



City Council Agenda

City of Idaho Falls
Regular Council Meeting
680 Park Avenue

Thursday
November 10, 2022
7:30 p.m.

Mayor

Rebecca Casper

City Council

Michelle Ziel-Dingman
Council President

John Radford
Council Seat 5

Jim Freeman
Council Seat 6

Tom Hally
Council Seat 3

Jim Francis
Council Seat 4

Lisa Burtenshaw
Council Seat 2



Livestream at www.idahofallsidaho.gov/429/Live-Stream

PUBLIC PARTICIPATION

Welcome to the Idaho Falls City Council Meeting.

Regularly scheduled City Council meetings are open to the general public. City Council meetings are also live-streamed and archived on [the City website](#). Please be aware that the meeting agenda will differ from the published version if amendments to the agenda are made by the Council during the meeting.

The Council encourages public input. While a general public comment option is not required by Idaho law, the Idaho Falls City Council welcomes general public input as part of regular City Council meetings. General public comment will be allowed for up to 20 minutes. However, citizens are always welcome to contact their Council representatives via e-mail or telephone, as listed on [the City website](#). The Council is committed to an atmosphere that promotes equal opportunity, civility, mutual respect, property decorum and freedom from discrimination or harassment.

Those who wish to address City Council during the council meetings are encouraged to adhere to the guidelines below.

Public Comment Guidelines

Speakers are encouraged to:

- State their name and city of residence.
- Focus comments on matters within the purview of the City Council.
- Limit comments to three (3) minutes or less.
- Refrain from repeating information already presented to preserve time for others to speak. Large groups are encouraged to select one or two speakers to represent the voice of the entire group.
- Practice civility and courtesy. City leaders have the right and the responsibility to maintain order and decorum during the meeting. Time may be curtailed for those speakers whose comments are profane or disruptive in nature.
- Refrain from comments on issues involving matters currently pending before the City's Planning and Zoning Commission or other matters that require legal due process, including public hearings, City enforcement actions, and pending City personnel disciplinary matters.
- Comments that pertain to activities or performance of individual City employees should be shared directly with the City's Human Resources Director (208-612-8248), the City's Legal Department (208-612-8178) or with the Office of the Mayor (208-612-8235).

Public Hearing Guidelines

- In-person Comment. Because public hearings must follow various procedures required by law, please wait to offer your comments until comment is invited/indicated. Please address comments directly to the Council and try to limit them to three (3) minutes.
- Written Comment. The public may provide written comments via postal mail sent to City Hall or via email sent to the City Clerk at IFClerk@idahofalls.gov. Comments will be distributed to the members of the Council and become a part of the official public hearing record. Written testimony must be received no later than forty-eight (48) hours prior to the date of the hearing to ensure inclusion in the permanent City record.
- Remote Comment. When available, the public may provide live testimony remotely via the WebEx meeting platform using a phone or a computer. Those desiring public hearing access should send a valid and accurate email address to virtualattend@idahofalls.gov no later than twenty-four (24) hours prior to the date of the hearing so log-in information can be sent prior to the meeting. Please indicate which public hearing the testimony is intended for on the agenda. Please note that this remote option will not be available for all meetings.

If communication aids, services, or other physical accommodations are needed to facilitate participation or access for this meeting, please contact the City Clerk at (208) 612-8414 or the ADA Coordinator at (208) 612-8323 not less than 48 hours prior to the meeting. They will help accommodate special needs wherever possible.



City Council Meeting

Agenda

680 Park Avenue
Idaho Falls, ID 83402

Thursday, November 10, 2022

7:30 PM

City Council Chambers

City Council Agenda:

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

Please see guidelines above.

4. Consent Agenda.

Any Consent Agenda item may be moved to the Regular Agenda for separate consideration if requested by a Council member. Other changes to this agenda may require the approval of a majority of Council.

A. Idaho Falls Power:

- 1) Idaho Falls Power Board Meeting Minutes - October **21-703**
The Idaho Open Meeting Law requires that the governing body of a public agency provide for the taking of written minutes for all of its public meetings.

Attachments: 2022 1012 IFP Board Meeting minutes f.pdf

B. Municipal Services

- 1) Q-23-002, HVAC Updates at Water Division **21-709**
This purchase will complete HVAC updates at the Water Division.

Attachments: Q-23-002 HVAC Updates at Water Division.pdf

- 2) IF-23-D, Purchase Replacement Rear Loader for Public Works **21-710**
This purchase will replace unit 7022, a 2013 Western Star Leach Alpha Rear Loader that has reached its useful life and scheduled for replacement. The total purchase price of \$273,680.00 includes a trade-in credit for unit 7022 for \$20,000. The attached Peterbilt Motors Company Sourcewell contract quote form rounds the total price as \$273,680.00.

Attachments: IF-23-D Rear Loader Peterbilt Motors Company for Public Works
-Sanitation.pdf
IF-23-D Rear Loader SWS Equipment for Public Works Sanitation.pdf
IF-23-D Rear Loader Specifications 10-17-22.PDF

- 3) License Applications, all carrying the required approvals

Action Item:

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. **Public Works**

- 1) Professional Services Agreement for a Wastewater Facility Planning Study with Stantec Consulting Services Inc. and Keller Associates Inc. **21-712**

Attached for your consideration is a Professional Services Agreement with Stantec and Keller to update the City's 2010 Wastewater Facility Plan. Work will include documenting a series of technical evaluations and condition assessments, developing a list of future improvements, prioritizing and recommending allocations for capital improvements, complete environmental studies and compile evaluations and information into a comprehensive Facility Plan.

Action Item:

Approve the Professional Services Agreement and authorize the Mayor and Deputy City Clerk to execute the necessary documents (or take other action deemed appropriate).

Attachments: Professional Services Agreement - WWTP Planning Proposal
11.3.22_Stantec Executed.pdf

B. **Idaho Falls Power**

- 1) Amended Ordinance Title 8, Chapter 5, Section 7 **21-640**

Amending City Ordinance Title 8, Chapter 5, Section 7 by requiring customer payment for the reestablishment of electric services, if any, to that location, and to authorize removal of unused electric facilities at the discretion of Idaho Falls Power; providing severability, codification, publication by summary and establishing effective date.

Action Item:

Approve amended City Ordinance Title 8, Chapter 5, Section 7 and give authorization to the Mayor and City Clerk to execute the necessary documents, (or take other action deemed appropriate).

Attachments: Ordinance

C. **Fire Department**

- 1) Declaration of Sole Source Vendor and Purchase of MagneGrip 100% source capture exhaust removal systems for fire stations 4 and 5 **21-701**

This purchase will replace outdated and unrepairable exhaust systems currently installed at fire stations 4 and 5. The purchase of the Weidner Fire MagneGrip 100% systems will help the fire department maintain compatibility and replacement parts with the systems installed at the City's other fire stations.

Action Item:

Declare Weidner Fire as the only vendor reasonably available for source capture exhaust removal systems because the compatibility of components and the replacement of parts for the exhaust removal system with the City's existing exhaust removal systems are the paramount considerations for this purchase and Authorize the sole source purchase for the Fire Department from Weidner Fire

purchasing proposals #1207202IF4 in the amount of \$102,973.66 for the purchase of MagneGrip 100% source capture exhaust removal system for fire stations 4 and 5 (or take other action deemed appropriate).

Attachments: Idaho Falls station #4 priced proposal #1207202IF4.pdf
Idaho Falls Station 4 & 5 priced proposal #1207202IF4.pdf

D. Community Development Services

- 1)** Legislative Hearing for Consideration of an Ordinance approving the Pancheri East Bank Urban Renewal District **21-708**

Attached for consideration is the ordinance approving the Pancheri East Bank Urban Renewal District. The ordinance includes four exhibits:

1. The resolution of the Planning and Zoning Commission for the City of Idaho Falls, Idaho, Validating Conformity of the Urban Renewal Plan for the Pancheri East Bank Urban Renewal Project with the City of Idaho Falls' Comprehensive Plan
2. The notice of hearing published in the *Post Register*
3. The Urban Renewal Plan for the Pancheri East Bank Urban Renewal Project including all associated attachments
4. Ordinance summary for publication

Required notification and summary of the plan has been provided to the appropriate taxing entities. The plan included with the ordinance contains an outline of potential projects which may be completed with (TIF) funds and a financial feasibility study demonstrating that the expected tax revenues can cover the costs of the projects. Approval of the ordinance is the final step in the creation of the district, which will allow for tax increment financing (TIF) to be used to incentivize and assist redevelopment of the area. The Idaho Falls Redevelopment Agency (IFRA) board approved the plan by resolution at its September 15, 2022, meeting. This is anticipated to be a 20-year plan, the maximum allowed by State Statute.

Action Item:

Approve the Ordinance approving the Pancheri East Bank Urban Renewal District and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

Attachments: Pancheri East Bank Plan City Council Ordinance.pdf

- 2)** Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.649 acres for the Southeast ¼ of Section 23, Township 2 North, Range 37 East. **21-706**

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of LC, Limited Commercial with the Controlled Development Airport Overlay Zone which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.649 acres for the Southeast ¼ of Section 23, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its September 6, 2022, meeting and unanimously voted to recommended approval of the annexation with an initial zoning of LC with the Controlled Development Airport Overlay Zone as presented. Staff

concurs with this recommendation.

Action Item:

1. Approve the Ordinance annexing 10.649 acres for the Southeast ¼ of Section 23, Township 2 North, Range 37 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).
2. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 10.649 acres for the Southeast ¼ of Section 23, Township 2 North, Range 37 East and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map
 Aerial
 Comp Plan Map
 Staff Report
 Land Use Table Residential
 Landuse Tabel Commercial
 Airport Land Use
 PC Minutes
 Ordinance
 Exhibit A
 Map Exhibit
 Reasoned Statement

- 3)** Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of LC, Limited Commercial with Controlled Development Airport Overlay Zones, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 10.649 acres of the SE ¼ of Section 23, Township 2 North, Range 37 East.

21-707

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of LC, Limited Commercial with Controlled Development Airport Overlay Zones, which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.649 acres of the SE ¼ of Section 23, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its September 6, 2022, meeting and unanimously voted to recommend approval of LC, Limited Commercial with Controlled Development Airport Overlay Zones to the Mayor and City Council as presented. Staff concurs with this recommendation.

Action Item:

1. Assign a Comprehensive Plan Designation of "Mixed Use Centers and Corridors" and approve the Ordinance establishing the initial zoning for LC, Limited Commercial with Controlled Development Airport Overlay Zones as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office (or consider the

Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of LC, Limited Commercial with Controlled Development Airport Overlay Zones, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Attachments: Zoning Map
 Aerial
 Comp Plan Map
 Ordinance
 Exhibit A
 Map Exhibit
 Reasoned Statement

6. **Announcements.**

7. **Adjournment.**

Memorandum

File #: 21-703

City Council Meeting

FROM: Bear Prairie, General Manager
DATE: Wednesday, October 26, 2022
DEPARTMENT: Idaho Falls Power

Subject

Idaho Falls Power Board Meeting Minutes - October

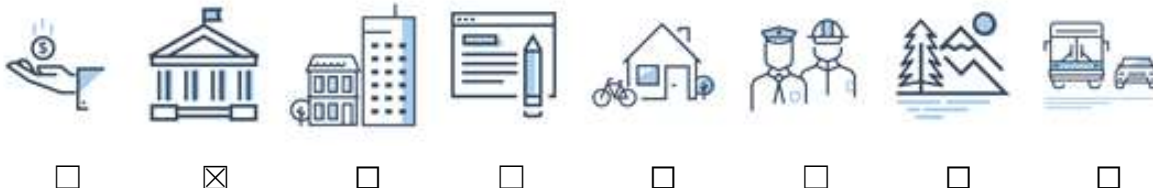
Council Action Desired

☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
☒ Other Action (Approval, Authorization, Ratification, etc)
 Approve Idaho Falls Power Board meeting minutes from October 12, 2022 (or take other action deemed appropriate).

Description, Background Information & Purpose

The Idaho Open Meeting Law requires that the governing body of a public agency provide for the taking of written minutes for all of its public meetings.

Alignment with City & Department Planning Objectives



The action is in accordance with Idaho Code § 74-205(1) and supports good governance by demonstrating sound management and enabling trust and transparency.

Interdepartmental Coordination

n/a

Fiscal Impact

n/a

Legal Review

n/a

October 12, 2022 Unapproved

The Idaho Falls Power Board of the City of Idaho Falls met Wednesday, October 12, 2022, at the Idaho Falls Power Boardroom, 140 S. Capital, Idaho Falls, Idaho at 7:45 a.m.

Call to Order, Roll Call, and Announcements:

There were present:

Mayor Rebecca L Noah Casper (via Zoom, left at 8:27 a.m.)

Board Member Michelle Ziel-Dingman

Board Member Jim Francis (via Zoom, left at 8:27 a.m.)

Board Member Jim Freeman

Board Member John Radford

Board Member Lisa Burtenshaw

Absent:

Board Member Tom Hally

Also present:

Bear Prairie, Idaho Falls Power (IFP) General Manager

Stephen Boorman, IFP Assistant General Manager

Chase Morgan, Power Supply Dispatcher

Josh Roos, City Treasurer

Randy Fife, City Attorney

Linda Lundquist, IFP Board Secretary

Council President Ziel-Dingman called the meeting to order at 7:48 a.m.

Calendar, Announcements, Events and Updates

Council President Ziel-Dingman reviewed the Idaho Falls Power (IFP) Board announcements, future events and pointed out the new IFP Annual Report. Board Member Radford gave the Policy Maker's Council (PMC) report, emphasizing funding impacts on Low Income Home Energy Assistance Program (LIHEAP). He said he's planning on participating in the listening sessions on how funds will be implemented and added that he feels American Public Power Association (APPA) is monitoring the legislation and responding accordingly. Board Member Freeman said he noticed an announcement for a new company near Salmon, Idaho that will be mining cobalt and nickel for a car manufacturer. Assistant General Manager (AGM) Boorman said he thought the load for the mine would be around 7 MW, which will come from BPA since they local utility is a Co-op. Mayor Casper said the city of Kemmerer, Wyoming, is the first community converting a coal plant to nuclear (funded by Bill Gates' Terra Power and PacifiCorp which is Warren Buffet) and is sending an Energy Futures Initiative delegation to Idaho Falls to discuss the city's involvement in the Carbon Free Power Project (CFPP). She mentioned that the former U.S. Energy Secretary Moniz is heading up a subgroup to look at energy transition and the role of nuclear and the impediments to funding small modular reactors (SMRs). She said a meeting would likely occur by the middle of November 2022. AGM Boorman gave an update on IFP's items for consent in the next City Council meeting. Board Member Radford asked if the Florida storms had any effect on receiving transformers in a timely manner and AGM Boorman said that larger utilities are sitting pretty good as they generally have been ordering extra supplies and materials due to the continuing supply chain issues resulting from COVID-19 and noted that rebuilt transformers don't last as long as the new ones and thought that Florida may see more rebuilds in their future. General Manager (GM) Prairie touched on the articles and policies sent for review last week and noted the updates reflect on the growth and evolution of the fiber business, capital improvements and building the reserve fund by another \$5 million. He played a new video created to inform and educate the public on the value and benefits of hydropower and the history of the

October 12, 2022 Unapproved

utility. Board Member Burtenshaw asked about the wayfinding signs that IFP had been working on and Board Secretary Lundquist gave the locations of the first four signs installed this past spring and noted that the remaining signs are in the design phase with the marketing company. Board Member Radford mentioned that an accompanying interactive model turbine in a children's park would be ideal. GM Prairie requested approval by the Board to record two items on the agenda for future training purposes as Mayor Casper and Board Member Francis were due to exit the meeting early. The request was granted unanimously.

Carbon Free Power Project (CFPP) Update

GM Prairie said the preliminary cost estimates of the CFPP aren't looking very good and noted they will likely breach the projected/contracted \$58 per megawatt hour (MWh), but pointed out that the project will arrive at another decision point prior to the next phase. He explained that the project management committee (PMC) could decide to continue/discontinue with the CFPP and the participating utilities will also be faced with an offramp decision of how and whether or not to proceed. Board Member Radford asked if the \$58 MWh took into consideration the dollars expected from the Tax Reduction Act and GM Prairie said that it did in the latest projection from UAMPS that was given in executive session to the PMC committee at UAMPS and it equated to roughly one-third the price or about \$30 per MWh potentially. He explained that he created a formal liability account to track the liability committed thus far by the Idaho Falls Power to the project and added that the utility may not have to pay it with the exception of a few items they are still responsible for depending on what the PMC decides to do. If the PMC decides to terminate the project because of price being over the \$58 the members are refunded by NuScale the development costs to date according to the DCRA between UAMPS and NuScale. Board Member Radford asked if the project has to be fully subscribed to move forward and GM Prairie stated it was his option that it would prove difficult to secure financing without a fully subscribed project. Board Member Freeman asked what the costs would be if IFP exited the project and later wanted back in once built and GM Prairie said IFP would have to buy their way back in if shares were available. He continued to point out that the construction and cost overruns risk are what utilities are wary of and added that the project is in the stage of finalizing NuScale and Fluor's costs to a solid class 3 engineering estimate and noted that the increased costs have been shocking to both partners. GM Prairie pointed out the reasons for the Fitch bond rating upgrade for the Municipal Electric Authority of Georgia (MEAG) Vogtle project and explained that the utility in Georgia is about the size of Idaho Power and Rocky Mountain Power combined with millions of customers who own about 40% of the project. He said that Georgia Power absorbed most of the cost overruns and likely saved the MEAG members from a lot of the cost overruns when they refinanced their bonds. He emphasized that the financing, the contractual development and construction of the Vogtle is very different than the CFPP so drawing exact parallels is not prudent but there are lessons being learned.

Resource Options Discussion

GM Prairie said the Northwest region (primarily hydropower) is weathering the energy transition at a much lower risk than most other utilities in the country. He explained that IFP is short on capacity versus utilities in other regions that are faced with replacing half of their energy resource at a higher cost and risk. He reviewed the resource type chart and said he's been involved in some interesting geothermal exploration conversations and expects to learn more. AGM Boorman pointed out that in the last 20 years, utilities aren't building generation as much as they're relying heavier on the market. GM Prairie reviewed the Lazard charts and noted that pricing is vastly different than a year ago and Board Member Freeman mentioned he was surprised by the cost of coal. There was a discussion on converting natural gas to hydrogen. GM Prairie said there is no clear answer in the industry on these early and emerging technologies.

Bonneville County Boat Dock Discussion

AGM Boorman showed a map of the location of the Booneville county boat dock and pointed out that while not in city limits, the city purchased it in the 1980s over river icing concerns. He said recently there have

October 12, 2022 Unapproved

been numerous reports of vandalism and loitering. He pointed out the county has already been maintaining and improving it with monies received from fish and game and stated the county is amenable to taking over ownership of the land from IFP/City. AGM Boorman proposed that since the city parks department does not want to maintain it and it is located way outside of city limits that it is IFP's recommendation to deed it over to Bonneville County. Board Member Ziel-Dingman gave Board direction to move forward with the transfer and Mr. Fife said he would prepare a deed and resolution to bring back to City Council for final approval in the coming weeks.

Title 8, Chapter 5, Section 7 Ordinance Amendment Review

AGM Boorman explained the need to clarify and add language to the ordinance giving clear direction to staff on when to remove service facilities from a site that is no longer using IFP services. He said the recommended time for removal is 18-months from the cancelled service notice and said the item will likely appear on a November Council agenda.

BPA - Post 2028 Contract Briefing

Mr. Morgan gave an overview of the Bonneville Power Administration's (BPA) 2028 contract process and then reviewed the Power Marketing Directives slide. AGM Boorman reviewed the contract timeline and noted there could be significant changes in the new 20-year contract but the overall structure will likely not change in total allocation of the system. Board Member Freeman asked how the uncertainty of the market and of the lower dams come in to play and AGM Boorman said you have to sign the contracts and then the rates are determined later based on costs; noting its similarity to IFP's structure where customers sign up and the rates are determined by the Board. He explained the difference in the three product offerings and noted that IFP is in the slice/block product. Mr. Morgan explained how the slice/block product works best for IFP and pointed out the big value is in IFP takes more risk but also rewards over load following this value is large in good water years and/or favorable market conditions. He explained how a good water year will yield more power to IFP contrarily to a bad water year. Mr. Morgan reviewed the provider of choice goals and principals and noted that 20-year contracts lend financial stability to BPA. AGM Boorman reviewed the big issues with BPA and pointed out that BPA is looking to reduce capacity which will make the slice contract less valuable. Mr. Morgan explained how ratios play into the contract and pointed out that the more generation you own the less BPA product you get, with the exception of renewable energy, which doesn't count against generation. He explained the tiered rate system (tier one is generated and tier two is bought on the open market) and noted that BPA wants to grow their tier one system size and forecast rates based on a 30-year period of record versus how it's currently based on a high-water mark reset every two years. AGM Boorman demonstrated how BPA could determine the size of their tier one (generation). Board Member Freeman asked if there were federal rules in place with the Northwest Power Act that guarantees how much BPA has to distribute and AGM Boorman said the 1980 Power Act specifies that public utilities are preferential customers of BPA and receive power at cost. Mr. Morgan gave examples of how ratios/rates could be derived based on customer high-water marks every two years. Board Member Burtenshaw asked if BPA gives IFP a contract or if there is a negotiation process and AGM Boorman said that BPA is looking to cover their costs and explained how the Public Power Council (PPC) helps negotiate with and on behalf of IFP and public power at large since they are the umbrella organization currently for public power utilities. Board Member Radford asked about the prospect of the west having their own energy authority and AGM Boorman said it was his opinion that a regional transmission organization (RTO) would be great because then it would open up better market access for small utilities like IFP and better utilization of the transmission grid. He noted the two entities competing to be that organizations of at least a minimal organized market, which is not a full blown RTO but can lead to it, are the Southwest Power Pool (SPP) and California Independent System Operator (CAISO).

Utility Reports

October 12, 2022 Unapproved

Fiber – AGM Boorman said that fiber construction has been going very well with the extended nice weather.

Safety – AGM Boorman explained that the utility has gone a long stretch without a loss and noted that the cones put behind parked utility trucks and cars is a constant reminder of safety awareness.

Energy Services – AGM Boorman compared the growth of the three electric vehicle (EV) charging stations and pointed out that the IFP public station gets the most usage of the three. Board Member Burtenshaw asked how the charts relate to the number of charges per station per car and AGM Boorman said that is hard to quantify because some cars may just top off, while others remain charging for much longer periods of time. Board Member Radford asked if the new charging stations installed at city hall are “for pay” and AGM Boorman said they have the capability of “for pay” but they’re not set up for that as of now and added that a customer needs to have an app in order to access the pay system. Mr. Roos pointed out that the charging costs are currently split between public works, municipal services and the Mayor’s office. Board Member Freeman asked if level two or three chargers were installed and what the charge time difference was and AGM Boorman said that a level three charger system is a much faster charge but noted that in some ways a level two with slower charging is easier on batteries. He said it takes about 10 minutes per 10-miles on a charge.

There being no further business, the meeting adjourned at 10:55 a.m.

s/ Linda Lundquist

Linda Lundquist, BOARD SECRETARY

s/ Rebecca L. Noah Casper

Rebecca L. Noah Casper, MAYOR

Memorandum

File #: 21-709

City Council Meeting

FROM: Pam Alexander, Municipal Services Director
DATE: Wednesday, November 2, 2022
DEPARTMENT: Municipal Services

Subject

Q-23-002, HVAC Updates at Water Division

Council Action Desired

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

Accept and approve the lowest, responsive quote received from Wiemer Heating and Air Conditioning for a total of \$96,749.00 (or take other action deemed appropriate).

Description, Background Information & Purpose

This purchase will complete HVAC updates at the Water Division.

Alignment with City & Department Planning Objectives



The HVAC update project supports the reliable transportation and infrastructure community-oriented result by replacing city equipment that has reached its useful life.

Interdepartmental Coordination

The Public Works Department concurs with the award recommendation.

Fiscal Impact

Funds for the HVAC update project are within the 2022/23 Public Works, Water Division operating budget.

Legal Review

The City Attorney concurs that the desired Council action is within State Statute.

<div> <div>City of Idaho Falls</div> <div>Municipal Services Department</div> <div>Tabulation</div> </div> <div> <div>Project:</div> HVAC Updates at Water Division <div>Number:</div> Q23-002 </div> <div> <div>Submitted:</div> Municipal Services Finance Division <div>Date:</div> November 2, 2022 </div>									
Item Number	Reference Number	Description	Estimated Quantity	Unit	Engineer's Estimate		Conan Heating & Air Conditioning Idaho Falls, Idaho	Wiemer Heating & Air Conditioning Idaho Falls, ID	Alpine Heating & Air Idaho Falls, ID
					Unit Price	Total Amount	Total Price	Total Price	Total Price
1	Section I	Updates for Two Office Areas	1	LS	N/A	N/A	\$ 23,790.00	\$ 21,350.00	NO QUOTE
2	Section II	Updates for Back Area	1	LS	N/A	N/A	\$ 39,034.00	\$ 41,536.00	
3	Section III	Updates for Breakroom	1	LS	N/A	N/A	\$ 34,319.00	\$ 33,863.00	
TOTAL							\$ 97,143.00	\$ 96,749.00	

Memorandum

File #: 21-710

City Council Meeting

FROM: Pam Alexander, Municipal Services Director
DATE: Wednesday, November 2, 2022
DEPARTMENT: Municipal Services

Subject

IF-23-D, Purchase Replacement Rear Loader for Public Works

Council Action Desired

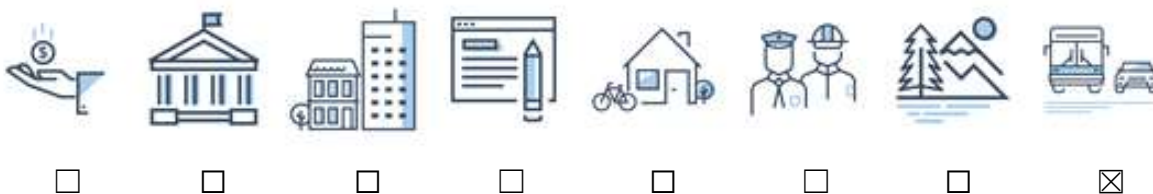
- ☐ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☒ Other Action (Approval, Authorization, Ratification, etc.)

Accept and approve the purchase of one replacement rear loader for Public Works from the Sourcewell cooperative purchasing contract #060920-PMC from SWS Equipment and Peterbilt Motors Company for a total of \$273,679.53 (or take other action deemed appropriate).

Description, Background Information & Purpose

This purchase will replace unit 7022, a 2013 Western Star Leach Alpha Rear Loader that has reached its useful life and scheduled for replacement. The total purchase price of \$273,680.00 includes a trade-in credit for unit 7022 for \$20,000. The attached Peterbilt Motors Company Sourcewell contract quote form rounds the total price as \$273,680.00.

Alignment with City & Department Planning Objectives



The purchase of the rear loader supports the reliable public infrastructure and transportation community-oriented result by replacing equipment that has reached its useful life.

Interdepartmental Coordination

The Public Works Department concurs with the award recommendation.

Fiscal Impact

Funds to purchase the replacement rear loader are within the 2022/23 Public Works Equipment Replacement Fund, Sanitation Division.

Legal Review

The City Attorney concurs that the desired Council action is within State Statute.



Peterbilt Motors Company

SOURCEWELL CONTRACT #060920-PMC - CY2021-2024

FILL IN ALL BLUE CELLS

Idaho Falls City

10/17/2022

INSERT CUSTOMER SOURCEWELL NUMBER BELOW - LOOK UP AT: (<https://www.sourcewell-mn.gov/member-lookup>)

INSERT CUSTOMER'S SOURCEWELL MEMBER NUMBER

PETERBILT MODEL

548

CHASSIS

INSERT CHASSIS #

CAB & CHASSIS LIST PRICE (do not factor in list discounts)

\$178,615

SOURCEWELL DISCOUNT %

20.00%

SOURCEWELL DISCOUNT \$

\$35,723

CAB & CHASSIS PRICE

\$142,892

BODY SUPPLIER (if applicable)
name only (not distributor/dealer)

OEM-

Leach

BODY SUPPLIER SOURCEWELL CONTRACT
NUMBER (if applicable)

INSERT CONTRACT NUMBER

BODY PRICE (if applicable)

125287.53

TOTAL PRICE FOR ALL SOURCED GOODS/SERVICES
(other than body)

\$5,500

TOTAL PRICE FOR CAB & CHASSIS, BODY, AND ALL
SOURCED GOODS/SERVICES
(automatically calculated)

\$273,680

PETERBILT MODEL

SOURCEWELL DISCOUNT

MEDIUM DUTY

220

10.00%

220EV

14.00%

325

17.00%

330

18.00%

337

19.00%

348

26.00%

535

15.00%

536

16.00%

537

17.00%

548

20.00%

CLASS 8

365

31.00%

367

34.00%

567

34.00%

579

35.00%

579EV

37.00%

389

35.00%

520

35.00%

520EV

37.00%

Notes:

Price includes: 5 year or 100,000 mile extended Engine, & AFT Warranty. Price may change due to Material Surcharges. Payment for Chassi due upon shipping to body company. Price reflects a \$20,000.00 trade allowance per SWS quote on 11/2/22.



Peterbilt Of Utah (P250)
1910 S. 5500 West
Salt Lake City, Utah 84104

City Of Idaho Falls
2472 N Holmes Ave
Idaho Falls, Idaho 83405
United States of America

Doug Jarvis
Cell Phone:
Office Phone: 801-486-8781
Email: djarvis@jgpete.com

Dave Neilsen
Office Phone: 2086128432

Vehicle Summary

Unit		Chassis	
Model:	Model 548	Fr Axle Load (lbs):	20000
Type:	Full Truck	Rr Axle Load (lbs):	44000
Description 1:	Rear loader	G.C.W. (lbs):	62000
Description 2:	10-17-22		
Application		Road Conditions:	
Intended Serv.:	Refuse/On-Highway	Class A (Highway)	50
Commodity:	Refuse, Scrap, Recycling	Class B (Hwy/Mtn)	50
		Class C (Off-Hwy)	0
Body		Class D (Off-Road)	0
Type:	Rear Loader	Maximum Grade:	6
Length (ft):	20	Wheelbase (in):	205
Height (ft):	12	Overhang (in):	75
Max Laden Weight (lbs):	10000	Fr Axle to BOC (in):	69.5
Trailer		Cab to Axle (in):	135.5
No. of Trailer Axles:	0	Cab to EOF (in):	210.5
Type:		Overall Comb. Length (in):	320
Length (ft):	0	Special Req.	
Height (ft):	0		
Kingpin Inset (in):	0		
Corner Radius (in):	0		
Restrictions			
Length (ft):	40		
Width (in):	102		
Height (ft):	13.5		

Approved by: _____

Date: _____

Note: All sales are F.O.B. designated plant of manufacture.



Sales Code	Std/Opt	Description	Weight
Base Model			
0005481	S	Model 548 The Model 548 meets and exceeds the demands of Class 7 and Class 8 specialty application markets that require a rugged workhorse for durability and a wide range of optional content. The Model 548 is available in configurations with a GVW from 33,001 to 66,000 lbs. to suit most vocational applications. The 548 also offers all-wheel-drive. From construction and crane service to utility and delivery services in both Class 7 and Class 8 markets, the 548 is in a class of its own.	10,860
0091180	O	Refuse, Scrap, Recycling	0
0093035	O	Refuse/On-Highway Truck or tractor which hauls refuse, recycled material, etc. Includes roll-on/roll-off container movement, as well as hauling refuse from transfer stations to, but not into, landfills.	0
0095110	O	Rear Loader	0
0098170	S	United States Registry Canadian Registry Package Requires Air Conditioning Excise Tax Canada, Speedometer to be KPH ipo MPH, Daytime Running Lights and Rubber Battery Pad in Bottom of Battery Box.	0
Configuration			
0200700	S	Not Applicable Secondary Manufacturer	0
Frame & Equipment			
0514000	O	10-3/4" Steel Rails To 354" 10.75x3.5x.375 Dimension, 2,136,000 RBM; Yield Strength: 120,000 psi. Section Modulus: 17.8 cubic inches. Weight: 1.74 lbs/inch pair <i>Narr Plz build per Leach layout drawing 200754. Thx</i>	388
0601500	O	Full Steel Inner Liner	582
0611300	S	Heavy Duty 5-Piece Crossmember BOC IPO Standard Class 5, 6, 7	0
0611790	S	Aluminum Frame Rail Crossmembers Excludes suspension	0
0612230	O	Custom Wheelbase or Overhang Engineering approval may be required.	0
0613095	O	3-Piece Suspension Crossmembers	0
0644020	O	EOF Square with Steel Crossmember	64
0651010	S	Peterbilt Rear Mudflaps and Straight Hangers Mudflaps aid in protecting the frame and undercarriage from road salt, grime and debris that can cause rust and corrosion. Mud flaps also shield other vehicles from gravel, rocks and road spray.	0

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Sales Code	Std/Opt	Description	Weight
Front Axle & Equipment			
1012200	O	Meritor MFS20 20,000 lb, 3.74 in Drop Axle is designed for applications with a gross axle weight rating (GAWR) of 20,000 pounds. Axle includes special low-friction bushings, double draw keys and integral thrust bearing and seal design for durability, low maintenance and ease of service. Combination of Meritor Easy Steer king pin bushings, computer-designed and optimized I-beam construction and stiff axle assembly delivering a tight turning radius, superior vehicle control and longer tire life.	147
1114030	O	Taper Leaf Springs, Shocks 20,000 lb Standard with Heavy Resistance Shocks.	118
1243050	O	Power Steering Sheppard HD94 Dual Gear For use with 16,000 to 20,000 lb. axle ratings.	80
1250250	O	Power Steering Reservoir Frame Mounted w/Cooler A power steering cooler helps reduce the heat of the power steering fluid. This is commonly used with systems that may experience more stress from towing or off-road driving.	2
1354850	O	PHP10 Iron PreSet PLUS Hubs - Air Disc Preset iron hub assemblies are designed for demanding conditions and require less maintenance while still offering dependability and superior performance. Precisely engineered to minimize roller stress under heavy loads and increase bearing life when used in demanding conditions such as wide-based single wheels and misalignment due to spindle wear.	27
1354870	O	Severe Service Disc Brake Rotor For refuse applications, providing the braking torque necessary to slow or stop the vehicle.	100
1380070	O	Greasable Front Spring Pins	0
1380470	O	Meritor Wide Track IPO Standard, Front Axle Meritor wide track front axle offers greater turning radius and ease of service. MFS+ 3.5" Drop / MFS 3.74" Drop. 71in KPI IPO 69in with MFS and MFS+ axles.	15
1391480	O	Pad Dust Shields for Air Disc Brakes; Front Axle Pad dust shields for air disc brakes can increase brake life. Brake dust shields reduce the buildup of road grime, extend brake system life and prevent premature failure.	2
1392180	O	Meritor EX+L Optimized Linehaul Air Disc Brakes Steer Axle. Meritor EX+L Optimized Air Disc Brakes with calipers that are 11 to 15 pounds lighter, per wheel end, than current EX+L brake calipers.	0
Rear Axle & Equipment			
1526120	O	Meritor RT46-160 46,000 lb Interaxle diff lock air rocker occupies space of one gauge. Laser factory axle alignment to improve handling & reduce tire wear. Magnetic rear axle oil drain plug captures & holds any metal fragments in drive axle lube to extend service life. Parking brakes on all drive axles for optimal performance. Cognis EMGARD FE 75W-90 synthetic axle lube	2,434

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Sales Code	Std/ Opt	Description	Weight
		provides over 1% fuel economy improvement. Reduces wear & extends maintenance intervals, resulting in increased uptime. Provides improved fluid flow to protect components in extreme cold conditions & withstand the stress from high temperatures, extending component life. If code 1526120 (RT46-160) is ordered with 1680460 (Heavy Wall), you will get the 16 mm wall, but not the improved carrier that is in 1526130 code (RT46-160E) that also has a 16 mm wall. This could affect Heavy Haul service warranty length in Canada per Meritor.	
1616305	O	PHP10 Iron Preset + Hubs - Air Disc	0
1616310	O	Severe Service Disc Brake Rotor Severe Service Disc Brake Rotor for refuse applications.	14
1660040	O	Pad Dust Shields for Air Disc Brakes, Drive Axle(s)	0
1680280	O	Bendix Smart ATC Traction Control	2
1680470	O	Lube Pump, Drive Axle(s) Used to circulate oil within the axle housing. Recommended for use on 46,000 or greater axles used in refuse or severe service applications.	36
1680500	S	SBM Valve Full trucks require a spring brake modulation (SBM) system for emergency braking application. This system requires an SBM valve and a relay valve with spring brakes on the rear axles. The SBM valve allows the foot valve to operate the rear axle spring brakes if a failure exists in the rear air system.	0
1680950	S	Stability System Not Selected Or Not Available	0
1682430	S	Anti-Lock Braking System (ABS) 4S4M ABS-6. Includes air braking system.	0
1684200	S	Synthetic Axle Lubricant All Axles Peterbilt heavy duty models include Fuel Efficient Cognis EMGARD FE75W-90 which provides customers performance advantages over current synthetic lubricants with reduced gear wear and extended maintenance intervals, resulting in increased uptime. In addition, the lubricant provides improved fluid flow to protect gears in extreme cold conditions and withstand the stress from high temperatures, extending component life.	0
1687090	O	Diff Lock Tandem Axles With Speed Interlock. Automatically Disengages Wheel Diff Lock at Speeds Above 25 mph.	60
1687175	O	Meritor EX+L Optimized Air Disc Brakes Tandem Drive. Meritor EX+L Optimized Air Disc Brakes with calipers that are 11 to 15 pounds lighter, per wheel end, than current EX+L brake calipers.	0
1705380	O	Ratio 5.38 Rear Axle	0
1826070	O	Reyco 102 Multi Leaf 44,000lb, 52 in Axle Spacing	605

Engine & Equipment

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Sales Code	Std/ Opt	Description	Weight
2074512	O	PACCAR PX-9 360@2000 GOV@2200 1150@1200 Productivity (2021 Emissions)	0
		N21350 C121 68....Maximum Accelerator Pedal Ve	
		N21370 C128 68....Maximum Cruise Speed (P059)	
		N21460 C132 1400..Max PTO Speed (P046)	
		N21520 C133 10....Timer Setting (P030)	
		N21610 C188 39....Low Ambient Temperature Thre	
		N21620 C189 60....Intermediate Ambient Tempera	
		N21630 C190 80....High Ambient Temperature Thr	
		N21550 C206 35....Engine Load Threshold (P516)	
		N21340 C209 120....Hard Maximum Speed Limit (P1	
		N21510 C225 YES...Enable Idle Shutdown Park Br	
		N21450 C231 NO....Gear Down Protection (P026)	
		N21570 C233 NO....Idle Shutdown Manual Overrul	
		N21440 C234 YES...Engine Protection Shutdown (
		N21480 C238 YES...Auto Engine Brake in Cruise	
		N21470 C239 YES...Cruise Control Auto Resume (
		N21430 C333 0.....Reserve Speed Limit Offset (
		N21410 C334 0.....Maximum Cycle Distance (N202	
		N21590 C382 YES...Enable Hot Ambient Automatic	
		N21500 C395 0.....Expiration Distance (N209)	
		N21530 C396 YES...Enable Impending Shutdown Wa	
		N21540 C397 60....Timer For Impending Shutdown	
		N21320 C399 120....Standard Maximum Speed Limit	
		N21400 C400 252....Reserve Speed Function Reset	
		N21420 C401 10....Maximum Active Distance (N20	
		N21330 C402 0.....Expiration Distance (N207)	
2091130	S	VMUX Electronics Architecture	0
2091305	O	Engine Idle Shutdown Timer Enabled	0
2091315	O	Enable EIST Ambient Temp Override	0
2091372		Eff EIST NA Expiration Miles	0
2091640		Effective VSL Setting NA	0
2092017	O	Typical Operating Speed 68 MPH	0
2092032	O	Powertrain Optimized for Performance Best analysis for vehicles used in vocational applications or with heavy GCWRs.	0
2140220	S	CARB Engine Idling Compliance DECLINED By Dealer/Customer	0
2140460	S	Remote PTO/Throttle, 12-Pin, 250K BOC/BOS J1939, Remote Control Provision	0
2140670	O	EPA Emission Warranty	0

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Sales Code	Std/ Opt	Description	Weight
2513060	S	PACCAR 160 Amp Alternator, Brushed PACCAR 160 AMP alternator, brushed producing 160 Amps at road speed and 100 Amps at idle.	0
2521090	O	Immersion Type Block Heater 110-120V Standard location for 2.1M and 1.9M models is left-hand under cab, Model 520 is in bumper, and for Model 220 it is at the driver step. Plug includes a weather-proof cover that protects the receptacle. This pre-heater keeps the coolant in the engine block from freezing when the engine is not running.	2
2522110	S	PACCAR 12V Starter, N/A PACCAR MX Engines PACCAR 12-volt electrical system. With centralized power distribution incorporating plug-in style relays. Circuit protection for serviceability, 12-volt light system w/circuit protection circuits number & color coded.	0
2538070	O	3 PACCAR AGM 12V Batteries 2400 CCA Stranded copper battery cables are double aught (00) or larger to reduce resistance.	62
2539410	O	Battery Jumper Terminal Mounted Under Hood LH Frame Rail. Not available with PX-7 engines.	4
2539840	O	MD - Battery Disconnect Switch Mounted on Battery Box	9
2621090	S	DM Advantage ON/OFF Fan Clutch Horton DM Advantage Two-Speed Fan Clutch On/Off for heavy-duty, medium-duty and a variety of off-highway equipment.	0
2723210	S	18.7 CFM Air Compressor N/A X15. Furnished on engine. Teflon lined stainless steel braided compressor discharge line.	0
2812140	O	C-Brake By Jacobs, PX-9 Features a dedicated cam lobe design for optimum power and three-stage engine brake operation.	90
2921110	S	PACCAR Fuel/Water Separator Standard Service PACCAR Fuel/Water separator standard service intervals. High efficiency media protects critical engine components.	0
2921210	S	No Fluid Heat Option for Fuel Filter	0
2921320	O	12V Heat for Fuel Filter Fuel filter heaters help ensure a seamless flow of diesel from the tank to the combustion chamber. Eliminating any possibility of moisture freezing within the fuel filter while simultaneously increasing the fuel temperature for atomization within the engine.	0
3114270	S	High Efficiency Cooling System Cooling module is a combination of steel and aluminum components, with aluminum connections to maximize performance and cooling capability. Silicone radiator & heater hoses enhance value, durability, & reliability. Constant tension band clamps reduce leaks. Chevron Delo Extended Life Coolant (NOAT) extends maintenance intervals reducing maintenance costs. Anti-freeze effective to -30 degrees F helps protect the engine. Low coolant level sensor warns of low coolant condition to prevent engine damage. Radiator Size by Model: 367 1325 sq in, 367 HH Fepto 1325 sq in, 365 Fepto 1183 sq in, 365 Full Frame Extension 1000 sq in, 520 1202 sq in, 579 1456.9 sq in, 535/536/537/548 949.3	0

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Sales Code	Std/Opt	Description	Weight
		sq in, 537/548 VOC 1000.3 sq in, 389/367 HH 1604 sq in, 365/567 1379 sq in.	
3211140	S	(1) Air Cleaner Engine Mounted	0
3365270	O	Exhaust Single RH Side of Cab DPF/SCR right-hand Under Cab.	29
3387900	O	54" Ht, 5" Dia Chrome, Clear Coat Standpipe(s)	10

Transmission & Equipment

4052110	O	Allison 3000 RDS-P Transmission, Gen 5 Rugged Duty Series. Includes Rear Transmission Support except on MX engines, Mobil Delvac Automatic Transmission Fluid, and Water-Oil Heat Exchange. Also includes features that monitor the transmission fluid, filter and clutch condition. Will display percent life remaining for the transmission fluid, filter and clutches on the shift selector. This information may be displayed using the Mode and Up and Down buttons. A wrench icon will also be included to indicate when the transmission fluid, filter or clutches need servicing. Suited for vehicles operating on/off highway and/or requiring PTO operation. Forward ratios: 1st-3.49, 2nd-1.86, 3rd-1.41, 4th-1.00, 5th-0.75, 6th-0.65. Reverse ratios: DR-(5.03).	459
4211000	O	SPL170 HD-XL Driveline, 1 Midship Bearing	20
4216330	O	SPL170 XL Driveline Interaxle Dana Spicer Life Series heavy-duty drive shafts are built for heavy loads over the long haul. For tandem rear axles.	-110
4240010	O	Allison Transmission Oil Cooler Aero with Allison 4000 or high torque PX-9	13
4250440	U	Allison RDS, Pkg 180	0
4252170	O	Auto Neutral Activates With Parking Brake Auto Neutral helps improve jobsite safety by reducing the possibility of the truck moving due to throttle application.	0
4252890	O	Allison FuelSense 2.0 Not Desired	0
4252940	O	Allison Neutral At Stop Neutral at Stop features and benefits: Reduces or eliminates the load on the engine when vehicle is stopped, can help lower fuel consumption and CO2 emissions, and is included in FuelSense 2.0 Plus and Max packages only.	0
4253090	O	Severe Service Rear Transmission Support Spring	0
4256640	O	Allison 6-Speed Configuration, Close Ratio Gears 3000 Series Transmissions.	0
4256870	O	Allison Output Function S Neutral Indicator Allison output function S Neutral Indicator for PTO. Required on Refuse Packer Applications. With this configuration NEUTRAL only, PTO engagement is permitted only when the transmission is in Neutral. Once	0

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Sales Code	Std/ Opt	Description	Weight
		the transmission is in Neutral, the PTO is automatically engaged and fast idle is initiated when the PTO switch is on. In addition with this configuration Pack-on-the-fly, the PTO is automatically engaged and fast idle is initiated when the PTO switch is On concurrently with shifting of the transmission to Neutral.	
4256920	O	Dash Mounted Push Button Shifter Available with Allison transmissions	3
4256990	O	Rolling Direction Change Shift Inhibit Feature Allison transmissions. A programmable feature that keeps the transmission from shifting from Drive to Reverse or from Reverse to Drive above a preset speed. This wireless function is enabled when a switch is closed to complete the circuit between input wire 101 and ground. Frequently the function is interfaced with a switch indicating activation of another vehicle function, such as application of the service brakes. When the function is enabled, the TCM will recognize the request for a direction change shift, Reverse-to-Drive or Drive-to-Reverse. If all other operating conditions are acceptable, the TCM will command the requested shift. The enable remains in effect until the switch is opened, followed by the selection of a different direction, Reverse or Drive, at the shift selector. This could be used for doc spotters and refuse. If the function is not enabled, any shift which results in a change of direction is inhibited.	0
4257110	O	LH Mounted Trans PTO Provisions	0
Air & Trailer Equipment			
4510210	O	Bendix AD-HF EP Air Dryer, Heater Coalescing filter, extended purge. Bendix AD-HF air filters protects the life of your engine system and components. Proven PuraGuard oil coalescing technology in the the air dryer cartridge. This oil coalescing filter ensures the removal of oil and oil aerosols before they can contaminate the moisture removing desiccant.	0
4520420	O	Pull Cords All Air Tanks	0
4540420	S	Nylon Chassis Hose	0
4543340	O	Aluminum Painted Air Tanks All air tanks are aluminum with painted finish except when Code 4543330 Polish Aluminum Air Tanks is also selected (then exposed air tanks outside the frame rails will be polished aluminum). Peterbilt will determine the optimal size and location of required air tanks. Narratives requesting a specific air tank size or location will not be accepted for factory installation. See ECAT to determine number or location of air tanks installed.	-45
4611730	O	7-Way Electric Harness, Socket Mounted EOF	10
4611930	O	Body Connections 5' BOC Junction box contains light and power circuits for body connections located 5' from back-of-cab	4
4615250	O	Fitting For F/O Air Port	0

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Sales Code	Std/ Opt	Description	Weight
		The furnished by owner fitting air port is mounted outboard of the driver's seat. This allows operators access to pressurize truck air, to maintain clean air in the cab.	
Tires & Wheels			
5032320	O	FF: GY 20ply 315/80R22.5 G289 WHA Diameter = 43.1 inches; SLR = 20.0 inches. Compares to Michelin XZUS 2 and Bridgestone M860 tread.	74
5169310	O	RR: BR 16ply 11R22.5 M799 Efficiency Rating: Poor Diameter = 42.0 inches; SLR = 19.5 inches	80
5190008	O	Code-rear Tire Qty 08	0
5220520	O	FF: Alcoa 89U637 22.5 X 9.00 High Polish Aluminum, Ultra ONE technology that saves more than 50 lbs. versus a comparable steel wheel. Built for refuse, logging, mining and other heavy haul applications that demand a tough wheel. Each wheel offers a 10,000 lbs. load rating.	-30
5320720	O	RR: Alcoa ULT397 22.5X8.25 High Polish Aluminum. Built for heavy-duty applications and are light weight. Available with polished and Dura-Bright finishes.	-200
5390008	O	Code-rear Rim Qty 08	0
Fuel Tanks			
5584100	O	D-Shaped Aluminum 70 Gallon Fuel Tank LH U/C Non-slip step LH under cab <i>Narr Plz build per Leach layout drawing 200754. Thx</i>	0
5602070	O	Location LH U/C 70 Gallon	0
5652890	S	DEF Tank Mounted LH BOC Models 220 and 520 mounted left hand back-of-cab.	0
5652980	S	DEF To Fuel Ratio Between 1:1 And 2:1	0
5653000	O	Polished Stainless Steel Cover For DEF Tank	0
5655019	S	DEF Tank Small, HD 14 Gal 2.1M MD 5.5 Gal	0
Battery Box & Bumper			
6010780	O	Aluminum Space Saver Battery Box RH BOC Battery access from side <i>Narr Plz build per Leach layout drawing 200754. Thx</i>	-84
6040550	S	Aftertreatment Aluminum Non-Slip Cab Entry Aftertreatment right-hand under cab step. DPF/SCR for diesel engines, catalyst for natural gas engines. On Models 579 specifying chassis fairings, the box is aerodynamic.	0
6112840	O	Steel Bumper Tapered Chromed Two tow points. ***Warning*** Due to a new legal regulations, all New Medium Duty trucks require headlights to be located in the bumper when the chassis height is GREATER than the following chassis height:	115

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Sales Code	Std/ Opt	Description	Weight
		Measurement to bottom of frame at front of frame: for the 107 Aero Hood 32.6, for the 109 Aero Hood 31.4, for the 109 Vocational Hood 26.7. Work with applications if your chassis height is unacceptable.	
Cab & Equipment			
6510160	O	Aerodynamic 109in BBC Aluminum Cab & SMC Hood With molded charcoal crown.	15
6540160	O	Thermal Insulation Package in Cab The thermal insulation package is designed to make the cab thermally efficient in extreme temperatures. The model 520 adds insulation surrounding the doghouse to reduce engine heat transmitted to the cab.	2
6800180	O	Hood Crown - Bright Finish ipo Molded Gray	0
6917340	O	Peterbilt Premium Driver Seat	4
6923160	O	(2) Person Passenger Seat	-10
6930580	O	Drivers Armrests - LH & RH	4
6930800	O	Black Seat Color IPO Standard Color	0
6939110	S	Toolbox Under Passenger Seat Non-Suspension Seat	0
6939400	S	Air Ride Driver	0
6939420	O	High Back Driver	0
6939470	S	Vinyl Driver	0
6939510	S	Non-Air Ride Passenger	0
6939540	O	Low Back Passenger	0
6939570	S	Vinyl Passenger	0
7000045	O	High-Visibility Interior Grabhandles, Painted Bright yellow interior grabhandle for vocational vehicles.	0
7000065	O	Metal Interior Door Panel Kick Plates	2
7001520	S	Adjustable Steering Column - Tilt/Telescope	0
7001620	S	Steering Wheel With Peterbilt Logo Steering Wheel with embossed Peterbilt logo over horn button.	0
7036130	O	Probilt Interior Grey/Black - Curved Roof	0
7110680	O	Exterior Cab Entry Grabhandle Textured; NFPA compliant. Available on Day Cab specifications only.	0

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Sales Code	Std/ Opt	Description	Weight
7210420	O	Dark Window Tint IPO Standard Tint - Day Cab	0
7210540	S	Day Cab Rear Window Day cab rear window flush to back of cab.	0
7210550	S	1-Piece Glass Rear Cab Window Fixed	0
7230060	S	1-Piece Curved Windshield	0
7230360	S	Power Door Locks and Power Window Lifts Standard	0
7322010	S	Combo Fresh Air Heater/Air Conditioner With radiator mounted condenser, dedicated side window defrosters, Bi-Level Heater/Defroster Controls, 54,500 BTU/HR, and silicone heater hoses.	0
7330880	O	Additional Fine Particulate Filter For HVAC Syst 3 micron filtration. For use in extreme high dust applications. Not available with Ember filter 7330890.	1
7410040	O	Outside Sunvisor - Stainless Steel Not available with 2.1M high roof sleeper.	4
7510060	O	Aero Rear View Mirror Housing, Bright Finish	3
7514010	O	Peterbilt Aero Rear View Mirror, Motorized Includes top mirror with motorized, adjustable dual axis heated glass. Bottom mirror is an integrated convex surface. Includes black textured arms with breakaway feature.	3
7514050	S	Look Down Mirror Over Passenger Door with Black Housing	0
7561200	O	RH Round Hood Mirror Bright Housing Convex mirror, right hand hood with Bright finish. Includes one-piece straight arms for rearward visibility.	4
7610500	S	Air Horn Mounted Under Cab	0
7722120	O	ConcertClass, AM/FM, Weatherband, 3.5 Aux	11
7725710	O	Standard Speaker Package For Cab (2) Speakers	4
7728030	O	Radio Mute When In Reverse For automatic or automated transmission	0
7728040	O	Bluetooth Phone and Audio Requires USB Port	0
7728050	O	USB Port	0
7851480	S	Peterbilt Electric Windshield Wipers With Intermittent Feature.	0
7852020	O	Cab Air Suspension	15
7852050	O	Auto Reset Circuit Protection	0

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Sales Code	Std/ Opt	Description	Weight
		Daycab and Sleeper	
7900090	O	Triangle Reflector Kit, Ship Loose Florescent triangle emergency road flares are designed to meet and exceed all DOT standards.	13
7900320	O	Fire Extinguisher, Mounted Inboard Driver Seat Hazmat approved UL listed/rated ABC	9
7900415	O	Exterior Audible Alarm, Park Brake Not Set With door open	0
7900560	U	Exterior Audible Alarm, Park Brake Not Set	0
7901140	O	Backup Alarm (87-112 DB) Variable adjusting	6
8011850	O	Transmission Oil Temperature (Main) Located in Digital Cluster Display.	0
8021380	S	Air Restriction Indicator Mounted on air cleaner, intake piping, or firewall	0
8070390	O	Engine Hourmeter Gauge Located in Digital Cluster Display	0
8070810	O	Engine Manifold Pressure (Turbo Boost) Located in Digital Cluster Display	0
8070820	O	Engine Percent Torque Located in Digital Cluster Display	0
8070860	S	Main Instrumentation Panel Digital Cluster 7" Display includes: Physical (Analog) - Speedometer, Tachometer, Oil Pressure, Coolant Temp and Display Gauges - Fuel Level, DEF Level, DPF Filter Status, Fuel Economy, Volts Telltale, OAT and Primary Air Pressure, Secondary Air Pressure for air brake trucks.	0
8070940	O	Voltmeter Gauge (MD/520 Only) Located in Digital Cluster Display	0
8072560	O	(1) Additional Dash Switch With Wiring (1) additional dash switch with wiring. Spare 1 and 2 share 15 amp fuse, spares 3, 4, and 5 share 15 amp fuse. Availability subject to dash space.	0
8111110	S	Headlights Composite Fender Mounted Integral DRL/Park, Turn, and Side Marker	0
8120980	S	(5) Marker Lights, Aero LED	0
8134160	S	Self-Canceling Turn Signal	0
8134180	O	Daytime Running Lights, Mounted In Bumper Driven by chassis height	0
8140080	S	LED Stop/Turn/Tail/Backup Bracket mounted left-hand / right-hand end of frame	0
8141150	O	Additional LED Turn Signals Mounted lower rear corners back of cab / back of sleeper	7

Paint

Price Level: January 1, 2023

Deal: Rear loader

Printed On: 10/17/2022 1:51:16 PM

Date: October 17, 2022

Quote Number: QUO-1011340-Y3F0L3



Sales Code	Std/ Opt	Description	Weight
8500710	S	Standard Paint Color Selection	0
8530770	S	(1) Color Axalta Two Stage - Cab/Hood Base Coat/Clear Coat N85020 A - L0006EY WHITE N85500 CAB ROOF L0006EY WHITE N85300 FENDER L0006EY WHITE N85200 FRAME L0001EA BLACK N85400 HOOD TOP L0006EY WHITE	0

Shipping Destination

Options Not Subject To Discount

9400091	S	Peterbilt Class 7 Standard Coverage 1 year/Unlimited Miles/km	0
9400094	S	PACCAR PX-9 Standard Coverage 2 yrs/250,000 mi (402,336 km)/6,250 hrs	0
9408703	O	Base Warr: Emissions 5YR/100K MI-EPA Engine	0

Miscellaneous

9409045	S	Aero Hood (MODEL 548)	0
9409062	O	State Registry: Idaho	0
9482308	O	PACCAR Protection Plan 1 (5/100) EPA 2021 Series PX-9 5Yr/100K Mi 160,935 Km	0
9482320	O	PACCAR Aftertreatment Plan (5/100) EPA 2021 Series PX-9 5Yr/100K Mi 160,935 Km	0
9490107	U	Applications Contact:	0

Promotions

Order Comments

N9495 **Plz Build just like reference chassis**



Total Weight

16,148

Prices and Specifications Subject to Change Without Notice.

