, Section 18-1401, Idaho Code.

j. Misdemeanor injury to a child, Section 18-1501(2), Idaho Code.

k. Transporting a minor in a motor vehicle while under the influence, Section 18-1501(3), Idaho Code.

l. Disseminating obscene material to minors, as defined in Sections 18-1513 through 18-1515, Idaho Code.

m. Misdemeanor theft, as defined in Title 18, Chapter 24 of the Idaho Code.

n. Felony theft, Sections 18-2403 and 18-2407(1), Idaho Code.

o. Grand theft, Section 18-2407(1), Idaho Code.

p. Forgery of a financial transaction card, Section 18-3123, Idaho Code.

q. Fraudulent use of a financial transaction card or number, Section 18-3124, Idaho Code.

- r. Misappropriation of personal identifying information, Section 18-3126, Idaho Code.
- s. Forgery or counterfeiting, Chapter 36, Title 18, Idaho Code.
- t. Driving without privileges, Section 18-8001, Idaho Code.
- u. Driving under the influence of alcohol, drugs, or other intoxicating substances, Section 18-8004, Idaho Code.
- v. Persons under twenty-one (21) years of age with at least point zero two (0.02) but less than point zero eight (0.08) alcohol concentration, Section 18-8004A, Idaho Code.
- w. Driving under the influence with excessive alcohol concentration, Section 18-8004C, Idaho Code.
- x. Any person who pleads guilty to or is found guilty of a violation of the misdemeanor driving under the influence of alcohol, drugs, or other intoxicating substances provisions of Section 18-8004(1)(a), Section 18-8005, Idaho Code.
- y. Aggravated driving while under the influence of alcohol, drugs, or any other intoxicating substances, Section 18-8006, Idaho Code.
- z. Leaving scene of accident resulting in injury or death, Section 18-8007, Idaho Code.
- aa. Any person who is eighteen (18) years of age or older who sells, gives, or furnishes, or causes to be sold, given, or furnished, alcoholic beverages, including any distilled spirits, beer or wine, to a person under the age of twenty-one (21) years, Section 23-603, Idaho Code.
- bb. Any violation (felony or misdemeanor) of the Uniform Controlled Substances Act, Chapter 27, Title 37, Idaho Code.
- cc. Insurance fraud, Section 41-293, Idaho Code.
- dd. Damage to or destruction of insured property, Section 41-294, Idaho Code.
- ee. Reckless driving, Section 49-1401(1), Idaho Code.
- ff. Public assistance fraud, Section 56-227, Idaho Code.
- gg. Provider fraud, Section 56-227A, Idaho Code.

(D) Has supplied false or misleading information, failed or refused to provide or to disclose information required on the application form or by this Chapter, failed to disclose a suspension or revocation of a driver's license, or refused to authorize the investigation required herein. No such applicant or licensee shall be able to apply to receive a license under this Chapter for a period of less than six (6) months following the date of the denial or revocation of the license under this Subsection or for a period of six (6) months following the date that the Clerk became aware of disqualifying information, whichever is later in time.

(E) Has violated any of the provisions of this Chapter during licensure. Violation of any provision of this Chapter during licensure, shall result in immediate and automatic revocation of the license. Such revocation of the license shall be effective as of the date of such violation. No such person shall be qualified to apply to receive a license under this Chapter for a period of less than six (6) months following the date of the revocation of the license under this Subsection or for a period of six (6) months following the date the Clerk became aware of such information, whichever is later in time, unless otherwise provided in this Chapter.

(F) Where an applicant or licensee does not meet the conditions of licensure in this Chapter.

...

4-6-16: LICENSE; AUTHORITY: The issuance of any license under this Chapter shall not be construed as granting any power of arrest other than that granted a private person under Idaho Code and this Code. Nor shall the provisions of this Chapter be construed as authority to carry weapons contrary to the Idaho Code.

~~4-6-17: GROUNDS FOR LICENSE REVOCATION: Any license issued under this Chapter may be revoked by the City Council for any of the following reasons:~~

~~(A) Any violation of any provision of this Chapter.~~

~~(B) The conviction of the licensee in any court of any crime or offense involving violence or moral turpitude.~~

~~(C) Obtaining the license under any false or fraudulent pretense or statement.~~

~~(D) The conviction of the licensee in any court of any felony or any offense involving or concerning the sale or transportation of intoxicating or alcoholic liquor.~~

~~4-6-18~~17: AUTOMATIC REVOCATION OF LICENSE: Any license issued under this Chapter shall be revoked immediately and without notice to the licensee upon the cancellation or termination of the bond or insurance required by this Chapter unless the licensee posts a new comparable bond or obtains comparable insurance and files a certificate of such insurance with the Clerk prior to the date on which the original bond or insurance is canceled or terminated.

SECTION 2. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,

clause, or phrase of this Ordinance.

SECTION 3. Codification Clause. The City Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

SECTION 4. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of _____, 2021.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

KATHY HAMPTON, CITY CLERK

REBECCA L. NOAH CASPER, Ph.D., MAYOR

(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 Ordinance entitled, “AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 4, CHAPTER 6 TO CLARIFY CONDITIONS FOR ISSUANCE OF A PRIVATE PATROL SERVICES LICENSE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

KATHY HAMPTON, CITY CLERK

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; RESCINDING TITLE 4, CHAPTER 6, PRIVATE PATROL SERVICES, IN ITS ENTIRETY; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the Council has determined that Title 4, Chapter 6 of the City Code regulating private patrol services through City licensing, is no longer needed for the continued effective governance of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, THAT:

SECTION 1: Title 4, Chapter 6 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety.

SECTION 2. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

SECTION 3. Codification Clause. The City Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

SECTION 4. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of _____, 2021.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

KATHY HAMPTON, CITY CLERK

REBECCA L. NOAH CASPER, Ph.D., MAYOR

(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 Ordinance
entitled, “AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A
MUNICIPAL CORPORATION OF THE STATE OF IDAHO; RESCINDING TITLE
4, CHAPTER 6, PRIVATE PATROL SERVICES, IN ITS ENTIRETY; PROVIDING
SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND
ESTABLISHING EFFECTIVE DATE.”

KATHY HAMPTON, CITY CLERK

(SEAL)