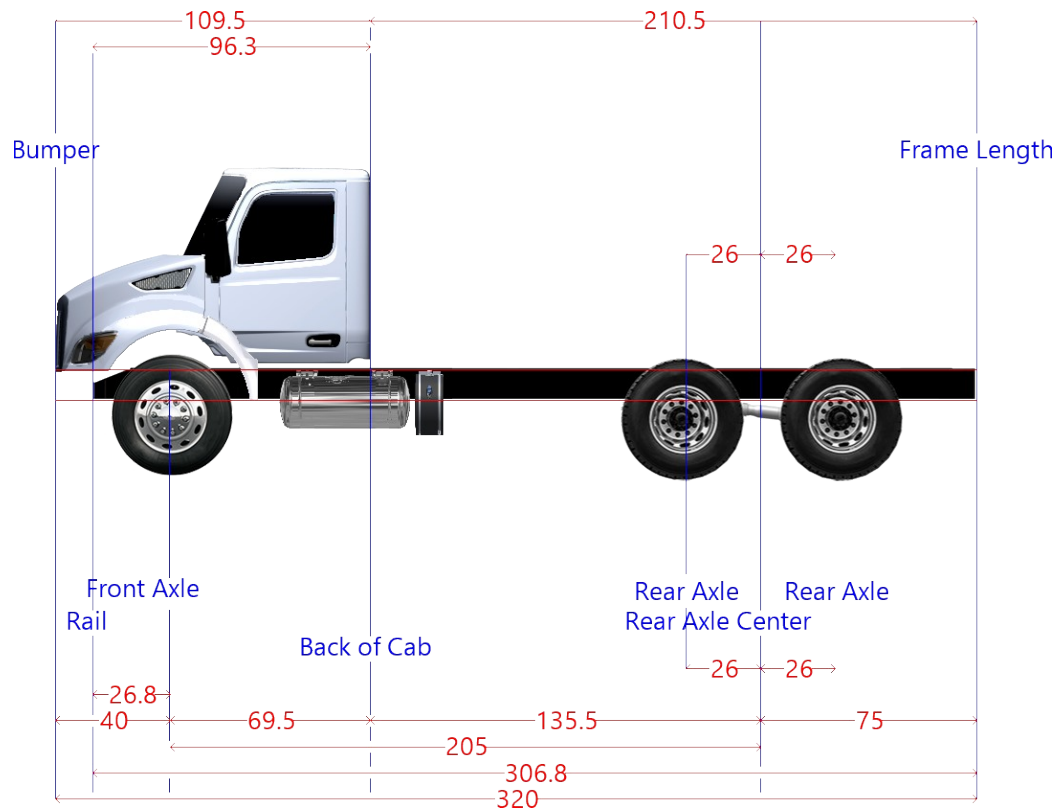
Unpublished options may require review/approval.

Dimensional and performance data for unpublished options may vary from that displayed in CRM.

PRICING DISCLAIMER

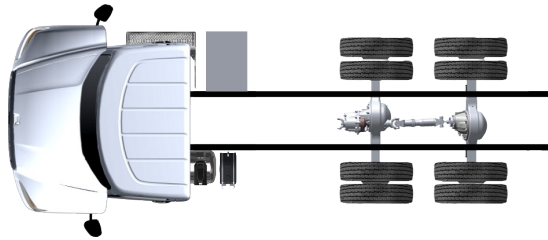
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HORIZONTAL DIMENSIONS



Dimension	Measurement	Start	End
Axle Spacing	52	179	231
Bumper to Back of Cab	109.5	-40	69.5
Bumper to Front Axle	40	-40	0
Bumper to Front Frame	13.2	-40	-26.8
Cab to End of Frame	210.5	69.5	280
Cab to Rear Axle	135.5	69.5	205
Effective Bumper to Back Of Cab	109.5	-40	69.5
Frame Length	306.8	-26.8	280
Front Axle to Back of Cab	69.5	0	69.5
Front of Frame to Axle	26.8	-26.8	0
Load Space	210.5	69.5	280
Overall Length	320	-40	280
Overhang	75	205	280
Pusher Offset #1	0	179	205
Pusher Offset #2	0	179	205
Pusher Offset #3	0	179	205
Tag Offset	0	205	231
Wheelbase	205	0	205

FRAME LAYOUT



Note: The image displayed is representative only. It should not be construed as a layout diagram. Dimensions and components are not to scale.

Selected Options (Wheelbase: 205)

Sales Code	Description	Length	Side
6040550	Aftertreatment Aluminum Non-Slip Cab Entry	45.3	Right
5655019	DEF Tank Small, HD 14 Gal 2.1M MD 5.5 Gal	7	Left
5584100	D-Shaped Aluminum 70 Gallon Fuel Tank LH U/C	45.5	Left
6010780	Aluminum Space Saver Battery Box RH BOC	25.1	Right

Memorandum

File #: 21-712

City Council Meeting

FROM: Chris H Fredericksen
DATE: Thursday, November 3, 2022
DEPARTMENT: Public Works

Subject

Professional Services Agreement for a Wastewater Facility Planning Study with Stantec Consulting Services Inc. and Keller Associates Inc.

Council Action Desired

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

Approve the Professional Services Agreement and authorize the Mayor and Deputy City Clerk to execute the necessary documents (or take other action deemed appropriate).

Description, Background Information & Purpose

Attached for your consideration is a Professional Services Agreement with Stantec and Keller to update the City's 2010 Wastewater Facility Plan. Work will include documenting a series of technical evaluations and condition assessments, developing a list of future improvements, prioritizing and recommending allocations for capital improvements, complete environmental studies and compile evaluations and information into a comprehensive Facility Plan.

Alignment with City & Department Planning Objectives



This Agreement supports the community-oriented results of reliable public infrastructure and environmental sustainability by evaluating the future needs of the Wastewater Division.

Interdepartmental Coordination

Interdepartmental coordination will take place as needed to complete the Facility Plan.

Fiscal Impact

The total not-to-exceed cost to complete the Facility Plan update amounts to \$496,895 of which \$250,000 will be paid through a grant from the Idaho Department of Environmental Quality. Sufficient budget and spending authority exist within the Wastewater Fund to execute the Agreement.

Legal Review

The Agreement was prepared by the office of the City Attorney.
2022-77

**AGREEMENT FOR PROFESSIONAL SERVICES FOR WASTEWATER
FACILITY PLANNING STUDY BETWEEN STANTEC CONSULTING
SERVICES, INC, KELLER ASSOCIATES, INC., AND THE CITY OF IDAHO
FALLS, IDAHO**

THIS AGREEMENT FOR PROFESSIONAL SERVICES FOR WASTEWATER FACILITY PLANNING STUDY BETWEEN STANTEC CONSULTING SERVICES, INC, KELLER ASSOCIATES, INC., AND THE CITY OF IDAHO FALLS, IDAHO, (“AGREEMENT”), made and entered into this ____ day of _____, 2022, between City of Idaho Falls, Idaho, a municipal corporation, whose address is P.O. Box 50220, Idaho Falls, Idaho 83405 (“CITY”), and Stantec Consulting Services, Inc., whose address is 727 E. Riverpark Lane, Suite 150, Boise, Idaho 83706 (“CONSULTANT”), and Keller Associates, Inc., whose address is 356 West Sunnyside Unit B, Idaho Falls, Idaho 83402 (“SUBCONSULTANT”).

W I T N E S S E T H:

WHEREAS, CITY desires to retain an engineering firm to provide professional engineering services to support the Wastewater Treatment Plant Dewatering Facility Plan Update at the CITY’s Wastewater Treatment Plant; and

WHEREAS, CITY’s Public Works Department has selected CONSULTANT, to provide such professional engineering services; and

WHEREAS, CONSULTANT does provide professional engineering services; and

NOW, THEREFORE, be it agreed, for and in consideration of the mutual covenants and promises between the Parties hereto, as follows:

SECTION I: SCOPE OF WORK

CONSULTANT and SUBCONSULTANT shall perform a comprehensive evaluation of the Waste Water Treatment Plant (“WWTP”) and shall update CITY’s August 2010 Facility Plan, as proposed in Exhibit “A” attached hereto. As part of this effort, CONSULTANT and SUBCONSULTANT shall work in tandem to perform this work efficiently and effectively with the general work items including:

- A. Documenting a series of technical evaluations and condition assessments.
- B. Developing a list of future improvements.
- C. Prioritizing and recommend allocations for Capital Improvement Plan (“CIP”) expenditures.
- D. Preparing an Environmental Information Document (“EID”).
- E. Compiling the evaluations and information into a comprehensive Facility Plan.

TASK 1: Project Management

1.1. Progress Reporting Meetings.

CONSULTANT shall keep CITY advised of the status of the planning progress. This coordination shall include monthly Project management meetings with CITY with an average of three (3) CONSULTANT staff to communicate and document Task by Task status, identified project risks, action items, change of conditions, schedule updates, financial status, and other miscellaneous items that arise. The meetings are expected to be approximately one (1) hour in duration, and CONSULTANT shall coordinate and submit meeting notes within two (2) working days of the meeting. Separate technical workshops shall be scheduled outside of these monthly progress meetings.

1.2. Progress Tracking, Invoicing, and Reporting.

CONSULTANT shall track the Project progress for both financial and schedule tracking purposes, coordinate with SUBCONSULTANT, and prepare monthly invoices which include written status reports for each invoice submittal.

1.3. Facility Plan Public Meeting Support.

CONSULTANT shall support CITY for up to ten (10) hours of support for the public meeting held as part of the previous Facility Planning effort. This support is expected to include items such as attending public meetings, preparation of distribution materials and outreach items, and providing recommended communication strategies, agenda and notes.

1.4. Internal Team Coordination.

CONSULTANT and SUBCONSULTANT shall meet on a bi-weekly basis to coordinate status, coordinate and identify needs on technical evaluations, identify challenges and risks, and provide a forum for issues or questions that need to be communicated or coordinated with CITY or that need further attention within the Planning Team. Items identified in these meetings that need to be addressed with CITY shall be added to the monthly status update meeting agenda or impromptu CITY communications as needed.

TASK 2: Evaluations and Studies (Technical Memoranda)

2.1. Data Collection.

To effectively and efficiently complete evaluations, CONSULTANT and SUBCONSULTANT shall request information from CITY's staff in the form of written requests for information ("RFI") and perform investigations of WWTP data as conditions, gaps and information warrants. It is assumed that up to four (4) formal RFI submittals shall be submitted to CITY. CONSULTANT and SUBCONSULTANT shall draft a data collection summary technical memorandum ("TM1") including any analysis, gaps identified in plant data, and any notes on operator discussions on the existing data. The final TM1 shall be finalized after CITY review.

2.1.1 Task 2.1 Assumptions.

- A. CONSULTANT and SUBCONSULTANT has the right to rely on CITY provided data and information collected for planning purposes.
- B. CITY shall dedicate staff to provide information in a timely manner in order to maintain project schedule as noted herein. Delays or challenges in obtaining data are needed for CONSULTANT and SUBCONSULTANT as early as practical to allow adjustment to schedule and planning alternatives to be considered.
- C. RFI information shall be separated into data ‘wants’ versus essential data ‘needs’ to allow CITY to prioritization data needs.
- D. No formal meetings are needed as part of this Task.

2.2. Condition Assessment.

CONSULTANT and SUBCONSULTANT shall perform a review of the data provided in the RFIs to gather historical data. CONSULTANT and SUBCONSULTANT shall also interview operations, maintenance, and management staff to identify known system deficiencies and or concerns. CONSULTANT and SUBCONSULTANT shall provide up to four (4) engineers for onsite interviews with CITY staff. This is assumed to be a one (1) day, onsite evaluation with notes taken and compiled into the summary report.

CONSULTANT and SUBCONSULTANT shall perform field condition visual assessments of existing facilities at the process component level with CITY personnel. CITY’s staff shall identify and provide a list of known issues.

Additional condition assessments shall be performed at final clarifiers and main subcomponents such as blowers or secondary plant pump station. The condition assessment shall be documented in a technical memorandum (“TM2”) and distributed to CITY for review and acceptance. This information shall be used to help identify and prioritize future improvements and shall be incorporated into the Facility Plan.

2.2.1. Task 2.2. Assumptions.

- A. The site assessment is limited to visual observations (non-invasive) and is not intended to be a comprehensive inspection.
- B. Condition assessment shall be conducted during normal plant operations (e.g., no equipment or process units shall be removed from service).
- C. CONSULTANT and SUBCONSULTANT shall not enter confined spaces.
- D. Invasive structural and electrical engineering reviews are not included in the scope and can be provided as an additional service.

2.3. Future Permitting Requirements.

CONSULTANT and SUBCONSULTANT shall review and summarize current, pending and anticipated future regulatory requirements and planning criteria that may influence operation, maintenance, and capital improvements of the existing wastewater treatment system. CONSULTANT and SUBCONSULTANT shall meet with local Idaho Department of Environmental Quality (“DEQ”) officials to gain the latest understanding of pending TMDL’s, current and potential future permit conditions and/or environmental concerns from the State’s perspective. The evaluation is expected to focus on the existing NPDES permit, pending IPDES permit, and local TMDLs.

A draft technical memorandum (“TM3”) shall be prepared and submitted for CITY review. TM3 shall be finalized upon receipt of review comments.

2.3.1. Task 2.3. Assumptions.

- A. It is not expected that there shall be significant discharge permit changes for the foreseeable future.
- B. Aquifer recharge permitting and investigation is not part of this Task but has potential connections to future permitting and shall be noted in the TM accordingly.
- C. It is expected that there shall be one (1) formal meeting with DEQ with potentially additional informal communications as needed.
- D. One (1) formal one (1) hour meeting shall be held with CITY to discuss understanding of future permitting requirements prior to the DEQ meeting.

2.4. Forecasting Future Flows.

CONSULTANT and SUBCONSULTANT shall investigate historical flows, loadings characteristics (2017-2022), trends, population growth projections over the next twenty (20) years, and potential large commercial and industrial developments as provided by CITY. Since the existing plant is a regional facility, it shall be important to determine how various entities potentially leaving and/or joining the WWTP shall impact the flows and loadings both now and in the future. CONSULTANT and SUBCONSULTANT shall work closely with CITY’s Planning Department and the Bonneville Metropolitan Planning Organization (“BMPO”) to determine typical growth values and expectations over the next twenty (20) years.

CONSULTANT and SUBCONSULTANT shall develop five (5) year, ten (10) year, and twenty (20) year flow and loading projections for average, maximum month, peak day, and peak hour conditions for flow, BOD, TSS, ammonia, and total phosphorus through the planning horizon as appropriate for the specific constituent. This effort shall be documented in the draft technical memorandum (“TM4”) and updated upon receipt of CITY review comments.

2.4.1. Task 2.4. Assumptions.

- A. Including Iona-Bonneville Sewer District (IBSD) and Ucon flows for another ten (10) years. This assumption shall be discussed and confirmed with CITY during the planning process.
- B. A preliminary growth and flows forecasting workshop shall be held virtually with CITY to include three (3) CONSULTANT and SUBCONSULTANT staff members.

2.5. WWTP Hydraulics, Capacity Analysis, and Triggers.

2.5.1. WWTP Hydraulics and Capacity Analysis.

The purpose of this Task is to assess the hydraulic capacity of the WWTP facilities. CONSULTANT and SUBCONSULTANT shall develop a computer model to simulate existing and future facility flows which shall allow CONSULTANT and SUBCONSULTANT to provide recommendations for process improvements and identify hydraulic capacities of the various units within the WWTP. CONSULTANT and SUBCONSULTANT shall develop a hydraulic spreadsheet model to evaluate the hydraulic capacity of the facility with the objective of identifying process hydraulic capacity and possible hydraulic bottlenecks. CONSULTANT and SUBCONSULTANT shall evaluate pipe sizing, pump sizing, and process sizing for hydraulic capacity. It is assumed that pumps are operating at design point and valving is either fully open or fully closed unless identified otherwise by CITY. A hydraulic capacity assessment shall be provided to accommodate existing and future (twenty (20) year) flows. This information shall be used to identify future improvement triggers. Surveying of structures is not included in the analysis, and it is assumed that the structure and weir elevations shown in the existing hydraulic profile are accurate for modeling purposes. Findings shall be incorporated into the summary report. This effort shall be documented in a technical memorandum draft ("TM5") and finalized upon receipt of CITY review comments.

2.5.2. Capacity Triggers Identification.

CONSULTANT and SUBCONSULTANT shall use the information gathered previously and develop an Excel spreadsheet tool that identifies when the various process should be upgraded based on the results of the hydraulic capacity evaluation. These triggers shall be organized in two (2) different table, one that shows flow with the other table organized by process area. CITY shall provide the number of existing EDUs within the wastewater system to help project future triggers. The spreadsheet shall be demonstrated to CITY's staff and then provided to CITY as a tool for future development and flows to the facility.

2.5.3. Task 2.5. Assumptions.

- A. CONSULTANT and SUBCONSULTANT shall hold up to two (2) formal meetings with CITY to review: 1) the identified capacities and hydraulic model findings and 2) to review the capacity trigger tool prior to submittal to CITY.

- B. CONSULTANT and SUBCONSULTANT shall not perform modeling for the existing secondary system to determine the secondary system capacity, rather CONSULTANT and SUBCONSULTANT shall use the assumptions and design criteria for the existing secondary upgrades and perform high level reviews on the previous upgrades and capacity modeling/calculations for a rough order of magnitude check.
- C. It is assumed that additional capacity is not needed in the secondary system in the near-term (less than ten (10) years).
- D. The hydraulic capacity analysis shall rely on as-built information and shall not include any surveying to verify hydraulic structure elevations.

2.6. Headworks Hydraulics and Screening Evaluation.

This Task shall be tied directly to the hydraulic evaluation that shall be completed and discussed in Task 2.5 above. The goal shall be to identify a solution path to allow the influent pipe to drain. It is currently understood that the flow to the headworks facility creates sewer surcharges which causes settling and other concerns. A new influent pump station and associated configurations shall be evaluated including wet pit only with submersible pumps, a buried wet pit/dry pit installation, a wet pit/dry pit housed inside of a building, and screw pumps. An additional third screen and associated washer/compactor shall be considered. In addition, options for three (3) new screens, washers, and compactors shall be evaluated in coordination with a new influent lift station.

This effort shall be documented in a technical memorandum draft (“TM6”) and updated upon CITY review.

2.7. Odor Control Evaluation.

CONSULTANT and SUBCONSULTANT shall interview CITY staff regarding any significant odor concerns along with considerations for any future growth or nearby development. The fermenter currently generates significant odors. The evaluation shall be limited to the fermentation system and the capacity of its existing odor control system and an evaluation of potential improvements and associated costs.

The evaluation of the systems shall be included in a draft technical memorandum (“TM7”) which shall be finalized after CITY review.

2.7.1. Task 2.7. Assumptions.

CONSULTANT and SUBCONSULTANT shall hold a one (1) hour meeting with CITY to discuss the findings and ideas for future improvements prior to submittal of the draft TM7.

2.8. Biosolids Treatment, Handling and Management Evaluation.

CONSULTANT and SUBCONSULTANT shall undertake an evaluation of the WWTP

biosolids treatment and handling as part of this Task as detailed below. The information shall be compiled into a comprehensive draft technical memorandum (“TM8”) and finalized after CITY review comments have been received.

2.8.1. Biosolids Digestion and Treatment.

CONSULTANT and SUBCONSULTANT shall review the capacity of the existing digestion system and feed it into the overall capacity and triggers analysis. As part of this evaluation, future digestion or solids treatment capacity limitations shall be reviewed with alternatives considered for future solids treatment projections. These future alternatives could include digestion expansion or other solids treatment technologies. Up to three (3) alternatives shall be further evaluated with conceptual design, life cycle cost and qualitative pros/cons developed. CONSULTANT and SUBCONSULTANT shall write up this analysis in the TM8 as part of the overall Task 2.8.

2.8.2. Biosolids Handling.

CONSULTANT and SUBCONSULTANT shall identify current biosolids production and future (twenty (20) year) biosolids production projections. This information shall be used to assess existing capacity and identify future improvement triggers when capacity shall be exceeded. CONSULTANT and SUBCONSULTANT shall review and summarize current, pending and anticipated future regulatory requirements and planning criteria that may influence operation, maintenance, and capital improvements of the biosolids handling and disposal. CONSULTANT and SUBCONSULTANT shall provide conceptual evaluation and a write up of disposal alternatives and associated costs. Alternatives include continued Class B land application (solid land application) and landfill disposal if needed in an emergency.

2.8.3. Biosolids Management Plan Support.

Outside of the TM8 effort, CONSULTANT and SUBCONSULTANT shall support CITY’s development and assist in updating the biosolids management plan to reflect the new biosolids dewatering system that is to be constructed at the WWTP and the associated move toward solid sludge land application rather than liquid sludge. This scope is currently limited to review, providing data and suggestions to CITY for up to forty (40) hours of assistance but can be expanded as an additional service.

2.8.4. Task 2.8. Assumptions.

- A. Capacity improvement alternatives identified and evaluated for life cycle costs shall include ancillary impacts such as digester heating and other factors directly related to any alternative improvement.
- B. CITY is currently undertaking a digester upgrade project to include pump mixing in addition to the current draft tube mixer system in the two-primary digester.

- C. Evaluations for existing digester maintenance improvements shall not be performed including the heating and mixing systems outside of the condition assessment.
- D. Two (2) meetings for Biosolids Treatment and Biosolids Handling shall be held with CITY to review the system, discuss the findings from the evaluation, and confirm the alternatives prior to the TM8 being drafted and reviewed. These one (1) hour meetings shall have up to four (4) CONSULTANT and SUBCONSULTANT staff members attending virtually.

2.9. Disinfection Alternatives Evaluation.

Disinfection systems are the last line of defense to meet regulatory compliance, environmental stewardship, and community safety. As such, proper design of these systems is critical. CONSULTANT and SUBCONSULTANT shall evaluate the existing gas chlorination system at the WWTP for capacity, operations, and safety and maintenance challenges. In addition, CONSULTANT and SUBCONSULTANT shall evaluate alternatives to the current chlorine disinfection system, primarily focusing on change to sodium hypochlorite or ultraviolet light (UV) disinfection options. The systems shall be evaluated for life cycle costs along with various qualitative factors (pros/cons) and a strong consideration to the safety concerns of the existing gas chlorination system. In addition, CONSULTANT and SUBCONSULTANT shall incorporate the existing hydraulics analysis to evaluate the feasibility of open channel UV systems.

The evaluation shall start with discussions in the Kickoff Meeting and early criteria discussions about the condition and concerns of the chlorination system. More information shall be obtained during the conditions assessment. Water quality samples shall be collected and sent to proposed UV vendor technologies for evaluation and high-level determination of UV transmittance and UV dose for equipment sizing. Upon evaluation of the system and identifying alternatives, CONSULTANT and SUBCONSULTANT shall hold a disinfection workshop with CITY's staff and with up to four (4) CONSULTANT and SUBCONSULTANT staff members to review CONSULTANT and SUBCONSULTANT's findings, life cycle cost comparisons and CITY preferences. The workshop shall be attended in-person and virtually. The information shall be compiled into a technical memorandum draft ("TM9") which shall be finalized after CITY review comments are incorporated including conceptual cost estimates of up to three (3) alternatives.

2.10. Sidestream Treatment Evaluation.

The upcoming Dewatering Project shall alter the sidestream flows from the new dewatering system back to the liquid stream within the WWTP. CONSULTANT and SUBCONSULTANT shall rely on previous consultant evaluations and information regarding the forecast impacts of these new sidestream (pressate) flow and loads based on the planned dewatering improvements and retrofit of an existing secondary digester tank to provide sidestream equalization. If the equalized pressate loadings are forecast to create challenges in meeting future permit limits CONSULTANT and SUBCONSULTANT shall evaluate two

(2) alternatives to mitigate these sidestream loadings and provide conceptual layouts and associated Class 5 budgetary cost estimates.

In addition, CITY has identified struvite buildup issues in their digestion system and has taken steps to remove the nuisance granular struvite buildup through additional mixing with their upcoming dewatering project. CITY shall evaluate the struvite issue after the new mixing system has been installed and operational and a comprehensive evaluation shall not be needed as part of this facility plan. For this effort, CONSULTANT and SUBCONSULTANT shall only evaluate high level mitigation strategies from a qualitative standpoint with the associated write-up.

The results of these efforts shall be summarized in a draft Sidestream Treatment Evaluation Technical Memorandum (“TM10”) that documents the existing system, alternatives to consider with life cycle costs and qualitative pros/cons. The draft TM10 shall be prepared with considerations for upgrades to be included in the list of potential CIP projects and the draft TM10 shall be finalized to include CITY review comments.

2.10.1. Task 2.10. Assumptions.

- A. No system sampling shall be required outside of the normal CITY sampling efforts.
- B. The new dewatering system is expected to be operational in 2024.
- C. CONSULTANT and SUBCONSULTANT shall conduct one (1) initial meeting to discuss planned improvements and existing struvite challenges, and one (1) meeting to review the draft TM10. Both meetings shall be conducted virtually using Teams.
- D. CONSULTANT and SUBCONSULTANT shall coordinate with the Dewatering Facility design consultant (MSA) to get a better understanding of the pressate characteristics.
- E. Up to two (2) alternatives shall be evaluated for improvements to sidestream flows.

2.11. Funding / Rate Sufficiency Evaluation.

CONSULTANT and SUBCONSULTANT shall evaluate the current wastewater budget (capital & operations), obligations, rate study and connection fees, current revenue streams and available fund balance to determine current capital funding capacity. CONSULTANT and SUBCONSULTANT shall evaluate the current funding / rate sufficiency to accomplish the final CIP delivery depending on urgency and overall project timing.

CONSULTANT and SUBCONSULTANT shall review potential Idaho and National funding sources with an emphasis on grant opportunities that may be available to CITY. This survey shall inquire with Idaho State Agencies and Federal Programs common to the Pacific Northwest / Intermountain West.

The identified funding / rate sufficiency shall be documented in a technical memorandum (“TM11”) with recommendations to consider funding alternatives and or additional rate considerations.

2.11.1. Task 2.11. Assumptions.

- A. Evaluation of rates with removal of revenues from IBSD and Ucon shall be necessary.
- B. Latest rate study is provided.
- C. CONSULTANT and SUBCONSULTANT is provided access to the current and forecasted budget projections.
- D. Deliverables.
- E. Funding / Rate Sufficiency TM Draft & Final.

2.12. Collection System Evaluation.

The purpose of this Task is to use existing information and review previous studies to identify capacity (pipeline and pump stations) challenges, rehabilitation priorities within the collection system, document proposed capital improvements, and identify knowledge gaps. Where information is aged or unavailable, CONSULTANT shall recommend future evaluations and studies but shall not undertake those detailed evaluations as part of these services. The assessment shall be based on CITY reported age, materials, and CITY staff input and shall include a statistical analysis of the age/material/size of the various piping in the collection system. CONSULTANT and SUBCONSULTANT shall perform an operator/staff interview to identify areas of concern and develop a collection systemwide map for use in the write-up. In addition, CONSULTANT and SUBCONSULTANT shall identify previous capacity improvement recommendations for incorporation into the capital improvement planning. This effort shall be documented in a draft technical memorandum (“TM12”) and updated upon CITY review.

2.12.1. Task 2.12. Assumptions.

- A. Operator interviews shall be a two (2) hour virtual discussion with three (3) CONSULTANT and SUBCONSULTANT staff members.
- B. CONSULTANT and SUBCONSULTANT shall rely on previous collection system evaluations and CITY provided GIS data.
- C. CITY’s GIS database is a complete representation of the existing collection system and includes size, age, material, and location information.
- D. CITY has mapped the existing collections system and shall provide for inclusion in the

Facility Plan document.

- E. The evaluation shall rely on CITY-provided data and the Team shall not perform mapping, modeling, surveying, or onsite investigations.
- F. Capital improvements to address capacity needs shall be based on the Collection System Hydraulic Modeling and Capital Improvement Analysis, MSA 2011.

TASK 3: CIP Development.

CONSULTANT and SUBCONSULTANT shall use the information obtained and based upon the TMs prepared in Task 2 for the basis of the capital improvement plan (“CIP”). The subtasks below describe the CIP development further.

3.1. CIP Workshops.

Two (2) workshops shall be held as part of the CIP development as noted below.

3.1.1. Pre-CIP Workshop (prioritization model development).

The Pre-CIP workshop shall be focused on the confirmation of the prioritization model. The model development shall be based upon a pairwise comparative system and development of factors and relative weights of these factors for future model population. In addition, a review of the list of potential CIP projects identified to date shall be discussed. It is assumed the workshop shall be approximately three (3) hours in duration with up to four (4) CONSULTANT and SUBCONSULTANT staff members locally present and one (1) virtual.

3.1.2. CIP Development Review.

After the development of the prioritization model, a workshop to prioritize the identified potential CIP projects shall be held. This meeting shall focus on the review of the populated model, confirmation of the factors and scoring, revising the model as needed and identifying the list of CIP projects in packages or within certain timeframes.

3.2. Cost Estimating.

CONSULTANT and SUBCONSULTANT shall perform capital cost estimating throughout Task 2 for the various alternatives and improvements that are identified. The cost estimates or opinions of probable construction costs (“OPCC”) shall be based upon AACE Class 5 estimating. It is assumed that the OPCCs shall be developed as part of each TM in Task 2 along with other improvements identified and budgeted accordingly within those items. These capital cost estimates shall be bundled with operation and maintenance costs to generate life cycle costs to assist with alternatives decision making. Additional cost estimating efforts for areas not identified within this scope of work or outside of the areas

covered in the TMs can be performed as change items covered under Task 7 contingencies.

3.3. CIP Development for Interim Budgeting.

This effort shall follow the initial Pre-CIP workshop and shall include populating the CIP model with projects and drafting up potential CIP budgeting spreadsheet based upon knowledge obtained by the spring of 2023 budgeting period (generally month of April). This interim CIP budget shall be used as a baseline for the full CIP development.

3.4. Update CIP.

Based upon the Pre-CIP budget input, informal discussions and in preparation for the CIP development review workshop and the prioritization confirmations and revisions from that effort, an updated CIP shall be established to submit to CITY for review, confirmation, and finalization. The CIP is assumed to be a spreadsheet summary with cost allocations spread on a year by year basis with backup decision making and prioritization information provided for CITY reference.

TASK 4: Facility Plan Write-Up.

The information shall be compiled and documented in the facility plan as noted below.

4.1. Facility Plan Meetings and Presentations.

CONSULTANT and SUBCONSULTANT shall hold a two (2) hour review workshop after the delivery of the Draft Facility Plan with up to four (4) CONSULTANT and SUBCONSULTANT staff attending in person.

CONSULTANT and SUBCONSULTANT shall prepare PowerPoint materials for and present a summary of findings at a CITY Council Work Session near the end of the study. An electronic copy of the final presentation shall be provided to CITY.

4.2. Draft Facility Plan.

CONSULTANT and SUBCONSULTANT shall compile draft write-ups for the various planning elements outlined in the previous tasks into a Wastewater Facility Plan that also addresses comments from CITY staff. Appendices shall be created that include pertinent supporting documentation. A final draft report shall be submitted to DEQ and CITY for review. Three (3) paper copies and one (1) electronic copy (PDF format) of the draft report shall be provided.

4.3. Finalize Facility Plan.

CONSULTANT and SUBCONSULTANT shall address CITY review comments, public comments, and agency comments and finalize the document. A final facility plan shall be

submitted to the agency and CITY for final approval. Three (3) paper copies and one (1) electronic copy (PDF format) of the final report shall be provided to CITY and DEQ for documentation.

4.3.1. Task 4.3. Assumptions.

- A. The Facility Plan write-up shall include the DEQ checklist as an appendix with references on how the checklist items are addressed in the Facility Plan text. (16807 (idaho.gov))
- B. The Facility Plan shall address the Grant Application Letter of Interest (Attachment “D”) collection system commitments to the extent that the previous 2011 collection system modeling and CIP plan details and reference the information as needed. Additional studies, modeling and evaluations outside of the 2011 plan shall not be performed but may be recommended as future actions.
- C. The Facility Plan shall address the Grant Application Letter of Interest asset management commitment to the extent that the existing database and GIS system are used for general asset management and also that there is an enhanced asset management program being developed but not yet fully established.

TASK 5: Environmental Information Document (“EID”)

CONSULTANT and SUBCONSULTANT shall prepare an EID for the priority projects identified in the Facility Planning Study. The scope of services assumes that a “categorical exclusion” (CatEx) or “finding of no significant impact” (FONSI) shall be granted for the EID. The scope for the EID does not include archeological, wetland, biological assessment, or other environmental field investigations. These additional services can be completed through an additional service if required by agencies and as authorized by CITY. The environmental review shall generally include the following items:

- A. Description of purpose and need for proposed actions;
- B. Description of the proposed alternatives, including the proposed actions;
- C. Description of the affected environments;
- D. Discussion of the environmental impacts of the proposed actions;
- E. The means to mitigate adverse environmental impacts;
- F. Description of the public participation process (one (1) open house);
- G. List of referenced documents;
- H. List of agencies consulted;

I. Mailing list of interested Parties;

The Draft EID report shall be provided to CITY as an electronic PDF copy along with two (2) paper copies. The EID shall be submitted to DEQ for review. The Final EID report shall include CITY and DEQ comments. The final EID shall be provided to CITY as an electronic PDF copy along with three (3) paper copies.

TASK 6: Wastewater Asset Management Program.

The intent of this Task is to address the DEQ Grant LOI requirements and CITY commitments along with providing a roadmap for CITY to follow for the future establishment of an asset management program for the collections and WWTP. To perform this CONSULTANT and SUBCONSULTANT shall investigate the status of the existing asset database for both the collection and WWTP systems and provide a general write-up for inclusion into the Facility Plan regarding the existing database and method of asset management along with the future direction and future enhancement and development of an asset management program for the collection system and WWTP assets. This write-up shall be included in the Facility Plan as an appendix or attachment to the plan rather than being integral to the Facility Plan document.

SECTION II:

A. Independent Contractor.

The contracting Parties warrant by their signature that no employer/employee relationship is established between CONSULTANT and CITY by the terms of this AGREEMENT. It is understood by the Parties hereto that CONSULTANT is an independent contractor and as such neither it nor its employees, if any, are employees of CITY for purposes of tax, retirement system, or social security (FICA) withholding.

B. Fees and Conditions for Professional Services.

1. Payment for all services described in this AGREEMENT is provided in accordance with the cost described in Section II.B.2. of this AGREEMENT.

2. The not-to-exceed cost for CONSULTANT's services for Project as described in Section I, Scope of Work, shall be four hundred ninety-six thousand eight hundred ninety-five dollars (\$496,895), as described in Exhibit "A" attached hereto.

a. Services provided by CONSULTANT personnel in various labor categories shall be billed at the following negotiated hourly rate (inclusive of salary, overhead, and fee).

Billing Category	Key Personnel	*Billing Rate
Senior Principal / Technical Expert	Michael Fuss, PE, Heather Stephens, PE, Dru Whitlock, PE	\$ 260
Principal	Nick Smith, PE, James Hale, Amy Broughton	\$ 230

Senior Associate	Jason Hurless, PE	\$ 205
Associate	TBD	\$ 190
Professional Engineer	Emily Nicholas, PE, Matt Shroll, PE, Katerina Messologitis, PE	\$ 160
Senior CAD	TBD	\$ 150
EIT / CAD	Emma-Kate Stecker	\$ 130
Senior Administration	Cara Beyenka	\$ 110
Administration / Intern	Paulo Igmen	\$ 90

**The above unit prices include payroll taxes, insurance costs, fringe benefits, general overhead, and consultant profit. These rates are valid through December 31, 2023.*

- b. Travel shall not be billed to CITY for travel based within sixty (60) miles of CITY.
- c. SUBCONSULTANT markups shall be limited to five percent (5%) and shall be paid on a lump sum basis.

C. Project Schedule.

- 1. Project is anticipated to commence on December 15, 2022, and shall proceed until its estimated conclusion on December 27, 2023.

SECTION III:

A. Termination of Agreement.

Either Party may terminate this AGREEMENT with thirty (30) days' written notice without cause and without further liability to either Party except as designated by this section. In the event of termination, CONSULTANT shall be paid for services performed to termination date, based upon the work completed.

B. Extent of Agreement.

This AGREEMENT may be amended only by written instrument signed by both Parties hereto.

C. CONSULTANT'S Insurance.

In performance of professional services, CONSULTANT shall use that degree of care and skill ordinarily exercised under similar circumstances by members of its profession; and no other warranty, either expressed or implied, is made in connection with rendering

CONSULTANT's services.

D. Ownership and Publication of Materials and CITY's Right to Use Delivered Materials.

CITY and CONSULTANT agree that CITY, with this AGREEMENT, acquires the right to use all written materials, including but not limited to reports, information, data, images, diagrams, plans, and any other written documents prepared and delivered to CITY by CONSULTANT pursuant to this AGREEMENT, and CITY shall have the authority to release, publish, or otherwise use any written materials delivered to CITY, in whole or in part. The use of written materials (s) may include, but is not limited to, electronic and print promotion of CITY sponsored programs or functions. Written materials(s) may be provided to other entities, such as newspapers or other publishers, for inclusion in print advertisements, without cost to CITY or payment to CONSULTANT for use of such written materials. Any re-use of written materials shall be at CITY's sole risk and without liability to CONSULTANT.

Nothing in this section shall constrain CONSULTANT from using materials for other trainings or projects with other entities or from using the written materials for CONSULTANT's general reference or enrichment.

Nothing in this section shall be constructed to entitle CITY to any materials owned by CONSULTANT which were not delivered or received by CITY, even if those materials were used by CONSULTANT to produce the written materials delivered to CITY or if the written materials delivered to CITY were used to develop, improve, or add value to anything CONSULTANT does not deliver or release to CITY.

The Parties acknowledge that any written materials received by CITY are subject to public disclosure under the Idaho Public Records Law, Chapter 2 of Title 74 of the Idaho Code.

E. Indemnification.

CONSULTANT agrees, to the fullest extent permitted by law, to indemnify and hold harmless CITY against damages, liabilities and costs arising from the negligent acts of CONSULTANT in the performance of professional services under this AGREEMENT, to the extent that CONSULTANT is responsible for such damages, liabilities, and costs on a comparative basis of fault and responsibility between CONSULTANT and CITY. CONSULTANT shall not be obligated to indemnify CITY for CITY's sole negligence.

F. Costs and Attorney Fees.

In the event either Party incurs legal expenses to enforce the terms and conditions of this AGREEMENT, the prevailing Party is entitled to recover reasonable attorney's fees and other costs and expenses, whether the same are incurred with or without suit.

G. Jurisdiction and Venue.

It is agreed that this AGREEMENT shall be construed under and governed by the laws of the State of Idaho. In the event of litigation concerning it, it is agreed that proper venue shall be the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Bonneville.

H. Binding of Successors.

CITY and CONSULTANT each bind themselves, their partners, successors, assigns, and legal representatives to the other Parties to this AGREEMENT and to the partner, successors, assigns, and legal representatives of such other Parties with respect to all covenants of this AGREEMENT.

I. Modification and Assignability of Agreement.

This AGREEMENT contains the entire agreement between the Parties concerning the professional services, and no statements, promises, or inducements made by either Party, or agents of either Party, are valid or binding unless contained herein. This AGREEMENT may not be enlarged, modified, or altered except upon written agreement signed by the Parties hereto. CONSULTANT may not subcontract or assign its rights (including the right to compensation) or duties arising hereunder without the prior written consent and express authorization of CITY. Any such subcontractor or assignee shall be bound by all of the terms and conditions of this AGREEMENT as if named specifically herein.

J. CITY's Representatives.

CITY shall designate a representative authorized to act in behalf of CITY. The authorized representative shall examine the documents of the work as necessary, and shall render decisions related thereto in a timely manner so as to avoid unreasonable delays.

K. Non-discrimination.

CONSULTANT shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, creed, political ideals, sex, age, marital status, physical, or mental handicap, gender identity/expression, sexual orientation, or national origin.

L. Anti-Boycott Against Israel Act.

Pursuant to Idaho Code section 67-2346, if payments under this AGREEMENT exceed one hundred thousand dollars (\$100,000) and CONSULTANT employs ten (10) or more persons, CONSULTANT certifies that it is not currently engaged in, and shall not for the duration of this AGREEMENT engage in, a boycott of goods or services from Israel or territories under its control. The terms in this Paragraph that are defined in Idaho Code section 67-2346 shall have the meaning defined therein.

IN WITNESS WHEREOF, the Parties hereto have executed the foregoing AGREEMENT as indicated above.

ATTEST:

“CITY”
City of Idaho Falls, Idaho

By _____
Jasmine Marroquin, Deputy City Clerk

By _____
Rebecca L. Noah Casper, Ph.D., Mayor

“CONSULTANT”
Stantec Consulting Services, Inc.

By _____

STATE OF IDAHO)
) ss.
County of Bonneville)

On this _____ day of _____, 2022, before me, the undersigned, a notary public for Idaho, personally appeared Rebecca L. Noah Casper, known to me to be the Mayor of the City of Idaho Falls, Idaho, a municipal corporation that executed the foregoing document, and acknowledged to me that they are authorized to execute the same for and on behalf of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(Seal)

Notary Public of Idaho
Residing at: _____
My Commission Expires: _____

STATE OF _____)
) ss:
County of _____)

On this _____ day of _____, 2022, before me, the undersigned, a notary public, in and for said State, personally appeared _____, known or identified to me to be the _____ for _____, and whose name is subscribed to the within instrument and acknowledged to me that they are authorized to execute the same for and on behalf of _____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(Seal)

Notary Public of Idaho
Residing at: _____
My Commission Expires: _____

City of Idaho Falls

Wastewater Facility Planning Study

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CITY OF IDAHO FALLS

Wastewater Facility Planning Study

Introduction

Stantec Consulting Services Inc. (Stantec) and its partner and subconsultant Keller Associates, Inc. (Keller) have been selected by the City of Idaho Falls (City) to perform a comprehensive evaluation of the WWTP and update the City's August 2010 facility plan. As part of this effort, Stantec and Keller (Team) will work in tandem to perform this work efficiently and effectively with the general work items including:

- Documenting a series of technical evaluations and condition assessments
- Developing a list of future improvements
- Prioritizing and recommend allocations for capital improvement plan (CIP) expenditures
- Preparing an Environmental Information Document (EID)
- Compiling the evaluations and information into a comprehensive Facility Plan

These work items are further discussed and detailed in the items below which will act as the scope and fee proposal for this project.

1 Project Management

The project management and coordination work for this task order will include the following subtasks below.

1.1 Progress Reporting Meetings

The Team will keep the City advised of the status of the planning progress. This coordination will include monthly project management meetings with the City with an average of three Team staff to communicate and document task by task status, identified project risks, action items, change of conditions, schedule updates, financial status, and other miscellaneous items that arise. The meetings are expected to be approximately one-hour in duration, and Team will coordinate and submit meeting notes within two working days of the meeting. Separate technical workshops will be scheduled outside of these monthly progress meetings.

1.2 Progress Tracking, Invoicing and Reporting

The Team will track the project progress for both financial and schedule tracking purposes, coordinate with subconsultant (Keller) and prepare monthly invoices which include written status reports for each invoice submittal.

1.3 Facility Plan Public Meeting Support

Stantec will support the City for up to 10 hours of support for the public meeting held as part of the previous facility planning effort. This support is expected to include items such as attending

public meetings, preparation of distribution materials and outreach items, and providing recommended communication strategies, agenda and notes.

1.4 Internal Team Coordination

The Team will meet on a bi-weekly basis to coordinate status, coordinate and identify needs on technical evaluations, identify challenges and risks, and provide a forum for issues or questions that need to be communicated or coordinated with the City or that need further attention within the planning Team. Items identified in these meetings that need to be addressed with the City will be added to the monthly status update meeting agenda or impromptu City communications as needed.

2 Evaluations and Studies (Technical Memoranda)

The following evaluations and studies will be performed and documented through technical memoranda (TM), or other methods as described below.

2.1 Data Collection

To effectively and efficiently complete evaluations, the Team will request information from City staff in the form of written requests for information (RFI) and perform investigations of WWTP data as conditions, gaps and information warrants. It is assumed that up to four formal RFI submittals will be submitted to the City. The Team will draft a data collection summary technical memorandum (TM1) including any analysis, gaps identified in plant data and any notes on operator discussions on the existing data. The final TM1 will be finalized after City review.

Assumptions:

- The Team has the right to rely on City provided data and information collected for planning purposes.
- The City will dedicate staff to provide information in a timely manner in order to maintain project schedule as noted herein. Delays or challenges in obtaining data are needed for the Team as early as practical to allow adjustment to schedule and planning alternatives to be considered.
- RFI information will be separated into data 'wants' versus essential data 'needs' to allow the City to prioritize data needs.
- No formal meetings are needed as part of this task

2.2 Condition Assessment

The Team will perform a review of the data provided in the RFIs to gather historical data. The Team will also interview operations, maintenance, and management staff to identify known system deficiencies and or concerns. The Team will provide up to four engineers for onsite interviews with Owner staff. This is assumed to be a one-day, onsite evaluation with notes taken and compiled into the summary report.

The Team will perform field condition visual assessments of existing facilities at the process component level with City personnel. City staff will identify and provide a list of known issues.

Additional condition assessments will be performed at final clarifiers and main subcomponents such as blowers or secondary plant pump station. The condition assessment will be documented in a technical memorandum TM2 and distributed to the City for review and acceptance. This information will be used to help identify and prioritize future improvements and will be incorporated into the facility plan.

Assumptions:

- The site assessment is limited to visual observations (non-invasive) and is not intended to be a comprehensive inspection.
- Condition assessment will be conducted during normal plant operations (e.g., no equipment or process units will be removed from service).
- The Team will not enter confined spaces.
- Invasive structural and electrical engineering reviews are not included in the scope and can be provided as an additional service.

2.3 Future Permitting Requirements

The Team will review and summarize current, pending and anticipated future regulatory requirements and planning criteria that may influence operation, maintenance, and capital improvements of the existing wastewater treatment system. The Team will meet with local Idaho Department of Environmental Quality (DEQ) officials to gain the latest understanding of pending TMDL's, current and potential future permit conditions and/or environmental concerns from the State's perspective. The evaluation is expected to focus on the existing NPDES permit, pending IPDES permit, and local TMDLs.

A draft technical memorandum (TM3) will be prepared and submitted for City review. TM3 will be finalized upon receipt of review comments.

Assumptions:

- It is not expected that there will be significant discharge permit changes for the foreseeable future.
- Aquifer recharge permitting and investigation is not part of this task but has potential connections to future permitting and will be noted in the TM accordingly.
- It is expected that there will be one formal meeting with DEQ with potentially additional informal communications as needed.
- One formal one-hour meeting will be held with the City to discuss understanding of future permitting requirements prior to the DEQ meeting.

2.4 Forecasting Future Flows

The Team will investigate historical flows, loadings characteristics (2017-2022), trends, population growth projections over the next 20 years, and potential large commercial and industrial developments as provided by the City. Since the existing plant is a regional facility, it will be important to determine how various entities potentially leaving and/or joining Idaho Falls WWTP will impact the flows and loadings both now and in the future. The Team will work closely with the City's Planning Department and the Bonneville Metropolitan Planning Organization (BMPO) to determine typical growth values and expectations over the next 20 years.

The Team will develop 5-year, 10-year, and 20-year flow and loading projections for average, maximum month, peak day, and peak hour conditions for flow, BOD, TSS, ammonia, and total phosphorus through the planning horizon as appropriate for the specific constituent. This effort will be documented in the draft TM4 and updated upon receipt of City review comments.

Assumptions:

- Including Iona-Bonneville Sewer District (IBSD) and Ucon flows for another 10 years. This assumption will be discussed and confirmed with City during the planning process.
- A preliminary growth and flows forecasting workshop will be held virtually with the City to include three Team members.

2.5 WWTP Hydraulics, Capacity Analysis and Triggers

2.5.1 WWTP Hydraulics and Capacity Analysis

The purpose of this task is to assess the hydraulic capacity of the WWTP facilities. The Team will develop a computer model to simulate existing and future facility flows which will allow the Team to provide recommendations for process improvements and identify hydraulic capacities of the various units within the WWTP. The Team will develop a hydraulic spreadsheet model to evaluate the hydraulic capacity of the facility with the objective of identifying process hydraulic capacity and possible hydraulic bottlenecks. The Team will evaluate pipe sizing, pump sizing, and process sizing for hydraulic capacity. It is assumed that pumps are operating at design point and valving is either fully open or fully closed unless identified otherwise by the City. A hydraulic capacity assessment will be provided to accommodate existing and future (20 year) flows. This information will be used to identify future improvement triggers. Surveying of structures is not included in the analysis, and it is assumed that the structure and weir elevations shown in the existing hydraulic profile are accurate for modeling purposes. Findings will be incorporated into the summary report. This effort will be documented in a draft TM5 and finalized upon receipt of City review comments.

2.5.2 Capacity Triggers Identification

The Team will use the information gathered previously and develop an Excel spreadsheet tool that identifies when the various process should be upgraded based on the results of the hydraulic capacity evaluation. These triggers will be organized in two different tables, one that shows flow with the other table organized by process area. The City will provide the number of existing EDUs within the wastewater system to help project future triggers. The spreadsheet will be demonstrated to City Staff and then provided to the City as a tool for future development and flows to the facility.

Assumptions:

- The Team will hold up to two formal meetings with the City to review: 1) the identified capacities and hydraulic model findings and 2) to review the capacity trigger tool prior to submittal to the City.
- The Team will not perform modeling for the existing secondary system to determine the secondary system capacity, rather the Team will use the assumptions and design criteria

for the existing secondary upgrades and perform high level reviews on the previous upgrades and capacity modeling/calculations for a rough order of magnitude check.

- It is assumed that additional capacity is not needed in the secondary system in the near-term (less than 10 years).
- The hydraulic capacity analysis will rely on as-built information and will not include any surveying to verify hydraulic structure elevations.

2.6 Headworks Hydraulics and Screening Evaluation

This task will be tied directly to the hydraulic evaluation that will be completed and discussed in Task 2.5 above. The goal will be to identify a solution path to allow the influent pipe to drain. It is currently understood that the flow to the headworks facility creates sewer surcharges which causes settling and other concerns. A new influent pump station and associated configurations will be evaluated including wet pit only with submersible pumps, a buried wet pit/dry pit installation, a wet pit/dry pit housed inside of a building, and screw pumps. An additional third screen and associated washer/compactor will be considered. In addition, options for three new screens, washers, and compactors will be evaluated in coordination with a new influent lift station.

This effort will be documented in a draft TM6 and updated upon City review.

2.7 Odor Control Evaluation

The Team will interview City staff regarding any significant odor concerns along with considerations for any future growth or nearby development. The fermenter currently generates significant odors. The evaluation will be limited to the fermentation system and the capacity of its existing odor control system and an evaluation of potential improvements and associated costs.

The evaluation of the systems will be included in a draft technical memorandum (TM7) which will be finalized after City review.

Assumptions:

- The Team will hold a 1-hour meeting with the City to discuss the findings and ideas for future improvements prior to submittal of the draft TM.

2.8 Biosolids Treatment, Handling and Management Evaluation

The Team will undertake an evaluation of the WWTP biosolids treatment and handling as part of this task as detailed below. The information will be compiled into a comprehensive draft technical memoranda (TM8) and finalized after City review comments have been received.

2.8.1 Biosolids Digestion and Treatment

The Team will review the capacity of the existing digestion system and feed it into the overall capacity and triggers analysis. As part of this evaluation, future digestion or solids treatment capacity limitations will be reviewed with alternatives considered for future solids treatment projections. These future alternatives could include digestion expansion or other solids treatment technologies. Up to three alternatives will be

further evaluated with conceptual design, life cycle cost and qualitative pros/cons developed. The Team will write up this analysis in the TM8 as part of the overall Task 2.8.

2.8.2 Biosolids Handling

The Team will identify current biosolids production and future (20 year) biosolids production projections. This information will be used to assess existing capacity and identify future improvement triggers when capacity will be exceeded. The Team will review and summarize current, pending and anticipated future regulatory requirements and planning criteria that may influence operation, maintenance, and capital improvements of the biosolids handling and disposal. The Team will provide conceptual evaluation and a write up of disposal alternatives and associated costs. Alternatives include continued Class B land application (solid land application) and landfill disposal if needed in an emergency.

2.8.3 Biosolids Management Plan Support

Outside of the TM8 effort, the Team will support the City's development and assist in updating the biosolids management plan to reflect the new biosolids dewatering system that is to be constructed at the WWTP and the associated move toward solid sludge land application rather than liquid sludge. This scope is currently limited to review, providing data and suggestions to the Owner for up to 40 hours of assistance but can be expanded as an additional service.

Assumptions:

- Capacity improvement alternatives identified and evaluated for life cycle costs will include ancillary impacts such as digester heating and other factors directly related to any alternative improvement.
- The City is currently undertaking a digester upgrade project to include pump mixing in addition to the current draft tube mixer system in the two primary digester.
- Evaluations for existing digester maintenance improvements will not be performed including the heating and mixing systems outside of the condition assessment.
- Two meetings for Biosolids Treatment and Biosolids Handling will be held with the City to review the system, discuss the findings from the evaluation and confirm the alternatives prior to the TM8 being drafted and reviewed. These one-hour meetings will have up to four Team members attending virtually.

2.9 Disinfection Alternatives Evaluation

Disinfection systems are the last line of defense to meet regulatory compliance, environmental stewardship, and community safety. As such, proper design of these systems is critical. The Team will evaluate the existing gas chlorination system at the WWTP for capacity, operations, and safety and maintenance challenges. In addition, the Team will evaluate alternatives to the current chlorine disinfection system, primarily focusing on change to sodium hypochlorite or ultraviolet light (UV) disinfection options. The systems will be evaluated for life cycle costs along with various qualitative factors (pros/cons) and a strong consideration to the safety concerns of the existing gas chlorination system. In addition, the Team will incorporate the existing hydraulics analysis to evaluate the feasibility of open channel UV systems.

The evaluation will start with discussions in the Kickoff Meeting and early criteria discussions about the condition and concerns of the chlorination system. More information will be obtained during the conditions assessment. Water quality samples will be collected and sent to proposed UV vendor technologies for evaluation and high-level determination of UV transmittance and UV dose for equipment sizing. Upon evaluation of the system and identifying alternatives, the Team will hold a disinfection workshop with the City staff and with up to four Team staff to review the Teams findings, life cycle cost comparisons and City preferences. The workshop will be attended in-person and virtually. The information will be compiled into a draft TM9 which will be finalized after City review comments are incorporated including conceptual cost estimates of up to three alternatives.

2.10 Sidestream Treatment Evaluation

The upcoming Dewatering Project will alter the sidestream flows from the new dewatering system back to the liquid stream within the WWTP. The Team will rely on previous consultant evaluations and information regarding the forecast impacts of these new sidestream (pressate) flow and loads based on the planned dewatering improvements and retrofit of an existing secondary digester tank to provide sidestream equalization. If the equalized pressate loadings are forecast to create challenges in meeting future permit limits, the Team will evaluate two alternatives to mitigate these sidestream loadings and provide conceptual layouts and associated Class 5 budgetary cost estimates.

In addition, the City has identified struvite buildup issues in their digestion system and has taken steps to remove the nuisance granular struvite buildup through additional mixing with their upcoming dewatering project. The City will evaluate the struvite issue after the new mixing system has been installed and operational and a comprehensive evaluation will not be needed as part of this facility plan. For this effort, the Team will only evaluate high level mitigation strategies from a qualitative standpoint with the associated write-up.

The results of these efforts will be summarized in a draft Sidestream Treatment Evaluation Technical Memorandum (TM10) that documents the existing system, alternatives to consider with life cycle costs and qualitative pros/cons. The draft TM10 will be prepared with considerations for upgrades to be included in the list of potential CIP projects and the draft TM will be finalized to include City review comments.

Assumptions:

- No system sampling will be required outside of the normal City sampling efforts.
- The new dewatering system is expected to be operational in 2024.
- The Team will conduct one initial meeting to discuss planned improvements and existing struvite challenges, and one meeting to review the draft TM. Both meetings will be conducted virtually using Teams.
- The Team will coordinate with the Dewatering Facility design consultant (MSA) to get a better understanding of the pressate characteristics.
- Up to two alternatives will be evaluated for improvements to sidestream flows.

2.11 Funding / Rate Sufficiency Evaluation

The Team will evaluate the current wastewater budget (capital & operations), obligations, rate study and connection fees, current revenue streams and available fund balance to determine

current capital funding capacity. The Team will evaluate the current funding / rate sufficiency to accomplish the final CIP delivery depending on urgency and overall project timing.

The Team will review potential Idaho and National funding sources with an emphasis on grant opportunities that may be available to Idaho Falls. This survey will inquire with Idaho State Agencies and Federal Programs common to the Pacific Northwest / Intermountain West.

The identified funding / rate sufficiency will be documented in a technical memorandum (TM11) with recommendations to consider funding alternatives and or additional rate considerations.

Assumptions:

- Evaluation of rates with removal of revenues from IBSD and Ucon will be necessary.
- Latest rate study is provided
- Team is provided access to the current and forecasted budget projections
- Deliverables
- Funding / Rate Sufficiency TM Draft & Final

2.12 Collection System Evaluation

The purpose of this task is to use existing information and review previous studies to identify capacity (pipeline and pump stations) challenges, rehabilitation priorities within the collection system, document proposed capital improvements, and identify knowledge gaps. Where information is aged or unavailable, Stantec will recommend future evaluations and studies but will not undertake those detailed evaluations as part of these services. The assessment will be based on City reported age, materials, and City staff input and will include a statistical analysis of the age/material/size of the various piping in the collection system. The Team will perform an operator/staff interview to identify areas of concern and develop a collection systemwide map for use in the write-up. In addition, the Team will identify previous capacity improvement recommendations for incorporation into the capital improvement planning. This effort will be documented in a draft technical memorandum (TM#12) and updated upon City review.

Assumptions:

- Operator interviews will be a two hour virtual discussion with three Team members.
- The Team will rely on previous collection system evaluations and City provided GIS data.
- The City's GIS database is a complete representation of the existing collection system and includes size, age, material, and location information.
- The City has mapped the existing collections system and will provide for inclusion in the Facility Plan document.
- The evaluation will rely on City-provided data and the Team will not perform mapping, modeling, surveying, or onsite investigations.
- Capital improvements to address capacity needs will be based on the *Collection System Hydraulic Modeling and Capital Improvement Analysis, MSA 2011*.

3 CIP Development

The Team will use the information obtained and based upon the TMs prepared in Task 2 for the basis of the capital improvement plan (CIP). The subtasks below describe the CIP development further.

3.1 CIP Workshops

Two workshops will be held as part of the CIP development as noted below.

3.1.1 Pre-CIP Workshop (prioritization model development)

The Pre-CIP workshop will be focused on the confirmation of the prioritization model. The model development will be based upon a pairwise comparative system and development of factors and relative weights of these factors for future model population. In addition, a review of the list of potential CIP projects identified to date will be discussed. It is assumed the workshop will be approximately 3-hours in duration with up to four Team members locally present and one virtual.

3.1.2 CIP Development Review

After the development of the prioritization model, a workshop to prioritize the identified potential CIP projects will be held. This meeting will focus on the review of the populated model, confirmation of the factors and scoring, revising the model as needed and identifying the list of CIP projects in packages or within certain timeframes.

3.2 Cost Estimating

The Team will perform capital cost estimating throughout Task 2 for the various alternatives and improvements that are identified. The cost estimates or opinions of probable construction costs (OPCC) will be based upon AACE Class 5 estimating. It is assumed that the OPCCs will be developed as part of each TM in Task 2 along with other improvements identified and budgeted accordingly within those items. These capital cost estimates will be bundled with operation and maintenance costs to generate life cycle costs to assist with alternatives decision making. Additional cost estimating efforts for areas not identified within this scope of work or outside of the areas covered in the TMs can be performed as change items covered under Task 7 contingencies.

3.3 CIP Development for Interim Budgeting

This effort will follow the initial Pre-CIP workshop and will include populating the CIP model with projects and drafting up potential CIP budgeting spreadsheet based upon knowledge obtained by the spring of 2023 budgeting period (generally month of April). This interim CIP budget will be used as a baseline for the full CIP development.

3.4 Update CIP

Based upon the Pre-CIP budget input, informal discussions and in preparation for the CIP development review workshop and the prioritization confirmations and revisions from that effort, an updated CIP will be established to submit to the City for review, confirmation, and finalization. The CIP is assumed to be a spreadsheet summary with cost allocations spread on a year by year basis with backup decision making and prioritization information provided for City reference.

4 Facility Plan Write-up

The information will be compiled and documented in the facility plan as noted below.

4.1 Facility Plan Meetings and Presentations

The Team will hold a two hour review workshop after the delivery of the Draft Facility Plan with up to four Team staff attending in person.

The Team will prepare PowerPoint materials for and present a summary of findings at a City Council Work Session near the end of the study. An electronic copy of the final presentation will be provided to the City.

4.2 Draft Facility Plan

The Team will compile draft write-ups for the various planning elements outlined in the previous tasks into a Wastewater Facility Plan that also addresses comments from the City's staff. Appendices will be created that include pertinent supporting documentation. A final draft report will be submitted to DEQ and the City for review. Three paper copies and one electronic copy (PDF) of the draft report will be provided.

4.3 Finalize Facility Plan

The Team will address the City review comments, public comments, and agency comments and finalize the document. A final facility plan will be submitted to the agency and City for final approval. Three paper copies and one electronic copy (PDF) of the final report will be provided to the City and DEQ for documentation.

Assumptions:

- The Facility Plan write-up will include the DEQ checklist as an appendix with references on how the checklist items are addressed in the Facility Plan text. [16807 \(idaho.gov\)](http://16807.idaho.gov)
- The Facility Plan will address the Grant Application Letter of Interest (Attachment D) collection system commitments to the extent that the previous 2011 collection system modeling and CIP plan details and reference the information as needed. Additional studies, modeling and evaluations outside of the 2011 plan will not be performed but may be recommended as future actions.
- The Facility Plan will address the Grant Application Letter of Interest asset management commitment to the extent that the existing database and GIS system are used for

general asset management and also that there is an enhanced asset management program being developed but not yet fully established.

5 Environmental Information Document

The Team will prepare an EID for the priority projects identified in the Facility Planning Study. The scope of services assumes that a “categorical exclusion” (CatEx) or “finding of no significant impact” (FONSI) will be granted for the EID. The scope for the EID does not include archeological, wetland, biological assessment, or other environmental field investigations. These additional services can be completed through an additional service if required by agencies and as authorized by the City. The environmental review will generally include the following items:

- Description of purpose and need for proposed actions
- Description of the proposed alternatives, including the proposed actions
- Description of the affected environments
- Discussion of the environmental impacts of the proposed actions
- The means to mitigate adverse environmental impacts
- Description of the public participation process (one open house)
- List of referenced documents
- List of agencies consulted
- Mailing list of interested parties

The Draft EID report will be provided to the City as an electronic PDF copy along with two paper copies. The EID will be submitted to DEQ for review. The Final EID report will include City and DEQ comments. The final EID will be provided to the City as an electronic PDF copy along with three paper copies.

6 Wastewater Asset Management Program

The intent of this task is to address the DEQ Grant LOI requirements and City commitments along with providing a roadmap for the City to follow for the future establishment of an asset management program for the collections and WWTP. To perform this the Team will investigate the status of the existing asset database for both the collection and WWTP systems and provide a general write-up for inclusion into the Facility Plan regarding the existing database and method of asset management along with the future direction and future enhancement and development of an asset management program for the collection system and WWTP assets. This write-up will be included in the Facility Plan as an appendix or attachment to the plan rather than being integral to the Facility Plan document.

Completion Schedule

See Attachment A

Fee Schedule

See Attachment B

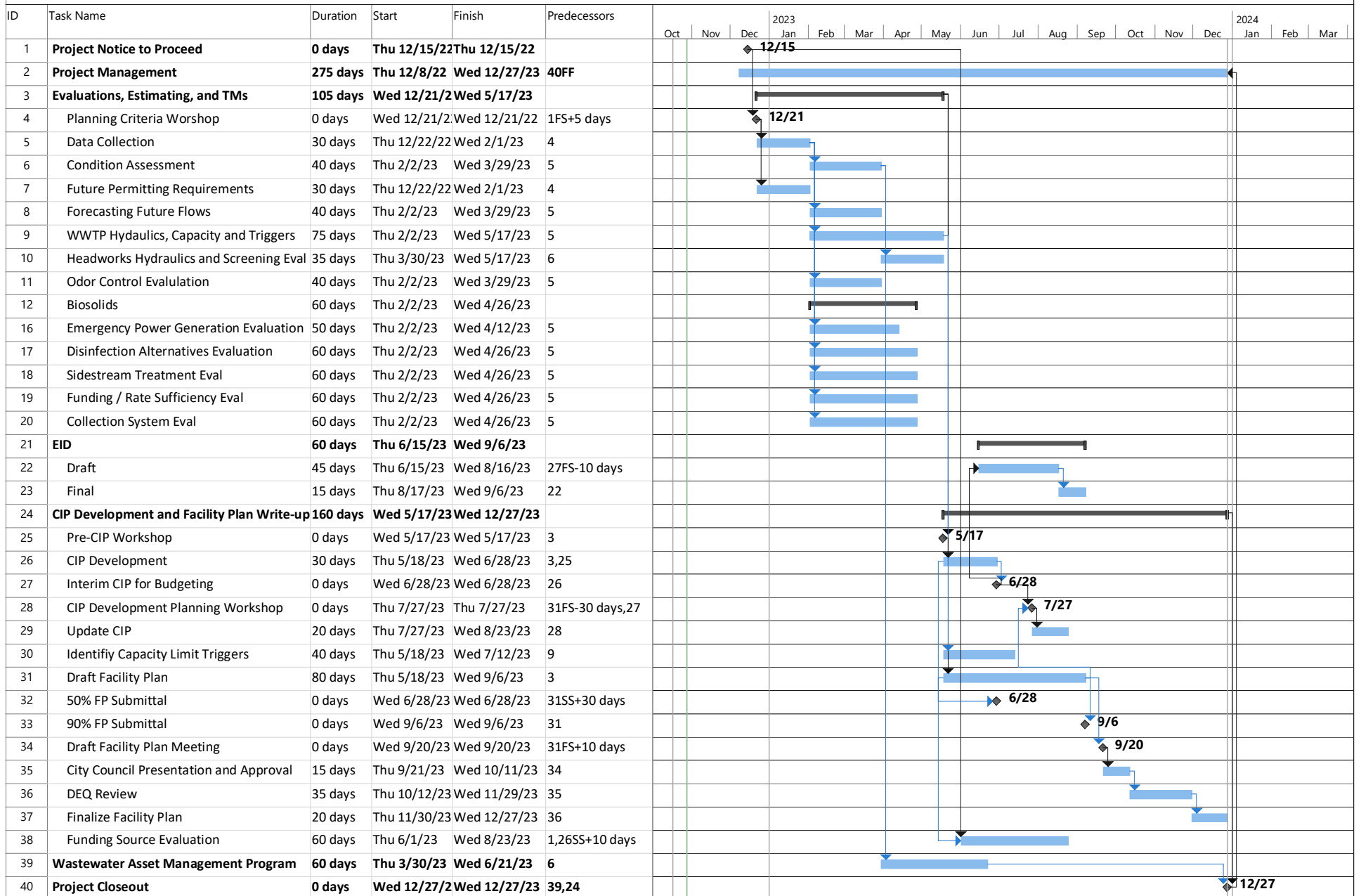
Rate Table

See Attachment C

DEQ Wastewater Planning Grant Letter of Interest

See Attachment D

Attachment A - Preliminary Schedule



Attachment B: Fee Estimate, Idaho Falls Facility Plan

Task Code	Task Name	Stantec		Keller	Total
		Labor*	Expenses	Lump Sum**	
1	Project Management and Meetings	\$ 34,390	\$ 1,200	\$ 25,236	\$ 60,826
1.1	Progress Report Meetings	\$ 8,850	\$ 600		\$ 9,450
1.2	Progress Tracking, Invoicing and Reporting	\$ 8,960			\$ 8,960
1.3	Facility Plan Public Meeting Support	\$ 3,500	\$ 600		\$ 4,100
1.4	Internal Team Planning Coordination Meetings	\$ 13,080			\$ 13,080
2	Evaluations and Studies (TMs)	\$ 154,880	\$ 1,000	\$ 152,728	\$ 308,608
2.1	Data Collection	\$ 3,670		\$ 14,186	\$ 17,856
2.2	Condition Assessment	\$ 1,960	\$ 1,000	\$ 20,045	\$ 23,005
2.3	Future Permitting Requirements	\$ 980		\$ 12,054	\$ 13,034
2.4	Forecasting Future Flows	\$ 980		\$ 15,918	\$ 16,898
2.5	WWTP Hydraulics, Capacity Analysis and Triggers	\$ 980		\$ 42,725	\$ 43,705
2.6	Headworks Hydraulics and Screening Evaluation	\$ 490		\$ 22,722	\$ 23,212
2.7	Odor Control Evaluation	\$ 12,535		\$ 1,286	\$ 13,821
2.8	Biosolids Treatment, Handling and Management Evaluation	\$ 35,635		\$ 15,629	\$ 51,264
2.9	Disinfection Alternatives Evaluation	\$ 30,140		\$ 2,846	\$ 32,986
2.10	Sidestream Treatment Evaluation	\$ 28,100		\$ 1,313	\$ 29,413
2.11	Funding / Rate Sufficiency Evaluation	\$ 15,190		\$ 2,720	\$ 17,910
2.12	Collection System Evaluation	\$ 24,220		\$ 1,286	\$ 25,506
3	CIP Development	\$ 37,590	\$ 1,200	\$ 17,220	\$ 56,010
4	Facility Plan Write-up	\$ 9,640	\$ -	\$ 36,960	\$ 46,600
5	EID	\$ 750	\$ -	\$ 17,955	\$ 18,705
6	WW Asset Management Program	\$ 4,860	\$ -	\$ 1,286	\$ 6,146
Total		\$ 242,110	\$ 3,400	\$ 251,385	\$ 496,895

Idaho Falls WWTP Facility Plan Project**CONFIDENTIAL RATE SCHEDULE**

1. The rates provided below shall be in effect for the Idaho Falls Facility Plan Project.
2. Services provided by CONSULTANT personnel in various labor categories will be billed at the following negotiated hourly rates (inclusive of salary, overhead, and fee):

Billing Category	Key Personnel	*Billing Rate
Senior Principal / Technical Expert	Michael Fuss, PE, Heather Stephens, PE, Dru Whitlock, PE	\$ 260
Principal	Nick Smith, PE, James Hale, Amy Broughton	\$ 230
Senior Associate	Jason Hurless, PE	\$ 205
Associate	TBD	\$ 190
Professional Engineer	Emily Nicholas, PE, Matt Shroll, PE, Katerina Messologitis, PE	\$ 160
Senior CAD	TBD	\$ 150
EIT / CAD	Emma-Kate Stecker	\$ 130
Senior Administration	Cara Beyenka	\$ 110
Administration / Intern	Paulo Igmen	\$ 90

**The above unit prices include payroll taxes, insurance costs, fringe benefits, general overhead, and consultant profit.
These rates are valid through December 31, 2023.*

3. Travel will not be billed to the City of Idaho Falls for travel based within 60 miles of the City.
4. Subconsultant markups will be limited to 5% and will be paid on a lump sum basis.



Idaho Department of Environmental Quality Wastewater Planning Grant Letter of Interest

Fiscal Year 2023

Section I. Project Information

Provide complete and accurate answers to receive the highest possible rating for your project. DEQ recommends that you work closely with your engineering consultant to complete this form.

If DEQ is allocated American Rescue Plan Act (ARPA) funding, would you like this project to be considered for ARPA funds?

Yes

No

See more information on ARPA at:

<https://gov.idaho.gov/pressrelease/gov-little-details-path-forward-for-federal-american-rescue-plan-act-funds-in-idaho/>

A. System Identification

DUNS No.

System Name

System Address

City

State

Zip

Is system located wholly within incorporated city limits? Y N What city?

If not, which county is it located within?

System Phone

System E-mail

Served Owner's Name

Owner's Phone

System Ownership: For Profit Not For Profit

Name/Title of System Contact (if different from owner)

Contact's Address

City

State

Zip

Contact's Phone

Contact's E-mail

Do you have a predesignated, licensed, "Designated Responsible Charge Operator" for your system as described in IDAPA 58.01.16.203?

Y N

Operator Name and License Number

Note: If the facility has a Idaho Pollutant Discharge Elimination System (IPDES) permit, a wastewater reuse permit, or a subsurface discharge permit, the permit number(s) must be provided.

IPDES Permit

WW Reuse Permit

Subsurface Permit

B. System Problems

1. Describe the problem(s) identified in your existing DEQ-approved wastewater facility plan for a point source problem.
2. Describe the alternative selected to correct the identified problem(s).
Use the selected alternative in the facility plan for your point source system.

C. Project Readiness

Decide if your community is interested in pursuing a DEQ wastewater planning grant by answering the following questions.

- | | | |
|--|---|---|
| 1. Is your system current with payment of the Idaho Pollutant Discharge Elimination System (IPDES) fees or state revolving fund loan repayments? | Y | N |
| 2. Do you need to construct or repair your public wastewater system? | Y | N |

If you answered NO to question 1 or 2, you will not be placed on the new fiscal year's priority list. DEQ will notify you next year when the grant and loan process begins again.

Do not complete or submit this form to DEQ.

If you answered YES to question 1 and 2, your drinking water system is eligible to be rated and placed on the FY 2023 planning grant priority list. You must also complete Section II.

- | | | |
|---|---|---|
| 3. Has your community completed a DEQ-approved wastewater planning study in the last 5 years? | Y | N |
| 4. Does your community have a planning study in progress now? | Y | N |

If YES to either 3 or 4, are you ready to design and construct your project? If so, and you wish to have your project rated and placed on the wastewater loan priority list, fill out and submit a Clean Water Loan Letter of Interest (LOI) form. Do not submit this grant LOI if you want your project on the loan priority list.

An Environmental Information Document (EID) may be required under the DEQ planning grant process if you plan to design or construct a project with SRF funds. If your system plans to avoid the use of SRF design/construction funds, you may choose to opt out of the EID. Contact the DEQ grant and loan program office for details. Preparation of an EID is considered grant eligible if you wish to prepare it as part of this planning process. You may also choose to defer the EID until completion of preliminary design.

- | | | |
|--|----|---|
| 5. Do you plan to include an EID as part of your planning study? | Y | N |
| 6. What is the estimated cost to prepare your planning study?
(Initial EID costs need not include agency consultation efforts--discuss with DEQ regional engineer.) | \$ | |

7. If interested in receiving a planning grant, will you have the 50% required match funds available within the next 12 months? Y N
8. Does your system have licensed operators as required by the “Wastewater Rules” (IDAPA 58.01.16)? Y N
9. Briefly describe any other indicators or actions that reflect the community’s interest in proceeding with this planning study.

10. If you have already contacted an engineer about your planning effort, indicate your status and provide contact information for the engineer (or firm):

Discussed with engineer Obtained quote from engineer Signed contract with engineer

Engineer

Address

City

State

Zip

Phone

Fax

E-mail

Continue to Section II. Integrated Rating System

Section II. Integrated Priority Rating System

IDAPA 58.01.22.020.03. Projects are identified for placement on priority lists by surveying eligible entities directly on an annual basis. Information is also received from the Department and consulting engineers. Grant funds are awarded to projects based on priority ratings. Projects are rated by the Department on a standard priority rating form using public health, sustainability, water quality criteria, and condition of the existing system.

Answer the questions below and provide the requested documentation. Applicants or their consultants are encouraged to contact DEQ regional engineering or state office grant and loan program staff prior to the submittal deadline for assistance in answering the questions.

Rating will be done on the basis of the answers and documentation provided.

A. Public Health Emergency or Hazard — All Projects

IDAPA 58.01.22.020.03.a. Public health emergency or hazard certified by the Idaho Board of Environmental Quality, the Department, a District Health Department or by a District Board of Health—up to 150 points.

Note: An emergency declaration must come from the DEQ Board or DEQ (i.e., director, water quality administrator, or regional administrators) or health department officials and must explicitly declare an emergency, not incidentally use the word. Emergency declarations dated more than 24 months prior to the LOI may be disqualified

1. Does an officially declared (as listed above) or designated public health hazard or emergency exist? **If YES**, attach a copy of board documentation or certification.

Label the attachment Section II.A.1.

Y N

B. Regulatory Compliance Issues—Point Source Projects/Conventional Wastewater Projects

IDAPA 58.01.22.020.03.b. Regulatory compliance issues (e.g., noncompliance and resulting enforcement actions relating to infrastructure deficiencies at a wastewater facility—up to 100 points. If you are not in compliance with the terms and conditions of your consent order, compliance agreement schedule, or court order, DEQ may remove points from the rating.

A point source wastewater facility is required to comply with state and federal rules and the terms of its permits (such as federal NPDES discharge permit, state issued IPDES discharge permit, state water reuse permit, or state subsurface discharge permit). For purposes of LOI evaluation, a facility will not receive points for noncompliance unless documented by agency correspondence, such as a warning letter, compliance agreement schedule, consent order, notice of violation, administrative order, or permit compliance schedule. If additional documentation is needed, please attach documents.

Label attached documents as section II.B, part number(s).

1. Is the system in compliance with all applicable discharge, reuse (wastewater land application), and subsurface discharge permit(s) listed above?

Y N

If NO, check one:

Low-Level Noncompliance—Includes minor or undocumented permit violations (no points)

Moderate-Level Noncompliance—Includes a first state or EPA warning letter, notice of violation, or equivalent that will be addressed by the proposed planning effort

High-Level Noncompliance—Includes a second state or EPA warning letter, compliance agreement schedule, consent order, permit compliance schedule, or equivalent that will be addressed by the proposed planning effort

- | | | | |
|---|---|---|----|
| A. For High-Level Noncompliance: Is the system currently in good standing with a compliance agreement schedule, consent order, permit compliance schedule, or equivalent? | Y | N | NA |
| B. For High-Level Noncompliance: Has the system received formal DEQ litigation actions or court filings, or civil or federal orders that are directly related to the proposed project? | Y | N | NA |
| 2. Has the system received a draft permit with which the system would be initially out of compliance, and compliance will be achieved by the current project?
Describe the compliance issues and the proposed permit compliance schedule.
Attach a copy of the draft permit. Label the attachment Section II.B.2. | Y | N | NA |
3. Describe the permit violations, any agency noncompliance correspondence, and any enforcement penalties imposed, or attach proof of noncompliance to this LOI.
Label the attachment as Section II.B.3.

C. Watershed Restoration — All Projects

IDAPA 58.01.22.020.03.c. Watershed restoration (e.g., implementation of best management practices or initiation of construction at wastewater collection and treatment facilities as part of an approved total maximum daily load plan, implementation of nonpoint source management actions in protection of a threatened water, or is part of a special water quality effort)—up to 100 points.

The planning effort will address best management practices and wastewater collection and treatment facilities as part of an approved total maximum daily load (TMDL), protect threatened waters identified through the Idaho Nonpoint Source Management Plan, or is part of a special water quality effort (e.g., governor's Bull Trout Conservation Plan).

Points can be assigned based on a restoration from impacts to a Clean Water Act §303(d) body, threatened or endangered species, sole-source aquifer, or sensitive/special resource ground water. 303(d) listed streams can be viewed at:

<https://mapcase.deq.idaho.gov/wq2020/default.html>

Locate the discharging stream for your project and select status to view category. 303(d) listed streams are classified as category 4 or 5 on the map. Contact your regional DEQ office if you are within tribal boundaries to confirm impaired status.

- | | | |
|---|---|---|
| 1. Does your wastewater facility discharge to a surface water body? | Y | N |
|---|---|---|

If YES, provide the name of water body, latitude, and longitude of discharge point

Name:

Coordinates:

- | | | |
|--|---|---|
| 2. Will your planning study evaluate best management practices or initiate construction of wastewater facilities as part of a TMDL implementation plan? | Y | N |
| 3. Will your planning study evaluate means to reduce impacts to surface water?
If YES , describe current impacts and how the planning study will address them. | Y | N |
| | | |
| a. Facility currently discharges to or is believed to be impacting a §303(d) water body
Name of §303(d) water body: | Y | N |
| | | |
| b. Proposed planning study is for a point source and is expected to reduce a pollutant of concern in the §303(d) water body
List the pollutant(s) reduced: | Y | N |
| | | |
| c. TMDL has been approved by EPA
Name of TMDL and date approved: | Y | N |
| | | |
| d. Proposed planning study is for a point source that is exceeding the wasteload allocation (WLA) listed in the approved TMDL
List the pollutant(s) exceeding WLA: | Y | N |
| | | |
| e. Proposed planning study is for a nonpoint source (NPS) and will evaluate reducing a pollutant of concern in the §303(d)-listed water body
List the pollutant(s) reduced: | Y | N |
| | | |
| f. Proposed planning study will evaluate reducing two or more pollutants of concern for the §303(d)-listed water body
List the pollutant(s) reduced: | Y | N |
| | | |
| 4. Will your planning study evaluate reducing impacts to ground water?
If YES , describe current impacts and how the planning study will address them. | Y | N |

Check all that apply:

- a. Proposed planning study will evaluate reducing pollutant concentrations in a designated sole-source aquifer: the Eastern Snake River Plain, Spokane Valley Rathdrum Prairie, or Lewiston Basin (www.deq.idaho.gov/water-quality/ground-water/aquifers)
- b. Proposed planning study will evaluate reducing nitrate concentrations in a designated Nitrate Priority Area (www.deq.idaho.gov/water-quality/ground-water/ground-water-quality)
- c. Proposed planning study will evaluate reducing pollutant concentrations in a critical ground water area (<https://idwr.idaho.gov/water-rights/critical-groundwater-areas/map/>)

5. Will your planning study evaluate habitat for listed threatened or endangered species? Y N
 (<https://ecos.fws.gov/ipac/>)

If YES, describe current impacts and how the planning study will evaluate reducing them.

D. Watershed Protection From Impacts — All Projects

IDAPA 58.01.22.020.03.d/e. Preventing impacts to uses (all projects)—up to 100 points.

Note: Also for point source projects that plan to sponsor nonpoint source efforts as part of their loan.

1. Will you analyze the implementation of a new or refurbishing of an existing reuse or lagoon site, or converting/replacing septic tanks? Description: Y N

2. Five beneficial uses are designated by the “Water Quality Standards” (IDAPA 58.01.02.100). Of the five beneficial uses listed, to which will the proposed planning study evaluate reducing or preventing future impacts? A sufficient description would describe the current impacts to each beneficial use checked and explain how the proposed planning study will address future impacts. Failure to provide sufficient description(s) will result in no points awarded.

Check all that apply:

a. Aquatic life

Description:

b. Recreation

Description:

c. Water supply

Description:

d. Wildlife habitats

Description:

e. Aesthetics

Description:

3. State Priorities—Preference is given to projects based on recognition of the special status of waters or uses of those waters.

a. This planning study is a State Priority—will evaluate ways to help meet the state’s NPS management program objectives and/or will evaluate reducing impacts to either:

- State park or state recreational area
- Designated Nitrate Priority Area
- Area of high ground water vulnerability (based on source water assessments)

Attach documentation supporting the designation as a State Priority. Label as Section II.D.3.

4. Planning study will evaluate one or more of the following:

a. Conversion of individual septic systems to community system

b. Removal of stormwater outlets

c. Conversion of combined sewer to separate stormwater system

d. Or similar projects (contact DEQ first) Indicate type of project(s):

E. Sustainability (Green) Infrastructure Efforts

IDAPA 58.01.22.020.023.f. Sustainability Efforts (e.g., prospective efforts at energy conservation, water conservation, extending the life of capital assets, green building practices, and other environmentally innovative approaches to infrastructure repair, replacement and improvement)—up to 50 points.

Answers to the following questions can improve your overall rating. If you earn Priority List points for your responses to this section, your project engineer will need to help DEQ (several hours) develop the needed information for reporting to EPA, and efforts for which points have been granted will become obligations under the terms of the loan agreement. No more than 50 points will be awarded in this section.

For reference, some sustainability-related websites are provided under the relevant checklist items.

Check all that apply under #1 through #5—5 points each, up to a maximum of 50 points.

1. Management-based/innovative efforts—Attach documentation supporting these efforts. Label the documentation as Section II.E.2. Management-based/innovative efforts could include, but would not be limited to, the following:
 - a. An ongoing capital budget has been funded and supported by a capital improvement plan.
 - b. A rate study has been completed in the last 5 years that is based on full-cost pricing for wastewater or usage-based full-cost pricing for wastewater. This means that:
 - (a) Utility rates must be based on the flow and strength of wastewater treated.
 - (b) Utility rates must generate revenue sufficient to cover both operating and capital costs.
 - c. A formal asset management system/plan has been or will be implemented and updated routinely. Provide description of asset management tool and implementation methods:
 - d. System is currently an EPA Green Power partner (submit documentation) **OR** will evaluate becoming one as part of the proposed planning effort (www.epa.gov/greenpower).
 - e. Evaluate consolidation with another wastewater system(s). The system(s) must be reasonably nearby (normally within 5 miles), and analysis should consider the demands and capacities of each system, the cost of merging, and any operational or administrative changes that would result. At least one inquiry must be made to the other system(s). Identify which system:
 - f. Conduct a professional energy audit and intend to substantially implement its recommendations. Identify the auditor:
 - g. Planning effort will address preparation for adaptation to the long-term effects of climate variation, extreme weather, or drought. Provide description:
 - h. Phosphorus recovery for beneficial reuse.
 - i. Significantly reduce or eliminate the use of chemicals in treatment.
 - j. Significantly reduce or minimize the volume or toxicity of residuals.
 - k. Ground water recharge by land application of effluent for where there are other cost-effective discharge alternatives.

2. Green Efforts—Attach documentation supporting the green efforts. Label the documentation as Section E.3. Green efforts could include the following:
 - a. Projects that involve wetlands to improve water quality and/or support sustainable infrastructure efforts. Includes constructed wetlands as integrated into a wastewater treatment unit process.
 - b. Establishment or restoration of permanent riparian buffers, floodplains, wetlands, and other natural features, including vegetated buffers or soft bioengineered streambanks.
 - c. Downspout disconnection to remove stormwater from sanitary sewers and separate storm sewers.
 - d. Fee simple purchase of land or easements on land that has a direct benefit to water quality, such as riparian and wetland protection or restoration
3. Water Conservation Efforts—Attach documentation supporting the water conservation efforts. Label the documentation as Section II.E.4. Water conservation efforts could include, but would not be limited to, the following:
 - a. New wastewater reuse when other alternatives have been considered in the facility planning process. Including reclaimed water distribution system (“purple pipe”)
 - b. Non-point Source project will utilize NRCS best management practices
 - c. Retrofit or replacement of existing agricultural or landscape irrigation systems with more efficient irrigation system
4. Energy Conservation Efforts — Attach documentation supporting the energy conservation efforts. Label the documentation as Section II.E.5. Energy conservation efforts could include, but would not be limited to, the following:
 - a. Variable frequency drive (VFD) pumps
 - b. Energy-efficient motors that meet National Electrical Manufacturers Association (NEMA) Premium specification
<https://www.nema.org/standards/view/General-Specification-for-Consultants-Industrial-and-Municipal-NEMA-Premium-Efficiency-Electric-Motors>
 - c. Heat pumps that reclaim heat from treated effluent
 - d. High-efficiency lighting/lighting controls
 - e. On-site energy generation, such as methane clean combustion, fuel cells, solar, or wind
 - f. Efficient replacements for vacuum dewatering systems
 - g. Aeration improvements, such as fine bubble aeration, VFD blowers, or automated dissolved oxygen control.
 - h. Tertiary filtration that reduces ultraviolet disinfection power requirements.
 - i. Pressure transmission line replacement resulting in reduced pumping costs.
 - j. Supervisory control and data acquisition (SCADA) system installation.
 - k. Infrastructure improvements that significantly reduce infiltration/inflow or eliminate lift station(s).
 - l. Collection system infiltration/inflow detection equipment.

Examples that have been accepted for Idaho projects can be found at

<https://www.deq.idaho.gov/water-quality/grants-and-loans/construction-loans>

F. Affordability

IDAPA 58.01.22.020.03.g. Affordability. Points shall be given when current system user charges exceed state affordability guidelines—up to 10 points.

1. How many equivalent dwelling unit (EDU) connections does your system serve?
2. What is the current average residential user rate? \$/month/household
3. Is the system located wholly within incorporated city limits? Which city?

If not, within which county is the system located?

Section III. Authorized Submitter

Are you willing to allow us to share your LOI with other federal funding agencies? Y N

I understand that if awarded funding, costs incurred prior to the award are not eligible for reimbursement.

I certify that, to the best of my knowledge, all information provided here is valid and correct:

Submitter (Name, Title, Company):

Date

If the submitter is different from System Contact, does the submitter have authority to submit LOI on behalf of System Contact? Y N NA

Return completed form by January 14, 2022, to:

Idaho Department of Environmental Quality

Attn: LaDonn Kaylor

1410 North Hilton

Boise, ID 83706

ladonn.kaylor@deq.idaho.gov

Phone (208) 373-0556 Fax (208) 373-0557

A1; Section II.B.3 Phosphorus Exceedance Correspondence



September 3, 2021

IPDES

REFERENCE; Permit #ID-0021261

For the month of September, we exceeded our average monthly Total Phosphorus limit of 391 lb./day. The effluent Total Phosphorus average is 474 lb./day for the month.

The excess was a result decanting from the storage lagoon.

If you have any questions, please feel free to contact.

Darrin Lords
City of Idaho Falls
Wastewater Treatment Plant Foreman
P.O. Box 50220
Idaho Falls Idaho 83405-0220
dlords@idahofallsidaho.gov
(208) 612-8476
(208) 612-8108
Fax (208) 612-8590

Sincerely,

A handwritten signature in blue ink, appearing to read "Carl Utter", is written over a horizontal line.

Carl Utter/Wastewater Superintendent

Cc: Chris Fredericksen/Public Works Director
DEQ-Idaho Falls Office
CU/DL

DMR Copy of Record

Permit

Permit #:

ID0021261

Major:

Yes

Permittee:

IDAHO FALLS, CITY OF

Permittee Address:

4055 GLEN KOESTER LANE
IDAHO FALLS, ID 834020220

Facility:

IDAHO FALLS, CITY OF - IDAHO FALLS WWTP

Facility Location:

4055 GLEN KOESTER LANE
IDAHO FALLS, ID 83402

Permitted Feature:

001
External Outfall

Discharge:

001-A
DISCHARGE TO SNAKE RIVER

Report Dates & Status

Monitoring Period:

From 08/01/21 to 08/31/21

DMR Due Date:

09/15/21

Status:

NetDMR Validated

Considerations for Form Completion

Principal Executive Officer

First Name:

Chris

Last Name:

Fredericksen

Title:

Public Works Director

Telephone:

208-612-8256

No Data Indicator (NODI)

Form NODI:

--

Parameter		Monitoring Location	Season #	Param. NODI		Quantity or Loading					Quality or Concentration							# of Ex.	Frequency of Analysis	Sample Type
Code	Name					Qualifier 1	Value 1	Qualifier 2	Value 2	Units	Qualifier 1	Value 1	Qualifier 2	Value 2	Qualifier 3	Value 3	Units			
00010	Temperature, water deg. centigrade	1 - Effluent Gross	0	--	Sample								=	21.8	=	23.0	04 - deg C	0	01/01 - Daily	GR - GRAB
					Permit Req.									Req Mon MO AVG		Req Mon DAILY MX	04 - deg C		01/01 - Daily	GR - GRAB
					Value NODI															
00300	Oxygen, dissolved [DO]	1 - Effluent Gross	0	--	Sample								=	3.9	=	3.9	19 - mg/L	0	01/30 - Monthly	GR - GRAB
					Permit Req.									Req Mon MO AVG		Req Mon DAILY MX	19 - mg/L		01/30 - Monthly	GR - GRAB
					Value NODI															
00310	BOD, 5-day, 20 deg. C	1 - Effluent Gross	0	--	Sample	=	232.0	=	269.0	26 - lb/d		=	2.0	=	3.3	19 - mg/L	0	03/DW - 3 Days Every Week	24 - COMP24	
					Permit Req.	<=	4250.0 MO AVG	<=	6380.0 WKLY AVG	26 - lb/d		<=	30.0 MO AVG	<=	45.0 WKLY AVG	19 - mg/L		03/DW - 3 Days Every Week	24 - COMP24	
					Value NODI															
00310	BOD, 5-day, 20 deg. C	G - Raw Sewage Influent	0	--	Sample							=	248.0			19 - mg/L	0	03/DW - 3 Days Every Week	24 - COMP24	
					Permit Req.								Req Mon MO AVG			19 - mg/L		03/DW - 3 Days Every Week	24 - COMP24	
					Value NODI															
00400	pH	1 - Effluent Gross	0	--	Sample					=	6.8			=	7.3	12 - SU	0	01/01 - Daily	GR - GRAB	
					Permit Req.					>=	6.5 INST MIN			<=	9.0 INST MAX	12 - SU		01/01 - Daily	GR - GRAB	
					Value NODI															
00410	Alkalinity, total [as CaCO3]	1 - Effluent Gross	0	--	Sample							=	226.0	=	226.0	19 - mg/L	0	01/30 - Monthly	24 - COMP24	
					Permit Req.								Req Mon MO AVG		Req Mon DAILY MX	19 - mg/L		01/30 - Monthly	24 - COMP24	
					Value NODI															
00530	Solids, total suspended	1 - Effluent Gross	0	--	Sample	=	168.0	=	159.0	26 - lb/d		=	2.0	=	1.9	19 - mg/L	0	03/DW - 3 Days Every Week	24 - COMP24	
					Permit Req.	<=	4250.0 MO AVG	<=	6380.0 WKLY AVG	26 - lb/d		<=	30.0 MO AVG	<=	45.0 WKLY AVG	19 - mg/L		03/DW - 3 Days Every Week	24 - COMP24	
					Value NODI															
00530	Solids, total suspended	G - Raw Sewage Influent	0	--	Sample							=	222.0			19 - mg/L	0	03/DW - 3 Days Every Week	24 - COMP24	
					Permit Req.								Req Mon MO AVG			19 - mg/L		03/DW - 3 Days Every Week	24 - COMP24	
					Value NODI															
00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross	0	--	Sample	=	6.0	=	18.0	26 - lb/d		=	0.1	=	0.2	19 - mg/L	0	01/01 - Daily	24 - COMP24	
					Permit Req.	<=	539.0 MO AVG	<=	1999.0 DAILY MX	26 - lb/d		<=	3.8 MO AVG	<=	14.1 DAILY MX	19 - mg/L		01/01 - Daily	24 - COMP24	
					Value NODI															
00625	Nitrogen, Kjeldahl, total [as N]	1 - Effluent Gross	0	--	Sample							=	1.3	=	1.3	19 - mg/L	0	01/30 - Monthly	24 - COMP24	
					Permit Req.								Req Mon MO AVG		Req Mon DAILY MX	19 - mg/L		01/30 - Monthly	24 - COMP24	
					Value NODI															
00630	Nitrite + Nitrate total [as N]	1 - Effluent Gross	0	--	Sample							=	16.2	=	16.2	19 - mg/L	0	01/30 - Monthly	24 - COMP24	
					Permit Req.								Req Mon MO AVG		Req Mon DAILY MX	19 - mg/L		01/30 - Monthly	24 - COMP24	
					Value NODI															
X 00665	Phosphorus, total [as P]	1 - Effluent Gross	0	--	Sample	=	611.0	=	1483.0	26 - lb/d		=	7.47	=	7.86	19 - mg/L	2	03/DW - 3 Days Every Week	24 - COMP24	
					Permit Req.	<=	391.0 MO AVG	<=	586.0 WKLY AVG	26 - lb/d			Req Mon MO AVG		Req Mon WKLY AVG	19 - mg/L		03/DW - 3 Days Every Week	24 - COMP24	
					Value NODI															
00900	Hardness, total [as CaCO3]	1 - Effluent Gross	0	--	Sample							=	254.0	=	254.0	19 - mg/L	0	01/30 - Monthly	24 - COMP24	
					Permit Req.								Req Mon MO AVG		Req Mon DAILY MX	19 - mg/L		01/30 - Monthly	24 - COMP24	
					Value NODI															

03582	Oil and grease	1 - Effluent Gross	0	--	Sample														<	1.0	<	1.0	19 - mg/L	0	01/30 - Monthly	GR - GRAB		
					Permit Req.																	Req Mon MO AVG			Req Mon DAILY MX	19 - mg/L	01/30 - Monthly	GR - GRAB
					Value NODI																							
04175	Phosphate, ortho [as P]	1 - Effluent Gross	0	--	Sample														=	741.0	=	741.0	28 - ug/L	0	01/30 - Monthly	24 - COMP24		
					Permit Req.																	Req Mon MO AVG			Req Mon DAILY MX	28 - ug/L	01/30 - Monthly	24 - COMP24
					Value NODI																							
50050	Flow, in conduit or thru treatment plant	1 - Effluent Gross	0	--	Sample	=	9.876	=	11.449	03 - MGD														0	99/99 - Continuous	RC - Recorder (auto)		
					Permit Req.		Req Mon MO AVG		Req Mon DAILY MX	03 - MGD																	99/99 - Continuous	RC - Recorder (auto)
					Value NODI																							
50060	Chlorine, total residual	1 - Effluent Gross	0	--	Sample	=	1.3	=	2.5	26 - lb/d									=	15.16	=	30.0	28 - ug/L	0	01/01 - Daily	GR - GRAB		
					Permit Req.	<=	12.8 MO AVG	<=	28.4 DAILY MX	26 - lb/d									<=	90.0 MO AVG	<=	200.0 DAILY MX	28 - ug/L		01/01 - Daily	GR - GRAB		
					Value NODI																							
51040	E. coli	1 - Effluent Gross	0	--	Sample														=	2.1	=	5.2	13 - #/100mL	0	05/30 - 5 Times Every Month	GR - GRAB		
					Permit Req.															<=	126.0 MO GEO	<=	406.0 INST MAX		13 - #/100mL	05/30 - 5 Times Every Month	GR - GRAB	
					Value NODI																							
70295	Solids, total dissolved	1 - Effluent Gross	0	--	Sample														=	838.0	=	838.0	19 - mg/L	0	01/30 - Monthly	24 - COMP24		
					Permit Req.																Req Mon MO AVG		Req Mon DAILY MX		19 - mg/L	01/30 - Monthly	24 - COMP24	
					Value NODI																							
81010	BOD, 5-day, percent removal	K - Percent Removal	0	--	Sample						=	99.0											23 - %	0	01/30 - Monthly	CA - CALCTD		
					Permit Req.						>=	85.0 MO AV MN													23 - %	01/30 - Monthly	CA - CALCTD	
					Value NODI																							
81011	Solids, suspended percent removal	K - Percent Removal	0	--	Sample						=	99.0											23 - %	0	01/30 - Monthly	CA - CALCTD		
					Permit Req.						>=	85.0 MO AV MN													23 - %	01/30 - Monthly	CA - CALCTD	
					Value NODI																							

Submission Note

If a parameter row does not contain any values for the Sample nor Effluent Trading, then none of the following fields will be submitted for that row: Units, Number of Excursions, Frequency of Analysis, and Sample Type.

Edit Check Errors

Parameter		Monitoring Location	Field	Type	Description	Acknowledge
Code	Name					
00665	Phosphorus, total [as P]	1 - Effluent Gross	Quantity or Loading Sample Value 1	Soft	The provided sample value is outside the permit limit. Please verify that the value you have provided is correct.	Yes
00665	Phosphorus, total [as P]	1 - Effluent Gross	Quantity or Loading Sample Value 2	Soft	The provided sample value is outside the permit limit. Please verify that the value you have provided is correct.	Yes

Comments

Attachments

No attachments.

Report Last Saved By

IDAHO FALLS, CITY OF

User:	CUTTER750
Name:	Carl Utter
E-Mail:	cutter@idahofallsidaho.gov
Date/Time:	2021-09-13 08:53 (Time Zone: -06:00)

Report Last Signed By

User:	CUTTER750
Name:	Carl Utter
E-Mail:	cutter@idahofallsidaho.gov
Date/Time:	2021-09-13 08:53 (Time Zone: -06:00)

DMR Copy of Record

Permit

Permit #:ID0021261

Major:Yes

Permitted Feature:001
External Outfall

Permittee:IDAHO FALLS, CITY OF

Permittee Address:4055 GLEN KOESTER LANE
IDAHO FALLS, ID 834020220

Discharge:001-A
DISCHARGE TO SNAKE RIVER

Facility:IDAHO FALLS, CITY OF - IDAHO FALLS WWTP

Facility Location:4055 GLEN KOESTER LANE
IDAHO FALLS, ID 83402

Report Dates & Status

Monitoring Period:From 10/01/21 to 10/31/21

DMR Due Date:11/15/21

Status:NetDMR Validated

Considerations for Form Completion

Principal Executive Officer

First Name:Chris

Last Name:Fredericksen

Title:Public Works Director

Telephone:208-612-8256

No Data Indicator (NODI)

Form NODI:--

Parameter		Monitoring Location	Season #	Param. NODI		Quantity or Loading					Quality or Concentration							# of Ex.	Frequency of Analysis	Sample Type
Code	Name					Qualifier 1	Value 1	Qualifier 2	Value 2	Units	Qualifier 1	Value 1	Qualifier 2	Value 2	Qualifier 3	Value 3	Units			
00010	Temperature, water deg. centigrade	1 - Effluent Gross	0	--	Sample								=	18.6	=	20.1	04 - deg C	0	01/01 - Daily	GR - GRAB
					Permit Req.									Req Mon MO AVG		Req Mon DAILY MX	04 - deg C		01/01 - Daily	GR - GRAB
					Value NODI															
00300	Oxygen, dissolved [DO]	1 - Effluent Gross	0	--	Sample								=	5.4	=	5.4	19 - mg/L	0	01/30 - Monthly	GR - GRAB
					Permit Req.									Req Mon MO AVG		Req Mon DAILY MX	19 - mg/L		01/30 - Monthly	GR - GRAB
					Value NODI															
00310	BOD, 5-day, 20 deg. C	1 - Effluent Gross	0	--	Sample	=	252.0	=	260.0	26 - lb/d			=	3.2	=	3.3	19 - mg/L	0	03/DW - 3 Days Every Week	24 - COMP24
					Permit Req.	<=	4250.0 MO AVG	<=	6380.0 WKLY AVG	26 - lb/d			<=	30.0 MO AVG	<=	45.0 WKLY AVG	19 - mg/L		03/DW - 3 Days Every Week	24 - COMP24
					Value NODI															
00310	BOD, 5-day, 20 deg. C	G - Raw Sewage Influent	0	--	Sample								=	259.0			19 - mg/L	0	03/DW - 3 Days Every Week	24 - COMP24
					Permit Req.									Req Mon MO AVG			19 - mg/L		03/DW - 3 Days Every Week	24 - COMP24
					Value NODI															
00400	pH	1 - Effluent Gross	0	--	Sample					=	7.0				=	7.3	12 - SU	0	01/01 - Daily	GR - GRAB
					Permit Req.					>=	6.5 INST MIN				<=	9.0 INST MAX	12 - SU		01/01 - Daily	GR - GRAB
					Value NODI															
00410	Alkalinity, total [as CaCO3]	1 - Effluent Gross	0	--	Sample								=	241.0	=	241.0	19 - mg/L	0	01/30 - Monthly	24 - COMP24
					Permit Req.									Req Mon MO AVG		Req Mon DAILY MX	19 - mg/L		01/30 - Monthly	24 - COMP24
					Value NODI															
00530	Solids, total suspended	1 - Effluent Gross	0	--	Sample	=	186.0	=	178.0	26 - lb/d			=	2.4	=	2.3	19 - mg/L	0	03/DW - 3 Days Every Week	24 - COMP24
					Permit Req.	<=	4250.0 MO AVG	<=	6380.0 WKLY AVG	26 - lb/d			<=	30.0 MO AVG	<=	45.0 WKLY AVG	19 - mg/L		03/DW - 3 Days Every Week	24 - COMP24
					Value NODI															
00530	Solids, total suspended	G - Raw Sewage Influent	0	--	Sample								=	254.0			19 - mg/L	0	03/DW - 3 Days Every Week	24 - COMP24
					Permit Req.									Req Mon MO AVG			19 - mg/L		03/DW - 3 Days Every Week	24 - COMP24
					Value NODI															
00610	Nitrogen, ammonia total [as N]	1 - Effluent Gross	1	--	Sample	=	5.0	=	11.0	26 - lb/d			=	0.1	=	0.1	19 - mg/L	0	01/01 - Daily	24 - COMP24
					Permit Req.	<=	482.0 MO AVG	<=	1744.0 DAILY MX	26 - lb/d			<=	3.4 MO AVG	<=	12.3 DAILY MX	19 - mg/L		01/01 - Daily	24 - COMP24
					Value NODI															
00625	Nitrogen, Kjeldahl, total [as N]	1 - Effluent Gross	0	--	Sample								=	1.8	=	1.8	19 - mg/L	0	01/30 - Monthly	24 - COMP24
					Permit Req.									Req Mon MO AVG		Req Mon DAILY MX	19 - mg/L		01/30 - Monthly	24 - COMP24
					Value NODI															
00630	Nitrite + Nitrate total [as N]	1 - Effluent Gross	0	--	Sample								=	14.1	=	14.1	19 - mg/L	0	01/30 - Monthly	24 - COMP24
					Permit Req.									Req Mon MO AVG		Req Mon DAILY MX	19 - mg/L		01/30 - Monthly	24 - COMP24
					Value NODI															
X 00665	Phosphorus, total [as P]	1 - Effluent Gross	0	--	Sample	=	610.0	=	823.0	26 - lb/d			=	7.81	=	4.58	19 - mg/L	4	03/DW - 3 Days Every Week	24 - COMP24
					Permit Req.	<=	391.0 MO AVG	<=	586.0 WKLY AVG	26 - lb/d				Req Mon MO AVG		Req Mon WKLY AVG	19 - mg/L		03/DW - 3 Days Every Week	24 - COMP24
					Value NODI															
00900	Hardness, total [as CaCO3]	1 - Effluent Gross	0	--	Sample								=	266.0	=	266.0	19 - mg/L	0	01/30 - Monthly	24 - COMP24
					Permit Req.									Req Mon MO AVG		Req Mon DAILY MX	19 - mg/L		01/30 - Monthly	24 - COMP24
					Value NODI															

Public Works Projects			
Project	Estimated Cost	Fiscal Year	Priority
Storm Drainage			
Inlet Box Upgrades	\$ 25,000	Annual	
Storm Pond Rehabilitation	\$ 25,000	Annual	
EPA Compliance (Education and Training)	\$ 10,000	Annual	
Storm Line Rehabilitation (Water Av Storm Line)	\$ 500,000	2022	
Storm Lift Station Upgrade (25th St & Gallatin)	\$ 100,000	2022	
Storm Line Rehabilitation (21st St, Bremmer, Calkins)	\$ 500,000	2023	
Storm Lift Station Upgrade (Shelley & N Blvd)	\$ 100,000	2023	
Storm Line Rehabilitation (Iona)	\$ 500,000	2024	
Storm Lift Station Upgrade (11th St & Bonneville)	\$ 100,000	2024	
Storm Line Rehabilitation (Bonneville to Winco Pond)	\$ 500,000	2025	
Storm Lift Station Upgrade (1st St & Bonneville)	\$ 100,000	2025	
Storm Line Rehabilitation (Bonneville to Winco Pond)	\$ 500,000	2026	
Storm Lift Station Upgrade (1st St & Bonneville)	\$ 100,000	2026	
Preliminary Development			
Mill Run Storm Lift Station Upgrade	\$ 150,000	PD	
Sanitary Sewer Treatment & Administration Facilities			
Sludge Dewatering (Design)	\$ 600,000	2022	
Sludge Dewatering (Construction)	\$ 8,000,000	2022	
Septage Receiving	\$ 750,000	2023	
Cogeneration	\$ 4,500,000	2024	
Digester & Control Building	\$ 7,000,000	2024	
Phosphorus Treatment Upgrades	\$ 2,500,000	2026	
Preliminary Development			
Headworks Screen	\$ 1,000,000	PD	
Primary Lift Station	\$ 2,500,000	PD	
UV Disinfection	\$ 8,000,000	PD	
Building Facilities	\$ 1,000,000	PD	
Effluent Pump Station & Diffuser	\$ 3,500,000	PD	
Sanitary Sewer Collection System			
Sanitary Sewer Rehabilitation (Van Circle)	\$ 500,000	2022	
Sanitary Lift Station Upgrade (???)	\$ 150,000	2022	
Holmes Ave Pipe Bursting	\$ 625,000	2022	
Sanitary Sewer Rehabilitation	\$ 500,000	2023	
Sanitary Lift Station Upgrade (Belmont)	\$ 100,000	2023	
Sanitary Sewer Rehabilitation	\$ 500,000	2024	
Sanitary Lift Station Upgrade (Applewood, Fanning)	\$ 100,000	2024	
Sanitary Sewer Rehabilitation	\$ 500,000	2025	
Sanitary Lift Station Upgrade (Pancheri, Holmes)	\$ 100,000	2025	
Sanitary Sewer Rehabilitation	\$ 500,000	2026	
Sanitary Lift Station Upgrade	\$ 100,000	2026	

¹ Federal Aid Project² Requires Coordination With Other Funding Sources

Public Works Projects

Project	Estimated Cost	Fiscal Year	Priority
Preliminary Development			
65th South (York Rd) Sewer Line - Southpoint Subdivision to Holmes Av ²	\$ 1,200,000	PD	
Short St Sewer Line River Crossing and Pedestrian Bridge (Design & Construction)	\$ 3,000,000	PD	
Treatment Plant Sewer Line River Crossing (Design & Construction)	\$ 3,000,000	PD	
Old Butte Rd Sewer Line - Pancheri Dr to W 17th S (Mill Rd) ¹	\$ 750,000	PD	
Old Butte Rd Sewer Line - W 17th S to W 33rd S (Pioneer Rd) ²	\$ 1,000,000	PD	
65th South (York Rd) Sewer Line - Holmes Av to 15th East ²	\$ 2,400,000	PD	
15th East Sewer Line - 65th South to 49th South ²	\$ 2,210,000	PD	
Sunnyside Sanitary Sewer Trunk Line Rehabilitation		PD	

Water Projects

[illegible]

Preliminary Development

Well Rehabilitation Project - Well 8 Design & Construction	\$ 225,000	PD	
Well Rehabilitation Project - Well 3 Design & Construction	\$ 1,100,000	PD	
Well 19 Tank and Pump Station Design & Construction	\$ 4,200,001	PD	
Well 19 Supply Piping	\$ 1,000,000	PD	
Well 20 New Well Design & Construction	\$ 5,000,000	PD	
49th South (Township Rd) Water Line - 5th West (Park Rd) to Cumberland Dr	\$ 230,000	PD	
5th West (Park Rd) Water Line - Daytona to 49th South (Township Rd)	\$ 260,000	PD	
Old Butte Rd Water Line - Pancheri Dr to W 33rd South (Pioneer Rd) ²	\$ 1,000,000	PD	
65th South (York Rd) Water Line - Holmes Av to 15th East (St Clair Rd) ²	\$ 850,000	PD	
65th South (York Rd) Water Line - 15th East (St Clair Rd) to 25th East (Hitt Rd) ²	\$ 850,000	PD	

¹ Federal Aid Project

2 Requires Coordination With Other Funding Sources

Public Works Projects

Project	Estimated Cost	Fiscal Year	Priority
Woodruff Av Water Main Installation - North of Lincoln Rd to US 26	\$ 300,000	PD	
Water Right Purchase	\$ 2,000,000	PD	
Street			
ADA Concrete Compliance & Pedestrian Connections	\$ 50,000	Annual	
Hemmert Ave Widening - Transfer Station to Railroad Crossing	\$ 300,000	2022	
17th Street and Rollandet Intersection Left Turn Prohibition - Construction (Match) ¹	\$ 30,000	2022	
17th St and Woodruff Av Intersection Lane Expansion - Construction (Match) ¹	\$ 235,000	2022	
5th Street and Holmes Ave Traffic Signal - Design (Match) ¹	\$ 5,000	2022	
Science Center, Blvd to Holmes Overlay & Signal Upgrade - Design (Match) ¹	\$ 10,000	2022	
17th St, 1st-Lomax and Lincoln Rd Thermoplastic and ADA Improvements - Construction (Match)	\$ 20,000	2022	
Raised Curb Median Safety Improvements - Design (Match)	\$ 4,000	2022	
Pancheri Trail Phase 2 - Design (Match)	\$ 4,000	2022	
D6 6 RR Closures (Match)	\$ 28,000	2022	
Raised Curb Median Safety Improvements - Construction (Match)	\$ 26,000	2023	
Pancheri Trail Phase 2 - Construction (Match)	\$ 36,000	2023	
Elm Street Reconstruction Eastern to S Blvd - Design (Match)	\$ 12,000	2025	
5th Street and Holmes Ave Traffic Signal - Construction (Match) ¹	\$ 30,000	2025	
Preliminary Development			
Traffic Signal and Road Widening - N 5th West (East River Rd) and University Blvd	\$ 2,500,000	PD	
25th East (Hitt Rd) Widening - 49th South (Township Rd) North 1/2 Mile	\$ 3,000,000	PD	
Elm Street Reconstruction - Eastern to S Blvd - Construction (Match)	\$ 100,000	PD	
E Street Reconstruction - Memorial to Yellowstone	\$ 2,000,000	PD	
Science Center Dr Overlay & Signal Upgrade - North Blvd to Holmes Ave - Construction (Match)	\$ 100,000	PD	
Woodruff Ave - US-26 to Lincoln Rd - Design (Match)	\$ 20,000	PD	
Woodruff Ave - US-26 to Lincoln Rd - Construction (Match)	\$ 190,000	PD	
Pancheri Bridge Rehabilitation	\$ 3,000,000	PD	
Shared-Use Pathway - Old Butte Rd & Pancheri Dr	\$ 400,000	PD	
49th South Widening - 5th West to 25th East	\$ 15,000,000	PD	
Holmes Ave Widening - Sunnyside to Castlerock	\$ 2,500,000	PD	

¹ Federal Aid Project

² Requires Coordination With Other Funding Sources

ORDINANCE NO. 1203

AN ORDINANCE ESTABLISHING A CAPITAL IMPROVEMENTS FUND FOR THE CITY OF IDAHO FALLS; DESIGNATING THE CITY TREASURER CUSTODIAN OF ALL MONEYS IN SAID FUND; IDENTIFYING THE PURPOSES FOR WHICH SAID FUND SHALL BE USED; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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

Section 1. Pursuant to the Provision of Section 50-236, Idaho Code, there is hereby established a "Capital Improvements Fund" in the treasury of the City of Idaho Falls, Idaho.

Section 2. The City of Idaho Falls is empowered to levy a special tax, not to exceed two (2) mills in any year upon all assessed property within said City, and the proceeds from said tax shall be placed by the City Treasurer in said "Capital Improvements Fund".

Section 3. Said Fund shall never exceed in the aggregate two percent (2%) of the assessed valuation of said City.

Section 4. The purpose for which the "Capital Improvements Fund" shall be used is for the making of capital improvements within the City of Idaho Falls, which improvements are identified at the time of the passage of this ordinance as follows: Acquisition of rights-of-way for, and construction of, Seventeenth Street, including its extension west of Yellowstone Avenue and Snake River Bridge; acquisition of rights-of-way for, and construction of, Grandview Drive, Fremont Avenue, and the Lomax Couplet; buildings and facilities for animal regulation.

Section 5. The Treasurer shall deposit and keep on deposit all moneys accruing to said Fund in the official depository, or depositories, of said City, and said moneys shall be invested only pursuant to law and upon resolution of the City Council so directing.

Section 6. This ordinance shall be in full force and effect from and after its passage, approval and publication pursuant to law.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 21st day of March, 1968.

s/ S. Eddie Pedersen
MAYOR

ATTEST:

s/ Roy C. Barnes
CITY CLERK

(SEAL)

City of Idaho Falls Wastewater Rate Study



MARCH 2021

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SECTION 1

Introduction

Galardi Rothstein Group (GRG) was retained by the City of Idaho Falls (the City) to conduct certain rate analyses for the City’s wastewater system. Study objectives include:

- Development of an updated wastewater financial plan that identifies system-wide rate impacts necessary to support the operation, maintenance, and planned capital investment for a 6-year forecast period (FY 2020 through FY 2025);
- Revisions to the City’s wastewater connection fee based on an analysis of existing system capacity and forecasted capital expenditures to extend service to new customers; and
- Identification and evaluation of rate and fee structure alternatives for the Iona-Bonneville Sewer District (IBSD) and the City of Ucon (Ucon), including relevant wastewater connection fees for IBSD and Ucon customers connecting to the City’s system.

Guiding Principles

The methodologies employed in this study follow industry-standard approaches outlined in the Water Environment Federation’s (WEF) *Financing and Charges for Wastewater Systems (Manual of Practice No. 27)*. Projections of system revenue requirements adhere to the City’s financial policies and operating objectives and are consistent with effective utility management principles. Specific financial objectives relevant to the rate updates are summarized as follows:

- The utility generates sufficient revenues to operate the system, invest in necessary capital infrastructure, repair and rehabilitate existing assets, and service long-term debt.
- The utility strives to maintain minimum working capital reserves of 220 days of operations and maintenance (O&M) expenses to protect their financial position and prevent unplanned rate fluctuations that may otherwise result from unforeseen operating or capital expenditures.
- To avoid significant, unexpected rate increases—often referred to as rate shock—planning is conducted over a 6-year forecast period to coincide with long-term development and investment planning.
- Rate schedules are based on a comprehensive asset management strategy that uses operating reserves to facilitate pay-as-you-go capital financing, reduce reliance on long-term debt, and minimize interest expense and other debt issuance costs.

These principles, along with other policy considerations (such as customer bill impacts), guide development of the City’s wastewater CIP funding plan and establish an appropriate multi-year rate schedule.

SECTION 2

Updated Financial Plan

For this study, wastewater system revenue requirements were determined based on updates to the City's 6-year strategic financial plan, from FY 2020 through FY 2025. Revenue requirements are the costs that must be recovered through various sources of utility revenues, including costs to operate and maintain the utility; finance capital investments for system expansion, upgrade and replacement; and maintain adequate liquidity in the event of unplanned expenses or revenue shortfalls. Revenue requirements also include transfers, payments in lieu of taxes, and excess net operating revenues (or reserves) that may be used to cash-finance capital improvements (often referred to as pay-as-you-go or PAYGO financing).

The financial plan accounts for all funding sources available to the City to meet the operating and capital investment needs of the system, including rate and non-rate revenues, connection fee revenues, and long-term debt instruments. The plan includes a comprehensive capital funding strategy and forecasts of financial performance targets such as cash balances and debt service coverage metrics for the City's long-term debt.

Overview

Like most utilities, the City faces a number of significant infrastructure investments over the next decade that will increase system revenue requirements. Increases in wastewater rates, along with the intentional drawing down of previously-established system reserves, will enable the City to fund critical capital projects at the wastewater treatment plant and invest in other infrastructure priorities without the issuance of long-term debt.

Pressure on utility rates due to infrastructure investment is further exacerbated by the observed reduction in the City's primary billing determinant, wastewater flows. Because utilities must build, operate, and maintain infrastructure to meet potential peak flows, most system revenue requirements do not decrease with a reduction in billing determinants. Fixed costs of the wastewater system (i.e., those that do not fluctuate with wastewater discharge) include repayment of long-term debt obligations and operation and maintenance of system assets. Since most utility costs do not fluctuate based on wastewater discharge, lower flows will typically translate into higher rates per unit of flow to pay for the significant fixed costs of the system and meet the service needs of existing and new customers.

The financial plan should adhere to formal and informal financial objectives of the wastewater utility, including minimum fund balance requirements, capital financing strategies (such as debt versus equity preferences for major system assets), and targeted debt service coverage ratios. Debt service coverage is a measure of a service provider's ability to repay debt obligations and is one of the primary metrics used to assess financial strength or assign credit ratings to municipal debt offerings.

Planning Assumptions

Wastewater system revenue requirements are based on the City's FY 2020 and FY 2021 operating budgets, adjusted for cost inflation, and the City's most recent wastewater capital improvement plan (CIP). Rate revenue forecasts reflect growth assumptions by customer class, with adjustments for proposed rate increases discussed later in this section. Key financial plan assumptions are as follows:

- Cost escalation will continue at a rate of 4.0% for most O&M requirements, although transfers to the City's General Fund are escalated at 4.5% to reflect recent historical trends. Such transfers include payments in lieu of taxes (PILOT) and the wastewater utility's share of other City costs (GIS, Engineering Services, Billing & Collection, etc). Contributions to the Municipal Equipment Replacement Fund (MERF) and capital outlay expenses are assumed to increase 3.0% annually.
- Forecasted vehicle replacement expense will be paid from the MERF, to which the wastewater utility makes regular contributions (see Table 2-5).
- In light of historical operating experience and fiscal year budgeting protocols, forecasted *actual* operating expenditures are expected to be 90% of the City's *budgeted* operating expenditures.
- Capital project cost estimates are inflated at a rate of 3.0% per year and are expected to total \$34.5 million (in nominal dollars) over the 6-year forecast period.
- City residential accounts are expected to increase 1.0% per year, while non-residential billing determinants (accounts and flows) are assumed to remain constant over the forecast period. IBSD and Ucon flows are expected to increase 3.0% and 0.5%, respectively, based on actual growth rates during the last five years. Flows and other billing determinants (pounds of BOD, TSS) from industrial customers are expected to be flat during the forecast period.
- Bad debt expense is estimated as 2% of forecasted rate revenues.
- With limited exceptions, non-rate revenues are expected to remain constant over the forecast period.¹
- Interest earnings on various fund balances (general wastewater operating fund and wastewater capital improvement fund) will average 1.4% per year and fluctuate based on forecasted changes to these balances over the forecast period.
- In FY 2022, the rate charged to IBSD will be \$3.93 per kgal and the rate charged to Ucon will be \$3.68 per kgal. These rates will be adjusted annually based on rate adjustments for City of Idaho Falls residential customers.²

¹ Exceptions include Septic Hauler Revenues, which are subject to proposed rate increases, and Interest Revenues, which are projected to fluctuate over time based on the forecasted cash balance of the City's wastewater operating fund.

- Newly established wastewater connection fees for IBSD and Ucon customers, as well as connection fees for City customers, will be updated annually based on system investment, remaining plant capacity, and other factors relevant to the fee calculation (see Section 3).
- Annual revenues from the City’s wastewater connection fees are projected to increase 52% from FY 2020 to FY 2025. This increase is attributed to both the higher wastewater connection fees established as part of this study as well as the implementation of connection fees for new IBSD and Ucon accounts.
- The City will maintain cash reserves equal to a minimum working capital balance of 220 days of O&M (approximately \$4.5 million to \$5.2 million over the forecast period).
- The City will target a minimum debt service coverage ratio on long-term debt of 1.75x.
- The City does not anticipate issuing long-term debt as part of the CIP funding plan.

Foremost among the planning assumptions is the fact that the City will draw upon existing reserves and annual net operating revenues to finance the majority of the 6-year capital improvement program. As a result of the City’s advanced planning—and requisite financial discipline—unrestricted operating reserves of \$17.2 million were available to the wastewater system at the beginning of FY 2020. These reserves, combined with wastewater connection fee revenues, will be used to fund major capital improvements at the wastewater treatment plant on a pay-as-you-go basis, allowing the City to mitigate the potential rate impacts of these expenditures and avoid interest expense associated with long-term debt.

Operation and Maintenance Requirements

Operation and maintenance costs include all costs associated with operating and maintaining the City’s wastewater system, including personnel costs, materials and supplies, contracted services, and interdepartmental transfers. Table 2-1 shows forecasted operational expense for the City’s wastewater system from FY 2020 through FY 2025 by functional cost category. The City’s adopted FY 2020 and FY 2021 operating budgets are the basis for the O&M forecast, with adjustments for one-time or non-recurring expense items.

Budgeted O&M expenses in FY 2021 are \$7.36 million.³ Of that total, approximately \$2.41 million (33%) is related to administration of services and interdepartmental transfers, \$0.13 million (2%) is customer billing and collection related costs, \$0.71 million (10%) is associated with maintenance of the City’s collection system, \$0.19 million (2%) represents operational costs to support the capital improvement program, and \$0.30 million (4%) is used to maintain City storm drains. The largest cost component of the City’s budget is the operation and maintenance of the wastewater treatment plant, estimated at \$3.62 million for FY 2021 (49% of total O&M).

Most of the operating categories also include estimates for operating capital (“Capital Outlay”) and contributions to the City’s MERF. Overall, forecasted O&M expense is expected to increase

² To establish the IBSD rate, the analysis assumes a credit of 18.18% is applied to the effective cost per kgal for City of Idaho Falls residential customers (see Section 4).

³ Forecasted totals account for the estimated 90% actual to budgeted expense ratio for the wastewater system.

at a compounded annual growth rate of 3.0% over the 6-year forecast horizon, from \$7.44 million in FY 2020 to \$8.61 million in FY 2025.

TABLE 2-1
FORECASTED OPERATING EXPENSE

Cost Category¹	<i>Budgeted</i> FY 2020	<i>Budgeted</i> FY 2021	<i>Projected</i> FY 2022	<i>Projected</i> FY 2023	<i>Projected</i> FY 2024	<i>Projected</i> FY 2025
Administration ²	\$ 2,399.1	\$ 2,409.2	\$ 2,510.9	\$ 2,616.9	\$ 2,727.4	\$ 2,842.6
Customer Billing	136.3	125.9	131.6	137.5	143.7	150.1
Collection System	725.0	712.7	740.4	769.1	798.9	829.9
New Construction ³	189.6	186.4	193.7	201.2	209.0	217.1
Storm Drainage	308.4	303.2	315.0	327.2	339.9	353.1
Treatment Plant	3,682.4	3,620.3	3,760.7	3,906.6	4,058.2	4,215.7
TOTAL	\$ 7,440.8	\$ 7,357.9	\$ 7,652.2	\$ 7,958.5	\$ 8,277.1	\$ 8,608.6

1 - O&M expenses in thousands of dollars; forecast reflects assumed actual to budgeted expense ratio of 90%

2 - Includes transfers to other City departments or the General Fund (such as payments in lieu of taxes)

3 - Operational costs to support the City's capital improvement program, including equipment purchases

Capital Expenditures

The City's wastewater capital improvement plan for FY 2020 through FY 2025 is presented by project category in Table 2-2. The largest project is the sludge dewatering project, which is expected to cost \$10.8 million. Other treatment projects include cogeneration, secondary clarifier mechanism replacement, and an improved plant lift station and screens. Treatment projects will total \$17.0 million in current dollars—just over half of all identified CIP during the study period. Other capital expenditures include collection system projects, sanitary sewer rehabilitation, storm drainage improvements, and professional services to support project implementation.

The total cost estimate of the capital improvement plan is \$32.0 million in current dollars and \$34.5 million in nominal (future) dollars over the 6-year study period.⁴ Table 2-3 matches sources of funds with capital expenditures, in nominal dollars, over the forecast period. The City plans to use a combination of three primary funding sources for the CIP. Current operating revenues, or PAYGO financing, will be used to fund \$22.4 million (64.9%) of projected capital expenditures, while existing reserves will fund \$8.9 million (25.7%). The \$3.3 million in remaining capital requirements will be funded by wastewater connection fee revenues from the City's wastewater capital improvement fund (9.4%).⁵ The City's capital funding plan avoids the issuance of long-term debt, which can burden rate-payers with initial debt issuance costs and significant interest expense during the repayment period.

⁴ The nominal (or future) dollar estimate represents the impact of an assumed 3% per year cost inflation factor applied to forecasted capital improvement expenditures.

⁵ After making these transfers, approximately \$71,000 will remain available for future capital projects.

TABLE 2-2

CAPITAL IMPROVEMENT PROGRAM, CURRENT DOLLARS, FY 2020 – FY 2025

	<i>Budgeted</i> FY 2020	<i>Projected</i> FY 2021	<i>Projected</i> FY 2022	<i>Projected</i> FY 2023	<i>Projected</i> FY 2024	<i>Projected</i> FY 2025	TOTAL
Sludge Dewatering / Phosphorus Cogeneration	300.0	3,000.0	7,500.0	250.0	2,000.0		10,800.0
Secondary Clarifier Replacement	150.0	200.0					350.0
Plant Lift Station & Screens					1,000.0	1,500.0	2,500.0
New Digester						600.0	600.0
Septage Receiving Improvements						500.0	500.0
Treatment Plant Subtotal							17,000.0
Sunnyside Trunk Rehab		2,300.0					2,300.0
65th South Sewer Line						2,400.0	2,400.0
Sanitary Sewer Rehabilitation	600.0	600.0	600.0	600.0	600.0	600.0	3,600.0
Collection System Subtotal							8,300.0
Storm drain, upgrades or rehab	600.0	600.0	600.0	600.0	600.0	600.0	3,600.0
Storm drain, other improvements	50.0	50.0	50.0	50.0	50.0	50.0	300.0
Professional Services	1,350.0	1,050.0	100.0	100.0	100.0	100.0	2,800.0
TOTAL	\$ 3,050.0	\$ 7,800.0	\$ 8,850.0	\$ 1,600.0	\$ 4,350.0	\$ 6,350.0	\$ 32,000.0

All numbers presented in current dollars (thousands)

The CIP is subject to frequent review and modification based on evolving priorities, emerging regulations, and actual financial performance of the utility. To the extent that actual expenditures vary from projected expenditures in a given forecast year, the City may adjust pay-as-you-go financing amounts or modify proposed rate adjustments to achieve financial performance goals and deliver critical infrastructure projects for the wastewater system.

TABLE 2-3

SOURCES AND USES OF FUNDS, CAPITAL IMPROVEMENT PROGRAM

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	TOTAL	Percent
Capital Expenditures¹	\$ 3.05	\$ 8.03	\$ 9.39	\$ 1.75	\$ 4.90	\$ 7.36	\$ 34.48	
Current Operating Revenues	1.93	5.37	6.45	0.93	3.15	4.59	22.43	64.9%
Existing Reserves	0.77	2.13	2.55	0.37	1.25	1.81	8.87	25.7%
Connection Fee Revenues	0.45	0.45	0.45	0.45	0.45	1.00	3.25	9.4%
Used (Unused) Balance ²	(0.10)	0.08	(0.06)	(0.00)	0.05	(0.04)	(0.07)	
Total Matching Funds	\$ 3.05	\$ 8.03	\$ 9.39	\$ 1.75	\$ 4.90	\$ 7.36	\$ 34.48	100.0%

*1 - All numbers in millions (nominal dollars); some calculation discrepancies may exist due to rounding**2 - After current revenue transfers, approx. \$0.07 million will remain (unused balance) for CIP beyond the forecast period*

Revenues

Wastewater system revenues include rate revenues (rates and charges paid by the City's customers for wastewater service) as well as miscellaneous operating revenues such as septic hauler fees, late payment fees, sale of property, and interest revenues.

Proposed Rate Increases

Rate revenues are projected based on forecasted billing determinants (number of accounts and wastewater flows) and the proposed schedule of rate adjustments. In order to deliver \$34.5 million of necessary capital improvements—without the issuance of long-term debt—the City will rely on existing operating reserves and annual net operating revenues generated by modest annual rate increases. The City’s current rate implementation plan, which transitions customers to cost-based rates, specifies rate adjustments through FY 2022. These adjustments vary by class based on forecasted revenue requirements identified during the previous cost-of-service rate study. The residential rate during this time period will increase approximately 1.3% per year, from \$23.40 per month in FY 2020 to \$24.00 per month in FY 2022.

To meet forecasted revenue requirements, this strategic financial plan proposes system-wide rate increases (i.e. applied to all customer classes and rate components) of 2.0% per annum in the final three years of the forecast period, from FY 2023 through FY 2025. Combined with customer account and usage assumptions outlined earlier in this report, system rate revenues are projected to increase from \$10.6 million in FY 2020 to \$13.0 million in FY 2025, a compounded growth rate of 4.2%. These rate increases ensure the City can fund critical infrastructure improvements while maintaining adequate system reserves for unplanned operational expense or emergency repairs.

Table 2-4 summarizes forecasted system revenues. Rate revenues constitute the vast majority of system revenues (96.7%) and are expected to generate \$11.0 million in FY 2021. In the same year, septic hauler revenues are expected to total \$0.18 million (1.5%), other operating revenues are expected to total \$0.05 million (less than 1%), and interest revenues are projected to be \$0.15 million (1.3% of system revenues).

TABLE 2-4
FORECASTED SYSTEM REVENUES

	<i>Budgeted</i>	<i>Budgeted</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>	<i>Projected</i>
Revenue Category¹	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<i>Rate Increases (%)²</i>	<i>varies</i>	<i>varies</i>	<i>varies</i>	<i>2.0%</i>	<i>2.0%</i>	<i>2.0%</i>
Rate Revenues	\$ 10,571.5	\$ 10,958.8	\$ 11,836.4	\$ 12,211.7	\$ 12,577.4	\$ 12,957.2
Septic Haulers	175.0	175.0	180.3	183.9	187.5	191.3
Other Revenues	30.0	50.0	50.0	50.0	50.0	50.0
Interest Revenues	150.0	145.0	125.5	88.7	106.0	102.1
TOTAL	\$ 10,926.5	\$ 11,328.8	\$ 12,192.1	\$ 12,534.3	\$ 12,920.9	\$ 13,300.7

1 - Revenues in thousands of dollars; forecast reflects change in billing determinants and proposed rate adjustments

2 - Prior to FY 2023, adjustments vary by class based on the City's previously published rate implementation plan

Financial Plan Summary

The City's updated wastewater financial plan, summarized in Table 2-5, presents forecasts of sources and uses of cash through FY 2025. In addition to revenue and expense categories described earlier in this report, the wastewater utility will access funds from the Municipal Equipment Replacement Fund (MERF) to offset vehicle expense. MERF transfers are expected to range between \$286,000 and \$567,000 per year during the forecast period. Total sources of cash are expected to increase from \$11.5 million in FY 2020 to \$13.6 million in FY 2025, or 18.5%, over the six-year period.

TABLE 2-5
CASH FLOW PRO FORMA, WASTEWATER OPERATING FUND

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<i>Beginning Cash Balance</i> ¹	\$ 17,169	\$ 17,360	\$ 14,384	\$ 9,053	\$ 11,464	\$ 10,851
Rate Revenue ²	\$ 10,572	\$ 10,959	\$ 11,836	\$ 12,212	\$ 12,577	\$ 12,957
Other Revenue ³	205	1,656	230	234	238	241
Interest Revenue	150	145	125	89	106	102
Transfers from MERF ⁴	567	286	295	303	313	322
Total Sources of Cash	\$ 11,494	\$ 13,046	\$ 12,487	\$ 12,838	\$ 13,233	\$ 13,623
O&M Expense	\$ 5,196	\$ 5,308	\$ 5,520	\$ 5,741	\$ 5,970	\$ 6,209
General Fund Transfers	1,391	1,370	1,432	1,497	1,564	1,634
MERF Contributions	265	303	312	321	331	341
Capital Outlay	590	377	388	400	412	424
DEQ Payments	62	64	66	68	70	72
Existing Debt Service	1,100	1,100	1,100	1,100	1,100	1,100
New Debt Service ⁵	-	-	-	-	-	-
PAYGO Capital ⁶	2,700	7,500	9,000	1,300	4,400	6,400
Total Uses of Cash	\$ 11,303	\$ 16,022	\$ 17,818	\$ 10,426	\$ 13,847	\$ 16,180
<i>Ending Cash Balance</i>	\$ 17,360	\$ 14,384	\$ 9,053	\$ 11,464	\$ 10,851	\$ 8,293
<i>Days of O&M</i>	852	714	432	526	478	352
<i>Debt Service Coverage</i> ⁷	4.22	4.50	5.06	5.12	5.22	5.30

1 - Represents the unrestricted cash balance in the wastewater operating fund (all numbers in thousands)

2 - Includes IBSD and City of Ammon rate revenues

3 - FY 2021 includes IBSD's proportional payment for the Sunnyside Trunk project

4 - Transfers from the City's municipal equipment replacement fund to offset vehicle purchase costs

5 - The capital funding plan does not anticipate the issuance of long-term debt

6 - PAYGO Capital includes the use of reserves and pay-as-you-go revenues to fund the City's capital program

7 - Debt service coverage is the ratio of net operating revenues to total debt service; the calculation excludes MERF Transfers, PILOT, and Capital Outlay

Uses of cash include O&M, general fund transfers, MERF contributions, capital outlay, and payments to the Idaho Department of Environmental Quality (DEQ) for permit administration

and inspection costs. These operating expenses are expected to total \$7.5 million in FY 2020 and increase to \$8.7 million in FY 2025, an increase of 15.7%. The City is currently servicing a low-interest 20-year loan issued by DEQ. The debt was issued in 2011 in order to finance construction of two additional aeration basins and supporting infrastructure at the wastewater treatment plant. Debt service is on a level payment schedule, equal to \$1.1 million annually. As shown in Table 2-3, additional transfers to cash finance capital expenditures will be made annually using existing system reserves and net annual operating revenues to minimize proposed rate increases. These two categories of transfers will fund more than 90% of projected capital expenditures. PAYGO transfers are expected to total \$31.3 million over the forecast period and range between \$2.7 million and \$9.0 million annually. Total uses of cash for the wastewater utility are expected to increase 43.2% over the six-year period, from \$11.3 million in FY 2020 to \$16.2 million in FY 2025, as shown in Table 2-5.

Financial Performance – Minimum Fund Balances

Development of the wastewater financial plan is guided by the City's long-term planning goals and various financial performance targets. The City targets minimum cash reserves equal to 220 days of total operating expense to provide adequate working capital for utility operations (approximately \$4.5 to \$5.2 million over the forecast period). As shown in Table 2-5, unrestricted reserves of just over \$17 million are available in FY 2020 to finance capital projects on a pay-as-you-go basis. These reserves have been accumulated over time in anticipation of cash-financing large capital expenditures to repair assets and make necessary improvements at the wastewater treatment plant. Drawing down reserve balances will enable financing of the City's capital program without reliance on future debt issuances or significantly higher rates.

With the plan to PAYGO finance \$31.3 million of CIP over the forecast period, the projected ending cash balance for the City's wastewater operating fund will be reduced from \$17.2 million to \$8.3 million by FY 2025. Although approximately half of existing reserves will be used to fund capital expenditures, the forecasted operating fund balance—expressed as days of total operating expense—is projected to exceed the minimum 220 day target established by the City.

Financial Performance – Debt Service Coverage

Debt service coverage (DSC) is the ratio of net operating revenues to total debt service.⁶ It is an indicator of a utility's ability to repay existing and forecasted debt, and can be interpreted as the number of times an entity could hypothetically make its annual debt payment after meeting total operating expense requirements. It is one of the primary metrics used to evaluate future debt capacity and to assign credit ratings to municipal debt offerings. Bond covenants for most utilities require minimum debt service coverage of at least 1.10x (times) to 1.20x annual debt service. The median DSC statistic for mid-sized utilities is 2.0x, while the median for triple-A rated municipal credits is 2.6x.⁷

⁶ Net operating revenues are equal to total revenues minus total operating expense, though some general fund transfer requirements—such as PILOT—and capital outlay expense are typically excluded from the calculation.

⁷ Fitch Ratings, Public Finance, 2017 Water and Sewer Medians

As shown in Table 2-5, the City's forecasted debt service coverage is above minimum industry standards and the City's own coverage target of 1.75x. The City's forecasted ratios reflect financial management objectives that emphasize PAYGO financing of capital projects while minimizing interest expense associated with long-term debt.

SECTION 3

Wastewater Connection Fees

The purpose of the City’s wastewater connection fee is to recover prior system investment costs from new residential and commercial customers in proportion to the claims each type of customer places on unused wastewater system capacity. Connection fee revenues are typically used to pay for necessary capital expenditures that rehabilitate and improve system infrastructure or satisfy emerging regulatory requirements. This section presents the City’s updated wastewater connection fee including fee calculation methodology and key assumptions.

Similarly, IBSD and Ucon customers that connect to the City’s system are also responsible for the costs of existing system capacity. This section summarizes costs relevant to new IBSD and Ucon customers—and delineates those that are not—to establish a connection fee for these customers.

Background

Wastewater connection fees are an important funding source for wastewater system capital improvement projects, and currently account for roughly 2.9% of the City’s annual wastewater system revenues. The current wastewater connection fee for a typical City of Idaho Falls single family home is \$1,107, established when the City adopted annual wastewater rates and charges for FY 2021. Currently, new IBSD and Ucon accounts are not charged a connection fee for their share of existing treatment capacity.

Fee Methodology

In most systems, a combination of available capacity and future capacity expansions are required to serve the projected needs of new development. The City’s connection fee methodology recovers costs related to existing available capacity but excludes the cost of future capital expenditures. The ‘reimbursement’ cost—also referred to as an equity buy-in fee—recovers costs associated with extra capacity already in place to meet the needs of growth. This fee approach is based on the value of system assets and the share of total system capacity available for new customers.

Existing System Capacity

The City has seen a roughly 18% decrease in average day flows to the wastewater system since 2006. This decrease can be attributed to a number of factors, including a general industry trend toward conservation practices and a significant reduction in flows from the City of Ammon.

Table 3-1 summarizes average day flow capacity and utilization of the system. While the City’s wastewater system is designed to handle wastewater flows of 17.0 million gallons per day, the wastewater treatment plant received 9.62 mgd in calendar year 2019. Available capacity in the system is therefore 7.38 mgd, or 43.4%.

TABLE 3-1
EXISTING SYSTEM CAPACITY

Existing system capacity (mgd)	17.00
Average day utilization (mgd) ¹	9.62
Available capacity for new customers (mgd)	7.38
Percent capacity available for new customers	43.4%

1 - As measured by 2019 calendar year flows

Units Served by Capacity

The next step for establishing an equitable connection fee is to determine the number of customer units that may be served by available system capacity. Since wastewater connection fees are assessed as new homes are built, flow capacity requirements for single-family residences (SFR) are defined as the standard unit of capacity. Because the City does not meter water use, it must estimate the wastewater capacity requirements of a typical single family residence. Average indoor water use has been the subject of hundreds of studies in the utility industry. The US Environmental Protection Agency (EPA) estimates that “each American uses an average of 88 gallons of water a day at home.”⁸ Applying this statistic to the estimated number of persons per household (2.65) for Idaho Falls⁹, the estimated capacity requirements for a single family residence is approximately 233 gallons per day, or 7,093 gallons per month. While average monthly flows across all residences may be lower than this figure, the system capacity reserved for a single family home must account for system infiltration and inflow (I&I) and peak flow requirements.

The City’s existing wastewater system capacity, at just 56.6% utilization, is therefore expected to serve 31,647 additional SFR accounts.¹⁰

System Valuation

As stated earlier, the wastewater connection fee methodology establishes the cost to purchase an increment of capacity within the City’s existing system. The previous sections have determined the number of new SFR units that will be served by available capacity, while this section will establish the value of the wastewater system. System value is determined by examining the City’s fixed asset register, with certain adjustments to exclude:

- the value of assets that have been contributed by developers,
- assets that do not benefit new customers of the system, and

⁸ USEPA WaterSense: Statistics and Facts (<https://www.epa.gov/watersense/statistics-and-facts>) accessed on September 10, 2020.

⁹ United States Census Bureau, QuickFacts, Idaho Falls, ID (<https://www.census.gov/quickfacts/idahofallscityidaho>) accessed on September 10, 2020

¹⁰ This estimate is derived by dividing the existing capacity of the system, 7.38 million gallons per day, by the potential capacity utilization of an average single family residence (233.2 gallons per day).

- the value of outstanding principal on existing debt that was used to finance City assets.

In order to facilitate planning and development of new communities, developers sometimes will initially pay for smaller diameter collection system pipelines and other necessary infrastructure before contributing these assets to the City. Contributed assets of \$6.8 million are recorded on the City’s fixed asset register but do not represent historical investments of the City. These costs are therefore excluded from the wastewater connection fee.

Other assets serve specific customer groups and will not benefit new customers connected to the City’s wastewater system. Such assets are labeled as Other Adjustments in Table 3-2. For example, assets that specifically serve the City of Ucon—with an original cost value of roughly \$220,000—are excluded from the fee calculation.

Outstanding principal of any existing debt is also subtracted from system value. Since monthly rates and charges from new customers are used to retire outstanding debt, \$13.7 million of outstanding principal from the City’s low-interest DEQ loan is deducted from the fee calculation. This practice ensures that new customers are not double-charged for debt-financed assets.

The original cost of the City’s wastewater system assets is \$114.3 million, as shown in Table 3-2. This figure includes ongoing capital projects (working capital) that represent additional investments in wastewater infrastructure. The net system value—after adjusting for developer contributions, customer-specific assets, and outstanding principal on existing debt—is \$93.7 million.¹¹

TABLE 3-2
CALCULATION OF WASTEWATER SYSTEM VALUE

Asset Category	Original Cost
Land	\$ 1,217,669
Buildings	26,324,410
Sewer Lines & Other Assets	60,707,665
Equipment	13,498,212
Working Capital	12,589,206
Subtotal, Wastewater System	\$ 114,337,162
Adjustments:	
Developer Contributions Subtotal	(6,760,872)
Other Adjustments	(221,954)
Principal on Existing Debt	(13,672,723)
Net Wastewater System Value	\$ 93,681,613

¹¹ Though not prescribed by state law, these adjustments are consistent with industry-standard rate-making principles when determining system development charges or impact fees.

Wastewater Connection Fee for City Customers

The portion of system value that is associated with available system capacity is 43.4%, or \$40.7 million. Because the City will provide service to 31,647 new units using existing capacity, the cost per unit of unused capacity is \$1,285 per single family residence. The wastewater connection fee calculation for City customers is summarized in Table 3-4.

TABLE 3-3
WASTEWATER CONNECTION FEE CALCULATION, CITY CUSTOMERS

Net Wastewater System Value	\$	93,681,613
Available System Capacity		43.4%
Value Assigned to New Customers	\$	40,657,820
New SFRs Served by Existing Capacity		31,647
Connection Fee per SFR	\$	1,285

The Water Environment Federation (WEF) recommends scaling up the fee for larger customers based on meter size, as shown in Table 3-5. Although other scaling factors such as sewer fixture units or number of rooms are sometimes used, meter size provides a direct (and more accurate) measure of the potential claim on system capacity.

TABLE 3-4
CONNECTION FEE BY METER SIZE, CITY CUSTOMERS

Size	Meter Equivalency Ratio ¹	Proposed Connection Fee
1" Meter	1.0	\$1,285
1.5" Meter	2.0	\$2,570
2" Meter	3.2	\$4,112
3" Meter	6.4	\$8,224
4" Meter	10.0	\$12,850
6" Meter	20.0	\$25,700
8" Meter	32.0	\$41,120

1 - Capacity ratios are provided in the Water Environment Federation's Financing and Charges for Wastewater Systems, Manual of Practice No. 27, Table 10.5

Wastewater Connection Fee for IBSD and Ucon Customers

IBSD and Ucon customers benefit from previous City investment in treatment plant capacity that allows them to connect to the wastewater system. At the same time, these customers do not benefit from many other existing assets—collection lines and storm drainage infrastructure are both examples—so adjustments to the connection fee calculation are necessary.

The City conducted a detailed review of the fixed asset register to identify only those assets that benefit new IBSD and Ucon customers. In general, these assets consist of land, treatment works,

and other treatment-related assets. Table 3-6 summarizes the results of this analysis, which yields a \$56.1 million value for relevant existing assets. This total includes more than \$12.2 million of the \$12.6 million working capital amount because these costs consist of recent, significant treatment plant investments that have not yet been capitalized. Treatment work in the working capital category includes costs to furnish and install a new primary clarifier, the addition of a new primary sludge pump station, upgrades to an existing primary clarifier, the addition of a new primary sludge gravity thickener with thickened sludge pump station and odor control system, a new rock trap, demolition of the existing primary sludge pump station and grit removal system, associated electrical work and control systems, and associated yard piping and earthwork.

The asset value attributed to IBSD and Ucon identified in table 3-6 excludes collection lines and irrelevant assets, so further adjustments to exclude developer-contributed collection system assets (as was the case for City customers) is unnecessary. However, IBSD and Ucon customers will support the City's debt service requirements as they pay wastewater rates, so the outstanding principal on the DEQ loan—which was used to finance treatment projects—is deducted from the applicable system valuation. The relevant net system value is \$42.4 million and the value assigned to new IBSD and Ucon customers, after accounting for available system capacity, is \$18.4 million. The wastewater connection fee for IBSD and Ucon customers is therefore \$582 per single family residence.

TABLE 3-5
WASTEWATER CONNECTION FEE CALCULATION, IBSD AND UCON

Asset Category	Original Cost
Land	\$ 744,453
Buildings	26,072,231
Sewer Lines & Other Assets ¹	8,097,913
Equipment	8,985,849
Working Capital	12,215,513
Subtotal, Wastewater System	\$ 56,115,959
Adjustments:	
Principal on Existing Debt	(13,672,723)
Net Wastewater System Value	\$ 42,443,236
Value Assigned to New Customers	\$ 18,420,364
New SFRs Served by Existing Capacity	31,647
Connection Fee per SFR	\$ 582

1 - Includes various plant assets such as the sludge storage plant, chlorinator and dechlorinator, and thickening facility

Table 3-7 presents the IBSD and Ucon wastewater connection fee based on meter size according to the WEF recommendations previously cited.

TABLE 3-6
CONNECTION FEE BY METER SIZE, IBSD AND UCON

Size	Meter Equivalency Ratio¹	Proposed Connection Fee (IBSD)
1" Meter	1.0	\$582
1.5" Meter	2.0	\$1,164
2" Meter	3.2	\$1,862
3" Meter	6.4	\$3,725
4" Meter	10.0	\$5,820
6" Meter	20.0	\$11,640
8" Meter	32.0	\$18,624

1 - Capacity ratios are provided in the Water Environment
Federation's Financing and Charges for Wastewater
Systems, Manual of Practice No. 27, Table 10.5

SECTION 4

IBSD Rates

In December 2015, the City and Iona Bonneville Sewer District (IBSD) renewed a long-term service agreement that establishes the terms and conditions by which the City receives and treats both residential and non-residential wastewater flows from IBSD. Section 6.1 of the service agreement dictates the manner in which the sewer service rate for IBSD shall be calculated. The existing methodology is grounded in the concept that IBSD should be charged the average cost per gallon to serve Idaho Falls residential and commercial accounts, with adjustments to eliminate operating and capital costs that are irrelevant to IBSD wastewater service. Examples of such costs include storm drain operating and capital costs, customer billing expense, and capital expenditures related to the City's wastewater collection system.

While the logic of the existing methodology is sound, the calculation itself presents several challenges. First, residential and many commercial City of Idaho Falls accounts are not metered. The number of gallons delivered by Idaho Falls customers (the denominator in the average cost per gallon calculation) must therefore be estimated based on total flows treated at the plant and the measured flows of other customers.¹²

Second, it is difficult to estimate the costs to provide service to just City of Idaho Falls customers (the numerator in the average cost per gallon calculation). Like most utilities, the City does not budget or track operating costs by individual customer group. For example, the costs to maintain an integrated collection system cannot easily be allocated among residential, commercial, and industrial users. Likewise, establishing system-wide costs—including treatment and administrative expense—that are only relevant to Idaho Falls customers can be problematic.

Finally, the existing methodology requires the selection of a test year to not only determine the flows and costs for Idaho Falls accounts (to calculate the average cost per gallon), but to also establish the adjustments or credits that should be provided to IBSD. Unfortunately, the very nature of capital expenditures may result in significantly different credit levels based on the test year selected. For example, if the test year includes a lower-than-average capital expenditure total for storm drain and collection system CIP, the calculated IBSD credit would be underestimated and the IBSD rate over-estimated in future years. The current methodology does not address this complexity; instead, the chosen test year is typically the year in which IBSD rates are updated (irrespective of potential credit calculation problems outlined above).

Updated Rate Using Existing Methodology

Despite the complications and shortfalls of the existing methodology, Table 4-1 presents the IBSD rate calculation using updated account information and cost estimates for FY 2021 (the chosen test year). The average cost per thousand gallons for City residential and non-residential

¹² Even then, infiltration and inflow (I&I) within the system, which influences the balance of flows, cannot be attributed to each customer class with certainty.

accounts is estimated to be \$5.36. After applying a credit of \$1.75, the resulting IBSD rate would be \$3.61 per thousand gallons.

TABLE 4-1

IBSD RATE CALCULATION, EXISTING METHODOLOGY

Idaho Falls residential & commercial accounts	26,686
Costs to provide service to Idaho Falls accounts ¹	\$12,493,879
Average annual cost per account	\$468.17
Average monthly cost per account	\$39.01
Annual flow from Idaho Falls accounts (kgals) ²	2,331,275
Average annual flow per account (gallons)	87,358
Average monthly flow per account (gallons)	7,280
Average cost per kgal for Idaho Falls accounts	\$5.359
<i>Adjustments:</i>	
Storm drainage	\$303,234
Customer billing	\$125,903
Collection and Storm Drain CIP	\$3,656,500
Subtotal	\$4,085,637
Credit per kgal	-\$1.753
IBSD cost per kgal³	\$3.607

1 - Costs are based on total FY 2021 revenue requirements (\$16.5M) adjusted for non-City revenues, non-rate revenues, and use of reserves

2 - Based on updated plant balance analysis which results in 5,500 gallons per month usage for residential customers and 12,400 gallons per month for commercial customers

3 - Does not include outside City mark-up

Rate Alternatives

One of the objectives of this wastewater rate study is to identify and evaluate rate structure alternatives for IBSD that are easier to understand, incorporate widely-known system variables, and can be quickly calculated. Rate alternatives should also equitably account for IBSD credit amounts that could vary substantially year to year.

Multi-Year Credit Framework

To this end, the first step of the rate alternatives analysis was to establish an average annual IBSD credit during the forecast period (FY 2020 through FY 2025). Table 4-2 presents total revenue requirements for operating expense, debt service, and capital expenditure requirements. Consistent with the existing methodology, credits are provided for Customer Billing O&M, Storm Drain O&M, Collection System CIP, and Storm Drain CIP. A \$10,000 per year credit is

also provided for Professional Services CIP that does not benefit IBSD.¹³ This multi-year credit framework eliminates the potential to underestimate or overestimate the IBSD rate based on the timing and magnitude of excluded capital expenditures during the chosen test year. The resulting credit percentage, 18.18%, is a more accurate representation of average annual costs that do not benefit IBSD.

TABLE 4-2
CALCULATION OF MULTI-YEAR IBSD CREDIT

Cost Category ¹	Revenue Requirement	Credits	Credit Percentage
Operating Expense	\$ 47,295.1		
Customer Billing O&M		825.1	
Storm Drain O&M		1,946.9	
Debt Service Payments	6,600.0	-	
Capital Expenditures	34,478.7		
Collection System CIP		9,032.3	
Storm Drain CIP		4,204.5	
Professional Services CIP		60.0	
TOTAL	\$ 88,373.8	\$ 16,068.7	18.18%

1 - Costs in thousands of dollars, FY 2020-FY 2025

Alternatives Comparison

Each of the rate alternatives summarized below meet the criteria of a straight-forward, administratively simple approach to rate development. Because the majority of IBSD wastewater flows can be attributed to residential customers, the rate alternatives below are indexed to the City of Idaho Falls residential flat rate. This approach may slightly underestimate the costs to provide service to IBSD since non-residential flows typically exhibit higher wastewater strength characteristics. However, the residential flat rate is easily referenced and—because rate levels are established to adequately fund utility operations—a reasonable approximation of the cost to provide service to a single family residence.

Three IBSD rate alternatives were evaluated:

- **Rate Alternative #1** – This alternative applies the average multi-year credit to the City’s residential flat rate. Under this approach, IBSD would be charged based on the number of accounts in service each month rather than metered wastewater flows entering the system. This approach is extremely simple, but would require the City to change the billing basis from metered flows to number of accounts and would rely on reported account information from IBSD.

FY 2021 Rate calculation: $\$23.70 \times (1 - 18.18\%) = \$19.39 \text{ per account}$

¹³ Most professional services contracts assist treatment-related projects. During the last five years, only one professional services contract (\$9,200) was executed for work that did not benefit IBSD.

- **Rate Alternative #2** – A modification to Alternative #1, this rate calculation estimates the cost per thousand gallons for City of Idaho Falls residential customers based on the monthly flat rate and an estimate of monthly wastewater flows per account (5,500 gallons per residential account) based on an updated plant balance analysis. The multi-year IBSD credit is then applied to the estimated volumetric rate for Idaho Falls residential customers. This approach is straight-forward and would continue to bill IBSD based on metered flows, but relies on an estimated data point (average residential flows for City customers) that cannot be measured.

FY 2021 Rate calculation: $\$23.70 / 5.5 \text{ kgals} * (1 - 18.18\%) = \3.53 per kgal

- **Rate Alternative #3** – Metered flow data, combined with billed account data provided by IBSD, can be used to calculate the average monthly flows per IBSD account. Over the last two years, IBSD flows per account have been approximately 4,700 gallons per month.¹⁴ The third rate alternative recognizes a potential difference in average monthly flows for City of Idaho Falls residential customers and IBSD accounts. The ratio of IBSD to City of Idaho Falls flows per account is applied to the flat rate calculated in Rate Alternative #1. The calculation under this approach is more complex than the other alternatives, and would involve tracking average IBSD flows per account over time to update the rate analysis. As with the first alternative, the City would need to revise IBSD's billing basis from metered flow to number of accounts.

FY 2021 Rate calculation: $\$19.39 \times (4.7 / 5.5) = \$16.57 \text{ per account}$

Table 4-3 presents a side-by-side comparison of all four rate alternatives, including rates calculated using the existing methodology. The summary table presents the proposed FY 2021 rate, billing basis, and estimated annual cost for IBSD. The cost estimate is based on the application of the proposed rates to IBSD's FY 2020 billing determinants. Rate Alternative #2 results in the lowest cost for IBSD, is administratively simple, and utilizes the existing billing basis (metered wastewater flows).

TABLE 4-3
IBSD RATE ALTERNATIVES SUMMARY

Rate Alternative	FY 2021 Rate	Billing Basis	Estimated Cost ¹
1 - Apply credit to City's residential flat rate	\$19.39	accounts	\$1,758,188
2 - Apply credit to estimated flow rate for City residential customers	\$3.53	kgals	\$1,493,822
3 - Alternative #1, modified for average flow per account differences	\$16.57	accounts	\$1,502,485
4 - Existing methodology	\$3.61	kgals	\$1,527,676

1 - Cost comparison based on proposed rates and IBSD's most recent annual billing determinants (FY 2020)

¹⁴ Historical IBSD account information is available beginning in October 2018.

Proposed IBSD Rate Schedule

In FY 2020, the IBSD rate per thousand gallons was \$2.81 and the effective rate per account billed was approximately \$13.27.¹⁵ This effective rate per customer account is 43.3% lower than the City of Idaho Falls residential flat rate for the same time period. Clearly, the existing calculation methodology—which relies on a number of assumptions to allocate system costs and estimate unmetered flows for City customers—yields a rate that is incongruous with the 18.18% IBSD credit. Each of the rate alternatives, however, remedies this issue by providing a straight-forward calculation indexed directly to costs borne by residential customers of the City.

The City has presented the rate alternatives analysis and supporting documentation to IBSD, and the two entities are currently negotiating terms of a new service agreement. The forecasts presented in this financial plan update assume that Rate Alternative #2, which represents the lowest cost alternative, will be implemented.

The Water Environment Federation’s *Financing and Charges for Wastewater Systems (Manual of Practice No. 27)* states, “When utility service is provided to non-owner customers, such as wholesale or retail service customers... the municipality or utility is entitled to a fair return on the value of facilities devoted to serving non-owner customers.”¹⁶ The City currently charges a 10% mark-up to outside-City customers to reflect this rate-making principle. Although IBSD has not been subject to this mark-up in the past, the City intends to apply this rate of return to future IBSD rates, which are presented in Table 4-4.

TABLE 4-4
PROPOSED IBSD RATE SCHEDULE

	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Rate per kgal ¹	\$3.88	\$3.93	\$4.01	\$4.09	\$4.17
Rate adjustment ²		1.3%	2.0%	2.0%	2.0%

1 - Assumes IBSD and City agree to implement Rate Alternative #2

2 - The indexed IBSD rate will be subject to City of Idaho Falls residential rate increases

The proposed FY 2021 IBSD rate represents a 34% increase over the current \$2.90 rate per kgal. Table 4-5 compares the average cost per IBSD account, under the proposed schedule, to rates paid by the City’s residential customers. Even after applying the 10% outside-City mark-up, the cost for IBSD customers will be approximately 23% lower than rates paid by City customers.

TABLE 4-5
COST COMPARISON, CITY vs IBSD CUSTOMERS

	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
City residential customer	\$23.70	\$24.00	\$24.48	\$24.97	\$25.47
IBSD customer	\$18.24	\$18.47	\$18.85	\$19.22	\$19.60
IBSD cost ratio	77%	77%	77%	77%	77%

1 - Average cost per IBSD account based on FY 2020 billing determinants

¹⁵ Based on 90,675 total IBSD accounts served in FY 2020, as reported by IBSD.

¹⁶ WEF Manual of Practice No. 27, page 141.

SECTION 5

Ucon Rates

The City currently provides wastewater treatment services to Ucon based on a cooperative agreement that expires in November 2021. Under terms of the agreement, Ucon wastewater flows are measured and transported to the City's wastewater treatment facilities. Ucon operates and maintains the collection system and any other assets upstream of the Lewisville measuring station (including the station itself). In FY 2021, the City charged Ucon a service rate of \$2.13 per thousand gallons.

This analysis assumes the City applies a consistent rate-making approach to establish terms of service when the cooperative agreement is renewed. That is, future Ucon rates will be indexed to service rates paid by City of Idaho Falls residential customers with adjustments to exclude operating costs and capital expenditures that do not benefit Ucon customers. Similar to IBSD, costs excluded from Ucon's rate include:

- Customer billing costs,
- Storm drain O&M,
- Collection system CIP,
- Storm drain CIP, and
- Professional Services CIP (that is not related to treatment plant projects).

Unlike IBSD, however, Ucon maintains the collection system within its own service area. As a result, the City's collection system O&M costs are also excluded from the Ucon rate calculation. Table 5-1 presents a summary of the calculated multi-year credit for Ucon, equal to 23.36%.

TABLE 5-1
CALCULATION OF MULTI-YEAR UCON CREDIT

Cost Category¹	Revenue Requirement	Credits	Credit Percentage
Operating Expense	\$ 47,295.1		
Customer Billing O&M		825.1	
Collection System O&M		4,576.0	
Storm Drain O&M		1,946.9	
Debt Service Payments	6,600.0	-	
Capital Expenditures	34,478.7		
Collection System CIP		9,032.3	
Storm Drain CIP		4,204.5	
Professional Services CIP		60.0	
TOTAL	\$ 88,373.8	\$ 20,644.8	23.36%

1 - Costs in thousands of dollars, FY 2020-FY 2025

To determine the proposed rate schedule for Ucon, the cost per thousand gallons for City of Idaho Falls residential customers is first determined. In FY 2022, City customers will pay a flat rate per month of \$24.00. Assuming flows of 5,500 gallons per residential account, the effective cost per thousand gallons for the City’s residential customers is \$4.36. The Ucon credit of 23.36% is applied to this rate, resulting in an adjusted rate per thousand gallons of \$3.34. Finally, a 10% mark-up is added for outside-City customers. The proposed rate schedule for Ucon is summarized in Table 5-2.¹⁷

TABLE 5-2
PROPOSED UCON RATE SCHEDULE

	FY 2022	FY 2023	FY 2024	FY 2025
City Customers				
Residential rate per account ¹	\$24.00	\$24.48	\$24.97	\$25.47
Flows per month, residential account	5,500	5,500	5,500	5,500
Effective cost per kgal, City	\$4.36	\$4.45	\$4.54	\$4.63
Ucon Customers				
Annual average rate credit ²	23.36%	23.36%	23.36%	23.36%
Adjusted rate per kgal	\$3.34	\$3.41	\$3.48	\$3.55
Proposed rate per kgal, Ucon ³	\$3.68	\$3.75	\$3.83	\$3.90

1 - The City sets rates to recover the costs to provide service to residential, commercial, and industrial users

2 - Use of an average credit results in rate stability and predictability over time for Ucon customers

3 - Reflects 10% mark-up for outside-City customers

Ucon’s estimated rate schedule is based on assumptions regarding rate increases for City of Idaho Falls customers. To the extent that rate adjustments are modified from the schedule presented in this updated financial plan, Ucon rates will be adjusted according to the rate-making approach outlined above.

¹⁷ The Ucon rate calculation matches the proposed approach for IBSD (recommended Rate Alternative #2), with additional adjustments to exclude Collection System O&M as described earlier in this section.

SECTION 6

Recommendations

Based on the technical analysis and the City’s policy framework, Galardi Rothstein Group offers the following summary recommendations:

- Adopt the proposed rate adjustment schedule outlined in the City’s strategic financial plan in order to maximize current revenue financing of the capital program and avoid the issuance of long-term debt and associated interest expense.
- Implement the proposed rate schedule for IBSD wastewater service shown in Table 4-4 (Rate Alternative #2). This straight-forward rate accurately reflects IBSD billing credits over the forecast period, maintains the existing billing basis (metered flows), and can be easily calculated using the City’s existing flat rate for residential customers.
- Apply a consistent rate-making approach to Ucon customers to establish terms of service when the cooperative agreement is renewed at the end of calendar year 2021.
- Adopt the updated connection fee for City of Idaho Falls customers and the newly-established wastewater connection fee for IBSD and Ucon customers that connect to the City’s system.
- Update the connection fee calculations on an annual basis to ensure timely and appropriate cost recovery of recent system investment.
- Monitor the assumptions of the financial plan (customer growth, system utilization, cost escalation, rate revenue forecasts, capital expenditures, etc.) and update the planning scenario on a regular basis to ensure financial management objectives of the wastewater utility are met.
- Defer or reduce proposed rate adjustments if future financial plan updates indicate a slower pace of capital expenditures or actual financial performance (i.e., net operating revenues of the system) significantly exceed forecasted levels.

RESOLUTION NO. 2019-22

A RESOLUTION OF THE CITY COUNCIL OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ESTABLISHING A FORMAL COMMITMENT TO MAINTAIN CLEAN, CARBON-FREE ELECTRICITY GENERATION AND ESTABLISHING THAT, WHERE ECONOMICALLY VIABLE, THE CITY WILL WORK TO INTEGRATE CLEAN ENERGY USE ACROSS ALL CITY OPERATIONS TO ENSURE A STRONG AND RESILIENT ECONOMY AND CITY.

WHEREAS, the City is committed to effective and responsible resource use and stewardship practices that maximize social and economic development in order to foster growth for the community and lay the foundation for future generations to thrive; and,

WHEREAS, Idaho Falls Power's generation resource mix is already one-hundred percent (100%) clean and carbon-free through its City-owned wind and hydropower assets and long-term power contracts; and,

WHEREAS, the City has a demonstrated commitment to adopting proactive policies and initiatives that facilitate effective management and conservation of the City's resources including energy efficiency and water conservation programs that maximize ratepayers' dollars; and,

WHEREAS, the City understands that further development of local, clean, carbon-free energy generation and usage will promote community stability and provide economic opportunities for the development of industries, construction projects, recreation opportunities and tourism; and,

WHEREAS, a fully clean energy system includes electrical generation as well as all aspects of energy use including, but not limited to energy-efficient building design and construction, industrial development, transportation services, infrastructure, and waste management; and,

WHEREAS, the City agrees that maintaining our clean energy production, improving energy efficiency, electrifying vehicles and expanding electric vehicle infrastructure will continue to have many positive impacts on our residents by conserving resources and encouraging further economic development.

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

1. That through the Carbon Free Power Project, Idaho Falls intends to maintain its one-hundred percent (100%) clean and carbon-free electricity generation portfolio;

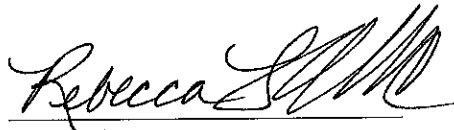
2. That City of Idaho Falls officials and employees will explore and implement policies that will support the transition toward one-hundred percent (100%) clean energy use and, wherever economically and functionally feasible, shall adopt policies to promote conservation of other valuable natural resources;

3. The City will include the goal of carbon free energy use as a factor in planning, infrastructure projects, building design, and vehicle purchases and uses;

4. That the Mayor and Council, through the initiatives described above, hereby acknowledge their commitment to manage City resources in a manner that ensures a resilient future and that will establish sustainable economic prosperity and resource conservation throughout the decades to come.

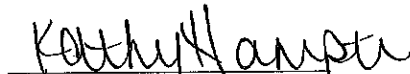
ADOPTED and effective this 26 day of September, 2019

CITY OF IDAHO FALLS, IDAHO



Rebecca L. Noah Casper, Mayor

ATTEST:


Kathy Hampton, City Clerk

Memorandum

File #: 21-640

City Council Meeting

FROM: Bear Prairie, General Manager
DATE: Thursday, September 8, 2022
DEPARTMENT: Idaho Falls Power

Subject

Amended Ordinance Title 8, Chapter 5, Section 7

Council Action Desired

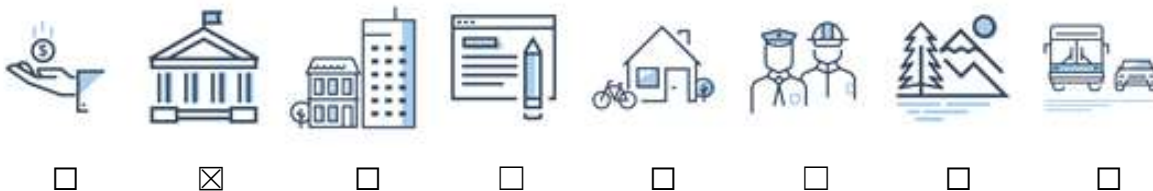
- ☒ Ordinance
 ☐ Resolution
 ☐ Public Hearing
 ☐ Other Action (Approval, Authorization, Ratification, etc)

Approve amended City Ordinance Title 8, Chapter 5, Section 7 and give authorization to the Mayor and City Clerk to execute the necessary documents, (or take other action deemed appropriate).

Description, Background Information & Purpose

Amending City Ordinance Title 8, Chapter 5, Section 7 by requiring customer payment for the reestablishment of electric services, if any, to that location, and to authorize removal of unused electric facilities at the discretion of Idaho Falls Power; providing severability, codification, publication by summary and establishing effective date.

Alignment with City & Department Planning Objectives



This action supports our readiness for good governance by augmenting sound fiscal management to help enable trust and transparency, ensuring efficiency and effectiveness in IFP operations. This action also supports the financial strength element of the IFP Strategic Plan.

Interdepartmental Coordination

The City Attorney Department and Idaho Falls Power agree this amended ordinance is appropriate.

Fiscal Impact

n/a

Legal Review

The City Attorney Department approves this action.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING CITY CODE SECTION TITLE 8, CHAPTER 5, SECTION 7 TO REQUIRE CUSTOMER PAYMENT FOR REESTABLISHMENT OF ELECTRIC SERVICES, IF ANY, TO THAT LOCATION, AND TO AUTHORIZE REMOVAL OF UNUSED ELECTRIC FACILITIES AT THE DISCRETION OF IDAHO FALLS POWER; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, Idaho Falls Power (IFP) has provided electric services to its customers in an efficient, effective, and predictable manner for more than one hundred years; and

WHEREAS, in order to continue to serve its customers in such a manner, IFP must be able to utilize its resources responsibly and must be free to exercise professional judgment that produces a high quality, low expense product; and

WHEREAS, allowing IFP, at its sole discretion, to remove unused electric facilities to improve its electric system is a wise use of IFP's expertise and experience; and

WHEREAS, it is fair for a customer who wishes to renew service at a location previously served to bear that expense rather than to distribute that cost across all IFP customers.

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

SECTION 1: Title 8, Chapter 5, Section 7 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

...

8-5-7: DELIVERY OF SERVICE AND REMOVAL OF SERVICE FACILITIES:

(A) DELIVERY OF SERVICE: Service shall be delivered only to premises or facilities which are in conformity with the provisions of this Chapter, the Uniform Building and/or Fire Codes, the Zoning Ordinance and all other ordinances of the City. Service will be supplied under a given rate schedule only to such points of delivery as are adjacent to the facilities of the City, and which are adequate and suitable as to capacity and voltage, for service desired and under the rate schedule applicable thereto. The City shall not be obligated to construct extensions or install additional service facilities except as required in this Chapter.

(B) REMOVAL OF SERVICE FACILITIES: City electric service that has been inactive for not less than eighteen (18) consecutive months may be removed from the property formerly

served at the sole discretion of the City. If a customer desires renewal of service in the same location, they shall be charged applicable line extension and other fees prior to renewal of service.

...

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 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 and Effective Date. 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.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of _____, 2022.

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 CITY CODE SECTION
TITLE 8, CHAPTER 5, SECTION 7 TO REQUIRE CUSTOMER PAYMENT FOR
REESTABLISHMENT OF ELECTRIC SERVICES, IF ANY, TO THAT LOCATION,
AND TO AUTHORIZE REMOVAL OF UNUSED ELECTRIC FACILITIES AT THE
DISCRETION OF IDAHO FALLS POWER; PROVIDING SEVERABILITY,
CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING
EFFECTIVE DATE.”

KATHY HAMPTON, CITY CLERK

(SEAL)

Memorandum

File #: 21-701

City Council Meeting

FROM: Duane A Nelson, Fire Chief
DATE: Monday, October 24, 2022
DEPARTMENT: Fire Department

Subject

Declaration of Sole Source Vendor and Purchase of MagneGrip 100% source capture exhaust removal systems for fire stations 4 and 5

Council Action Desired

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

Declare Weidner Fire as the only vendor reasonably available for source capture exhaust removal systems because the compatibility of components and the replacement of parts for the exhaust removal system with the City's existing exhaust removal systems are the paramount considerations for this purchase and Authorize the sole source purchase for the Fire Department from Weidner Fire purchasing proposals #1207202IF4 in the amount of \$102,973.66 for the purchase of MagneGrip 100% source capture exhaust removal system for fire stations 4 and 5 (or take other action deemed appropriate).

Description, Background Information & Purpose

This purchase will replace outdated and unrepairable exhaust systems currently installed at fire stations 4 and 5. The purchase of the Weidner Fire MagneGrip 100% systems will help the fire department maintain compatibility and replacement parts with the systems installed at the City's other fire stations.

Alignment with City & Department Planning Objectives



The purchase of the exhaust removal systems supports the well-planned growth and development by long-term planning of public facilities and provides a safe and secure community by ensuring public safety personnel are well-equipped for emergency response.

Interdepartmental Coordination

N/A

Fiscal Impact

The Fire Department received a FEMA AFG (Assistance to Firefighters Grant) in the amount of \$94,976.05 to purchase these exhaust systems. The remaining balance of \$7,997.61 was budgeted within the fire department's FY budget.

Legal Review

The City Attorney's office concurs that this sole source purchase is compliant with Idaho Code § 67-2808, Emergency Expenditures and Sole Source Expenditures.

Date: 9/16/2022	Customer: Idaho Falls Fire Department Contact: Chief Paul Radford Phone: 208-612-8506 Email: praddford@idahofallsidaho.gov
Proposal #: 12072021IF4	Address: 343 East E Street, Idaho Falls, ID 83402 Job Location: Station #4

> **Scope of Work:** Weidner Fire will provide a MagneGrip 100% source capture exhaust removal system. This turnkey proposal includes: site survey, equipment, installation, startup, and training.

> **Project Overview:** Three MagneGrip sliding flex track systems and one MagneGrip vertical stack rail all for back-in apparatus parking configuration. Wireless pressure sensors, control panel, and system fan. Total of four vehicle hose connections, 525 CFM per vehicle/hose connection.

QTY	P/N	DESCRIPTION	PRICE EA.	EXT. PRICE
3	SFTM 301	MagneGrip 30 ft. sliding flex hose system, includes (5) sections of track, support legs, feet kits, slinky hose, 5" blue/white hose, 5" hi temp solid blue lower hose, knob handle, balancer, lifting elbow, pressure sensor, standard transmitter, 6" blast gate, and tailpipe adapter.	5,318.13	15,954.39
1	VSR 301	MagneGrip 30 ft. vertical stack rail, includes (5) sections rail, rail pins, catcher, rubber lips, support legs, feet kits, feet, 9" plenum, 9" up blast damper, vertical stack adapter, 9" x5' blue/white hose, and end caps.	8,306.43	8,306.43
4	Misc.	MagneGrip misc. tailpipe reducers and exhaust clamps.	85.00	340.00
1	CF363-3	MagneGrip Cincinnati fan/motor assembly, 3 HP, three phase, 2100 CFM at 6" sp, 10" inlet and outlet. Made in the USA.	4,621.05	4,621.05
1	500177-05	MagneGrip control panel for 3 HP three phase fan, wireless capabilities, stop button, UL certified, NEMA 4 enclosure, variable timer, compatible with the above motor and fan.	1,763.16	1,763.16
1	500157-10	MagneGrip 10" up blast and rain damper, specifically designed for exhaust removal systems, galvanized	426.91	426.91
1	500151-10	MagneGrip 10" x 30" exhaust silencer, specifically designed for exhaust removal systems.	801.17	801.17
1	540556-01	MagneGrip bush button remote start.	55.00	55.00
1	Install	Install includes: travel, equipment installation, equipment rental, electrical installation, spiral duct, hardware, start up, calibration, and training.	22,334.74	22,334.74
1	Freight	Estimated shipping for delivery to zip code 83402.	3,300.00	3,300.00
TOTAL:				57,902.85

Delivery of system will be within 16 weeks of proposal acceptance. Quotation is valid for 90 day.

Payment Terms: Equipment portion of project due at time of order, balance due upon completion of installation and training.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the quotation. All agreements contingent upon acts of God, such as severe acts of nature or weather events including floods, fires, earthquakes, hurricanes, explosions, war, acts of terrorism, epidemics, pandemics, strikes and labor disputes, or other delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Weidner Fire is licensed and insured according to all laws and regulations.



PROPOSAL



TERMS & CONDITIONS

EXCLUSIONS TO THE PROJECT PROPOSED:

1. Permits, fees, bid/performance bonds, and insurance requirements, unless expressly requested in bid documents and listed in Weidner Fire proposal are not included in this proposal; including but not limited to, load calculations, technical drawings, submittals, shop drawings, and permit drawings of any kind. Should any of these items be required, a separate quote will be required.
2. Outside services, not limited to but including, concrete work, exterior penetrations, fork or scissor lift rentals, etc. are not included, unless indicated in proposal.
3. Payment terms are noted on the proposal. Should you require different terms than noted, an addendum to this contract will need to be fully executed before revised terms will be accepted.
4. This proposal includes electrical work as quoted. Weidner Fire's electrical modifications to the building are specific to this project only, and include running wiring from building's existing electrical panel to exhaust system control panel, and from exhaust system control panel to fan and motor. Weidner Fire is assuming the building is currently equipped with electrical conditions sufficient to operate the proposed control panel and exhaust fan/motor. Electrical improvements/modifications required to enable proper operation of the proposed equipment are not the responsibility of Weidner Fire, but of the customer/owner of the building.
5. Weidner Fire is not responsible for installation of vehicle-mounted transmitter(s). If specified in proposal, Weidner Fire will provide hardware, with customer assuming responsibility and expense of installation on vehicles.

SIGNATURE: _____ **Date:** _____

(Acceptance of Terms & Conditions)

(Pages 1 and 2, inclusively.) The above prices, specifications, and Terms and Conditions are satisfactory and are hereby accepted. Weidner Fire is authorized to do the work as specified. By signing where indicated, _____, as agent for the organization proposed, hereby authorizes Weidner Fire. to perform the work as specified on Page 1 of 2 of this proposal and agree and accept the Terms and Conditions (Page 2 of 2) of this proposal. Payment will be made as outlined above.

Date: 9/16/2022	Customer: Idaho Falls Fire Department Contact: Chief Paul Radford Phone: 208-612-8506 Email: praddford@idahofallsidaho.gov
Proposal #: 12072021IF4	Address: 343 East E Street, Idaho Falls, ID 83402 Job Location: Station #5

> **Scope of Work:** Weidner Fire will provide a MagneGrip 100% source capture exhaust removal system. This turnkey proposal includes: site survey, equipment, installation, startup, and training.

> **Project Overview:** Two MagneGrip straight suction rail systems for pull through apparatus parking configuration. Wireless pressure sensors, control panel, and system fan. Two vehicle hose connections, 1050 CFM per vehicle/hose connection.

QTY	P/N	DESCRIPTION	PRICE EA.	EXT. PRICE
2	SSRM-301	MagneGrip 30 ft. straight suction rail, includes (5) sections of 6" dia. Rail, support legs, foot kits, one crab, tailpipe adapter, end cap, 5" blue/white hose, 5" high temp solid blue lower hose, knob handle, 8" blast gates, 8" plenum, balancer, rubber lips, pressure sensors and standard transmitters.	7,618.72	15,237.44
2	Misc.	MagneGrip misc. tailpipe reducers and exhaust clamps.	85.00	170.00
1	CF363-3	MagneGrip Cincinnati fan/motor assembly, 3 HP, three phase, 2100 CFM at 6" sp, 10" inlet and outlet. Made in the USA.	4,621.05	4,621.05
1	500177-05	MagneGrip control panel for 3 HP three phase fan, wireless capabilities, stop button, UL certified, NEMA 4 enclosure, variable timer, compatible with the above motor and fan.	1,763.16	1,763.16
1	500157-10	MagneGrip 10" up blast and rain damper, specifically designed for exhaust removal systems, galvanized	426.91	426.91
1	500151-10	MagneGrip 10" x 30" exhaust silencer, specifically designed for exhaust removal systems.	801.17	801.17
1	Install	Install includes: travel, equipment installation, equipment rental, electrical installation, spiral duct, hardware, start up, calibration, and training.	18,751.08	18,751.08
1	Freight	Estimated shipping for delivery to zip code 83402.	3,300.00	3,300.00
TOTAL:				45,070.81

Delivery of system will be within 8 weeks of proposal acceptance. Quotation is valid for 90 day.

Payment Terms: Equipment portion of project due at time of order, balance due upon completion of installation and training.

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the quotation. All agreements contingent upon acts of God, such as severe acts of nature or weather events including floods, fires, earthquakes, hurricanes, explosions, war, acts of terrorism, epidemics, pandemics, strikes and labor disputes, or other delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Weidner Fire is licensed and insured according to all laws and regulations.

Weidner Fire | 135 West 7065 South Midvale, UT 84047 | Tel: 801.565.9595 | weidnerfire.com



PROPOSAL



TERMS & CONDITIONS

EXCLUSIONS TO THE PROJECT PROPOSED:

1. Permits, fees, bid/performance bonds, and insurance requirements, unless expressly requested in bid documents and listed in Weidner Fire proposal are not included in this proposal; including but not limited to, load calculations, technical drawings, submittals, shop drawings, and permit drawings of any kind. Should any of these items be required, a separate quote will be required.
2. Outside services, not limited to but including, concrete work, exterior penetrations, fork or scissor lift rentals, etc. are not included, unless indicated in proposal.
3. Payment terms are noted on the proposal. Should you require different terms than noted, an addendum to this contract will need to be fully executed before revised terms will be accepted.
4. This proposal includes electrical work as quoted. Weidner Fire's electrical modifications to the building are specific to this project only, and include running wiring from building's existing electrical panel to exhaust system control panel, and from exhaust system control panel to fan and motor. Weidner Fire is assuming the building is currently equipped with electrical conditions sufficient to operate the proposed control panel and exhaust fan/motor. Electrical improvements/modifications required to enable proper operation of the proposed equipment are not the responsibility of Weidner Fire, but of the customer/owner of the building.
5. Weidner Fire is not responsible for installation of vehicle-mounted transmitter(s). If specified in proposal, Weidner Fire will provide hardware, with customer assuming responsibility and expense of installation on vehicles.

SIGNATURE: _____ **Date:** _____

(Acceptance of Terms & Conditions)

(Pages 1 and 2, inclusively.) The above prices, specifications, and Terms and Conditions are satisfactory and are hereby accepted. Weidner Fire is authorized to do the work as specified. By signing where indicated, _____, as agent for the organization proposed, hereby authorizes Weidner Fire. to perform the work as specified on Page 1 of 2 of this proposal and agree and accept the Terms and Conditions (Page 2 of 2) of this proposal. Payment will be made as outlined above.



Memorandum

File #: 21-708

City Council Meeting

FROM: Brad Cramer, Director
DATE: Tuesday, November 1, 2022
DEPARTMENT: Community Development Services

Subject

Legislative Hearing for Consideration of an Ordinance approving the Pancheri East Bank Urban Renewal District

Council Action Desired

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

Approve the Ordinance approving the Pancheri East Bank Urban Renewal District and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

Description, Background Information & Purpose

Attached for consideration is the ordinance approving the Pancheri East Bank Urban Renewal District. The ordinance includes four exhibits:

1. The resolution of the Planning and Zoning Commission for the City of Idaho Falls, Idaho, Validating Conformity of the Urban Renewal Plan for the Pancheri East Bank Urban Renewal Project with the City of Idaho Falls' Comprehensive Plan
2. The notice of hearing published in the *Post Register*
3. The Urban Renewal Plan for the Pancheri East Bank Urban Renewal Project including all associated attachments
4. Ordinance summary for publication

Required notification and summary of the plan has been provided to the appropriate taxing entities. The plan included with the ordinance contains an outline of potential projects which may be completed with (TIF) funds and a financial feasibility study demonstrating that the expected tax revenues can cover the costs of the projects. Approval of the ordinance is the final step in the creation of the district, which will allow for tax increment financing (TIF) to be used to incentivize and assist redevelopment of the area. The Idaho Falls Redevelopment Agency (IFRA) board approved the plan by resolution at its September 15, 2022, meeting. This is anticipated to be a 20-year plan, the maximum allowed by State Statute.

Alignment with City & Department Planning Objectives



The policies in the plan are consistent with many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

Interdepartmental Coordination

NA

Fiscal Impact

NA

Legal Review

The City Attorney's Office has reviewed the ordinance.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE PANCHERI EAST BANK URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND THE AFFECTED TAXING ENTITIES; PROVIDING SEVERABILITY, CODIFICATION, AND PUBLICATION BY SUMMARY; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 6th day of July 1966, the City Council and Mayor of Idaho Falls, Idaho, respectively, created the Urban Renewal Agency of the City of Idaho Falls, Idaho, also known as the Idaho Falls Redevelopment Agency (hereinafter “Agency”), authorizing it to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”) and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), upon making the findings of necessity required for creating said Agency;

WHEREAS, the City Council (the “City Council”) of the city of Idaho Falls, Idaho (the “City”), on October 14, 2004, after notice duly published, conducted a public hearing on the River Commons Urban Renewal Plan (the “River Commons Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 2256 on October 14, 2004, approving the River Commons Plan, making certain findings, and establishing the River Commons revenue allocation area (the “River Commons Project Area”);

WHEREAS, the City Council, on December 11, 2014, after notice duly published conducted a public hearing on the Urban Renewal Plan for the Eagle Ridge Urban Renewal Project (the “Eagle Ridge Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 2978 on December 11, 2014, approving the Eagle Ridge Plan, making certain findings, and establishing the Eagle Ridge revenue allocation area (the “Eagle Ridge Project Area”);

WHEREAS, the City Council, on November 9, 2017, after notice duly published conducted a public hearing on the Urban Renewal Plan for the Jackson Hole Junction Urban Renewal Project (the “Jackson Hole Junction Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 3142 on November 9, 2017, approving the Jackson Hole Junction Plan, making certain findings, and establishing the Jackson Hole Junction revenue allocation area (the “Jackson Hole Junction Project Area”);

WHEREAS, the above referenced urban renewal plans are collectively referred to as the “Existing Urban Renewal Plans” and their respective revenue allocation project areas are collectively referred to as the “Existing Project Areas;”

WHEREAS, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, an urban renewal plan shall (a) conform to the general plan for the municipality as a whole, except as provided in Section 50-2008(g), Idaho Code; and (b) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions;

WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, based on inquiries and information presented by certain public entities and certain interested parties and property owners, the Agency commenced certain discussions concerning examination of an area located within the City and whether it may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for an urban renewal project;

WHEREAS, in the fall of 2021, the City engaged the services of Renee R. Magee, AICP to commence an eligibility study and preparation of an eligibility report of an area 36 acres in size, bounded by Pancheri Drive on the north, the Snake River on the west, and Yellowstone Highway on the east. The southern boundary generally follows along the south property lines of the Idaho Falls Power substation and the private parcel addressed as 2160 South Yellowstone Highway. The eligibility study area is commonly referred to as the Pancheri East Bank Study Area (the “Study Area”). All parcels in the Study Area are located within the city of Idaho Falls city limits;

WHEREAS, a portion of the Study Area was previously included within the boundaries of the original Pancheri Project Area, which terminated in 2020. The original Pancheri Project Area resulted in the successful development of the northwest portion of that area, which area was not included within the boundaries of the Study Area; however, the area to the south has continued to remain in an underdeveloped state facing significant development impediments;

WHEREAS, the Agency obtained the Pancheri East Bank Eligibility Report, dated February 2022 (the “Report”), which examined the Study Area for the purpose of determining whether such area was a deteriorating area, a deteriorated area, or a combination of both a

deteriorating area and a deteriorated area, as those terms are defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code Sections 50-2018(8), (9), and 50-2903(8), which define the qualifying conditions of a deteriorating area and a deteriorated area, many of the conditions necessary to be present in such an area are found in the Study Area, including:

- a. substantial number of deteriorated or deteriorating structures and deterioration of site;
- b. predominance of defective or inadequate street layout;
- c. faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- d. insanitary or unsafe conditions;
- e. outmoded street patterns;
- f. unsuitable topography;
- g. age or obsolescence;
- h. need for correlation of the area streets with other areas of the municipality;
- i. conditions which retard development of the area;
- j. economic disuse or underdeveloped property; and
- k. substantially impairs or arrests the sound growth of the municipality;

WHEREAS, the Study Area contains vacant open land;

WHEREAS, under the Act, a deteriorated area includes any area which is predominantly open and which, because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. *See* Idaho Code § 50-2903(8)(c);

WHEREAS, Idaho Code §§ 50-2018(9), 50-2903(8), and 50-2008(d) list additional conditions applicable to open land or open areas, including open land areas to be acquired by the Agency, which are the same or similar to the conditions set forth in the definitions of “deteriorating area” and “deteriorated area”;

WHEREAS, the Study Area is not “predominantly” open undeveloped land, but is rather vacant land that has undergone some limited development; however, the Report addresses the necessary findings concerning including open land within any urban renewal area as defined in Idaho Code Sections 50-2018(9), 50-2903(8)(c), and 50-2008(d);

WHEREAS, the effects of the listed conditions cited in the Report result in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare in its present condition or use;

WHEREAS, under the Law and Act, Idaho Code Sections 50-2903(8)(f) and 50-2018(8) and (9), the definition of a deteriorating area shall not apply to any agricultural operation as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive

years;

WHEREAS, the Report does not include parcels subject to such consent.

WHEREAS, the Agency Board, on February 17, 2022, adopted Resolution No. 2022-04, accepting the Report and authorized the Chair, Vice-Chair, or Administrator of Agency to transmit the Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct Agency to prepare an urban renewal plan for the Study Area, which plan may include a revenue allocation provision as allowed by the Act;

WHEREAS, the City Council on February 24, 2022, adopted Resolution No. 2022-05, and declared the Study Area described in the Report to be a deteriorated area or a deteriorating area, or a combination thereof, as defined by Chapters 20 and 29 of Title 50, Idaho Code, as amended, that such Study Area is appropriate for an urban renewal project, and directed Agency to commence preparation of an urban renewal plan for the area designated;

WHEREAS, in order to implement the provisions of the Act and the Law either Agency may prepare a plan, or any person, public or private, may submit such plan to Agency;

WHEREAS, pursuant to the Law and the Act, as amended, the Agency prepared the Urban Renewal Plan for the Pancheri East Bank Urban Renewal Project (the “Pancheri East Bank Plan”), as set forth in Exhibit 3 attached hereto, and the corresponding urban renewal/revenue allocation area referred to as the Pancheri East Bank project area (the “Pancheri East Bank Project Area,” the “Project Area,” or “Revenue Allocation Area”), to develop and/or redevelop a portion of the City, pursuant to the Law and the Act, as amended;

WHEREAS, the Pancheri East Bank Project Area is shown on the “Boundary Map of Pancheri East Bank Urban Renewal Project Area and Revenue Allocation Area” and described in the “Legal Description of Pancheri East Bank Urban Renewal Project Area and Revenue Allocation Area,” which are attached to the Pancheri East Bank Plan as Attachments 1 and 2 respectively;

WHEREAS, the Act authorizes Agency to adopt revenue allocation financing provisions as part of an urban renewal plan;

WHEREAS, the Pancheri East Bank Plan contains revenue allocation financing provisions as allowed by the Act;

WHEREAS, Agency reviewed and considered the proposed public improvements within the Pancheri East Bank Project Area at several meetings during 2022;

WHEREAS, the Agency Board considered all comment and information submitted to the Agency during several Board meetings throughout 2022, in addition to the City staff’s efforts to meet with property owners, taxing districts, and other stakeholders, in order to promote input into the Pancheri East Bank Plan;

WHEREAS, on September 15, 2022, the Agency Board passed Resolution No. 2022-09 proposing and recommending the approval of the Pancheri East Bank Plan;

WHEREAS, the Agency submitted the Pancheri East Bank Plan to the Mayor and City Council;

WHEREAS, the Mayor and City Clerk have taken the necessary action in good faith to process the Pancheri East Bank Plan consistent with the requirements set forth in Idaho Code Sections 50-2906 and 50-2008;

WHEREAS, pursuant to the Law, at a meeting held on October 4, 2022, the Idaho Falls Planning Commission considered the Pancheri East Bank Plan and found by Planning Commission Resolution No. 01-2022 that the Pancheri East Bank Plan is in all respects in conformity with the City's Comprehensive Plan, Imagine IF, A Plan to Move Idaho Falls Forward Together, as amended (the "Comprehensive Plan") and forwarded its findings to the City Council, a copy of which is attached hereto as Exhibit 1;

WHEREAS, the notice of public hearing of the Pancheri East Bank Plan was caused to be published by the Idaho Falls City Clerk in its official newspaper the *Post Register* on October 7 and 21, 2022, a copy of said notice is attached hereto as Exhibit 2;

WHEREAS, as of October 7, 2022, the Pancheri East Bank Plan was submitted to the affected taxing entities, available to the public, and under consideration by the City Council;

WHEREAS, the City Council during its regular meeting of November 10, 2022, held such public hearing on the Pancheri East Bank Plan as noticed;

WHEREAS, as required by Idaho Code sections 50-2905 and 50-2906, the Pancheri East Bank Plan contains the following information with specificity which was made available to the general public and all affected taxing districts prior to the public hearing on November 10, 2022, the regular meeting of the City Council, at least thirty (30) days but no more than sixty (60) days prior to the date set for final reading of the Ordinance: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds, notes and/or other obligations are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; (6) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and (8) a description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as

long as the agency shall have resources other than revenue allocation funds to operate and manage such assets;

WHEREAS, the Pancheri East Bank Plan authorizes certain projects to be financed by owner/developer participation agreements and proceeds from revenue allocation. Revenue allocation bonds or loans are permissible;

WHEREAS, appropriate notice of the Pancheri East Bank Plan and revenue allocation provision contained therein has been given to the affected taxing districts and to the public as required by Idaho Code §§ 50-2008 and 50-2906;

WHEREAS, it is necessary and in the best interest of the citizens of the City, to adopt the Pancheri East Bank Plan and to adopt, as part of the Pancheri East Bank Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Pancheri East Bank Plan, in order to: (1) encourage private development in the urban renewal area; (2) to prevent and arrest decay of the Pancheri East Bank Project Area due to the inability of existing financing methods to provide needed public improvements; (3) to encourage the affected taxing districts to cooperate in the allocation of future tax revenues arising in the Pancheri East Bank Project Area in order to facilitate the long-term growth of their common tax base; (4) to encourage the long-term growth of their common tax base; (5) to encourage private investment within the City and (6) to further the public purposes of the Agency;

WHEREAS, the City Council finds that the equalized assessed valuation of the taxable property in the revenue allocation area as shown and described in Attachments 1 and 2 of the Pancheri East Bank Plan is likely to increase, and continue to increase, as a result of initiation of urban renewal projects in accordance with the Pancheri East Bank Plan;

WHEREAS, under the Law and Act any such plan should provide for (1) a feasible method for the location of families who will be displaced from the urban renewal area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan should conform to the general plan of the municipality as a whole; (3) the urban renewal plan should give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of the children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan should afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise;

WHEREAS, if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe, and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare;

and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in the Law, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area;

WHEREAS, the base assessment roll of the Pancheri East Bank Project Area, together with the base assessment roll values of the Existing Project Areas, cannot exceed ten percent (10%) of the current assessed values of all the taxable property in the City;

WHEREAS, it is necessary, and in the best interests of the citizens of the City to adopt the Pancheri East Bank Plan;

WHEREAS, the City Council at its regular meeting held on November 10, 2022, considered the Pancheri East Bank Plan as proposed and made certain comprehensive findings.

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

SECTION 1: It is hereby found and determined that:

- (a) The Pancheri East Bank Project Area as defined in the Pancheri East Bank Plan is a deteriorated area or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, development and redevelopment of the urban renewal area pursuant to the Pancheri East Bank Plan are necessary in the interests of public health, safety, and welfare of the residents of the City.
- (c) There continues to be a need for the Agency to function in the City.
- (d) The Pancheri East Bank Plan conforms to the City's Comprehensive Plan as a whole.
- (e) The Pancheri East Bank Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement recognizing the commercial components of the Pancheri East Bank Plan and the need for public improvements to support the goals of the commercial uses of the area, and shows consideration for the health, safety, and welfare of any children, residents, or businesses in the general vicinity of the urban renewal area covered by the Pancheri East Bank Plan.

- (f) The Pancheri East Bank Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation, development and redevelopment of the urban renewal area by private enterprises.
- (g) Pursuant to Idaho Code §§ 50-2007(h) and 50-2008(d)(1), the Pancheri East Bank Plan provides a feasible method for relocation obligations of any displaced families residing within the Pancheri East Bank Project Area and there is not anticipated to be any activity by the Agency that would result in relocation.
- (h) The collective base assessment rolls for the Existing Project Areas and the Pancheri East Bank Project Area, do not exceed ten percent (10%) of the assessed values of all the taxable property in the City.
- (i) The Pancheri East Bank Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Pancheri East Bank Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes (if any), land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.
- (k) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code section 50-2018(9) and Idaho Code section 50-2903(8)(f), does not include agricultural operations which have been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Pancheri East Bank Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.
- (m) The portion of the Pancheri East Project Area which is identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

SECTION 2: The City Council finds that the Pancheri East Bank Project Area includes vacant open land that has undergone limited development, that the Agency may acquire any open

land within the Pancheri East Bank Project Area but does not intend to do so on any widespread basis, and that the Pancheri East Bank Project Area is planned to be developed and/or redeveloped in a manner that may include residential and nonresidential uses. Provided, however, the City Council finds that for the portions of the Pancheri East Bank Project Area deemed to be "open land," the criteria set forth in the Law and Act have been met.

SECTION 3: The Pancheri East Bank Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is approved. As directed by the City Council, the City Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the November 10, 2022, hearing and incorporate changes or modifications, if any.

SECTION 4: No direct or collateral action challenging the Pancheri East Bank Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Pancheri East Bank Plan.

SECTION 5: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Bonneville County Assessor, and to the appropriate officials of Bonneville County Board of County Commissioners, City of Idaho Falls, Bonneville County Ambulance, Idaho Falls School District #91, Bonneville County Road and Bridge, College of Eastern Idaho, Flood Control District No. 1, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map indicating the boundaries of the Pancheri East Bank Project Area.

SECTION 6: The City Council hereby finds and declares that the equalized assessed valuation of the Revenue Allocation Area as defined in the Pancheri East Bank Plan, is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Pancheri East Bank Plan.

SECTION 7: The City Council hereby approves and adopts the following statement policy relating to the appointment of City Council members as members of the Agency's Board of Commissioners: If any City Council members are appointed to the Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the City Council, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Pancheri East Bank Plan, the City Council recognizes that it has no power to control the powers or operations of the Agency.

SECTION 8: So long as any Agency bonds, notes or other obligations are outstanding, the City Council will not exercise its power under Idaho Code section 50-2006 to designate itself as the Agency Board.

SECTION 9: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2022, to the extent permitted by the Act.

SECTION 10: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 11: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 12: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 13: Savings Clause. This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

SECTION 14: That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED by the City Council of the City of Idaho Falls, Idaho, on this ____ day of November 2022.

APPROVED by the Mayor of the City of Idaho Falls, Idaho, on this ____ day of November 2022.

Mayor Rebecca L. Noah Casper

ATTEST:

Jasmine Marroquin, Deputy City Clerk

Exhibit 1

Resolution of the Planning Commission for the City of Idaho Falls, Idaho,
Validating Conformity of the Urban Renewal Plan for the Pancheri East Bank
Urban Renewal Project with the City of Idaho Falls' Comprehensive Plan

CITY OF IDAHO FALLS

**BY THE PLANNING
COMMISSION**

**RESOLUTION OF THE PLANNING COMMISSION FOR THE CITY OF IDAHO
FALLS, IDAHO, VALIDATING CONFORMITY OF THE URBAN RENEWAL PLAN
FOR THE PANCHERI EAST BANK URBAN RENEWAL PROJECT WITH THE CITY
OF IDAHO FALLS' COMPREHENSIVE PLAN**

WHEREAS, the Urban Renewal Agency of the City of Idaho Falls, Idaho, also known as the Idaho Falls Redevelopment Agency (hereinafter "Agency"), the duly constituted and authorized urban renewal agency of the City of Idaho Falls, Idaho (the "City"), has submitted the proposed Urban Renewal Plan for the Pancheri East Bank Urban Renewal Project (the "Plan") to the City; and

WHEREAS, the Mayor and the Idaho Falls City Council referred the Plan to the City Planning Commission for review and recommendations concerning the conformity of said Plan with the City's Comprehensive Plan, Imagine IF, A Plan to Move Idaho Falls Forward Together, as amended (the "Comprehensive Plan"); and

WHEREAS, the staff of the City Planning Commission has reviewed said Plan and has determined that it is in all respects in conformity with the Comprehensive Plan; and

WHEREAS, on October 4, 2022, the City Planning Commission met to consider whether the Plan conforms with the Comprehensive Plan as required by Idaho Code § 50-2008(b); and

WHEREAS, the City Planning Commission has reviewed said Plan in view of the Comprehensive Plan; and

WHEREAS, the City Planning Commission has determined that the Plan is in all respects in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION FOR THE CITY OF IDAHO FALLS, IDAHO:

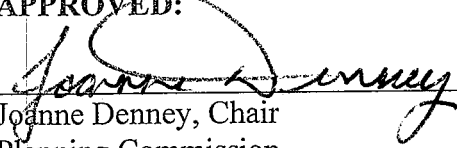
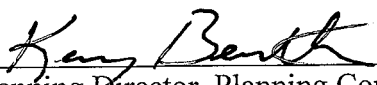
Section 1. That the Plan, submitted by the Agency and referred to this Commission by the Mayor and City Council for review, is in all respects in conformity with the City's Comprehensive Plan.

Section 2. That **Exhibit A**, outlining the findings supporting the determination that the Plan is in conformity with the City's Comprehensive Plan, is hereby adopted and incorporated as part of this Resolution.

Section 3. That the Chair of the Planning Commission is hereby authorized and directed to provide the Mayor and City Council with a signed copy of this Resolution relating to said Plan.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the Planning Commission of the City of Falls, Idaho, this 4th day of October 2022.

APPROVED:  Joanne Denney, Chair Planning Commission	ATTEST:  Planning Director, Planning Commission
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4879-5260-0624, v. 1

Exhibit 2

Notice Published in the *Post Register*



PROOF OF PUBLICATION Post Register

State of Idaho
County of Bonneville

I, ~~Dawn Giannini~~, or Collins Crapo first being duly sworn, depose and say: That I am the ~~Classified Manager, or~~ Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Sunday, at Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 day(s), first publication having been made on 10/07/2022 last publication having been made on 10/21/2022, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, on this 21st day of October, 2022



Notary Public
My commission expires:

attached jurat

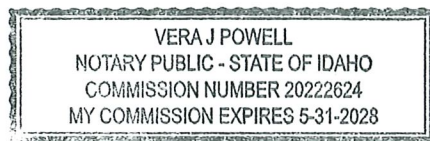
STATE OF IDAHO

ss.

COUNTY OF BONNEVILLE

On this 21st day of October, 2022 before me, the undersigned, a Notary public for said state, personally appeared ~~Dawn Giannini~~ or Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires:

**NOTICE OF REGULAR MEETING AND PUBLIC HEARING
BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO,
TO CONSIDER THE URBAN RENEWAL PLAN FOR THE
PANCHERI EAST BANK URBAN RENEWAL PROJECT
OF THE URBAN RENEWAL AGENCY OF THE CITY OF IDAHO FALLS, IDAHO
ALSO KNOWN AS THE IDAHO FALLS REDEVELOPMENT AGENCY**

NOTICE IS HEREBY GIVEN that on Thursday, November 10, 2022, at 7:30 p.m., in the City Council Chambers, City Annex Building, 680 Park Avenue, Idaho Falls, Idaho, the City Council of the City of Idaho Falls, Idaho (the "City") will hold, during its regular meeting, a public hearing to consider for adoption the proposed Urban Renewal Plan for the Pancheri East Bank Urban Renewal Project (the "Plan"), of the Urban Renewal Agency of the City of Idaho Falls, Idaho, also known as the Idaho Falls Redevelopment Agency ("Agency"). The urban renewal and revenue allocation area boundary is coterminous and is hereinafter described. The Plan proposes that the Agency undertake urban renewal projects, including identifying public facilities for funding, pursuant to the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended. The Plan being considered for adoption contains a revenue allocation/financing provision pursuant to the Local Economic Development Act, Title 50, Chapter 28, Idaho Code, as amended, that will cause property taxes resulting from any increase in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll as of January 1, 2022, to be allocated to the Agency for urban renewal purposes. The Agency has adopted and recommended approval of the Plan. The City Council will also consider the first reading of an ordinance to adopt the Plan at the meeting on November 10, 2022. Additional readings will follow consistent with the City's ordinance approval process.

The general scope and objectives of the Plan are:

- a. The demolition or removal of certain buildings and/or improvements for public benefit, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- b. The environmental assessment and remediation of brownfield sites, or sites where environmental conditions detrimental to redevelopment exist;
- c. The engineering, design, installation, construction, and/or reconstruction of streets and streetscapes, including the potential for a right-of-way extension within the Project Area and improvements to S. Yellowstone Avenue and related/adjacent pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
- d. The engineering, design, installation, construction, and/or reconstruction of improvements to the River Walk along the east bank of the Snake River from Pancheri to the boundary of the Project Area, and related improvement projects;
- e. The engineering, design, installation, construction, and/or reconstruction of storm water management infrastructure to support compliance with federal, state, and local regulations for storm water discharge related to the Projects and other public improvements, including but not limited to, floodway and flood zone mitigation; and other public improvements, that may be deemed appropriate by the Board;
- f. The engineering, design, installation, construction, and/or reconstruction of utilities including but not limited to improvements and upgrades to the water distribution system, including extension or expansion of the water distribution system, water capacity improvements, water storage upgrades, sewer system improvements and upgrades, including extension or expansion of the sewer collection system, lift station, and improvements, and extension, expansion and/or upgrades to power, gas, fiber optics, communications and other such facilities;
- g. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan;
- h. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- i. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- j. The acquisition of real property for public right-of-way and streetscape improvements and the extension, expansion and/or upgrades of underground and aboveground utilities, pathways and trails, recreational access points and to encourage development opportunities consistent with the Comprehensive Plan;
- k. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code Section 50-2011, and any disposition policies adopted by the Agency;
- l. The demolition or removal of certain buildings and/or improvements for public rights-of-way and streetscape improvements, pedestrian facilities, utility undergrounding extension, and upgrades, public parks and trails, other public facilities, to decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- m. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
- n. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- o. To the extent allowed by law, lend or invest federal funds to facilitate redevelopment;
- p. The provision for relocation assistance to displaced Project Area occupants, as required by law, or within the discretion of the Agency Board for displaced businesses;
- q. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- r. Other related improvements to those set forth above as further set forth in Attachment 5.

Any such land uses as described in the Plan will be in conformance with zoning for the City and the City's Comprehensive Plan, Imagine IF: A Plan to Move Idaho Falls Forward Together, as amended. Land made available will be developed by private enterprises or public agencies as authorized by law. The Plan identifies various public and private improvements which may be made within the Project Area.

The Urban Renewal Project Area and Revenue Allocation Area herein referred to is generally described as follows:

An area within the City consisting of approximately 36 acres in size, bounded by Pancheri Drive on the north, the Snake River on the west, and Yellowstone Highway on the east.

The Project Area is more particularly described as follows:

A parcel of land lying in a portion of the SE¼ of Section 24 and the NE¼ of Section 25, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, described as follows: COMMENCING at the Southeast Corner of Section 24, also being the Northeast Corner of Section 25, and running THENCE along the Section Line common to said Section 24 and 25, S 89°57'11" W 435.96 feet, to an angle point on the southeasterly right-of-way line of Yellowstone Avenue and the TRUE POINT OF BEGINNING; THENCE continuing along said Section Line, S 89°57'11" W 11.18 feet to an angle point on the southeasterly right-of-way line of Yellowstone Avenue; THENCE S 29°17'58" W 1797.10 feet along said southeasterly right-of-way line; THENCE N 60°42'02" W 335.93 feet; THENCE N 29°17'11" E 28.62 feet, to the point of a non-tangent curve to the right; THENCE Northwesterly along said curve to the right, having a radius of 480.00 feet, the chord of which bears N 42°12'11" W 182.66 feet, having a central angle of 21°56'15" for an arc a distance of 183.78 feet to a point on the Bureau of Land Management retracement survey of the John B. David Meander Line; THENCE along said Meander Line S 13°53'10" W 29.34 feet to an angle point on said Meander Line; THENCE S 23°29'10" W 59.56 feet along said Meander Line to a point on the southeasterly line of a 50 foot wide road reservation; THENCE N 68°45'31" W 860.72 feet along said southeasterly road reservation line to a point on the southerly line of Government Lot 13; THENCE N 68°42'00" W 327.68 feet along said southerly line of Government Lot 13 to a point on the easterly bank of the Snake River; THENCE along the easterly bank of the Snake River the following thirty-three, (33), bearings and distances:

- 1) THENCE N 34°05'19" E 6.37 feet;
- 2) THENCE N 48°00'50" E 17.11 feet;
- 3) THENCE N 31°19'04" E 10.36 feet;
- 4) THENCE N 36°43'11" E 25.59 feet;
- 5) THENCE N 50°57'10" E 15.86 feet;
- 6) THENCE N 44°13'21" E 9.55 feet;
- 7) THENCE N 59°07'44" E 11.34 feet;
- 8) THENCE N 47°14'17" E 18.14 feet;
- 9) THENCE N 43°43'43" E 22.72 feet;
- 10) THENCE N 48°33'59" E 29.68 feet;
- 11) THENCE N 48°37'41" E 23.33 feet;
- 12) THENCE N 38°01'01" E 29.34 feet;
- 13) THENCE N 33°49'02" E 50.50 feet;
- 14) THENCE N 46°06'46" E 68.03 feet;
- 15) THENCE N 26°02'56" E 26.72 feet;
- 16) THENCE N 37°53'47" E 78.75 feet;
- 17) THENCE N 50°07'01" E 61.22 feet;
- 18) THENCE N 62°43'38" E 24.64 feet;
- 19) THENCE N 71°47'56" E 38.22 feet;
- 20) THENCE N 60°44'48" E 24.39 feet;
- 21) THENCE N 44°56'51" E 30.89 feet;
- 22) THENCE N 19°22'41" E 33.85 feet;
- 23) THENCE N 42°13'16" E 27.92 feet;
- 24) THENCE N 54°57'14" E 22.93 feet;
- 25) THENCE N 24°02'38" E 26.05 feet;
- 26) THENCE N 47°40'25" E 18.61 feet;
- 27) THENCE N 35°35'10" E 81.64 feet;
- 28) THENCE N 30°30'50" E 61.69 feet;
- 29) THENCE N 34°01'09" E 65.07 feet;
- 30) THENCE N 39°06'46" E 91.60 feet;
- 31) THENCE N 34°48'01" E 72.59 feet;
- 32) THENCE N 20°44'30" E 65.60 feet;
- 33) THENCE N 32°01'39" E 31.24 feet;

THENCE leave the easterly bank of the Snake River, S 80°53'42" E 49.07 feet to the southwesterly corner of Ball Packing Division No. 2, a subdivision of the City of Idaho Falls Idaho, filed with the Office of the Recorder for Bonneville County as instrument number 1262117; THENCE along the southerly and easterly boundary lines of said subdivision the following six, (6), bearings and distances:

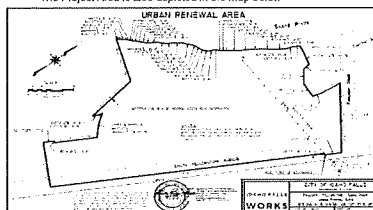
- 1) THENCE S 74°11'52" E 101.15 feet;
- 2) THENCE S 72°23'27" E 48.37 feet;
- 3) THENCE S 53°09'51" E 110.62 feet;
- 4) THENCE S 84°02'32" E 109.20 feet;
- 5) THENCE N 13°13'14" E 65.53 feet;
- 6) THENCE N 05°57'28" E 137.05 feet to a point on the southwesterly right-of-way line of Pancheri Drive;

THENCE along said southwesterly right-of-way line the following three, (3), bearings and distances:

- 1) THENCE S 53°09'50" E 287.12 feet;
- 2) THENCE S 22°51'19" E 3.38 feet;
- 3) THENCE S 53°37'24" E 230.85 feet to a point on said southeasterly right-of-way line of Yellowstone Avenue;

THENCE S 29°17'03" W 106.16 feet along said southeasterly right-of-way line; to the TRUE POINT OF BEGINNING, and containing 31.571 acres, more or less.

The Project Area is also depicted in the map below



Copies of the proposed Plan are on file for public inspection and copying at the office of the City Clerk, 308 Constitution Way, Idaho Falls, Idaho, 83405 between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, exclusive of holidays. The Plan can also be accessed online at <https://www.idahofallsidaho.gov/4199/Idaho-Falls-Redevelopment-Agency>. For additional assistance in obtaining a copy of the Plan in the event of business office interruptions, contact the office of the City Clerk at 208-612-9414.

At the hearing date, time, and place noted above (November 10, 2022, at 7:30 p.m.), all persons interested in the above matters may appear and be heard. Written testimony is encouraged. Written testimony must be submitted at least five days prior to the hearing. Oral testimony may be limited to three minutes per person. Additional information regarding attending the meeting and submitting written testimony can be obtained by calling 208-612-9414 or by email IDClerk@idahofallsidaho.gov.

Idaho Falls City Annex Building is accessible to persons with disabilities. All information presented in the hearing shall also be available upon advance request in a form usable by persons with hearing or visual impairments, individuals with other disabilities may receive assistance by contacting the City twenty-four (24) hours prior to the hearing. DATED: September 30, 2022.

Kathy Hampton
City Clerk

Exhibit 3

Urban Renewal Plan for the
Pancheri East Bank Urban Renewal Project

**URBAN RENEWAL PLAN FOR THE
PANCHERI EAST BANK URBAN RENEWAL PROJECT**

**THE URBAN RENEWAL AGENCY FOR THE CITY OF IDAHO FALLS
A/K/A THE IDAHO FALLS REDEVELOPMENT AGENCY
CITY OF IDAHO FALLS, IDAHO**

Ordinance No. _____

Adopted _____

Effective _____

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100 INTRODUCTION

This is the Urban Renewal Plan (the “Plan”) for the Pancheri East Bank Urban Renewal Project (the “Project”) in the city of Idaho Falls (the “City”), state of Idaho. Attachments 1 through 5 attached hereto (collectively, the “Plan Attachments”) are incorporated herein and shall be considered a part of this Plan.

The term “Project” is used herein to describe the overall activities defined in this Plan and conforms with the statutory definition of an urban renewal project. Reference is specifically made to Idaho Code §§ 50-2018(10) and 50-2903(13) for the various activities contemplated by the term “Project.” Such activities include both private and public development of property within the urban renewal/revenue allocation area. The Pancheri East Bank Project Area is also referred to as the “Project Area” or the “Revenue Allocation Area.”

This Plan was prepared by the Board of Commissioners (the “Agency Board”) of the Urban Renewal Agency of the City of Idaho Falls, also known as the Idaho Falls Redevelopment Agency (the “Agency”), its consultants, and staff and reviewed and recommended by the Agency pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), and all applicable local laws and ordinances.

Idaho Code § 50-2905 identifies what information the Plan must include with specificity as follows:

- (1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality;
- (2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area;
- (3) An economic feasibility study;
- (4) A detailed list of estimated project costs;
- (5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property on the revenue allocation area;
- (6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;
- (7) A termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan

shall recognize that the agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the urban renewal plan; and

- (8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets.

This Plan includes the above information with specificity.

The proposed development and/or redevelopment of the Project Area as described in this Plan conforms to the Imagine IF, A Plan to Move Idaho Falls Forward Together, City of Idaho Falls' Comprehensive Plan, as amended (the "Comprehensive Plan"), and adopted by the City Council (the "City Council") on February 24, 2022. The Agency intends to rely heavily on any applicable City zoning and design standards.

This Plan is subject to the Plan modification limitations and reporting requirements set forth in Idaho Code § 50-2903A. Subject to limited exceptions as set forth in Idaho Code § 50-2903A, if this Plan is modified by City Council ordinance, then the base value for the year immediately following the year in which modification occurs shall include the current year's equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency's revenue stream.

A modification shall not be deemed to occur when "[t]here is a plan amendment to make technical or ministerial changes to a plan that does not involve an increase in the use of revenues allocated to the agency." Idaho Code § 50-2903A(1)(a)(i). Annual adjustments as more specifically set forth in the Agency's annual budget will be required to account for more/less estimated revenue and project timing, including prioritization of projects. Any adjustments for these stated purposes are technical and ministerial and are not modifications under Idaho Code § 50-2903A.

Further, a modification shall not be deemed to occur when "[t]here is a plan amendment to support growth of an existing commercial or industrial project in an existing revenue allocation area, subject to the provisions of section 50-2905A, Idaho Code." Idaho Code § 50-2903A(1)(a)(iv). The Project includes the development and/or redevelopment of a commercial project.

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the development, redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project Area. The Agency retains all powers allowed by the Law and Act. This Plan presents a process and a basic framework within which plan implementation, including contracts, agreements and ancillary

documents will be presented and by which tools are provided to the Agency to fashion, develop, and proceed with plan implementation. The Plan has balanced the need for flexibility over the twenty (20)-year timeframe of the Plan to implement the improvements identified in Attachment 5, with the need for specificity as required by Idaho Code Section 50-2905. The Plan narrative addresses the required elements of a plan set forth in Idaho Code Section 50-2905(1), (2), (5), (7) and (8). Attachment 5, together with the Plan narrative, meet the specificity requirement for the required plan elements set forth in Idaho Code Section 50-2905(2)-(6), recognizing that actual Agency expenditures are prioritized each fiscal year during the required annual budgeting process.

Allowed projects are those activities which comply with the Law and the Act and meet the overall objectives of this Plan. The public-private relationship is crucial in the successful development and/or redevelopment of the Project Area. Typically, the public will fund enhanced public improvements like utilities, streets, and sidewalks which, in turn, create an attractive setting for adjacent private investment for a mix of uses.

The purpose of the Law and Act will be attained through the implementation of the Plan. The priorities of this Plan are:

- a. The removal of vacant and old buildings, including the remediation and elimination of certain potential environmental hazards such as asbestos or lead paint, to remove an impediment to development of this underdeveloped area.
- b. The installation and construction of public improvements, including new local, streets; improvements to existing roadways and intersections; installation of curbs, gutters and streetscapes, which for purposes of this Plan, the term “streetscapes” includes sidewalks, lighting, landscaping, benches, bike racks, public art, signage, way-finding, and similar amenities between the curb and right-of-way line; installation and/or improvements to fiber optic facilities; improvements to public utilities including water and sewer improvements, and fire protection systems; removal, burying, or relocation of overhead utilities; extension of electrical distribution lines and transformers and other public improvements; installation and construction of pathways; and improvement of storm drainage facilities;
- c. The planning, design, construction and reconstruction of local roads and pathways to support access management, connectivity, and pedestrian mobility, including the extension of rights-of-way, improvements to S. Yellowstone Avenue, and the improvements to the River Walk.
- d. The replanning, redesign, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of limited traffic access, underserved utilities, and other site conditions;

- e. The strengthening of the economic base of the Project Area and the community by the installation of needed site and public improvements to stimulate new private development providing employment and economic growth;
- f. The provision of adequate land for open space, street rights-of-way and pedestrian rights-of-way, including pathways along the Snake River;
- g. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- h. The strengthening of the tax base by encouraging private development, thus increasing the assessed valuation of properties within the Project Area as a whole and benefiting the various taxing districts in which the urban renewal area is located;
- i. The acquisition of real property to support development and/or redevelopment initiatives consistent with the Law and Act; and
- j. The funding of necessary public infrastructure to accommodate both public and private development.

101 General Procedures of the Agency

The Agency is a public body, corporate and politic, as defined and described under the Law and the Act. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency. Under the Law, the Agency is governed by the Idaho open meeting law; the Public Records Act; the Ethics in Government Act of 2015, Chapters 1, 2 and 4 of Title 74, Idaho Code; reporting requirements pursuant to Idaho Code §§ 67-450B, 67-1076, 50-2903A and 50-2913; and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code, as well as other procurement or other public improvement delivery methods.

Subject to limited exceptions, the Agency shall conduct all meetings in open session and allow meaningful public input as mandated by the issue considered or by any statutory or regulatory provision.

The Agency may adopt separate policy statements. Any modification to any policy statement is a technical or ministerial adjustment and is not a modification to this Plan under Idaho Code § 50-2903A.

102 Procedures Necessary to Meet State and Local Requirements: Conformance with the Idaho Urban Renewal Law of 1965, as Amended

Idaho law requires that the City Council, by resolution, must determine a geographic area be a deteriorated area or a deteriorating area, or a combination thereof, and designate such area as appropriate for an urban renewal project prior to preparation of an urban renewal plan. A consultant was retained to study a proposed project area (the “Study Area”) and prepare an eligibility report. A portion of the Study Area was previously included within the boundaries of the original Pancheri Project Area, which terminated in 2020. The original Pancheri Project Area resulted in the successful development of the northwest portion of that area, which area was not included within the boundaries of the Study Area; however, the area to the south has continued to remain in an underdeveloped state facing significant development impediments. The Pancheri East Bank Eligibility Report, dated February 2022 (the “Report”), was submitted to the Agency. The Agency accepted the Report by Agency Resolution No. 22-04 on February 17, 2022, and thereafter submitted the Report to the City Council.

The Study Area was deemed by the City Council to be a deteriorating area and/or a deteriorated area and therefore eligible for an urban renewal project by adoption of Resolution No. 2022-05 on February 24, 2022. With the adoption of Resolution No. 2022-05, the City Council declared the Study Area described in the Report to be a deteriorated area and/or a deteriorating area as defined by the Law and Act, and further directed the Agency to commence preparation of an urban renewal plan. The boundaries of the Project Area are the same as the Study Area.

The Plan was prepared and submitted to the Agency for its review and approval. The Agency approved the Plan by the adoption of Agency Resolution No. 07-22 on September 15, 2022, and submitted the Plan to the City Council with its recommendation for adoption.

In accordance with the Law, this Plan was submitted to the Planning and Zoning Commission of the City. After consideration of the Plan, the Commission reported to the City Council that this Plan is in conformity with the City’s Comprehensive Plan.

Pursuant to the Law, and Act, the City Council having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was published in the *Post Register*, a newspaper having general circulation in the City. The City Council adopted this Plan on _____, 2022, by Ordinance No. _____.

103 History and Current Conditions of the Area

As more specifically described in the Report, this Project Area consists of 36 acres immediately east of the Snake River, south of Pancheri Drive, and west of the Yellowstone Highway. The Project Area includes a portion of the original Pancheri Project Area which was terminated in 2020. The Project Area does not include the successfully developed northwest portion of the former Pancheri Project Area, which included a new motel. The Project Area

includes twenty-three parcels, seventeen of which are in private ownership. The private parcels range in size from 100 square feet to 6.25 acres and occupy slightly over 25 acres of the Project Area. Publicly owned parcels and/or parcels related to public uses within the Project Area include, but are not limited to, a portion of the River Walk along the Snake River, a portion of the Yellowstone Highway, an Idaho Falls Power sub-station, and a parcel for potential right-of-way extension.

The current land uses within the Project Area consist of commercial businesses, older industrial and warehousing uses, open storage, and vacant lands. Almost sixty percent of the private parcels in the Project Area are currently either vacant or underutilized. The largest building in the Project Area is a manufacturing facility for former King B, which has been vacant since 2015. A significant portion of the Project Area is underdeveloped and/or vacant and is not being used to its highest and best use due to the deteriorating conditions present within the Project Area. The area around the Project Area and on the west bank of the Snake River are developing into healthy commercial centers; however, the significant impediments to development have continued to delay economic opportunities in the Project Area.

The Plan proposes improvements to public infrastructure and other publicly owned assets, as more specifically set forth in Attachment 5, including but not limited to demolition of a vacant manufacturing facility, which may include remediation of any potential environmental issues such as lead paint and/or asbestos; improvements to the River Walk along the east bank of the Snake River from Pantheri to the boundary of the Project Area; improvements to streets, streetscapes, and pedestrian/bike facilities and other recreation and/or access points, and other public facilities, including but not limited to expansion of, or improvements to, sewer and water facilities, fiber optic facilities, electric facilities, storm drainage facilities and other similar public infrastructure improvements as necessary creating the framework for the development of a mixed use corridor and urban center intended to create a mixed use area where people recreate, eat, work, shop and gather including commercial enterprises and pedestrian oriented facilities. In execution of this concept, there may be consideration of extending rights-of-way through the Project Area to the Yellowstone Highway, or other similar concept to open up the area adjacent to the Snake River to encourage access and to better connect the Project Area with the broader community. The Project Area is underdeveloped or vacant and is not being used to its highest and best use due to substantial number of deteriorated or deteriorating structures; age or obsolescence of public infrastructure utilities or uses; the predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility or usefulness; insanitary or unsafe conditions; deterioration of site or other improvements; outmoded street patterns; unsuitable topography; and lack of correlation with streets in the City. The foregoing conditions have resulted in economic underdevelopment of the Project Area, substantially impaired or arrested the sound growth of the City, constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

The preparation and approval of an urban renewal plan, including a revenue allocation financing provision, gives the City additional resources to solve the public infrastructure and

development impediment issues in this area. Revenue allocation financing should help to improve the situation. In effect, property taxes generated by new developments within the Project Area may be used by the Agency to finance a variety of needed public improvements and facilities. Finally, some of the new developments may also generate new jobs in the community that would, in turn, benefit area residents.

It is unlikely individual developers will take on the prohibitive costs of constructing the necessary infrastructure in the Project Area without the ability of revenue allocation funds to help offset at least some of these costs. But for urban renewal and revenue allocation financing, the proposed improvements to support development and revitalization of the Project Area would not occur.

104 Purpose of Activities

Attachment 5 includes the public improvements and projects list identifying with specificity the proposed public improvements and projects contemplated in the Project Area. The description of activities, public improvements/projects, and the estimated costs of those items are intended to create an outside limit of the Agency's activity. Due to the inherent difficulty in projecting future levy rates, future taxable value, and the future costs of construction, the Agency reserves the right to:

- a. Change funding amounts from one Project to another.
- b. Re-prioritize the Projects described in this Plan and the Plan Attachments.
- c. Retain flexibility in funding the various activities in order to best meet the Plan and the needs of the Project Area.
- d. Retain flexibility in determining whether to use the Agency's funds or funds generated by other sources.
- e. Alter the location of proposed improvements set forth in Attachment 5 to support development when it occurs. The information included in Attachment 5 is based on information obtained from property owners and City staff, however, it is difficult to project with any certainty where the improvements will be sited until any future projects submit plans to the City for design review and/or permitting.

The Agency intends to discuss and negotiate with any owner or developer of the parcels within the Project Area seeking Agency assistance during the duration of the Plan and Project Area. During such negotiation, the Agency will determine the eligibility of the activities sought for Agency funding, the amount the Agency may fund by way of percentage or other criteria including the need for such assistance. The Agency will also take into account the amount of revenue allocation proceeds estimated to be generated from the developer's activities. The Agency also reserves the right to establish, by way of policy, its funding percentage or

participation, which would apply to all developers and owners and may prioritize the projects or types of projects as development occurs.

Throughout this Plan, there are references to Agency activities, Agency funding, and the acquisition, development, and contribution of public improvements. Such references do not necessarily constitute a full, final, and formal commitment by the Agency but, rather, grant to the Agency the discretion to participate as stated subject to achieving the objectives of this Plan and provided such activity is deemed eligible under the Law and the Act. The activities listed in Attachment 5 will be determined or prioritized as the overall Project Area develops and through the annual budget setting process.

The activities listed in Attachment 5 are not prioritized but are anticipated to be completed as determined by available funds. As required by the Law and Act, the Agency will adopt more specific budgets annually. The projected timing of funding is primarily a function of the availability of market conditions and financial resources but is also strategic, considering the timing of private development partnership opportunities and the ability of certain strategic activities to stimulate development at given points in time within the planned duration of the urban renewal district and revenue allocation area.

The Study (Attachment 5) has described a list of prioritized public improvements, projects, and other related activities with an estimated cost in 2022 dollars of approximately \$2,320,000. This amount does not take into account inflationary factors, such as increasing construction costs, which would increase that figure depending on when the owner, developer and/or Agency is able to develop, construct or initiate those activities. The Study has concluded the capacity of revenue allocation funds through the term of the Plan based on the assumed development projects and assessed value increases will likely generate an estimated \$2,813,207 in revenue allocation proceeds. The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts predicted in the event higher increases in assessed values occur during the term of the Plan for the improvements and activities identified. Additionally, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified.

200 DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area and the Revenue Allocation Area are shown on the Boundary Map of Panheri East Bank Urban Renewal Project Area and Revenue Allocation Area attached hereto as Attachment 1 and incorporated herein by reference and are described in the Legal Description of Panheri East Bank Urban Renewal Project Area and Revenue Allocation Area, attached hereto as Attachment 2 and incorporated herein by reference. For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way or other natural boundary unless otherwise stated.

300 PROPOSED REDEVELOPMENT ACTIONS

301 General

The Agency proposes to eliminate and prevent the spread of deteriorating conditions and deterioration in the Project Area by employing a strategy to improve and develop public and private lands, to increase connectivity and to grow the economy and employment opportunities in the Project Area. Implementation of the strategy includes, but is not limited to the following actions:

- a. The demolition or removal of certain buildings and/or improvements for public benefit, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- b. The environmental assessment and remediation of brownfield sites, or sites where environmental conditions detrimental to redevelopment exist;
- c. The engineering, design, installation, construction, and/or reconstruction of streets and streetscapes, including the potential for a right-of-way extension within the Project Area and improvements to S. Yellowstone Avenue and related/adjacent pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
- d. The engineering, design, installation, construction, and/or reconstruction of improvements to the River Walk along the east bank of the Snake River from Pancheri to the boundary of the Project Area, and related improvement projects;
- e. The engineering, design, installation, construction, and/or reconstruction of storm water management infrastructure to support compliance with federal, state, and local regulations for storm water discharge related to the Projects and other public improvements, including but not limited to, floodway and flood zone mitigation; and other public improvements, that may be deemed appropriate by the Board;
- f. The engineering, design, installation, construction, and/or reconstruction of utilities including but not limited to improvements and upgrades to the water distribution system, including extension or expansion of the water distribution system, water capacity improvements, water storage upgrades, sewer system improvements and upgrades, including extension or expansion of the sewer collection system, lift station, and improvements, and extension, expansion and/or upgrades to power, gas, fiber optics, communications and other such facilities;
- g. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan;

- h. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- i. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- j. The acquisition of real property for public right-of-way and streetscape improvements and the extension, expansion and/or upgrades of underground and aboveground utilities, pathways and trails, recreational access points and to encourage development opportunities consistent with the Comprehensive Plan;
- k. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code Section 50-2011, and any disposition policies adopted by the Agency;
- l. The demolition or removal of certain buildings and/or improvements for public rights-of-way and streetscape improvements, pedestrian facilities, utility undergrounding extension, and upgrades, public parks and trails, other public facilities, to decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- m. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
- n. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- o. To the extent allowed by law, lend or invest federal funds to facilitate redevelopment;
- p. The provision for relocation assistance to displaced Project Area occupants, as required by law, or within the discretion of the Agency Board for displaced businesses;
- q. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;

- r. Other related improvements to those set forth above as further set forth in Attachment 5.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan, and all the powers now or hereafter permitted by the Law and Act.

302 Urban Renewal Plan Objectives

Urban renewal action is necessary in the Project Area to combat problems of physical deterioration or deteriorating conditions. As set forth in greater detail in Section 103, the Project Area has a history of stagnant growth and development compared to other areas of the City based on deteriorated or deteriorating conditions that have arrested or impaired growth in the Project Area primarily attributed to: substantial number of deteriorated or deteriorating structures; age or obsolescence; the predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility or usefulness; insanitary or unsafe conditions; deterioration of site or other improvements; outmoded street patterns; unsuitable topography; and lack of correlation with streets in the City. The Plan for the Project Area is a proposal to work in partnership with public and private entities to improve, develop, and grow the economy within the Project Area by the implementation of a strategy and program set forth in Section 301 and in Attachment 5.

The provisions of this Plan are applicable to all public and private property in the Project Area. The provisions of the Plan shall be interpreted and applied as objectives and goals, recognizing the need for flexibility in interpretation and implementation, while at the same time not in any way abdicating the rights and privileges of the property owners which are vested in the present and future zoning classifications of the properties. All development under an owner participation agreement shall conform to those standards specified in Section 303.1 of this Plan.

This Plan must be practical in order to succeed. Particular attention has been paid to how it can be implemented, given the changing nature of market conditions. Transforming the Project Area into a vital, thriving part of the community requires an assertive strategy. The following list represents the key elements of that effort:

- a. Initiate simultaneous projects designed to revitalize the Project Area. From street and utility improvements to significant new private development, the Agency plays a key role in creating the necessary momentum to get and keep things going.
- b. Develop new commercial, office and retail opportunities, including a new ninety room hotel, and the potential for a retail/office building and restaurant opportunities and encourage economic development to transition into a thriving commercial corridor.

- c. Secure and improve certain public open space in critical areas and expand the River Walk Improvements along the Snake River throughout the Project Area, increasing recreation accessibility points.

Without direct public intervention, the Project Area could conceivably remain unchanged and in a deteriorated and/or deteriorating condition for the next twenty (20) years. The Plan creates the necessary flexible framework for the Project Area to support the City's economic development objectives while complying with the "specificity" requirement set forth in Idaho Code § 50-2905.

Land use in the Project Area will be modified to the extent that underutilized, underdeveloped, deteriorated, deteriorating buildings and vacant land now devoted to scattered inconsistent uses and uses inconsistent with the future land uses of the area will be converted to a hotel and other commercial, office, restaurant and retail uses consistent with the Comprehensive Plan, which envisions the area as a Mixed Use Corridor and Urban Center/Core. Mixed use corridors are those areas where people eat, shop, and gather. An Urban Center is characterized by taller structures, mixed-use buildings, pedestrian oriented facilities, and commercial enterprises. In implementing the activities described in this Plan, the Agency shall give due consideration to the provision of adequate open space, park and recreation areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of residents in the general vicinity of the Project Area covered by the Plan, recognizing, however, the primary purpose of this Plan and Project Area is to support new private development providing for economic growth through diverse, resilient, regionally supportive, enhanced employment opportunities and to establish a thriving commercial area.

303 Participation Opportunities and Participation Agreements

303.1 Participation Agreements

The Agency shall enter into various development participation agreements with any existing or future owner of property in the Project Area, in the event the property owner seeks and/or receives assistance from the Agency in the development and/or redevelopment of the property. The term "owner participation agreement," "participation agreement," or "development agreement" are intended to include all participation agreements with a property owner, including reimbursement agreements, grant agreements or other forms of participation agreements. In that event, the Agency may allow for an existing or future owner of property to remove the property and/or structure from future Agency acquisition subject to entering into an owner participation agreement. The Agency may also enter into owner participation agreements with other future owners and developers within the Project Area throughout the duration of this Plan in order to implement the infrastructure improvements set forth in this Plan.

Each structure and building in the Project Area to be rehabilitated or to be constructed as a condition of the owner participation agreement between the Agency and the owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed pursuant to the

requirements of the Law and Act, and the Agency will so certify, if the rehabilitated or new structure meets the standards set forth in an executed owner participation agreement and complies with applicable provisions of this Plan, local codes and ordinances and the Idaho Code. Additional conditions described below:

- a. Any such property within the Project Area shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. The owner participation agreement may require as a condition of financial participation by the Agency a commitment by the property owner to meet the greater objectives of the land use elements identified in the Comprehensive Plan, and applicable zoning ordinances, and other requirements deemed appropriate and necessary by the Agency. Upon completion of any rehabilitation each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition that will continue throughout an estimated useful life for a minimum of twenty (20) years.
- b. Any owner shall give due consideration to the provisions of adequate open space and pathways.
- c. All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated or constructed in conformity with all applicable codes and ordinances of the City.
- d. Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan, as well as, to all applicable codes and ordinances of the City.

All owner participation agreements will address development timing, justification and eligibility of project costs, and achievement of the objectives of the Plan. The Agency shall retain its discretion in the funding level of its participation. Obligations under owner participation agreements shall terminate no later than the termination date of this Plan, December 31, 2042. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any owner participation agreement.

In all participation agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event a participant under a participation agreement fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency in accordance with

Section 305.1 of this Plan and sold or leased for rehabilitation or development in accordance with this Plan.

Owner participation agreements may be used to implement the following objectives:

- a. Encouraging property owners to revitalize and/or remediate deteriorated areas or deteriorating areas of their parcels to accelerate development in the Project Area.
- b. Subject to the limitations of the Law and the Act, providing incentives to property owners to encourage utilization and expansion of existing permitted uses during the transition period to prevent a decline in the employment base and a proliferation of vacant and deteriorated parcels in the Project Area during the extended redevelopment of the Project Area.
- c. To accommodate improvements and expansions allowed by City regulations and generally consistent with this Plan for the Project Area.
- d. Subject to the limitations of the Law and Act, providing incentives to improve nonconforming properties so they implement the design guidelines contained in this Plan to the extent possible and to encourage an orderly transition from nonconforming to conforming uses through the term of the Plan.
- e. Provide for advance funding by the developer/owner participant of those certain public improvements related to or needed for the private development and related to the construction of certain public improvements. In that event, the Agency will agree as set out in the participation agreement to reimburse a portion of, or all of, the costs of public improvements identified in the participation agreement from the revenue allocation generated by the private development.

304 Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. All plans for development of property in the Project Area by a public body shall be subject to Agency approval, in the event the Agency is providing any financial assistance.

Subject to applicable authority, the Agency may impose on all public bodies the planning and design controls contained in this Plan to ensure that present uses and any future development by public bodies will conform to the requirements of this Plan. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements of the Project Area as allowed by the Law and the Act.

The Agency specifically intends to cooperate to the extent allowable with the City for the engineering, design, installation, construction and/or reconstruction of public infrastructure improvements, including the potential for a right-of-way extension in the Project Area, improvements to S. Yellowstone Avenue, the River Walk Improvements, sewer and water system improvements, drainage district improvements and improvements to gas, electrical and fiber infrastructure, as well as other street, streetscape, and pedestrian improvements including but not limited to those improvements set forth in Section 301 and in Attachment 5. The Agency shall also cooperate with the City on various relocation, screening, or undergrounding projects, the providing of fiber optic capability, and the funding of gas, electrical water, and sewer improvements. To the extent any public entity, including the City, has funded certain improvements such as water and sewer facilities, the Agency may reimburse those entities for those expenses. The Agency shall also cooperate with any public entity having jurisdiction over rights-of-way for the improvement of roads within the Project Area and with the public bodies responsible for water and sewer improvements. The Agency also intends to cooperate and seek available assistance from state, federal and other sources for economic development.

In the event the Agency is participating in the public development by way of financial incentive or otherwise, the public body shall enter into a participation agreement with the Agency and then shall be bound by the Plan and other land use elements and shall conform to those standards specified in Section 303.1 of this Plan.

This Plan does not financially bind or obligate the City, Agency and/or any other public entity to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any owner participation agreement and in the annual budget adopted by the Agency Board.

305 Property Acquisition

305.1 Real Property

Only as specifically authorized herein, the Agency may acquire, through the voluntary measures described below, but is not required to acquire, any real property located in the Project Area where it is determined that the property is needed for construction of public improvements, required to eliminate or mitigate the deteriorated or deteriorating conditions, to facilitate economic development, including acquisition of real property intended for disposition to qualified developers through a competitive process, and as otherwise allowed by law. The

acquisition shall be by any means authorized by law, including, but not limited to, the Law, the Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, but shall not include the right to invoke eminent domain authority except as authorized by Idaho law and provided herein. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee, including structures and fixtures upon the real property, without acquiring the land upon which those structures and fixtures are located.

The Agency intends to acquire any real property through voluntary or consensual gift, devise, exchange, or purchase. Such acquisition of property may be for the development of the public improvements identified in this Plan. Such properties may include properties owned by private parties or public entities. This Plan anticipates the Agency's use of its resources for property acquisition.

In the event the Agency identifies certain property which should be acquired to develop certain public improvements intended to be constructed under the provisions of this Plan, the Agency shall coordinate such property acquisition with any other public entity (e.g., without limitation, the City, the state of Idaho, or any of its authorized agencies), including the assistance of the Agency of funds to acquire said property either through a voluntary acquisition or the public entity's invoking of its eminent domain authority as limited by Idaho Code Section 7-701A.

The Agency is authorized by this Plan to acquire the properties for the uses identified in Attachment 3 hereto, including but not limited to property to be acquired for the extension or expansion of certain rights-of-way or to accommodate underground public facilities.

The Agency is authorized by this Plan and Idaho Code §§ 50-2010 and 50-2018(12) to acquire the properties identified in Attachment 3 hereto for the purposes set forth in this Plan. The Agency has identified its intent to acquire and/or participate in the development of certain public improvements, including, but not limited to those identified in Section 301 of the Plan and Attachment 5. The Agency's property acquisition will result in remediating deteriorating conditions in the Project Area by facilitating the development of mixed-use buildings, commercial enterprises, and pedestrian oriented facilities. The public improvements are intended to be dedicated to the City, and/or other appropriate public entities, as the case may be, upon completion. The Agency reserves the right to determine which properties identified, if any, should be acquired.

It is in the public interest and may be necessary, in order to eliminate the conditions requiring redevelopment and in order to execute this Plan, for the power of eminent domain to be employed by the Agency, or by the City with the Agency acting in an advisory capacity,¹ to acquire real property in the Project Area for the public improvements identified in this Plan, which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method.

¹ House Bill 1044, adopted by the Idaho Legislature during the 2021 Legislative Session, limited the Agency's ability to exercise eminent domain.

Under the provisions of the Act, the urban renewal plan “shall be sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area.” Idaho Code § 50-2018(12). The Agency has generally described those properties by use as set out in Attachment 3 for acquisition for the construction of public improvements. The Agency may also acquire property for the purpose of developing streetscape and public utilities. The Agency reserves the right to determine which properties, if any, should be acquired.

305.2 Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain as limited by Idaho Code Section 7-701A for the purpose of developing the public improvements described in section 305.1.

306 Property Management

During the time real property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for development and/or redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

307 Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project

If the Agency receives federal funds for real estate acquisition and relocation, the Agency shall comply with 24 C.F.R. Part 42, implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The Agency reserves the right to extend benefits for relocation to those not otherwise entitled to relocation benefits as a matter of state law under the Act or the Law. The Agency may determine to use as a reference the relocation benefits and guidelines promulgated by the federal government, the state government, or local government, including the State Department of Transportation. The intent of this section is to allow the Agency sufficient flexibility to award relocation benefits on some rational basis, or by payment of some lump-sum per case basis. The Agency may also consider the analysis of replacement value for the compensation awarded to either owner occupants or businesses displaced by the Agency to achieve the objectives of this Plan. The Agency may adopt relocation guidelines which would define the extent of relocation assistance in non-federally assisted projects and which relocation assistance to the greatest extent feasible would be uniform. The Agency shall also coordinate with the various local, state, or federal agencies concerning relocation assistance as may be warranted.

In the event the Agency’s activities result in displacement, the Agency shall comply with, at a minimum, the standards set forth in the Law. The Agency shall also comply with all

applicable state laws concerning relocation benefits and shall also coordinate with the various local, state, or federal agencies concerning relocation assistance.

308 Demolition, Clearance, and Site Preparation

The Agency is authorized (but not required) to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

Further, the Agency is authorized (but not required) to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency including site preparation and/or environmental remediation. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, pedestrian walkways, parking facilities, drainage facilities, and other public improvements necessary to carry out this Plan.

309 Property Disposition and Development

309.1 Disposition by the Agency

For the purposes of this Plan, the Agency is authorized to sell, lease, lease/purchase, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property under the reuse provisions set forth in Idaho law, including Idaho Code § 50-2011 and pursuant to any disposition policies adopted by the Agency. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

Real property acquired by the Agency may be conveyed by the Agency and, where beneficial to the Project Area, without charge to any public body as allowed by law. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

Air rights and subterranean rights may be disposed of for any permitted use within the Project Area boundaries.

309.2 Disposition and Development Agreements

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of deteriorating conditions, all real property sold, leased, or conveyed by the Agency is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as the Agency deems may be necessary to prevent transfer, retention, or use of

property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, lease/purchases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Bonneville County, Idaho.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, age, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, disability/handicap, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a disposition and development agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

As required by law or as determined in the Agency's discretion to be in the best interest of the Agency and the public, the following requirements and obligations shall be included in the disposition and development agreement.

That the developers, their successors, and assigns agree:

- a. That a detailed scope and schedule for the proposed development shall be submitted to and agreed upon by the Agency.
- b. That the purchase or lease of the land and/or subterranean rights and/or air rights is for the purpose of redevelopment and not for speculation.
- c. That the building of improvements will be commenced and completed as jointly scheduled and determined by the Agency and the developer(s).
- d. That the site and construction plans will be submitted to the Agency for review as to conformity with the provisions and purposes of this Plan and to support the planning, design and transportation goals set forth in the Comprehensive Plan.
- e. All new construction shall have a minimum estimated life of no less than twenty (20) years.
- f. That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.

- g. That the Agency receives adequate assurance acceptable to the Agency to ensure performance under the contract for sale.
- h. All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City.
- i. All disposition and development documents shall be governed by the provisions of Section 407 of this Plan.
- j. All other requirements and obligations as may be set forth in any participation policy established and/or amended by the Agency.

The Agency also reserves the right to determine the extent of its participation based upon the achievements of the objectives of this Plan. Obligations under any disposition and development agreement and deed covenants, except for covenants which run with the land beyond the termination date of this Plan, shall terminate no later than December 31, 2042. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any disposition and development agreement.

309.3 Development by the Agency

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct public improvements within the Project Area for itself or for any public body or entity, which public improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the public improvements authorized under Idaho Code §§ 50-2007, 50-2018(10) and (13), and 50-2903(9), (13), and (14), and as otherwise identified in Attachment 5, attached hereto, and incorporated herein by reference, and this Plan, and may acquire or pay for the land required, therefore.

Any public facility ultimately owned by the Agency shall be operated and managed in such a manner to preserve the public purpose nature of the facility. Any lease agreement with a private entity or management contract agreement shall include all necessary provisions sufficient to protect the public interest and public purpose.

The Agency may enter into contracts, leases, and agreements with the City or other public bodies or private entities pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

310 Development Plans

All development plans (whether public or private) prepared pursuant to an owner participation or disposition and development agreement, shall be submitted to the Agency Board for approval and architectural review. All development in the Project Area must conform to those standards specified in Section 407. Additionally, development must be consistent with all City ordinances, design overlays and be supportive of the goals set forth in the Comprehensive Plan.

311 Participation with Others

Under the Law, the Agency has the authority to lend or invest funds obtained from the federal government for the purposes of the Law if allowable under federal laws or regulations. The federal funds that may be available to the Agency are governed by regulations promulgated by the Department of Housing and Urban Development for the Community Development Block Grant Program (“CDBG”), the Economic Development Administration, the Small Business Administration, or other federal agencies. In order to enhance such grants, the Agency’s use of revenue allocation funds is critical.

Under those regulations the Agency may participate with the private sector in the development and financing of those private projects that will attain certain federal objectives.

The Agency may, therefore, use the federal funds for the provision of assistance to private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms to support, for any other activity necessary or appropriate to carry out an economic development project.

As allowed by law, the Agency may also use funds from any other sources or participate with the private or public sector with regard to any programs administered by the Idaho Department of Commerce, or other State or federal agencies, for any purpose set forth under the Law or Act.

The Agency may enter into contracts, leases, and agreements with the City, or other public bodies or private entities, pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

312 Conforming Owners

The Agency may, at the Agency’s sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation

agreement with the Agency, provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan.

400 USES PERMITTED IN THE PROJECT AREA

401 Designated Land Uses

The Agency intends to rely upon the overall land use designations and zoning classifications of the City, as may be amended, as depicted on Attachment 4 and as set forth in the City's Comprehensive Plan, including the future land use map and zoning classifications, as may be amended. For the most part, the Project Area is proposed as a Mixed Use Corridor and Urban Center/Core, which includes mixed-use buildings, pedestrian oriented facilities and commercial enterprises, to support an area where people eat, shop and gather. Provided, however, nothing herein within this Plan shall be deemed to be granting any particular right to zoning classification or use.

402 Public Rights-of-Way

The Project Area includes S. Yellowstone Avenue frontage and a portion of the intersection with S. Yellowstone Avenue and Panchari Drive. Otherwise, the Project Area does not contain internal public streets with modern paving width, facilities for storm drainage, sidewalks, and illumination. The proposed development provides for the potential of a right-of-way extension within the Project Area and there is potential for additional new internal streets and rights-of-way. The new roadways and streets will be engineered, designed, installed, and constructed in conjunction with any applicable policies and design standards of the City regarding dedicated rights-of-way. Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development, and as otherwise described in this Plan and Attachment 5.

Any development, maintenance and future changes in the developed rights-of-way and street layout shall be in accordance with the objectives of this Plan and the City's design standards; shall be effectuated in the manner prescribed by State and local law; and shall be guided by the following criteria:

- a. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder;
- b. The requirements imposed by such factors as topography, traffic safety, and aesthetics; and

- c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project Area by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

403 Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan. However, any interim use must comply with applicable City Code.

404 Development in the Project Area Subject to the Plan

All real property in the Project Area, under the provisions of either a disposition and development agreement or an owner participation agreement, is made subject to the controls and requirements of this Plan. No such real property shall be developed, redeveloped, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

405 Construction Shall Comply with Applicable Federal, State, and Local Laws and Ordinances and Agency Development Standards

All construction in the Project Area shall comply with all applicable state and local laws and codes, as may be amended from time to time, and any applicable City Council ordinances pending codification, including but not limited to, regulations concerning the type, size, density and height of buildings; open space, landscaping, light, air, and privacy; the undergrounding of utilities; limitation or prohibition of development that is incompatible with the surrounding area by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors; parcel subdivision; off-street loading and off-street parking requirements.

In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area in the event of an owner participation agreement, including but not limited to compliance with the City of Idaho Falls Bridge and Street Regulation Ordinance, Chapter 1A, Title 11, of the City Code.

406 Nonconforming Uses

This Section applies to property owners seeking assistance from the Agency regarding their property. The Agency may permit an existing use to remain in an existing building and site usage in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into an owner participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agency may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project Area where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

All nonconforming uses shall also comply with the City codes and ordinances.

407 Design Guidelines for Development under a Disposition and Development Agreement or Owner Participation Agreement

Within the limits, restrictions, and controls established in this Plan, the Agency is authorized to establish heights of buildings, density, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area. Any development must also comply with the City's zoning ordinance regarding heights, setbacks, density, and other like standards.

In the case of property which is the subject of a disposition and development agreement or owner participation agreement with the Agency, no new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan. Under a disposition and development agreement or owner participation agreement, the design guidelines and land use elements of the Plan shall be achieved to the greatest extent feasible, though the Agency retains the authority to grant minor variations under this Plan and subject to a negotiated agreement between the Agency and the developer or property owner.

Under those agreements, the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. In such agreements, the Agency may impose additional design controls. The Agency shall find that any approved plans do comply with this Plan. The Agency reserves the right to impose such design standards on an ad hoc basis through the approval process of the disposition and development agreement or owner participation agreement. Any change to such approved design must be consented to by the Agency and such

consent may be conditioned upon reduction of Agency's financial participation towards the Project.

In the event the Agency adopts design standards or controls, those provisions will thereafter apply to each site or portion thereof in the Project Area. These additional design standards or controls will be implemented through the provisions of any disposition and development agreement or owner participation agreement. These controls are in addition to any standards and provisions of any applicable City building or zoning ordinances; provided, however, each and every development shall comply with all applicable City zoning and building ordinances.

500 METHODS OF FINANCING THE PROJECT

501 General Description of the Proposed Financing Method

The Agency is authorized to finance this Project with revenue allocation funds, financial assistance from the City (loans, grants, other financial assistance), state of Idaho, federal government or other public entities, interest income, developer advanced funds, donations, loans from private financial institutions (bonds, notes, line of credit), the lease or sale of Agency-owned property, public parking revenue, or any other available source, public or private, including assistance from any taxing district or any public entity.

The Agency is also authorized to obtain advances, lines of credit, borrow funds, and create indebtedness in carrying out this Plan. The Agency may also consider an inter-fund transfer from other urban renewal project areas. The principal and interest on such advances, funds, and indebtedness may be paid from any funds available to the Agency. The City, as it is able, may also supply additional assistance through City loans and grants for various public improvements and facilities. The City or any other public agency, as properly budgeted and subject to any constitutional and/or statutory limitations, may expend money to assist the Agency in carrying out this Project.

As allowed by law and subject to restrictions as are imposed by law, the Agency is authorized to issue notes or bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

502 Other Loans and Grants

Any other loans, grants, guarantees, or financial assistance from the United States, the state of Idaho CDBG funds, or any other public or private source will be utilized if available. The Agency may consider funding sources through Local Improvement Districts as authorized by state law. Neither the members of the Agency nor any persons executing such loans or grants shall be liable on the loans or grants by reason of their issuance.

The Agency also intends to seek appropriate private contributions, where applicable, to assist in the funding of the activities described herein.

503 Revenue Allocation Financing Provisions

The Agency hereby adopts revenue allocation financing provisions as authorized by the Act, effective retroactively to January 1, 2022. These revenue allocation provisions shall apply to all taxing districts which are located in or overlap the Revenue Allocation Area shown and described on Attachments 1 and 2 to this Plan. The Agency shall take all actions necessary or convenient to implement these revenue allocation financing provisions. The Agency specifically finds that the equalized assessed valuation of property within the Revenue Allocation Area is likely to increase as a result of the initiation of the Project.

The Agency, acting by one or more resolutions adopted by its Board, is hereby authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay as costs are incurred (pay-as-you-go) or to pledge all or any portion of such revenues to the repayment of any moneys advance-funded by developers or property owners, borrowed, indebtedness incurred, or notes or bonds issued by the Agency to finance or to refinance the Project Costs (as defined in Idaho Code § 50-2903(14)) of one or more urban renewal projects.

The Agency may consider a note or line of credit issued by a bank or lending institution premised upon revenue allocation funds generated by a substantial private development contemplated by the Study, as defined in Section 503.1, which would allow the Agency to more quickly fund the public improvements contemplated by this Plan. Likewise, a developer/owner advanced funding of certain eligible public infrastructure improvements to be reimbursed pursuant to an owner participation agreement could achieve the same purpose.

Upon enactment of a City Council ordinance finally adopting these revenue allocation financing provisions and defining the Revenue Allocation Area described herein as part of the Plan, there shall hereby be created a special fund of the Agency into which the County Treasurer shall deposit allocated revenues as provided in Idaho Code § 50-2908. The Agency shall use such funds solely in accordance with Idaho Code § 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of such urban renewal projects as the Agency may determine by resolution or resolutions of its Board.

A statement listing proposed public improvements and facilities, a schedule of improvements, the location of proposed public infrastructure improvements, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code § 50-2905 is included in this Plan and in Attachment 5 to this Plan. This statement necessarily incorporates estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Agency is hereby authorized to adjust the presently anticipated urban renewal projects and use of revenue allocation financing of the related Project Costs to effectuate the general objections of the Plan in order to account for revenue inconsistencies, market adjustments, future priorities,

developers/owners seeking Agency assistance pursuant to an owner participation agreement, and unknown future costs. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in the annual budget.

The Agency may appropriate funds consisting of revenue allocation proceeds on an annual basis without the issuance of notes or bonds. The Agency may also obtain advances or loans from the City or Agency, or private entity and financial institutions in order to immediately commence construction of certain of the public improvements. Developer advanced funding of public improvements could also achieve the same purpose. The revenue allocation proceeds are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part, including reimbursement to any owner/developer or public entity for the cost of eligible public improvements pursuant to a participation agreement.

Revenues will continue to be allocated to the Agency until termination of the revenue allocation area as set forth in Section 800. Attachment 5 incorporates estimates and projections based on the Agency's and its consultants' present knowledge and expectations concerning the length of time to complete the improvements and estimated future revenues. The activity may take longer depending on the significance and timeliness of development. Alternatively, the activity may be completed earlier if revenue allocation proceeds are greater or the Agency obtains additional funds from another source.

The revenue allocation proceeds are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part, including reimbursement to any owner/developer for the cost of eligible public improvements pursuant to an owner participation agreement.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project. The Agency reserves the right to either pay for Project Costs from available revenue (pay-as-you-go basis) or borrow funds by incurring debt through notes or other obligations.

Revenue allocation proceeds are deemed to be only a part of the proposed funding sources for the payment of public improvements and other project improvements. Additionally, project funding is proposed to be phased for the improvements, allowing various sources of funds to be accumulated for use.

503.1 Economic Feasibility Study

Attachment 5 constitutes the Economic Feasibility Study ("Study") prepared by Renee R. Magee, AICP. The Study constitutes the financial analysis required by the Act and is based upon

existing information from the property owners, the developer, the Agency, the City, and others. Projections are based upon input from the Agency, property owners/developers, City, and other public entities.

503.2 Assumptions and Conditions/Economic Feasibility Statement

The information contained in Attachment 5 assumes certain completed and projected actions. All debt is projected to be repaid no later than the duration period of the Plan. The total amount of indebtedness (and all other loans or indebtedness), developer reimbursement and the amount of revenue generated by revenue allocation are dependent upon the extent and timing of private development. Should the proposed development take place as projected, the project indebtedness could be extinguished earlier, dependent upon the bond sale documents or other legal obligations. Should private development take longer to materialize, or should the private development be substantially less than projected, then the amount of revenue generated will be substantially reduced and debt may continue for its full term.

The Plan and the Plan Attachments incorporate estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Plan proposes certain public improvements as set forth in Attachment 5, which will facilitate development in the Revenue Allocation Area as more fully guided by the design, planning and transportation goals set forth in the Comprehensive Plan.

The assumptions set forth in the Study are based upon the best information available to the Agency and its consultants through public sources or discussions with property owners, developers, overlapping taxing districts, the City, and others. The information has been analyzed by the Agency and its consultants in order to provide an analysis that meets the requirements set forth under the Law and Act. At the point in time when the Agency may seek a loan from lenders or others, a more detailed and then-current financial pro forma will be presented to those lenders or underwriters for analysis to determine the borrowing capacity of the Agency. As set forth herein, the Agency reserves the right to fund the Project on a "pay-as-you-go" basis. The Agency Board will prioritize the activities set forth in this Plan and determine what funds are available and what activities can be funded. The Agency will establish those priorities through its mandated annual budgetary process.

The list of public improvements, or activities within Attachment 5 are prioritized by way of feasibility based on timing of developer advanced funding of potentially eligible public infrastructure improvements, estimated revenues to be received, amounts funded, and by year of funding. The projected timing of funding is primarily a function of the availability of financial resources and market conditions but is also strategic, considering the timing of anticipated or projected private development partnership opportunities and the ability of certain strategic activities to stimulate development at a given point in time within the duration of the Plan and Project Area.

The assumptions concerning revenue allocation proceeds are based upon certain anticipated or projected new developments, assessed value increases, and assumed tax levy rates as more specifically set forth in Attachment 5. Further, the financial analysis set forth in Attachment 5 has taken into account and excluded levies that do not flow to the Agency consistent with Idaho Code § 50-2908. In projecting new construction, the Study considered parcels identified as expected to develop over the life of the Project Area, communications with potential developers and City staff.

The types of new construction expected in the Project Area are mixed-use commercial, transit and pedestrian oriented facilities and commercial enterprises, including but not limited to a hotel, a retail/office building, a restaurant, the improvements to the River Walk and the improvements to rights-of-way, streetscapes, and other public facilities, including but not limited to sewer, water, fiber, gas, electrical and drainage facilities. The Project Area has potential for a significant increase in commercial growth due to the location of the Project Area. However, without a method to construct the identified public improvements development is unlikely to occur in much of the Project Area.

It is understood that application of certain exemptions, including the homeowner's exemption and Idaho Code § 63-602K, which provides for personal property tax exemption to businesses may have the effect of reducing the increment value, which in turn reduces revenue.

503.3 Ten Percent Limitation²

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed taxable value for the entire City. According to the Bonneville County Assessor, the assessed taxable value for the City as of July, 2022, is \$7,009,313,999. Therefore, the 10% limit is \$700,931,399.

The adjusted base assessed value of each of the existing revenue allocation areas as of July 2022, and the current assessed taxable value of the proposed Project Area, is as follows:

River Commons District	\$272,621
Eagle Ridge District	\$7378,925
Jackson Hole Junction District	\$398,710
Pancheri East Bank Proposed District	\$7,301,157
Total of Existing and Proposed Districts	\$15,351,413

² Due to the timing of the assessment process and creation of this Plan, the July (non-equalized) 2022 values have been used to establish compliance with the 10% limitation. Using the estimated 2022 values, the total value of the existing revenue allocation areas combined with the value of this Project Area are significantly less than 10% of the total assessed taxable value of the City (only .22%).

The adjusted base values for the combined existing revenue allocation areas and the estimated base value for the proposed Project Area is \$15,351,413, which is less than 10% of the City's estimated 2022 taxable value.

503.4 Financial Limitation

The Study identifies several capital improvement projects. Use of any particular funding source for any particular purpose is not assured or identified. Use of the funding source shall be conditioned on any limitations set forth in the Law, the Act, by contract, or by other federal regulations. If revenue allocation funds are unavailable, then the Agency will need to use a different funding source for that improvement.

The amount of funds available to the Agency from revenue allocation financing is directly related to the assessed value of new improvements within the Revenue Allocation Area. Under the Act, the Agency is allowed the revenue allocation generated from inflationary increases and new development value. Increases have been assumed based upon the projected value of new development as that development occurs along with possible land reassessment based on a construction start.

The Study, with the various estimates and projections, constitutes an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the project. Multiple financing sources including annual revenue allocations, developer contributions, city, or other public entity contributions, interfund loan, federal funding, grants, property disposition and other financing sources as permitted by law. This Study identifies the kind, number, and location of all proposed public works or improvements, a detailed list of estimated project costs, a description of the methods of financing illustrating project costs, and the time when related costs or monetary obligations are to be incurred.³ Based on these funding sources, the conclusion is that the Project is feasible.

The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts projected in the Study for the purpose of funding the identified projects and improvements. The projections in the Study are based on reasonable assumptions and existing market conditions. However, should the Project Area result in greater than anticipated revenues, the Agency specifically reserves the ability to fund the activities and projects identified in this Plan. Further, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified, including but not limited to owner participation agreements and disposition and development agreements. The Agency may also re-prioritize projects pursuant to market conditions, project timing, funding availability, etc., as more specifically detailed in the annual budget.

The proposed timing for the public improvements may have to be adjusted depending upon the availability of some of the funds and the Agency's ability to finance any portion of the

³ See Idaho Code § 50-2905.

Project. Any adjustment to Project timing or funding is technical or ministerial in nature and shall not be considered a modification of the Plan pursuant to Idaho Code § 50-2903A.

Attachment 5 lists those public improvements the Agency intends to construct or fund through the term of the Plan. The costs of improvements are estimates only as it is impossible to know with any certainty what the costs of improvements will be in future years. There is general recognition that construction costs fluctuate and are impacted by future unknowns, such as, the cost of materials and laborers. Final costs will be determined by way of construction contract public bidding or by an agreement between the developer/owner and/or public entity and Agency. The listing of public improvements does not commit the Agency, City, or other public entity, to any particular level of funding; rather, identification of the activity in the Plan allows the Agency to negotiate the terms of any reimbursement with the developer and/or the public entities. This Plan does not financially bind or obligate the Agency, City or other public entity to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. The City has not committed to fund any public infrastructure improvements within the Project Area. Such decisions concerning capital improvement projects and/or other expenditures are made by the City annually pursuant to this budget and appropriates process. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any participation agreement and in the annual budget adopted by the Agency Board. The proposed location and siting of the proposed public infrastructure and other improvement projects in the Project Area are generally identified in Attachment 5 and this Plan. Please note, the specific location of certain public infrastructure projects, such as sewer, water, fiber optic, gas, electrical and drainage facility improvements will depend on the type and timing of development. The specific location of the improvements does not constitute a modification to the Plan.

The Agency reserves its discretion and flexibility in deciding which improvements are more critical for development or redevelopment, and the Agency intends to coordinate its public improvements with associated development by private developers/owners. Where applicable, the Agency also intends to coordinate its participation in the public improvements with the receipt of certain grants or loans which may require the Agency's participation in some combination with the grant and loan funding.

Generally, the Agency expects to develop those improvements identified in Attachment 5 related to demolition of the vacant manufacturing facility and the River Walk Improvements first, in conjunction with private development of the hotel within the Project Area generating the increment as identified in Attachment 5.

The Plan has shown that the equalized valuation of the Revenue Allocation Area as defined in the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan.

503.5 Participation with Local Improvement Districts and/or Business Improvement Districts

Under the Idaho Local Improvement District (“LID”) Code, Chapter 17, Title 50, Idaho Code, the City has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, storm drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the LID or to participate as an assessed entity to finance the LID project. Similarly, to the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of the purposes specified under the Business Improvement Districts, Chapter 26, Title 50, Idaho Code.

504 [Reserved]

505 Issuance of Debt and Debt Limitation

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenue allocation funds as allowed by the Act. All such debt shall be repaid within the duration of this Plan, except as may be authorized by law.

506 Impact on Other Taxing Districts and Levy Rate

An estimate of the overall impact of the revenue allocation project on each taxing district is shown in the Study through the new development projections set forth in Attachment 5.

The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality, with periodic adjustments allowed by Idaho law. The increment value is the difference between the adjusted base assessed value and current assessed taxable value in any given year while the property is in a revenue allocation area. Under Idaho Code § 63-802, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis.⁴ Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Idaho Code § 63-802. Therefore, the impact of revenue allocation on the taxing entities is more of a product of the imposition of Idaho Code § 63-802, than the effect of urban renewal.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to

⁴ Statutory changes to Idaho Code Sections 63-802 and 63-301A in 2021 and 2022, further limit a taxing entity’s ability to increase the property tax portion of its budget. The Study has considered the impact of House Bill 389 on the Project’s overall feasibility.

each taxing entity's levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the base values in the urban renewal districts and by properties outside revenue allocation areas are distributed to the other taxing entities. Properties in revenue allocation areas are subject to the same levy rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed. If the overall levy rate is less than assumed, the Agency may receive fewer funds from revenue allocation.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected during the term of the Plan; hence, there would be lower increases in assessed valuation to be used by the other taxing entities. The Study's analysis is premised upon the fact the proposed development would not occur but for the ability to use revenue allocation funds to fund certain significant public infrastructure improvements.

One result of new construction occurring outside the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity's jurisdiction.⁵ From and after December 31, 2006, Idaho Code § 63-301A prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area is not available for inclusion by the taxing entities to increase their budgets. Upon termination of this Project Area or deannexation of area, the taxing entities will be able to include a percentage⁶ of the accumulated increment value on the new construction roll, which increase is available for budget capacity increases in setting the following year's budget pursuant to Idaho Code Sections 63-802 and 63-301A.

As the 2022 certified levy rates will not be determined until October/early November 2022, the 2021 certified levy rates have been used in the Study for purposes of the analysis.⁷ For Tax Year 2021, those taxing districts and levy rates for the parcels located within the City are as follows:⁸

⁵ Idaho Code Sections 63-802 and 63-301A limit the value placed on the new construction roll and available to a taxing district for a budget capacity increase. This could result in lower levy rates over time.

⁶ Pursuant to Idaho Code Sections 63-802 and 63-301A, 80% of the total eligible increment value is added to the new construction roll.

⁷ Due to the timing of the taxing districts' budget and levy setting process, certification of the 2022 levy rates did not occur until this Plan had been prepared. In order to provide a basis to analyze the impact on the taxing entities, the 2021 levy rates are used. Use of the 2021 levy rates provides a more accurate base than estimating the 2022 levy rates.

⁸ It is unclear how the personal property tax exemption set forth in Idaho Code § 63-602KK may impact the levy rate.

Taxing Districts:

Levy Rates:

Bonneville County Ambulance	.000298296
Bonneville County	.003444253
Bonneville County Road & Bridge	.000068516
College of Eastern Idaho	.000122476
Flood Control #1	.000006017
City of Idaho Falls	.007649767
Idaho Falls School #91	0
TOTAL⁹	.011589325

The Study has made certain assumptions concerning the levy rate. The levy rate is estimated to decrease 1%/year over the life of the Project Area to adjust for the impact of statutory changes to Idaho Code Sections 63-802 and 63-301A, as well as considering the rapidly increasing property values. Existing property values within the Project Area are estimated to inflate at .5%/year for the duration of the Project Area. It is anticipated the base assessment roll value will be adjusted downwards following demolition of the former King B plant, which is anticipated to be demolished in 2023. It is estimated a new hotel will be issued a certificate of occupancy in late 2025 with an estimated assessed taxable valuation as of January 1, 2026, of \$15,700,000, which is a conservative valuation. The Study anticipates the Agency will receive revenue allocation proceeds from this new development in 2027. The Study further anticipates development of a restaurant site and a small retail/office building within the Project Area within the last ten (10) years of the Project Area. The new development value is estimated to inflate at a rate of 2%/year for the duration of the Project Area. If the overall levy rate is less than projected, or if expected development fails to occur as estimated, the Agency shall receive fewer funds from revenue allocation.

Pursuant to Idaho Code § 50-2908, the Agency is not entitled to revenue allocation proceeds from certain levy increases which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Project Area. The Study has taken this statute into account.

507 Membership Dues and Support of Community Economic Development

The Act is premised upon economic development being a valid public purpose. To the extent allowed by the Law and the Act, the Agency reserves the authority to use revenue allocation funds to contract with non-profit and charitable organizations established for the purpose of supporting economic development and job creation. Additionally, the Agency reserves the authority to expend revenue allocation funds to join, participate and support non-profit organizations established to support Agency best practices and administration. The

⁹ Net of voter approved bonds and levies.

Administration line item identified in the Study shall be deemed to include expenditures for the purposes described in this section as may be deemed appropriate during the annual budgetary process.

508 Phasing and Other Fund Sources

The Agency anticipates funding only a portion of the entire cost of the public improvements shown on Attachment 5. Other sources of funds shall include City, other public entity partners, and owner/developer participation. It is important to note this Plan does not financially bind or obligate the City, Agency and/or any other public entity to any project or property acquisition. Agency and/or other public entity participation in any project shall be determined by the amount of revenue allocation funds generated and pursuant to the annual budgeting process.

509 Lease Revenue and Bonds

Under the Law (Idaho Code § 50-2012), the Agency is authorized to issue revenue bonds to finance certain public improvements identified in the Plan. Under that type of financing, the public entity would pay the Agency a lease payment annually which provides certain funds to the Agency to retire the bond debt. Another variation of this type of financing is sometimes referred to as conduit financing, which provides a mechanism where the Agency uses its bonding authority for the Project, with the end user making payments to the Agency to retire the bond debt. These sources of revenues are not related to revenue allocation funds and are not particularly noted in the Study, because of the “pass through” aspects of the financing. Under the Act, the economic feasibility study focuses on the revenue allocation aspects of the Agency’s financial model.

These financing models typically are for a longer period of time than the 20-year period set forth in the Act. However, these financing models do not involve revenue allocation funds, but rather funds from the end users which provide a funding source for the Agency to continue to own and operate the facility beyond the term of the Plan as allowed by Idaho Code § 50-2905(8) as those resources involve funds not related to revenue allocation funds.

600 ACTIONS BY THE CITY AND OTHER PUBLIC ENTITIES

The City shall aid and cooperate with the Agency in carrying out this Plan in support of the design, planning and transportation goals set forth in the Comprehensive Plan, and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing deterioration. Actions by the City, or other public entities, may include, but not be limited to, the following:

- a. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.

- b. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.
- c. Imposition, wherever necessary, of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- d. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.
- e. Building Code enforcement.
- f. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the development and/or redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- g. Institution and completion of proceedings necessary for the establishment of a local improvement district under Chapter 17, Title 50, Idaho Code, or a business improvement district.
- h. The undertaking and completing of any other proceedings necessary to carry out the Project.
- i. Administration of Community Development Block Grant funds that may be made available for this Project.
- j. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.
- k. Joint funding of certain public improvements, including but not limited to those identified in this Plan and Attachment 5 to the Plan.
- l. Use of public entity labor, services, and materials for construction of the public improvements listed in this Plan.
- m. Assist with coordinating and implementing the public improvements in the Project Area identified in the Study.

The foregoing actions, if taken by the City, do not constitute any commitment for financial outlays by the City.

In addition to the above, other public entities may aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan.

601 Maintenance of Public Improvements

The Agency has not identified any commitment or obligation for long-term maintenance of the public improvements identified. The Agency will need to address this issue with the appropriate entity, public or private, who has benefited from or is involved in the ongoing preservation of the public improvement. The Agency expects to dedicate public improvements to the City.

700 ENFORCEMENT

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

800 DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan, and the provisions of other documents formulated pursuant to this Plan, shall be effective for twenty (20) years from the effective date of the Plan subject to extensions set forth in Idaho Code § 50-2904. The revenue allocation authority will expire on December 31, 2042, except for any revenue allocation proceeds received in calendar year 2043, as contemplated by Idaho Code § 50-2905(7). The Agency may use proceeds in 2043 to complete the projects set forth herein. As stated in the Plan, any owner participation agreement or disposition and development agreement obligations will cease as of December 31, 2042.

Idaho Code § 50-2903(5) provides the Agency shall adopt a resolution of intent to terminate the revenue allocation area by September 1. In order to provide sufficient notice of termination to the affected taxing districts to allow them to benefit from the increased budget capacity, the Agency will use its best efforts to provide notice of its intent to terminate this Plan and its revenue allocation authority by May 1, 2043, or if the Agency determines an earlier termination date, then by May 1 of the early termination year:

- a. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Idaho Code § 50-

2908 shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the urban renewal agency under Idaho Code § 50-2909 shall thereupon terminate.

- b. In determining the termination date, the Plan shall recognize that the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the Plan.
- c. For the fiscal year that immediately predates the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Idaho Code § 50-2909(4). In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by May 1, but in any event, no later than September 1, the Agency shall adopt a resolution advising and notifying the local governing body, the county auditor, and the State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year, and declaring a surplus to be distributed as described in Idaho Code § 50-2909 should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the county recorder and the Idaho State Tax Commission as provided in Idaho Code § 63-215.

Upon termination of the revenue allocation authority of the Plan to the extent the Agency owns or possesses any assets, subject to the following paragraph, the Agency intends to dispose of any remaining assets by granting or conveying or dedicating such assets to the City, unless based on the nature of the asset, disposition to another public entity is more appropriate.

As allowed by Idaho Code § 50-2905(8), the Agency may retain assets or revenues generated from such assets as long as the Agency shall have resources other than revenue allocation funds to operate and manage such assets. Similarly, facilities which provide a lease income stream to the Agency for full retirement of the facility debt will allow the Agency to meet debt services obligations and provide for the continued operation and management of the facility. For those assets which do not provide such resources or revenues, the Agency will likely convey such assets to the City, depending on the nature of the asset.

900 PROCEDURE FOR AMENDMENT

To the extent there are any outstanding loans or obligations, this Plan should not be modified pursuant to the provisions set forth in Idaho Code Section 50-2903A. Modification of this Plan results in a reset of the base value for the year immediately following the year in which the modification occurred to include the current year's equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency's revenue stream as more fully set forth in Idaho Code Section 50-2903A subject to certain limited exceptions contained therein. As more specifically identified above, the Agency's projections are based on estimated values, estimated levy rates, estimated future development, and estimated costs of future construction/improvements. Annual adjustments, as more specifically set forth in the Agency's annual budget, will be required to account for more/less estimated revenue and prioritization of projects. Any adjustments for these stated purposes are technical and ministerial and are not deemed a modification under Idaho Code Section 50-2903A(1)(a)(i). Further, a modification shall not be deemed to occur when "[t]here is a plan amendment to support growth of an existing commercial or industrial project in an existing revenue allocation area, subject to the provisions of section 50-2905A, Idaho Code." Idaho Code § 50-2903A(1)(a)(iv). The Project includes the development and/or redevelopment of a commercial project.

1000 SEVERABILITY

If any one or more of the provisions contained in this Plan to be performed on the part of the Agency shall be declared by any court of competent jurisdiction to be contrary to law, then such provision or provisions shall be null and void and shall be deemed separable from the remaining provisions in this Plan and shall in no way affect the validity of the other provisions of this Plan.

1100 ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS

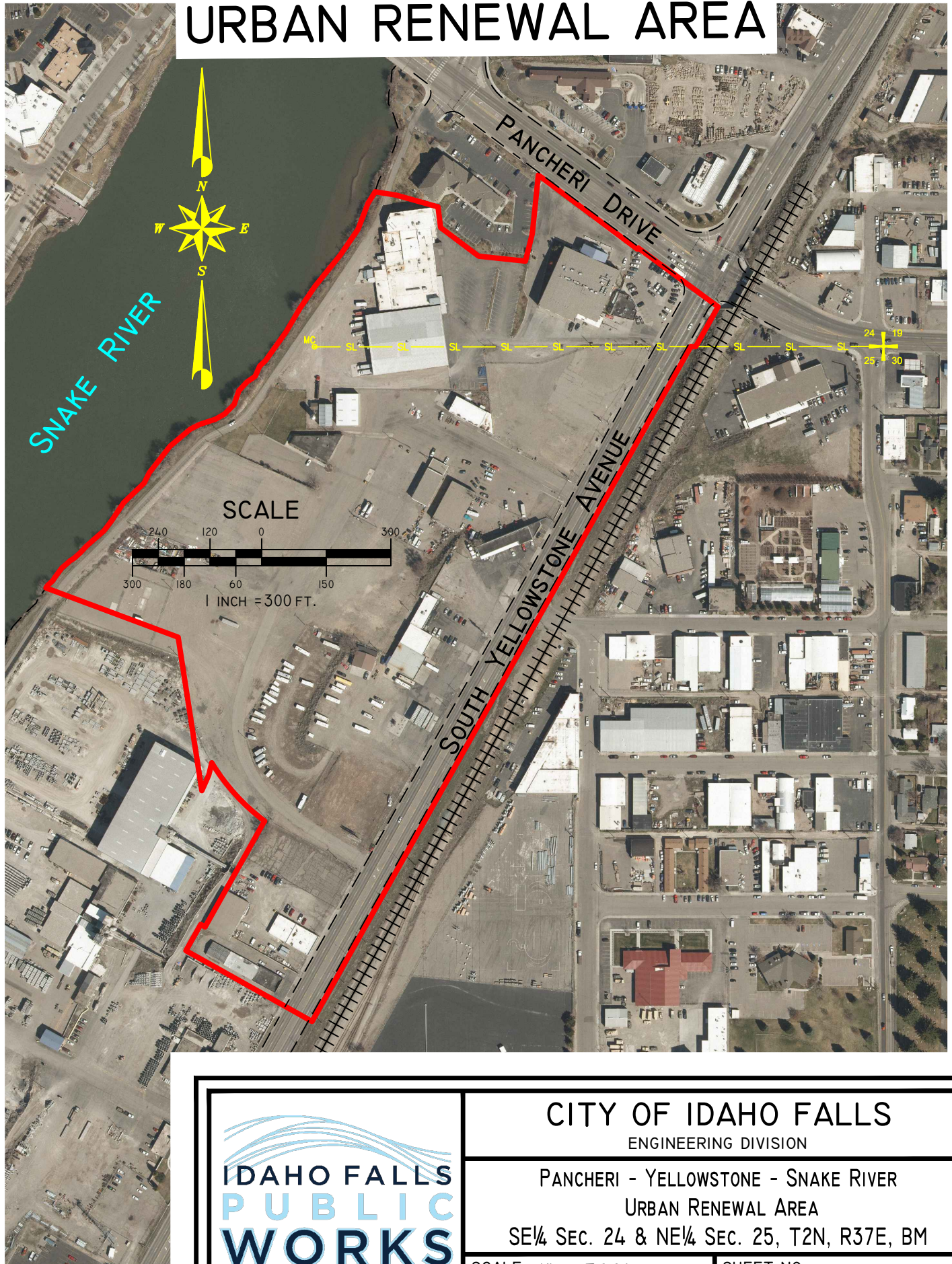
Under the Law, the Agency is required to file with the City and the State Controller's Office, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include certain financial information required under Idaho Code § 67-1076. This annual report shall be considered at a public meeting to report these findings and take comments from the public.

Additionally, the Agency must comply with certain other reporting requirements as set forth in Idaho Code §§ 67-1076, the local government registry portal, the tax commission plan repository, *see* Idaho Code § 50-2913, the tax commission's plan modification annual attestation, *see* Idaho Code § 50-2903A . Failure to report the information requested under any of these statutes results in significant penalties, including loss of increment revenue, and the imposition of other compliance measures by the Bonneville County Board of County Commissioners.

1200 APPENDICES, ATTACHMENTS, EXHIBITS, TABLES

All attachments and tables referenced in this Plan are attached and incorporated herein by reference. All other documents referenced in this Plan but not attached are incorporated by reference as if set forth fully.

URBAN RENEWAL AREA



CITY OF IDAHO FALLS

ENGINEERING DIVISION

PANCHERI - YELLOWSTONE - SNAKE RIVER

URBAN RENEWAL AREA

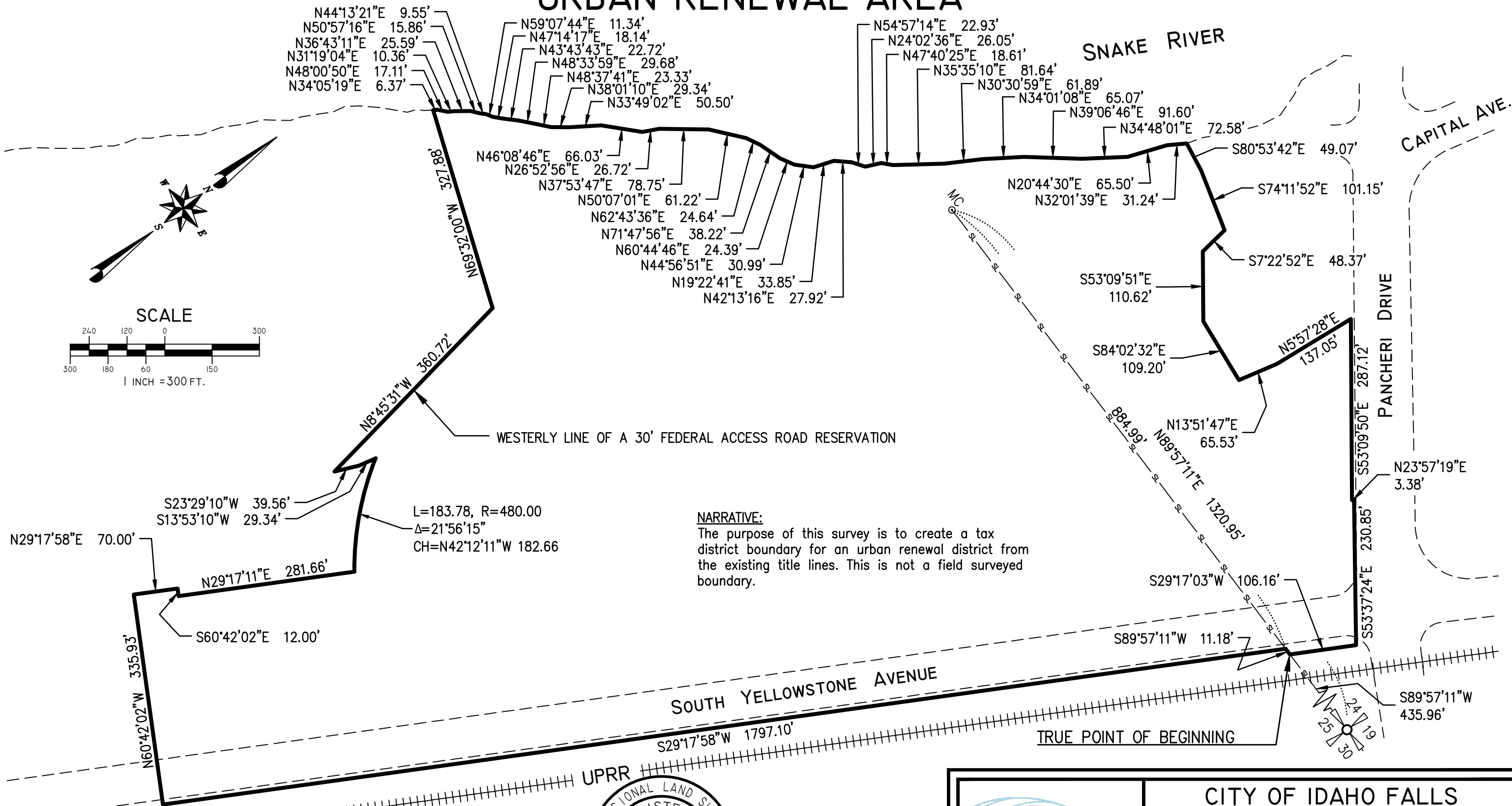
SE¼ SEC. 24 & NE¼ SEC. 25, T2N, R37E, BM

SCALE: 1" = 300'

SHEET NO.

OF

URBAN RENEWAL AREA



THIS IS A FACSIMILE OF THE SIGNATURE AND SEAL. IF THE DOCUMENT IS NOT IN ITS ORIGINAL DIGITAL FORM AND DOES NOT CONTAIN THE GLOBAL SIGN VERIFIED CERTIFICATE OF AUTHENTICITY THEN THIS IS ONLY A NON-CERTIFIED COPY. AN ORIGINAL OF THIS FILE IS KEPT WITH THE OFFICE OF THE CITY SURVEYOR FOR THE CITY OF IDAHO FALLS, IDAHO, AND WILL BE MADE AVAILABLE UPON REQUEST.



	CITY OF IDAHO FALLS	
	ENGINEERING DIVISION	
	PANCHERI - YELLOWSTONE - SNAKE RIVER URBAN RENEWAL AREA SE¼ SEC. 24 & NE¼ SEC. 25, T2N, R37E, BM	
	SCALE: 1" = 150'	SHEET NO. OF

Attachment 2

Legal Description of Pancheri East Bank Urban Renewal Project Area and Revenue Allocation Area

EXHIBIT "A"

A parcel of land lying in a portion of the SE¼ of Section 24 and the NE¼ of Section 25, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, described as follows: COMMENCING at the Southeast Corner of Section 24, also being the Northeast Corner of Section 25, and running THENCE along the Section Line common to said Section 24 and 25, S 89°57'11" W 435.96 feet, to an angle point on the southeasterly right-of-way line of Yellowstone Avenue and the **TRUE POINT OF BEGINNING**; THENCE continuing along said Section Line, S 89°57'11" W 11.18 feet to an angle point on the southeasterly right-of-way line of Yellowstone Avenue; THENCE S 29°17'58" W 1797.10 feet along said southeasterly right-of-way line; THENCE N 60°42'02" W 335.93 feet; THENCE N 29°17'58" E 70.00 feet; THENCE S 60°42'02" E 12.00 feet; THENCE N 29°17'11" E 281.66 feet, to the point of a non-tangent curve to the right; THENCE Northwesterly along said curve to the right, having a radius of 480.00 feet, the chord of which bears N 42°12'11" W 182.66 feet, having a central angle of 21°56'15", for an arc a distance of 183.78 feet to a point on the Bureau of Land Management retracement survey of the John B. David Meander Line; THENCE along said Meander Line S 13°53'10" W, 29.34 feet to an angle point on said Meander Line; THENCE S 23°29'10" W 39.56 feet along said Meander Line to a point on the Southwesterly line of a 30 foot wide road reservation; THENCE N 08°45'31" W 360.72 feet along said southwesterly road reservation line to a point on the southerly line of Government Lot 13; THENCE N 69°32'00" W 327.88 feet along said southerly line of Government Lot 13 to a point on the easterly bank of the Snake River; THENCE along the easterly bank of the Snake River the following thirty-three, (33), bearings and distances:

- 1) THENCE N 34°05'19" E 6.37 feet;
- 2) THENCE N 48°00'50" E 17.11 feet;
- 3) THENCE N 31°19'04" E 10.36 feet;
- 4) THENCE N 36°43'11" E 25.59 feet;
- 5) THENCE N 50°57'16" E 15.86 feet;
- 6) THENCE N 44°13'21" E 9.55 feet;
- 7) THENCE N 59°07'44" E 11.34 feet;
- 8) THENCE N 47°14'17" E 18.14 feet;
- 9) THENCE N 43°43'43" E 22.72 feet;
- 10) THENCE N 48°33'59" E 29.68 feet;
- 11) THENCE N 48°37'41" E 23.33 feet;
- 12) THENCE N 38°01'10" E 29.34 feet;
- 13) THENCE N 33°49'02" E 50.50 feet;
- 14) THENCE N 46°08'46" E 66.03 feet;
- 15) THENCE N 26°52'56" E 26.72 feet;
- 16) THENCE N 37°53'47" E 78.75 feet;
- 17) THENCE N 50°07'01" E 61.22 feet;
- 18) THENCE N 62°43'36" E 24.64 feet;
- 19) THENCE N 71°47'56" E 38.22 feet;
- 20) THENCE N 60°44'46" E 24.39 feet;
- 21) THENCE N 44°56'51" E 30.99 feet;
- 22) THENCE N 19°22'41" E 33.85 feet;
- 23) THENCE N 42°13'16" E 27.92 feet;
- 24) THENCE N 54°57'14" E 22.93 feet;



- 25) THENCE N 24°02'36" E 26.05 feet;
- 26) THENCE N 47°40'25" E 18.61 feet;
- 27) THENCE N 35°35'10" E 81.64 feet;
- 28) THENCE N 30°30'59" E 61.89 feet;
- 29) THENCE N 34°01'08" E 65.07 feet;
- 30) THENCE N 39°06'46" E 91.60 feet;
- 31) THENCE N 34°48'01" E 72.58 feet;
- 32) THENCE N 20°44'30" E 65.50 feet;
- 33) THENCE N 32°01'39" E 31.24 feet;

THENCE leave the easterly bank of the Snake River, S 80°53'42" E 49.07 feet to the southwesterly corner of Ball Packing Division No. 2, a subdivision of the City of Idaho Falls Idaho, filed with the Office of the Recorder for Bonneville County as instrument number 1262117; THENCE along the Southerly and easterly boundary lines of said subdivision the following six, (6), bearings and distances:

- 1) THENCE S 74°11'52" E 101.15 feet;
- 2) THENCE S 07°22'52" E 48.37 feet;
- 3) THENCE S 53°09'51" E 110.62 feet;
- 4) THENCE S 84°02'32" E 109.20 feet;
- 5) THENCE N 13°51'47" E 65.53 feet;
- 6) THENCE N 05°57'28" E 137.05 feet to a point on the southwesterly right-of-way line of Pancheri Drive;

THENCE along said southwesterly right-of-way line the following three, (3), bearings and distances:

- 1) THENCE S 53°09'50" E, 287.12 feet;
- 2) THENCE N 23°57'19" E 3.38 feet;
- 3) THENCE S 53°37'24" E 230.85 feet to a point on said southeasterly right-of-way line of Yellowstone Avenue;

THENCE S 29°17'03" W 106.16 feet along said southeasterly right-of-way line; to the **TRUE POINT OF BEGINNING**, and containing 31.571 acres, more or less.



Attachment 3

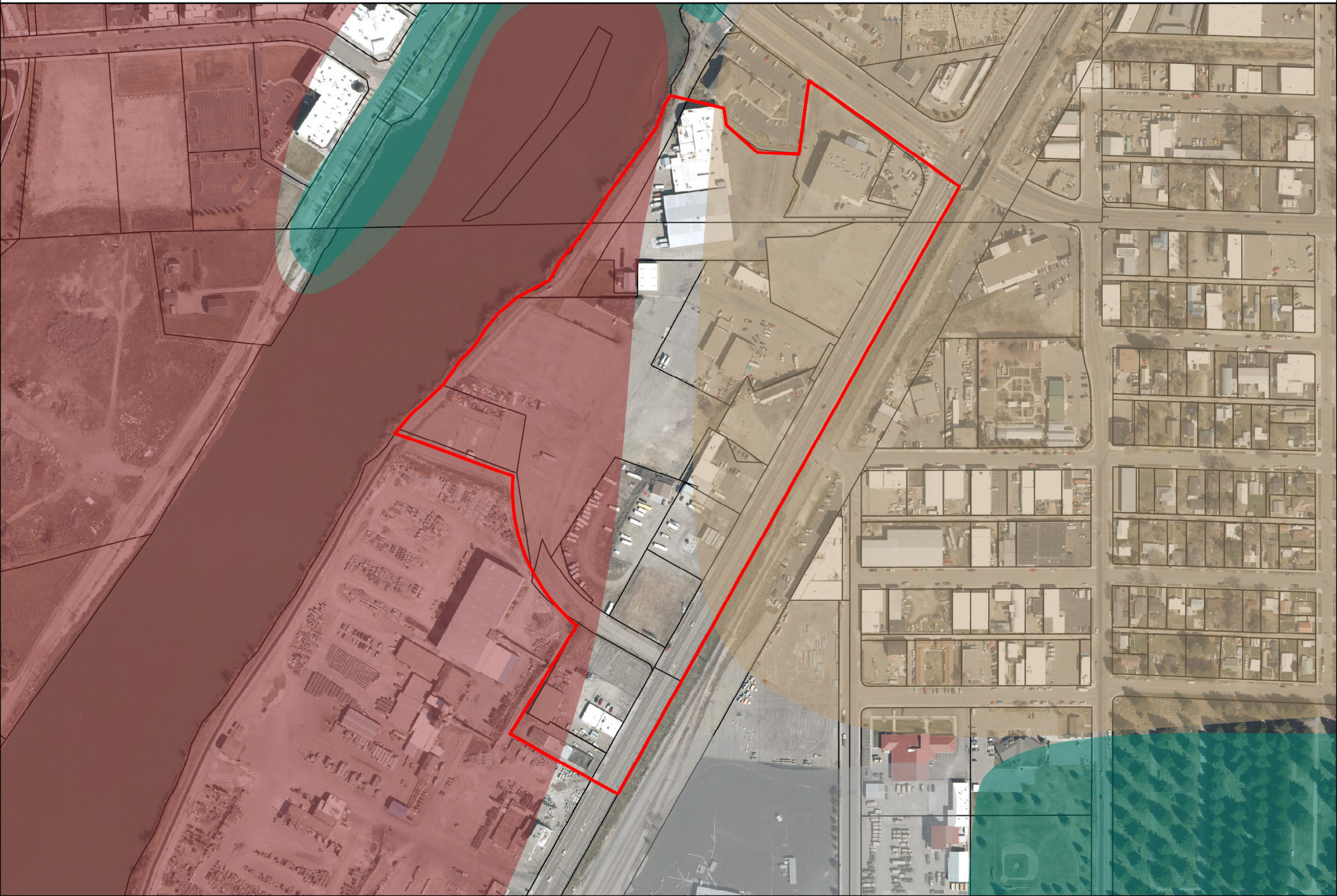
Private Properties Which May Be Acquired by Agency

1. The Agency has not identified any particular parcel for acquisition for the construction of public improvements or for private redevelopment. Properties which may be subject to acquisition include parcels to:
 - a) assemble with adjacent parcels to facilitate redevelopment;
 - b) assemble with adjacent rights-of-way to improve configuration and enlarge parcels for redevelopment;
 - c) reconfigure sites for development and possible extension of streets or pathways;
 - d) assemble for future transfer to qualified developers to facilitate the development of mixed-use, commercial areas; or
 - e) assemble for the construction of certain public improvements, including but not limited to streets, streetscapes, water and sewer improvements, environmental remediation/site preparation, public parking, community facilities, parks, pedestrian/bike paths and trails, recreation access points, and other public facilities.
2. The Agency reserves the right to acquire any additional right-of-way or access routes near or around existing or planned rights-of-way.
3. The Agency reserves the right to acquire property needed to provide adequately sized sites for high priority projects for the development of public improvements (the exact location of which has not been determined).
4. Other parcels may be acquired for the purpose of facilitating catalyst or demonstration projects, constructing public parking, constructing new streets or pathways, enhancing public spaces, or to implement other elements of the urban renewal plan strategy and/or any master plan for the Project Area.

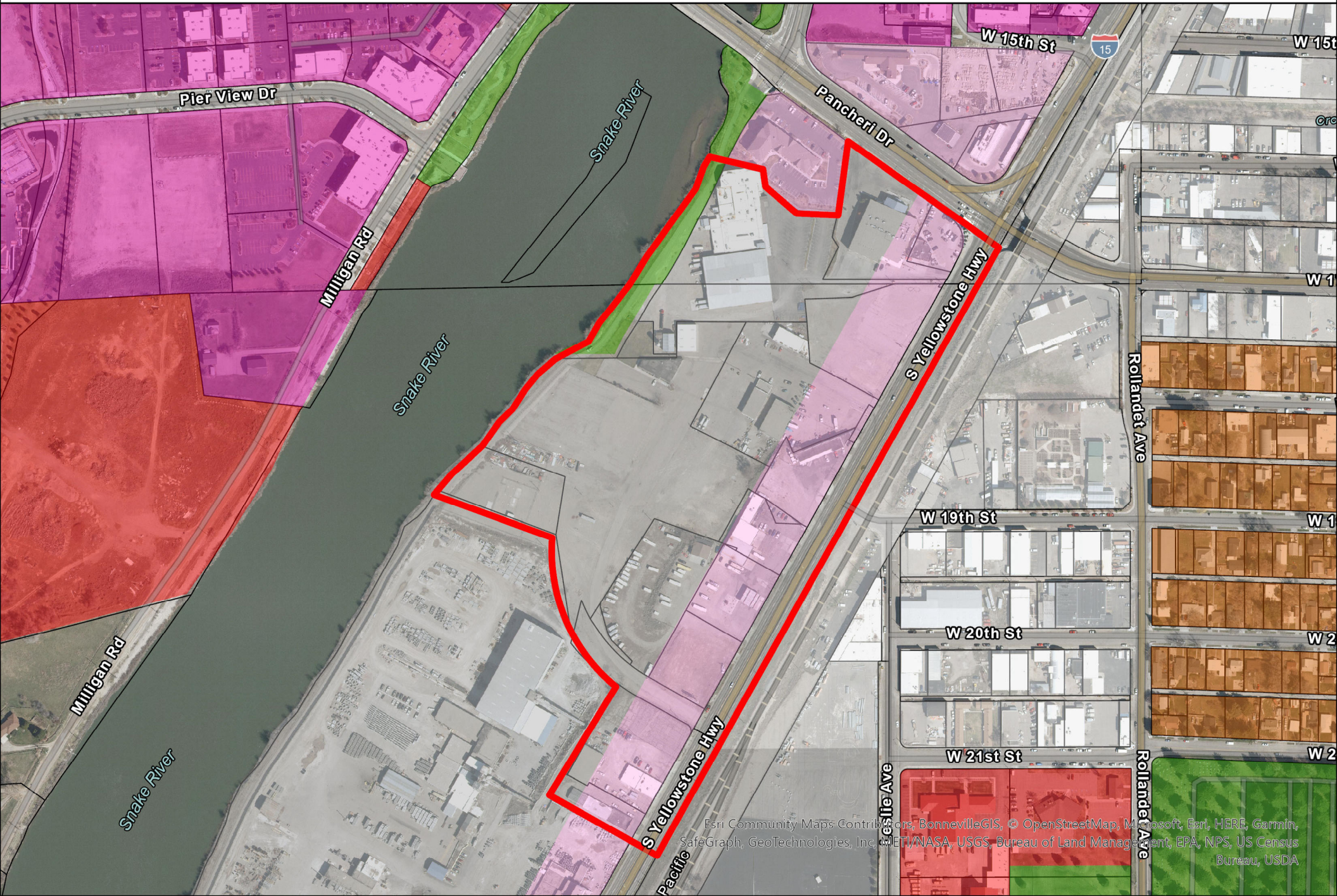
Attachment 4

Map Depicting Expected Land Uses and Current Zoning
Within Revenue Allocation Area and Project Area

- | | | | |
|--------------------------|-----------------|-----------------------------------|---------------|
| 1 NATURAL and OPEN SPACE | 4 SUBURBAN | 6 MIXED USE CENTERS and CORRIDORS | 7 URBAN CORE |
| 3 INDUSTRIAL | 5 GENERAL URBAN | | 8 SPECIAL USE |



RE	R2	R3	CC	R&D	P
RP	TN	R3A	LC	LM	
R1	RMH	PB	HC	I&M	



Attachment 5

Economic Feasibility Study

4864-1650-6411, v. 6

ATTACHMENT 5
PANCHERI EAST BANK
ECONOMIC FEASIBILITY STUDY
September, 2022

Purpose of Study

The purpose of this economic feasibility study is to determine if the private development envisioned in the potential Pancheri East Bank revenue allocation area (the “Pancheri East Bank Project Area”) will be sufficient to finance the public improvements funded by the Idaho Falls Redevelopment Agency (“IFRA” or “Agency”). This study relies on estimates provided by the developer for demolition and site development costs, new construction costs, improvements to public infrastructure, and timing of such private investments. This information was supplemented by discussions with other private property owners in the Pancheri East Bank Study Area and the staff of the City of Idaho Falls.

Description of Project

The developer, Sentinel Properties, or its successor or assignee (the “Developer”), is planning to construct a hotel with ninety rooms on the parcel presently occupied by the former King B Jerky manufacturing plant at 1740 South Yellowstone Highway. The parcel is east and adjacent to the Snake River and south of Pancheri Drive and Candlewood Suites. The Developer estimates the costs to construct and furnish the hotel on the parcel will be approximately \$16 million and will be completed by the end of 2025. These development costs include the demolition of the manufacturing facility which has been vacant since 2015 and improvements to the publicly owned River Walk adjacent to the Pancheri East Bank Project Area. The Developer presently owns the site, roughly four acres, proposed for the hotel.

To be able to financially complete this project, the Developer has requested the assistance of IFRA to fund, through reimbursement, potentially eligible costs for certain public infrastructure improvements including demolition, environmental remediation, site development and the River Walk Improvements. This construction will be initially funded by the Developer and, through the parameters contained in a to be negotiated owner participation agreement (OPA), reimbursed by the Agency from increment tax revenues generated by the hotel. If the hotel project is not completed or generates less revenue than anticipated, the reimbursement, if any, will also be curtailed. In addition to the hotel project, discussions with other private property owners have indicated an interest in construction of a small office/retail building and eventually a restaurant in the study area. It is estimated these projects will have a value of approximately \$3 million and will be constructed in the middle years of the life of the revenue allocation area (RAA).

Summary of Findings

The project is projected to generate over \$2,800,000 in tax increment revenues between 2022 and 2042. In addition, it is anticipated the Pancheri East Bank Project Area will be loaned \$30,000, pursuant to an inter-district loan from unpledged, surplus funds in the River Commons Project Area, for administration costs in the formative years. The urban renewal planning costs of preparing the necessary documents in the estimated amount of \$38,000 have been initially funded by the Developer and will be reimbursed by the project revenues.

The public improvement projects costs are anticipated to be \$350,000 for demolition, environmental remediation, and the River Walk Improvements. In addition, the OPA will provide for reimbursement to the Developer for the monies committed to IFRA in a Memorandum of Understanding (MOU) to finance the work to create an urban renewal area. This MOU reimbursement increases the reimbursement to the

Developer to approximately \$390,000. The projections also include the repayment of \$30,000 to the River Commons Project Area for a proposed inter-district loan for administration costs. Longer term, the study provides for \$1.3 million for street improvements which include curb and gutter, sidewalk, street lighting, storm drainage, public utilities, and landscaping. Additional improvements in utilities and the public right-of-way are anticipated in the latter years of the RAA. In summary, it is anticipated the private investment in the RAA will generate more than \$2,800,000 in revenue and potentially eligible public infrastructure costs are estimated to be approximately \$2,320,000. The project is economically feasible.

Summary of Projects

The table below lists the projects, projected time periods, and estimated costs. The costs are in 2022 dollars and may, therefore, increase over time.

Projects Within Pancheri East Bank Project Area¹

Project Description	Estimated Cost	Estimated Timing
Demolition of vacant manufacturing facility	\$250,000	2023
River Walk and right-of-way improvements	\$100,000	2024
Right-of-way improvements	\$120,000	2028-2030
Public utilities, right-of-way improvements ²	\$250,000	2030-2032
Street construction	\$1,300,000	2034-2039
Landscaping, pedestrian, street improvements	300,000	2039-2041
Total	\$2,320,000	

Specific project funding requests will be reviewed by the IFRA Board prior to the development of the OPA and will be further described and identified in that process. It is anticipated the costs for demolition, environmental remediation, River Walk, and right-of-way improvements, which are estimated to be \$350,000, will be reimbursed under the OPA as will advances paid by the Developer under the MOU.

Levy Rates

The 2021 levy rates have been used in this study since 2022 certified levy rates will not be determined until this fall. The 2021 levy rates are:

Taxing Districts	Levy Rate
Bonneville County	0.003512769
Idaho Falls	0.007649767
School District No. 91	NA
Flood Control	0.000006017
Ambulance	0.000298296
College of Eastern Idaho	0.000122476
Total	0.011589325

SOURCE: Bonneville County publication entitled *2021 Bonneville County Levies Based on Each \$1.00 Market Value*. Manatron system of Bonneville County was used to verify rates.

Approach of Study

This study assumes the Pancheri East Bank Project Area will consist of 36 acres and 23 parcels as pictured below. The Pancheri East Bank Project Area includes 36 acres bounded on the west by the Snake River, the north by Pancheri Avenue, on the east by Yellowstone Highway, and on the south by properties addressed as 2130 and 2160 South Yellowstone Highway.

¹ The sources of the estimated costs are Sentinel Properties (the Developer), the staff of the City of Idaho Falls, the past maximum amount of assistance given to a developer based on the estimated value of new construction, and the financial feasibility study for the Pancheri Yellowstone URA.

² Public utilities include public water, sewer, electric, fiber, and storm drainage facilities.



Estimated Tax Increment Revenues

Below is the estimated tax increment revenue to be generated by the new hotel with ninety rooms, a small retail/office building, and a restaurant. The hotel estimate is based on the anticipated construction cost. There is an inflationary increase in value estimated for the properties not anticipated to be substantially improved in the RAA. The estimate does not include any revenues from personal property which is estimated to be \$1.6 million in the hotel. The table below only estimates the tax increment to be received, not other possible revenues, such as loans, brownfield grants, or other governmental programs.

Year	Total Assessed Valuation	Estimated Valuation of Hotel Construction	Estimated Valuation of Retail Space (2)	Estimated Valuation of Restaurant	Estimated Assessed Valuation	Estimated Valuation Minus Base Value	Levy Rate	Estimated Tax Increment Revenue
2022	\$7,301,157				\$7,301,157	\$0	0.011589325	\$0
2023	\$5,958,068				\$5,958,068	\$0	0.011473432	\$0
2024	\$5,987,858	\$0	\$0	\$0	\$5,987,858	\$29,790	0.011358697	\$338
2025	\$6,017,798	\$0	\$0	\$0	\$6,017,798	\$59,730	0.01124511	\$672
2026	\$6,047,887	\$0	\$0	\$0	\$6,047,887	\$89,819	0.011132659	\$1,000
2027	\$6,078,126	\$13,585,987	\$0	\$0	\$19,664,113	\$13,706,045	0.011021333	\$151,059
2028	\$6,108,517	\$13,857,707	\$0	\$0	\$19,966,223	\$14,008,155	0.010911119	\$152,845
2029	\$6,139,059	\$14,134,861	\$900,000	\$0	\$21,173,920	\$15,215,852	0.010802008	\$164,362
2030	\$6,169,755	\$14,417,558	\$918,000	\$0	\$21,505,313	\$15,547,245	0.010693988	\$166,262
2031	\$6,200,603	\$14,705,909	\$936,360	\$0	\$21,842,873	\$15,884,805	0.010587048	\$168,173
2032	\$6,231,606	\$15,000,027	\$955,087	\$2,000,000	\$24,186,721	\$18,228,653	0.010481178	\$191,058
2033	\$6,262,764	\$15,300,028	\$974,189	\$2,040,000	\$24,576,981	\$18,618,913	0.010376366	\$193,197
2034	\$6,294,078	\$15,606,029	\$993,673	\$2,080,800	\$24,974,579	\$19,016,511	0.010272602	\$195,349
2035	\$6,325,549	\$15,918,149	\$1,013,546	\$2,122,416	\$25,379,660	\$19,421,592	0.010169876	\$197,515
2036	\$6,357,176	\$16,236,512	\$1,033,817	\$2,164,864	\$25,792,370	\$19,834,302	0.010068178	\$199,695
2037	\$6,388,962	\$16,561,242	\$1,054,493	\$2,208,162	\$26,212,860	\$20,254,792	0.009967496	\$201,890
2038	\$6,420,907	\$16,892,467	\$1,075,583	\$2,252,325	\$26,641,282	\$20,683,214	0.009867821	\$204,098
2039	\$6,453,012	\$17,230,317	\$1,097,095	\$2,297,371	\$27,077,794	\$21,119,726	0.009769143	\$206,322
2040	\$6,485,277	\$17,574,923	\$1,119,037	\$2,343,319	\$27,522,555	\$21,564,487	0.009671451	\$208,560
2041	\$6,517,703	\$17,926,421	\$1,141,418	\$2,390,185	\$27,975,727	\$22,017,659	0.009574737	\$210,813
								\$2,813,207

SOURCE: Bonneville County Parcel Viewer, last assessment, land value, value of improvement, and acres, July, 2022.

The following assumptions were made to generate estimated tax increment revenues:

1. The Certificate of Occupancy for the hotel will be granted in December, 2025. Therefore, the full value of the hotel will not be reflected in the tax rolls until 2026, with revenue allocation proceeds flowing to the Agency in 2027. No attempt was made to determine any estimated tax prior to 2027.
2. The mill levy will decrease by 1% annually.
3. The value of the new construction will increase by 2% annually.
4. The base assessment roll valuation has been reduced by the assessed valuation of the former King B plant which is scheduled to be demolished in 2023.
5. The increase in valuation for the parcels presently developed will be similar to the past increases in valuation in the area, i.e., roughly 0.5% annually.
6. The assessed valuation of new construction does not totally reflect the estimate of the Developer which is \$15,700,000. Therefore, this estimate of revenue is conservative.
7. The value of a new retail/office building is estimated to be \$900,000. The value of a new restaurant is estimated to be \$2,000,000.
8. The base value is estimated to be \$5,958,068. This value reflects the demolition of the former King B manufacturing plant. This lower base value may slip to 2024 depending on the date of demolition and its recognition by the Bonneville County assessor.

The table above only considers revenues generated by tax increment. There are other potential sources of funding. Such sources could be funds generated by one or more of the following programs:

1. Local improvement district,
2. Business improvement district,
3. Development impact fees,
4. Franchise fees,
5. Grants from non-profits,
6. Grants from federal, state, local, or regional governmental entities,
7. Bonds, notes, and/or loans for public infrastructure,
8. Improvements and payments made or advance funded by developers.

The revenues, projected costs of projects, and timing are based on IFRA's present knowledge and on the information from the Developer, present land owners in the Pancheri East Bank Project Area, and information from Bonneville County and the City of Idaho Falls.

Anticipated Revenues and Expenses

The following table illustrates all anticipated revenues and the uses of the funds in the proposed RAA:

Year	Estimated Revenues	Debt Service (OPA)	Administration (10% of revenues after 2027)	Repayment of \$30K Loan from RAA	Funding for Additional Public Projects	Estimated Date of Expense for Public Projects
2022	\$38,000		\$20,000			
2023	\$30,000		\$30,000			
2024	\$338		\$6,000		\$338	
2025	\$672		\$6,000		\$672	
2026	\$1,000		\$6,000		\$1,000	
2027	\$151,059	\$113,294	\$15,106	\$20,000	\$2,659	
2028	\$152,845	\$114,634	\$15,285	\$10,000	\$12,927	
2029	\$164,362	\$123,272	\$16,436		\$24,654	
2030	\$166,262	\$40,000	\$16,626		\$109,636	\$120,000
2031	\$168,173		\$16,817		\$151,356	
2032	\$191,058		\$19,106		\$171,952	\$250,000
2033	\$193,197		\$19,320		\$173,877	
2034	\$195,349		\$19,535		\$175,814	
2035	\$197,515		\$19,752		\$177,764	
2036	\$199,695		\$19,970		\$179,726	
2037	\$201,890		\$20,189		\$181,701	
2038	\$204,098		\$20,410		\$183,688	
2039	\$206,322		\$20,632		\$185,690	\$1,300,000
2040	\$208,560		\$20,856		\$187,704	
2041	\$210,813		\$21,081		\$189,732	\$300,000
	\$2,881,208	\$391,200	\$349,120	\$30,000	\$2,110,889	

The following assumptions were made to generate this table:

1. The Developer advanced \$38,000 under the MOU executed in December, 2021, to finance the eligibility study and the urban renewal plan.

2. The inter-district loan from the River Commons Project Area will be in the estimated amount of \$30,000 to the Pancheri East Bank Project Area to cover administrative costs in the initial years. These initial costs are shown as \$6,000 per year. The \$38,000 advanced by the Developer will be expended in 2022-23 for costs to prepare the necessary documents to create the urban renewal plan.
3. The Developer costs for qualifying expenses will be repaid with tax increment generated by the construction of a hotel. The repayment will be covered by an owner participation agreement (OPA), and the revenues generated by the development will be the only source of repayment.
4. 75% of the tax increment will be committed to repay the Developer, and a payment of 75% is reflected under the table above. The repayment of the \$30,000 to River Commons will be from the 25% retained by the Agency for administration and public projects.
5. Ten percent of the increment will be used to cover administrative expenses. In 2027-28, the remaining 15% retained by the Agency will be the source to repay River Commons.
6. For purposes of this study, repayment to the Developer is estimated to be approximately \$390,000, which covers \$350,000 for demolition and River Walk improvements and \$38,000 to cover the expenses associated with creation of an urban renewal/revenue allocation area.
7. Funds not necessary for administration or repayment to the Developer may be accumulated to repay debt service earlier than anticipated and close the district or to fund additional public improvements. Such public improvements include right-of-way improvements at driveways and street intersections, public utilities (water, sewer, electric, fiber, etc.), street improvements, and landscaping and pedestrian improvements.
8. It is assumed the public projects will be paid initially by the developer and repaid through an OPA or completed on a pay-as-you-go process, especially in the later years of the RAA. A loan from a bank or a federal grant may be another funding source.

Provided the development proceeds as presently projected, this proposed Pancheri East Bank Project Area will have tax increment revenues to repay the Developer the costs for the necessary improvements to assure the construction of a hotel with ninety guest rooms. In addition, there will be sufficient tax increment in later years to construct an interior street in the proposed RAA, one with public utilities, storm drainage, street lighting, sidewalks, and landscaping. There should also be funding for replacement of existing water and sewer mains as necessary and improvement of rights-of-way, the River Walk, pedestrian facilities, and landscaping. This project is economically feasible and will benefit the taxpayers in Idaho Falls and the immediate area east of the Snake River.

Ten Percent Limitation on Assessed Valuation within Revenue Allocation Area

Idaho statutes limit the assessed valuation permitted in a revenue allocation area. The base assessment rolls are not to exceed at any time ten percent of the current assessed valuation of all taxable property within the municipality.

“Revenue allocation area” means that portion of an urban renewal area where the equalized assessed valuation (as shown on the taxable property assessment rolls) of which the local governing body has determined, on and as a part of the urban renewal plan, is likely to increase as a result of the initiation of an urban renewal project The base assessment roll or rolls of revenue allocation area or areas shall not exceed at any time ten percent (10%) of the current assessed valuation of all taxable property within the municipality.

Idaho Code Section 50-2903(15).

The Data Processing Department of Bonneville County provided the City of Idaho Falls assessed value as well as the adjusted base of the existing urban renewal areas/revenue allocation areas in July, 2022.

Statutory Ten Percent Limitation Analysis		
Area	Assessed Value	Percentage
City of Idaho Falls	\$7,009,313,999	
10%	\$700,931,399	
	Adjusted Base	
River Commons RAA	\$272,621	
Eagle Ridge RAA	\$7,378,925	
Jackson Hole Junction RAA	\$398,710	
Pancheri East Bank Proposed RAA ³	\$7,301,157	
Total Assessed Base RAAs	\$15,351,413	0.22%

SOURCE: Bonneville County Data Processing, July, 2022. PM106-2020 Annual Assessed Value, Real Property, Personal Property, Mobile Home. URD055, Urban Renewal by Pin within TAG. The source material refers to the revenue allocation areas (RAA) as urban renewal areas (URA) since the revenue allocation area corresponds to the urban renewal boundaries.

The total adjusted base of the existing RAAs and the Pancheri East Bank Project Area will not exceed the ten percent limitation. The base of all RAAs, including a new Pancheri East Bank Project Area, will be less than 1% of the assessed valuation of Idaho Falls, easily less than \$700,931,399 or ten percent of the current assessed valuation of all taxable property within the City of Idaho Falls.

³ This figure is the total of the assessed valuations in the proposed RAA as found on the Bonneville County Parcel Viewer, July, 2022.

Exhibit 4

**NOTICE AND PUBLISHED SUMMARY
OF ORDINANCE PURSUANT TO I.C. §50-901(A)**

CITY OF IDAHO FALLS ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE PANCHERI EAST BANK URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND THE AFFECTED TAXING ENTITIES; PROVIDING SEVERABILITY, CODIFICATION, AND PUBLICATION BY SUMMARY; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1: It is hereby found and determined that:

- (a) The Pancheri East Bank Project Area as defined in the Pancheri East Bank Plan is a deteriorated area or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, development and redevelopment of the urban renewal area pursuant to the Pancheri East Bank Plan are necessary in the interests of public health, safety, and welfare of the residents of the City.
- (c) There continues to be a need for the Agency to function in the City.
- (d) The Pancheri East Bank Plan conforms to the City's Comprehensive Plan as a whole.
- (e) The Pancheri East Bank Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement recognizing the commercial components of the Pancheri East Bank Plan and the need for public improvements to support the goals of the commercial uses of the area, and shows consideration for the health, safety, and welfare of any children, residents, or businesses in the general vicinity of the urban renewal area covered by the Pancheri East Bank Plan.

ORDINANCE NO. _____

- (f) The Pancheri East Bank Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation, development and redevelopment of the urban renewal area by private enterprises.
- (g) Pursuant to Idaho Code §§ 50-2007(h) and 50-2008(d)(1), the Pancheri East Bank Plan provides a feasible method for relocation obligations of any displaced families residing within the Pancheri East Bank Project Area and there is not anticipated to be any activity by the Agency that would result in relocation.
- (h) The collective base assessment rolls for the Existing Project Areas and the Pancheri East Bank Project Area, do not exceed ten percent (10%) of the assessed values of all the taxable property in the City.
- (i) The Pancheri East Bank Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Pancheri East Bank Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes (if any), land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.
- (k) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code section 50-2018(9) and Idaho Code section 50-2903(8)(f), does not include agricultural operations which have been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Pancheri East Bank Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.
- (m) The portion of the Pancheri East Project Area which is identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City.

SECTION 2: The City Council finds that the Pancheri East Bank Project Area includes vacant open land that has undergone limited development, that the Agency may acquire any open

land within the Pancheri East Bank Project Area but does not intend to do so on any widespread basis, and that the Pancheri East Bank Project Area is planned to be developed and/or redeveloped in a manner that may include residential and nonresidential uses. Provided, however, the City Council finds that for the portions of the Pancheri East Bank Project Area deemed to be "open land," the criteria set forth in the Law and Act have been met.

SECTION 3: The Pancheri East Bank Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is approved. As directed by the City Council, the City Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the November 10, 2022, hearing and incorporate changes or modifications, if any.

SECTION 4: No direct or collateral action challenging the Pancheri East Bank Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Pancheri East Bank Plan.

SECTION 5: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Bonneville County Assessor, and to the appropriate officials of Bonneville County Board of County Commissioners, City of Idaho Falls, Bonneville County Ambulance, Idaho Falls School District #91, Bonneville County Road and Bridge, College of Eastern Idaho, Flood Control District No. 1, and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map indicating the boundaries of the Pancheri East Bank Project Area.

SECTION 6: The City Council hereby finds and declares that the equalized assessed valuation of the Revenue Allocation Area as defined in the Pancheri East Bank Plan, is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Pancheri East Bank Plan.

SECTION 7: The City Council hereby approves and adopts the following statement policy relating to the appointment of City Council members as members of the Agency's Board of Commissioners: If any City Council members are appointed to the Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the City Council, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Pancheri East Bank Plan, the City Council recognizes that it has no power to control the powers or operations of the Agency.

SECTION 8: So long as any Agency bonds, notes or other obligations are outstanding, the City Council will not exercise its power under Idaho Code section 50-2006 to designate itself as the Agency Board.

SECTION 9: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2022, to the extent permitted by the Act.

SECTION 10: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

SECTION 11: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 12: All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 13: Savings Clause. This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

SECTION 14: That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED by the City Council of the City of Idaho Falls, Idaho, on this ____ day of November 2022.

APPROVED by the Mayor of the City of Idaho Falls, Idaho, on this ____ day of November 2022.

EXHIBITS TO THE ORDINANCE

- | | |
|-----------|---|
| Exhibit 1 | Resolution of the Planning Commission for the City of Idaho Falls, Idaho, Validating Conformity of the Urban Renewal Plan for the Pancheri East Bank Urban Renewal Project with the City of Idaho Falls' Comprehensive Plan |
| Exhibit 2 | Notice Published in the <i>Post Register</i> |
| Exhibit 3 | Urban Renewal Plan for the Pancheri East Bank Urban Renewal Project |
| Exhibit 4 | Ordinance Summary |

SUMMARY OF PANCHERI EAST BANK PLAN

The Urban Renewal Plan for the Pancheri East Bank Urban Renewal Project ("Pancheri East Bank Plan") was prepared by the Urban Renewal Agency of the City of Idaho Falls, Idaho, also known as the Idaho Falls Redevelopment Agency ("Agency") pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law"), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), and all applicable laws and ordinances and was approved by the Agency. The Pancheri East Bank Plan

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provides for the Agency to undertake urban renewal projects pursuant to the Law and the Act. The Pancheri East Bank Plan contains a revenue allocation financing provision pursuant to the Act that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the original base assessment roll as of January 1, 2022, to be allocated to the Agency for the urban renewal purposes. The duration of the Pancheri East Bank Plan is for twenty (20) years and the Plan includes a termination process.

The general scope and objectives of the Pancheri East Bank Plan are:

- a. The demolition or removal of certain buildings and/or improvements for public benefit, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- b. The environmental assessment and remediation of brownfield sites, or sites where environmental conditions detrimental to redevelopment exist;
- c. The engineering, design, installation, construction, and/or reconstruction of streets and streetscapes, including the potential for a right-of-way extension within the Project Area and improvements to S. Yellowstone Avenue and related/adjacent pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
- d. The engineering, design, installation, construction, and/or reconstruction of improvements to the River Walk along the east bank of the Snake River from Pancheri to the boundary of the Project Area, and related improvement projects;
- e. The engineering, design, installation, construction, and/or reconstruction of storm water management infrastructure to support compliance with federal, state, and local regulations for storm water discharge related to the Projects and other public improvements, including but not limited to, floodway and flood zone mitigation; and other public improvements, that may be deemed appropriate by the Board;
- f. The engineering, design, installation, construction, and/or reconstruction of utilities including but not limited to improvements and upgrades to the water distribution system, including extension or expansion of the water distribution system, water capacity improvements, water storage upgrades, sewer system improvements and upgrades, including extension or expansion of the sewer collection system, lift station, and improvements, and extension, expansion and/or upgrades to power, gas, fiber optics, communications and other such facilities;
- g. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan;
- h. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;

- i. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- j. The acquisition of real property for public right-of-way and streetscape improvements and the extension, expansion and/or upgrades of underground and aboveground utilities, pathways and trails, recreational access points and to encourage development opportunities consistent with the Comprehensive Plan;
- k. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code Section 50-2011, and any disposition policies adopted by the Agency;
- l. The demolition or removal of certain buildings and/or improvements for public rights-of-way and streetscape improvements, pedestrian facilities, utility undergrounding extension, and upgrades, public parks and trails, other public facilities, to decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- m. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
- n. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- o. To the extent allowed by law, lend or invest federal funds to facilitate redevelopment;
- p. The provision for relocation assistance to displaced Project Area occupants, as required by law, or within the discretion of the Agency Board for displaced businesses;
- q. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- r. Other related improvements to those set forth above as further set forth in Attachment 5.

Any such land uses as described in the Panchari East Bank Plan will be in conformance with zoning for the City and City's Comprehensive Plan, Imagine IF, A Plan to Move Idaho Falls Forward Together, as amended, as adopted by the City Council. Land made available will be developed by private enterprises or public agencies as authorized by law. The Panchari East Bank Plan identifies various public and private improvements which may be made within the Panchari East Project Area.

ORDINANCE NO. _____

The Pancheri East Bank Project Area and Revenue Allocation Area herein referred to is generally described as follows:

An area within the City consisting of approximately 32 acres immediately east of the Snake River, south of Pancheri Drive, and west of the Yellowstone Highway and more particularly described below:

The Project Area is also depicted in the map below:

A parcel of land lying in a portion of the SE¼ of Section 24 and the NE¼ of Section 25, Township 2 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho, described as follows:

COMMENCING at the Southeast Corner of Section 24, also being the Northeast Corner of Section 25, and running THENCE along the Section Line common to said Section 24 and 25, S 89°57'11" W 435.96 feet, to an angle point on the southeasterly right-of-way line of Yellowstone Avenue and the TRUE POINT OF BEGINNING; THENCE continuing along said Section Line, S 89°57'11" W 11.18 feet to an angle point on the southeasterly right-of-way line of Yellowstone Avenue; THENCE S 29°17'58" W 1797.10 feet along said southeasterly right-of-way line; THENCE N 60°42'02" W 335.93 feet; THENCE N 29°17'58" E 70.00 feet; THENCE S 60°42'02" E 12.00 feet; THENCE N 29°17'11" E 281.66 feet, to the point of a non-tangent curve to the right; THENCE Northwesterly along said curve to the right, having a radius of 480.00 feet, the chord of which bears N 42°12'11" W 182.66 feet, having a central angle of 21°56'15", for an arc a distance of 183.78 feet to a point on the Bureau of Land Management retracement survey of the John B. David Meander Line; THENCE along said Meander Line S 13°53'10" W, 29.34 feet to an angle point on said Meander Line; THENCE S 23°29'10" W 39.56 feet along said Meander Line to a point on the Southwesterly line of a 30 foot wide road reservation; THENCE N 08°45'31" W 360.72 feet along said southwesterly road reservation line to a point on the southerly line of Government Lot 13; THENCE N 69°32'00" W 327.88 feet along said southerly line of Government Lot 13 to a point on the easterly bank of the Snake River; THENCE along the easterly bank of the Snake River the following thirty-three, (33), bearings and distances:

- 1) THENCE N 34°05'19" E 6.37 feet;
- 2) THENCE N 48°00'50" E 17.11 feet;
- 3) THENCE N 31°19'04" E 10.36 feet;
- 4) THENCE N 36°43'11" E 25.59 feet;
- 5) THENCE N 50°57'16" E 15.86 feet;
- 6) THENCE N 44°13'21" E 9.55 feet;
- 7) THENCE N 59°07'44" E 11.34 feet;
- 8) THENCE N 47°14'17" E 18.14 feet;
- 9) THENCE N 43°43'43" E 22.72 feet;
- 10) THENCE N 48°33'59" E 29.68 feet;
- 11) THENCE N 48°37'41" E 23.33 feet;

- 12) THENCE N 38°01'10" E 29.34 feet;
- 13) THENCE N 33°49'02" E 50.50 feet;
- 14) THENCE N 46°08'46" E 66.03 feet;
- 15) THENCE N 26°52'56" E 26.72 feet;
- 16) THENCE N 37°53'47" E 78.75 feet;
- 17) THENCE N 50°07'01" E 61.22 feet;
- 18) THENCE N 62°43'36" E 24.64 feet;
- 19) THENCE N 71°47'56" E 38.22 feet;
- 20) THENCE N 60°44'46" E 24.39 feet;
- 21) THENCE N 44°56'51" E 30.99 feet;
- 22) THENCE N 19°22'41" E 33.85 feet;
- 23) THENCE N 42°13'16" E 27.92 feet;
- 24) THENCE N 54°57'14" E 22.93 feet;
- 25) THENCE N 24°02'36" E 26.05 feet;
- 26) THENCE N 47°40'25" E 18.61 feet;
- 27) THENCE N 35°35'10" E 81.64 feet;
- 28) THENCE N 30°30'59" E 61.89 feet;
- 29) THENCE N 34°01'08" E 65.07 feet;
- 30) THENCE N 39°06'46" E 91.60 feet;
- 31) THENCE N 34°48'01" E 72.58 feet;
- 32) THENCE N 20°44'30" E 65.50 feet;
- 33) THENCE N 32°01'39" E 31.24 feet;

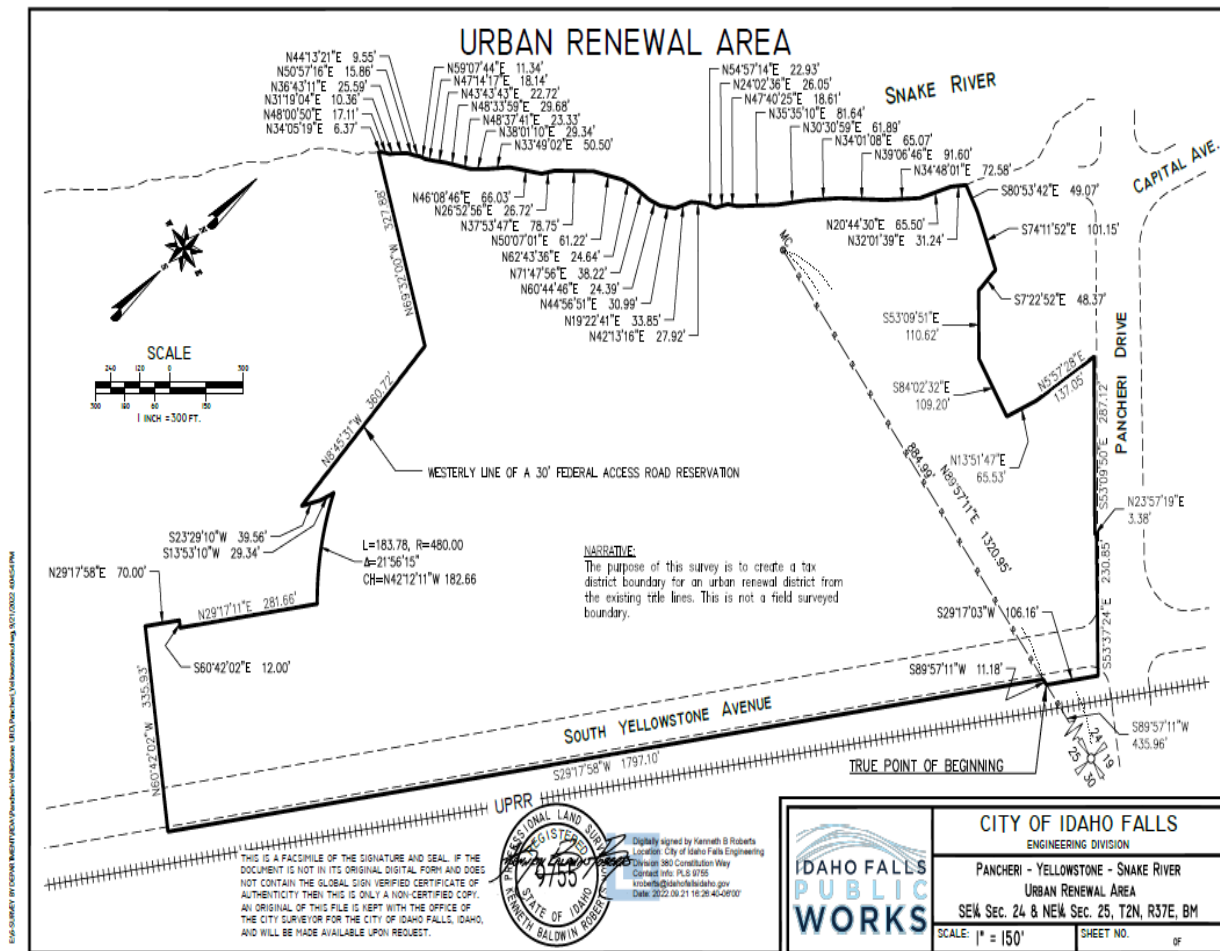
THENCE leave the easterly bank of the Snake River, S 80°53'42" E 49.07 feet to the southwesterly corner of Ball Packing Division No. 2, a subdivision of the City of Idaho Falls Idaho, filed with the Office of the Recorder for Bonneville County as instrument number 1262117; THENCE along the southerly and easterly boundary lines of said subdivision the following six, (6), bearings and distances:

- 1) THENCE S 74°11'52" E 101.15 feet;
- 2) THENCE S 07°22'52" E 48.37 feet;
- 3) THENCE S 53°09'51" E 110.62 feet;
- 4) THENCE S 84°02'32" E 109.20 feet;
- 5) THENCE N 13°51'47" E 65.53 feet;
- 6) THENCE N 05°57'28" E 137.05 feet to a point on the southwesterly right-of-way line of Pancheri Drive;

THENCE along said southwesterly right-of-way line the following three, (3), bearings and distances:

- 1) THENCE S 53°09'50" E, 287.12 feet;
- 2) THENCE N 23°57'19" E 3.38 feet;
- 3) THENCE S 53°37'24" E 230.85 feet to a point on said southeasterly right-of-way line of Yellowstone Avenue;

THENCE S 29°17'03" W 106.16 feet along said southeasterly right-of-way line; to the TRUE POINT OF BEGINNING, and containing 31.571 acres, more or less.



Section 100 includes an introduction, general procedures of the Agency, necessary procedures, the history and current conditions of the Project Area, as well as the purpose of activities, and open land criteria.

Section 200 references the boundaries of the Project Area.

Section 300 discusses the proposed redevelopment actions, participation opportunities and agreements, cooperation with public bodies, property acquisition standards and requirements, relocation, demolition, and property disposition.

Section 400 discusses the type of land uses authorized in the Project Area; provides the real property in the Project Area is subject to the controls and requirements of the Pancheri East Bank Plan and construction shall comply with applicable federal, state, and local laws and ordinances and Agency development standards; and provides design guidance for development.

Section 500 outlines the general description of the proposed financing methods. Among other sources, the Pancheri East Bank Plan will utilize revenue allocation financing, authorized

by the Act. This statute was approved in 1988 by the Idaho Legislature. Section 503 and Attachment 5 discuss revenue allocation financing and show how such financing has worked and would work in the Project Area in the future if certain new private developments occur as estimated.

Increases in assessed valuation of real and personal property in the Project Area that occur after January 1, 2022, will generate revenue for the Agency to pay project costs. Project costs include street improvements, water and sewer improvements, and other public improvement costs. The assessed valuation of real and personal property on the base assessment roll is still available for use by the other taxing districts, Bonneville County, City of Idaho Falls, Bonneville County Ambulance, Idaho Falls School District #91, Bonneville County Road and Bridge, College of Eastern Idaho, and Flood Control District No. 1 to finance their operations. The Pancheri East Bank Plan authorizes the Agency to sell revenue bonds to finance project costs, developer and/or public entity reimbursement and to use annual revenue allocations to pay the debt service.

The program outlined in the Pancheri East Bank Plan emphasizes the installation of needed public improvements, street improvements, utility work, and other costs to encourage private development.

Attachment 5 describes in detail the cost and financing methods for complete repayment of the debt incurred used to finance projects and to also fund the additional described activities.

The Pancheri East Bank Plan follows the underlying zoning classifications of the city of Idaho Falls.

Sections 600 and 700 describe cooperative activities by the Agency with the City to carry out the Pancheri East Bank Plan.

Sections 800 – 1100 provides that the duration of the Pancheri East Bank Plan is for twenty (20) years; provides a termination process of the Pancheri East Bank Plan; provides the requirement of the Agency to prepare an annual report each year describing its activities during the previous year and to comply with certain other reporting requirements.

ATTACHMENTS TO THE PANCHERI EAST BANK PLAN

Attachment 1	Boundary Map of Pancheri East Bank Urban Renewal Project Area and Revenue Allocation Area
Attachment 2	Legal Description of Pancheri East Bank Urban Renewal Project Area and Revenue Allocation Area
Attachment 3	Private Properties Which May be Acquired by the Agency
Attachment 4	Map Depicting Expected Land Use and Current Zoning Map of the Project Area

ORDINANCE NO. _____

Attachment 5 Economic Feasibility Study

The full text of the Ordinance _____ is available at the offices of the City Clerk, 308 Constitution Way, Idaho Falls, Idaho, 83405.

This summary is approved by the Idaho Falls City Council at its meeting of November 10, 2022.

Rebecca Casper, Mayor

ATTEST:

Jasmine Marroquin, Deputy City Clerk

I, Randy Fife, City Attorney for the city of Idaho Falls, Idaho, hereby declare and certify that in my capacity as City Attorney of the city of Idaho Falls, pursuant to Idaho Code Section 50-901A(3) of the Idaho Code as amended, I have reviewed a copy of the above Summary of Ordinance, have found the same to be true and complete, and said Summary of Ordinance provides adequate notice to the public of the contents, including the exhibits, of Ordinance No. _____.

DATED this _____ day of November 2022.

Randy Fife, City Attorney
Idaho Falls, Idaho

File #: 21-706

City Council Meeting

FROM: Brad Cramer, Director
DATE: Tuesday, November 1, 2022
DEPARTMENT: Community Development Services

Subject

Legislative Public Hearing-Part 1 of 2 of the Annexation and Initial Zoning-Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.649 acres for the Southeast ¼ of Section 23, Township 2 North, Range 37 East.

Council Action Desired

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

1. Approve the Ordinance annexing 10.649 acres for the Southeast ¼ of Section 23, Township 2 North, Range 37 East under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of 10.649 acres for the Southeast ¼ of Section 23, Township 2 North, Range 37 East and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Description, Background Information & Purpose

Attached is part 1 of 2 of the application for Annexation and Initial Zoning of LC, Limited Commercial with the Controlled Development Airport Overlay Zone which includes the Annexation Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.649 acres for the Southeast ¼ of Section 23, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its September 6, 2022, meeting and unanimously voted to recommended approval of the annexation with an initial zoning of LC with the Controlled Development Airport Overlay Zone as presented. Staff concurs with this recommendation.

Alignment with City & Department Planning Objectives



Consideration of annexation must be consistent with the principles of the Comprehensive Plan which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

Interdepartmental Coordination

The annexation legal description has been reviewed by the Survey Division.

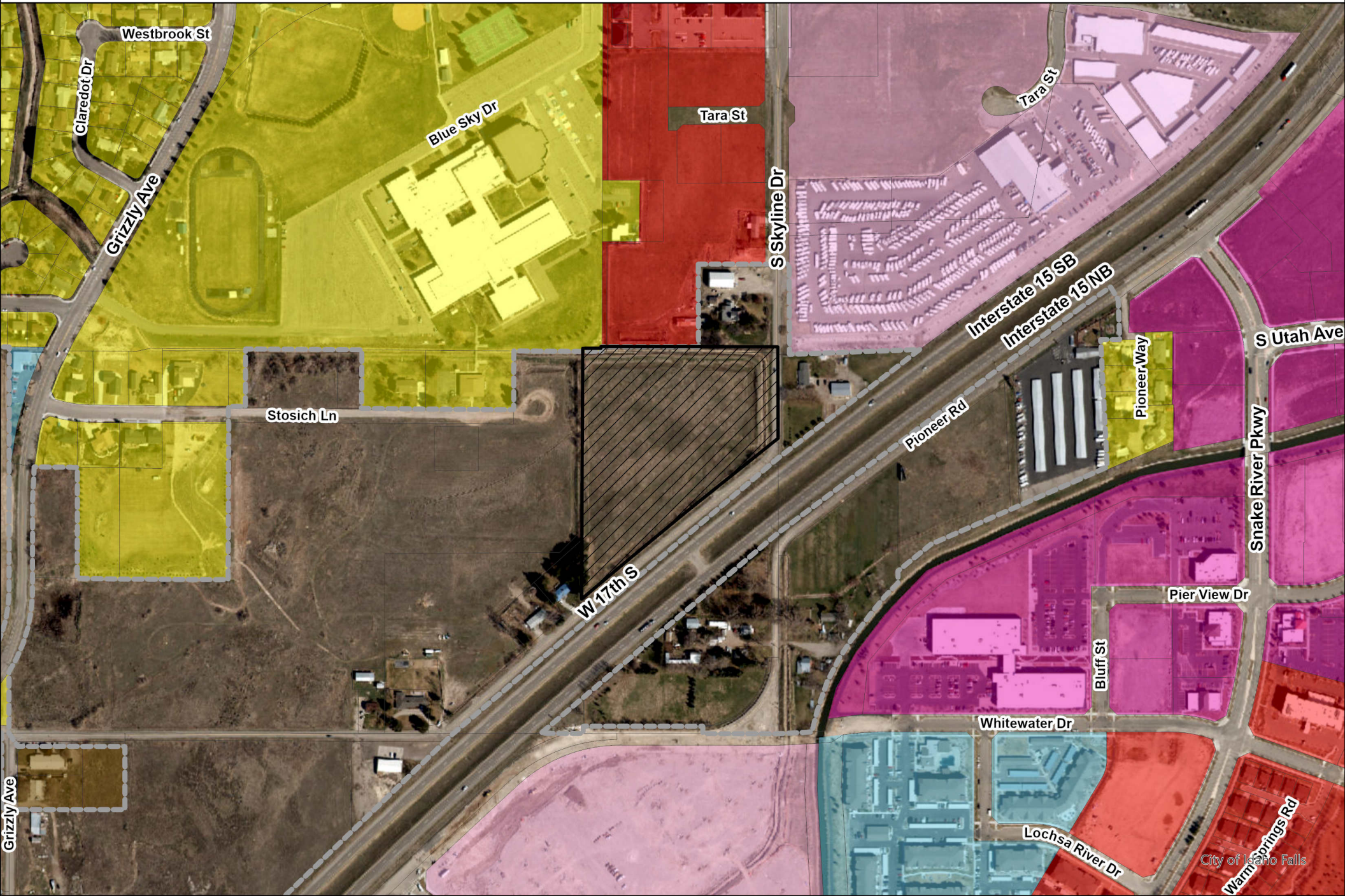
Fiscal Impact

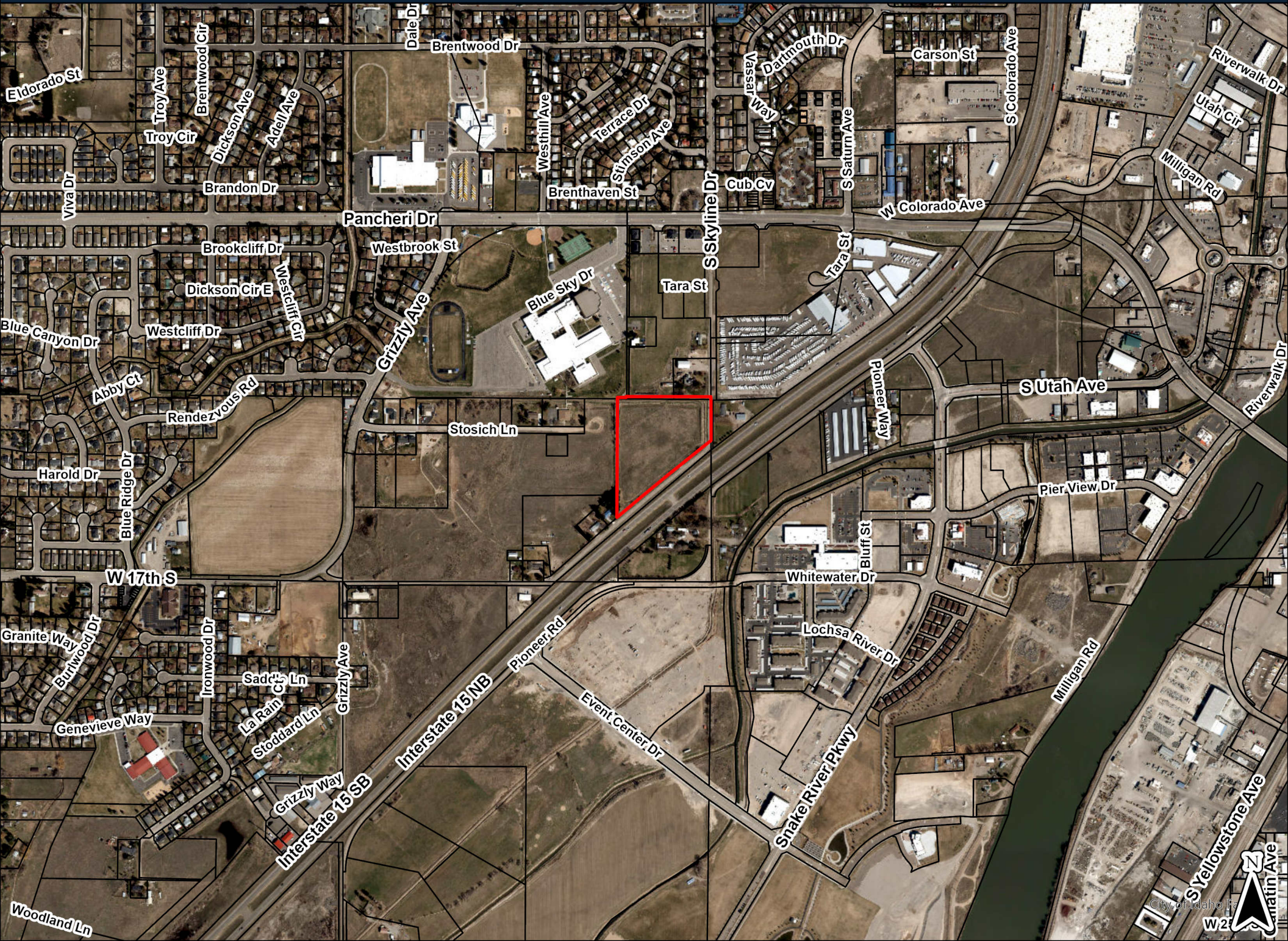
NA

Legal Review

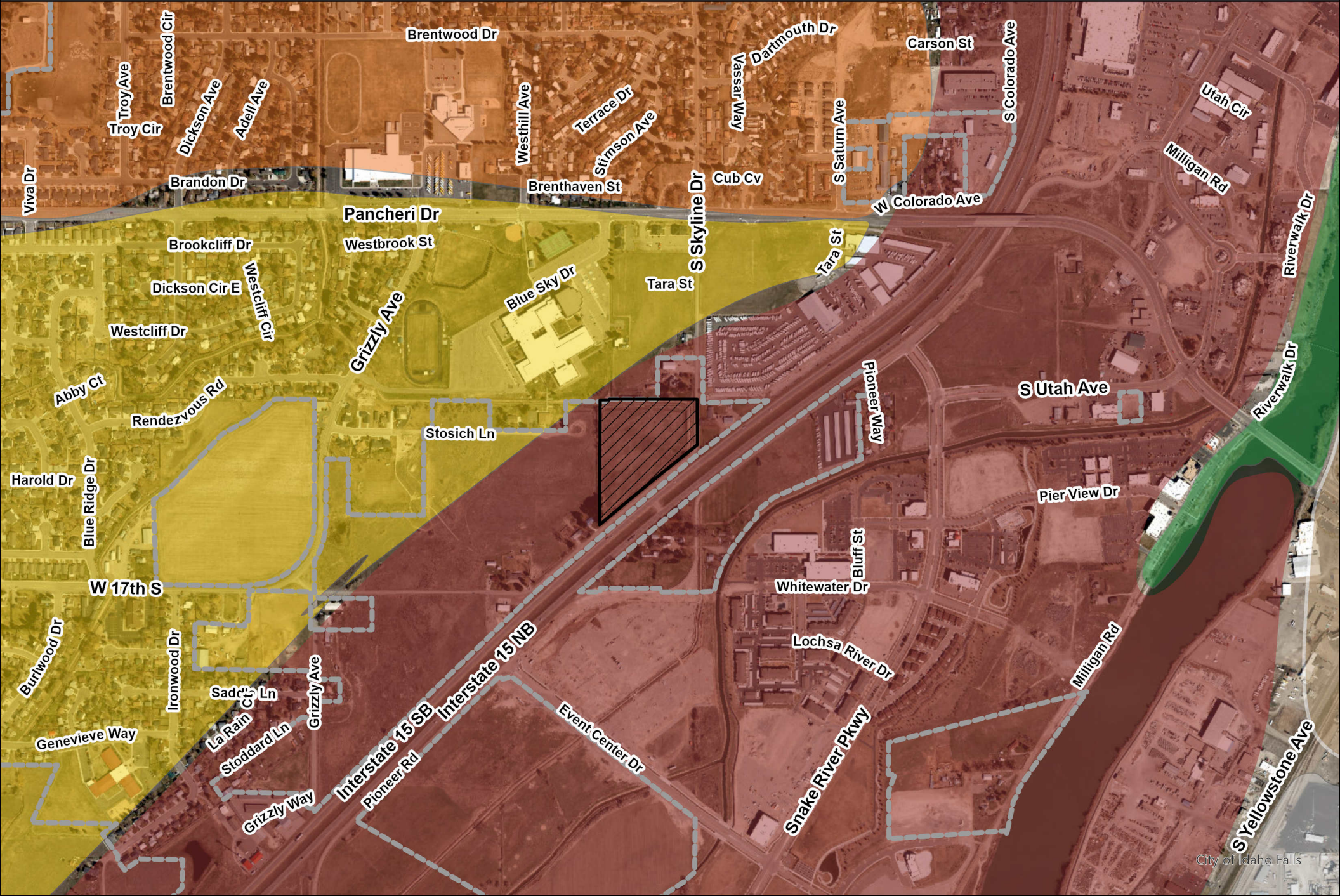
This application and ordinance have been reviewed by the City Attorney's Office pursuant to applicable law.

RE	R1	TN	R3	PB	LC	R&D	I&M
RP	R2	RMH	R3A	CC	HC	LM	P





- General Urban
- Mixed Use Centers and Corridors
- Special Use
- Urban Core
- Industrial
- Natural and Open Space
- Suburban



STAFF REPORT
Annexation and Initial Zoning of LC, Limited Commercial and the
Controlled Development Airport Overlay Zone.
Part of the SE ¼, Sec 23, T2N, R37E
November 10, 2022



Community
Development
Services

Applicant: Mathew Bird

Project Manager: Naysha Foster

Location: Generally, north of W 17th S, east of Grizzly Ave, south of Pancheri Dr, and west of S Skyline Dr.

Size: Approximately 10.649 acres

Zoning:

Existing: County A-1
North: LC
South: County A-1
East: County A-1
West: County A-1

Proposed Zoning: LC, with Airport Overlay

Existing Land Uses:

Site: Vacant
North: Residential
South: Residential
East: Residential
West: Vacant

Future Land Use Map:
General Urban

Attachments:

1. Comprehensive Plan Policies
2. Zoning Information
3. Maps & Aerial Photos

Requested Action: To approve the annexation and initial zoning of LC, Limited Commercial with the Controlled Development Airport Overlay Zones.

Staff Recommendation: Staff and the Planning and Zoning Commission recommends approval of the annexation and initial zoning of LC and the Controlled Development Airport Overlay Zones.

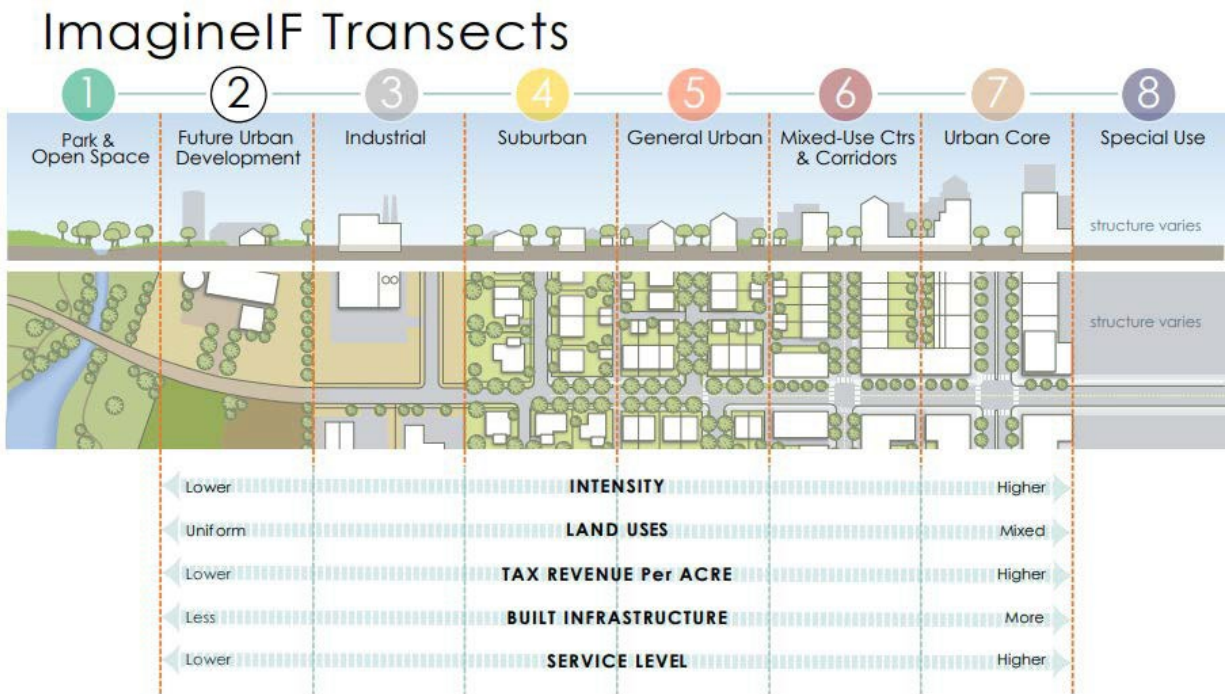
Annexation: This is a Category “A” annexation as it is requested by the property owner. The property is in the Area of Impact and contiguous to City limits along the north property line. Annexation of the property is consistent with the policies of the City’s Comprehensive Plan.

Initial Zoning: The proposed zoning is LC, Limited Commercial with the Controlled Development Airport Overlay Zones. The LC zone is a commercial zone for retail and services which supply the daily household needs for residents. This Zone is usually located on major streets contiguous to residential uses. This zone is characterized by smaller scale commercial uses which are easily accessible by pedestrians and non-motorized vehicles from the surrounding residential neighborhoods, although larger scale developments such as big-box stores may still serve as anchors. Connectivity is provided with walkways that provide access to and through the development site. Parking for vehicles is understated by the use of landscaping, location, and provision of pedestrian walkways to the businesses. When residential is developed in the LC zone the R3A standards are implemented.

Staff Comments: This property is situated in the Area of Impact and is contiguous to city limits. This property will need to be platted before development occurs. Utilities are in the vicinity. The Comprehensive Plan identifies this property as Mixed Use Center and Corridor. The LC Zone is consistent with the policies of the Comprehensive Plan as well as existing zoning in the area. S. Skyline and W. 17th Street are both arterial roads. The LC Zone is appropriate for this area with freeway visibility and arterial road access.

Comprehensive Plan Land Use Transects:

pg. 60-70



6. Mixed-Use Centers & Corridors

Snapshot: The Mixed-Use Centers and Corridors Transect denotes areas where people tend to shop, eat and gather. These areas include all housing types but generally at a more intense scale than other areas. These areas also include mixed-use buildings, recreation centers and commercial uses. Mixed-Use Centers and corridors may vary in scale from large, regional commercial centers with supportive housing to smaller commercial pockets called walkable centers that support a well-connected, walkable neighborhood.

Local examples: Northgate Mile and 1st Street corridors, Intersection of 65th South and 5th West, Intersection of Skyline and Broadway, Snake River Landing

Comprehensive Plan Policies:

Focus on Walkable Centers pg. 82

Identify existing and potential walkable centers and focus on promoting a mix of uses where people can live and easily access daily needs.

Focus on becoming a 15-minute City pg. 82

Identify gaps in 15-minute access from homes to goods and services.

Diversify and Intensify Uses at in Mixed Uses Centers and Corridors pg. 104

Diversify zoning designations at the intersections of arterial and collector streets to zones that allow for neighborhood services to be established.

Increase Availability of Daily Goods and Services pg. 119

Focus on 65th North and 5th East to be an area of expansion that includes Walkable Center principles such as additional housing in a walkable context, daily goods and services, and proper multi-modal infrastructure.

Zoning Ordinance:

11-3-5: PURPOSE OF COMMERCIAL ZONES

LC Limited Commercial Zone. This zone provides a commercial zone for retail and service uses which supply the daily household needs of the City's residents. This Zone is usually located on major streets contiguous to residential uses. This zone is characterized by smaller scale commercial uses which are easily accessible by pedestrians and non-motorized vehicles from the surrounding residential neighborhoods, although larger scale developments such as big-box stores may still serve as anchors. Connectivity is provided with walkways that provide access to and through the development site. Parking for vehicles is understated by the use of landscaping, location, and provision of pedestrian walkways to the businesses.

Table 11-3-5: Dimensional Standards for Commercial Zones

	CC	PB	LC	HC
Site width at front setback - Minimum in ft.		50	*	50
Setbacks – Minimum in ft.				
Front		20	20*	20
Side			*	
Rear			*	
Landscape buffer contiguous to street* in ft.	7*	15	20*	20*
Landscape buffer contiguous to a residential Zones* in ft.	10	10	20/10	30/10
Building height – Maximum in ft.		*	*	
Lot Coverage- Maximum in %		80	80	
*See explanations, exceptions and qualifications that follow in Section 11-3-6A (1-3) of this Zoning Code.				

In the LC Zone, residential uses shall comply with the R3A Zone dimensional standards.

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.

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	36	*			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)(Ord. 3310, 6-18-20)

11-2-3: ALLOWED USES IN RESIDENTIAL ZONES.

Table 11-2-1: Allowed Uses in Residential Zones

P = permitted use. C1 = administrative conditional use. C2 = Planning Commission conditional use. C3 = City Council conditional use. A blank denotes a use that is not allowed in that zone.								
*Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.								
	Low Density Residential			Medium Density Residential			High Density Residential	
Proposed Land Use Classification	RE	RP	R1	R2	TN	RMH	R3	R3A
Accessory Use	P	P	P	P	P	P	P	P
Agriculture*	P							
Animal Care Clinic					P*			P
Artist Studio					P*			
Bed and Breakfast*								P
Boarding /Rooming House							P	P
Day Care, Center*			C ₂	P	P		P	P
Day Care, Group*	C ₁		C ₁	P	P	C ₁	P	P
Day Care, Home	C ₁		C ₁	P	P	C ₁	P	P
Dwelling, Accessory Unit*	P			P	P		P	P
Dwelling, Multi-Unit*				P*	P		P	P
Dwelling, Multi-Unit Attached*				P	P		P	P
Dwelling, Single Unit Attached*			P	P	P	P	P	P
Dwelling, Single Unit Detached	P	P	P	P	P	P	P	P
Dwelling, Two Unit				P	P		P	P
Eating Establishment, Limited					P*			P
Financial Institutions					P*			P
Food Processing, Small Scale					P*			
Food Store					P*			
Fuel Station					P*			
Health Care and Social Services					P*			P
Home Occupation*	C ₁		C ₁	C ₁	C ₁	C ₁	C ₁	C ₁
Information Technology								P
Laundry and Dry Cleaning					P*			P
Live-Work*					C ₁			P
Manufactured Home*	P	P	P	P	P	P	P	P
Mobile Home Park*						C ₂		C ₂
Mortuary								P
Park and Recreation Facility*	P	P	P	P	P	P	P	P
Parking Facility								P
Personal Service					P*			P
Planned Unit Development*	C ₃	C ₃	C ₃	C ₃		C ₃	C ₃	C ₃
Professional Service								P
Public Service Facility*	C ₂	C ₂	C ₂	C ₂	C ₂	C ₂	C ₂	C ₂
Public Service Facility, Limited	P	P	P	P	P	P	P	P
Public Service Use								P

Recreational Vehicle Park*						C ₂		
Proposed Land Use Classification	RE	RP	R1	R2	TN	RMH	R3	R3A
Religious Institution*	C ₂	C ₂	C ₂	C ₂	C ₂	C ₂	C ₂	C ₂
Residential Care Facility							P	P
Retail					P*			C ₂
School	C ₂	C ₂	C ₂	C ₂	C ₂	C ₂	C ₂	C ₂
Short Term Rental*	P	P	P	P	P	P	P	P
Transite Station								P

(Ord. 3218, 9-13-18) (Ord. 3358, 12-10-20)

11-2-4: ALLOWED USES IN COMMERCIAL ZONES.

Table 11-2-2: Allowed Uses in Commercial Zones

P = permitted use. C1 = administrative conditional use. C2 = Planning Commission conditional use. C3 = City Council conditional use. A blank denotes a use that is not allowed in that zone. *Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.					
	Commercial				
Proposed Land Use Classification	PB	CC	LC	HC	PT
Accessory Use*	P	P	P	P	P
Accessory Use, Fuel Station*		P	P	P	
Accessory Use, Storage Yard*		P	P	P	
Amusement Center, Indoor		P	P	P	
Amusement Center, Indoor Shooting Range*		P	P	P	
Amusement Center, Outdoor*				P	
Animal Care Clinic*	P	P	P	P	
Animal Care Facility*				P	
Bed and Breakfast*		P	P		P
Boarding /Rooming House		P	P		P
Building Material, Garden and Farm Supplies			P	P	
Cemetery*		C ₂	C ₂	C ₂	
Club*		P	P	P	
Communication Facility		P	P	P	
Day Care, all Types*	P	P	P	P	P
Drinking Establishment		P		P	
Drive-through Establishment *	P*	P	P	P	P
Dwelling, Accessory Unit *		P	P	P	P
Dwelling, Multi-Unit*		P	P		P
Dwelling, Multi-Unit Attached*		P	P		P
Dwelling, Single Unit Attached*			P		
Dwelling, Single Unit Detached			P		
Dwelling, Two Unit			P		P
Eating Establishment		P	P	P	P
Eating Establishment, Limited	P	P	P	P	P

11-2-4: ALLOWED USES IN COMMERCIAL ZONES.

Table 11-2-2: Allowed Uses in Commercial Zones

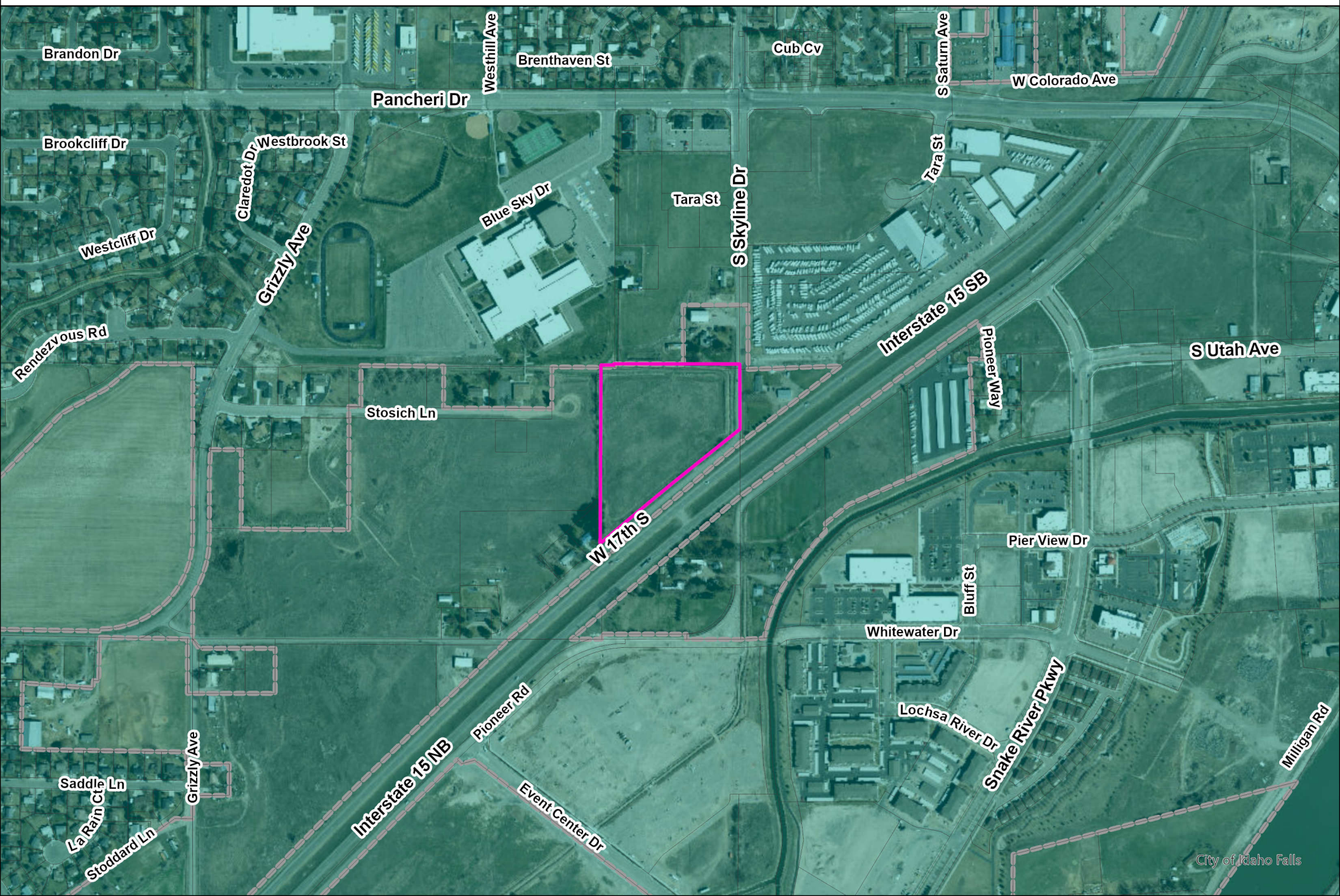
P = permitted use. C1 = administrative conditional use. C2 = Board of Adjustment conditional use. C3 = City Council conditional use. A blank denotes a use that is not allowed in that zone.

*Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.

Proposed Land Use Classification	Commercial				
	PB	CC	LC	HC	PT
Accessory Use	P	P	P	P	P
Accessory Use, Fuel Station*		P	P	P	
Accessory Use, Storage Yard*		P	P	P	
Amusement Center, Indoor		P	P	P	
Amusement Center, Indoor Shooting Range*		P	P	P	
Amusement Center, Outdoor*				P	
Animal Care Clinic*	P	P	P	P	
Animal Care Facility*				P	
Bed and Breakfast*		P	P		P
Boarding /Rooming House		P	P		P
Building Material, Garden and Farm Supplies			P	P	
Cemetery*		C ₂	C ₂	C ₂	
Club*		P	P	P	
Communication Facility		P	P	P	
Day Care, all Types*	P	P	P	P	P
Drinking Establishment		P		P	
Drive-through Establishment *	P*	P	P	P	P
Dwelling, Accessory Unit *		P	P	P	P
Dwelling, Multi-Unit*		P	P		P
Dwelling, Multi-Unit Attached*		P	P		P
Dwelling, Single Unit Attached*			P		
Dwelling, Single Unit Detached			P		
Dwelling, Two Unit			P		P
Eating Establishment		P	P	P	P
Eating Establishment, Limited	P	P	P	P	P

Proposed Land Use Classification	PB	CC	LC	HC	PT
Financial Institutions	P	P	P	P	P
Entertainment and Cultural Facilities	P	P	P	P	P
Equipment Sales, Rental and Services			P	P	
Food Processing, Small Scale				P	
Food Store		P	P	P	P
Health Care and Social Services	P	P	P	P	P
Higher Education Center		P	P	P	P
Home Occupation*	P	P	P	P	P
Hospital*	C ₂	C ₂	C ₂	C ₂	C ₂
Industry, Craftsman	P	P	P	P	
Industry, Light		P		P	
Information Technology	P	P	P	P	P
Laundry and Dry Cleaning		P			P
Live-Work*	C ₂	P	P	P	P
Lodging Facility		P	P	P	P
Mortuary				P	P
Parking Facility		P	P	P	P
Pawn Shop		P			
Personal Service	P	P	P	P	P
Professional Service	P	P	P	P	P
Planned Unit Development*		C ₃	C ₃		C ₃
Public Service Facility*	C ₂	C ₂	C ₂	C ₂	C ₂
Public Service Facility, Limited	P	P	P	P	P
Public Service Use	P	P	P	P	P
Recreation Vehicle Park*				P	
Religious Institution*		P	P	P	P
Residential Care Facility	P	P	P	P	P
Retail		P	P	P	P
School		P	P	P	P
Short Term Rental*		P	P		P
Fuel Station		P	P	P	
Fuel Station, Super		C ₂	P	P	
Storage Facility, Indoor		P	P	P	P
Storage Facility, Outdoor				P	
Storage Yard*				P	
Transit Station		P	P	P	P
Vehicle Body Shop				P	
Vehicle Repair and Service		P	P	P	
Vehicle Sales, Rental and Service		P		P	
Vehicle Washing Facility		C ₂	C ₂	P	

- | | | |
|---|---|--|
|  Approach Surface |  Controlled Development Approach Surface |  Limited Development Approach Surface |
|  Controlled Development |  Limited Development |  No Development |



September 6, 2022

7:00 p.m.

Planning Department

City Annex Building

MEMBERS PRESENT: Commissioners Joanne Denney, Margaret Wimborne, Lindsey Romankiw, Glen Ogden, Brent Dixon George Morrison (via Webex), Kristi Brower (via Webex).

MEMBERS ABSENT: Arnold Cantu

ALSO PRESENT: Assistant Planning Director Kerry Beutler; planner Caitlin Long, Naysha Foster, Brian Stevens, Assistant City Attorney Michael Kirkham, Esq. and interested citizens.

CALL TO ORDER: Joanne Denney called the meeting to order at 7:00 p.m.

CHANGES TO AGENDA: None.

MINUTES: Morrison moved to accept the minutes of August 2, 2022, Wimborne seconded the motion and the motion passed. Dixon abstained as he wasn't in attendance of the meeting in August.

Public Hearing(s):

1. ANNEX 22-016: ANNEXATION/INITIAL ZONING. Annexation and Initial Zoning of LC for 8 Acres.

Denney opened the public hearing.

Applicant: Matt Bird, 4980 Riverbend Way, Idaho Falls, Idaho. Bird would like 8 acres of land near Skyline Highschool annexed with an initial zoning of LC. Bird stated that the land adjacent to the north is zoned LC and LC is in line with the Imagine IF plans.

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

Wimborne clarified that access would be 17th South and Skyline, but not off Stosich, Foster agreed.

Dixon asked about the annexation of 17th South that is against the Interstate. Foster stated that generally they annex the road, and it is part of this proposal. Dixon asked about the proposal of connectivity with Stosich. Foster stated that there has not been discussion about Stosich, as it is County road and then private. Dixon feels that it matters what is being developed with connectivity, and if it is residential, you'd want connectivity to other residential, but if it is commercial, it shouldn't be connected, but LC allows both. Foster stated that they will look at that in the Plat and site plan.

No one appeared in Support/Opposition.

Denney closed the public hearing.

Dixon feels that this makes sense for the use of this property with the surrounding zoning along Skyline. Dixon asked if the full right of way of Skyline would be annexed and if this is approved it would create 2 very small county islands. Dixon asked about the potential for forced annexation in the future of the small islands, and how does the Freeway get counted in that. Foster stated that the Freeway is treated as any other road, and it is not annexed as it is a State

Interstate. Dixon was asking if the county island on the west would then be considered adjacent to the county property to the east that is across the interstate. Beutler stated that the property on the south side of Pioneer Road has been proposed for annexation, but hasn't been completed, and so there would be 3 enclaved county islands and the Freeway would be annexed as the City has property on both sides to clean up boundaries. Dixon asked if that action would happen to the freeway north of this area, as there is already both sides annexed. Beutler stated that it is done periodically as clean up. Dixon asked if Skyline is annexed on both sides. Foster stated that Skyline is annexed down to this property. Beutler clarified that annexing the rest of Skyline is a review comment on this annexation, so that right of way would be proposed to be included as it proceeds forward to City Council.

Dixon moved to recommend to the Mayor and City Council approval of the annexation of 8.804 acres for part of the SE 1/4, Sec 23, T 2N, R 37 E, as proposed, with initial zoning of LC with Controlled Development Airport Overlay Zone, Morrison seconded the motion. Denney called for roll call vote: Wimborne, yes; Romankiw, yes; Ogden, yes; Dixon, yes; Brower, yes; Morrison, yes. The motion passed unanimously.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 10.649 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the lands described in Exhibit A of this Ordinance are contiguous and adjacent to the City limits of the City of Idaho Falls, Idaho; and

WHEREAS, such lands described herein are subject to annexation to the City pursuant to the provisions of Idaho Code Section 50-222, and other laws, as amended; and

WHEREAS, the annexation of the lands described in Exhibit A is reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services; to enable the orderly development of private lands which benefit from a cost-effective availability of City services in urbanizing areas; and to equitably allocate the costs of City/public services in management of development on the City's urban fringe; and

WHEREAS, the City has authority to annex lands into the City pursuant to procedures of Idaho Code Section 50-222, as amended; and

WHEREAS, any portion of a highway lying wholly or partially within the lands to be annexed are included in the lands annexed by this Ordinance; and

WHEREAS, the lands annexed by this Ordinance are not connected to the City only by a "shoestring" or a strip of land which comprises a railroad or right-of-way; and

WHEREAS, all private landowners have consented to annexation of such lands, where necessary; and

WHEREAS, City of Idaho Falls Comprehensive Plan includes the area of annexation; and

WHEREAS, after considering the written and oral comments of property owners whose lands would be annexed and other affected persons, City Council specifically makes the following findings:

- 1) That the lands annexed meet the applicable requirements of Idaho Code Section 50-222 and does not fall within exceptions or conditional exceptions contained in Idaho Code Section 50-222;
- 2) The annexation is consistent with public purposes addressed in annexation and related plans prepared by the City; and
- 3) Annexation of the lands described in Section 1 are reasonably necessary for the orderly development of the City; and

WHEREAS, it appears to the Council that the lands described herein below in Exhibit A of this Ordinance should be annexed to and become a part of the City of Idaho Falls, Idaho; and

WHEREAS, the City wishes to exercise jurisdiction over the annexed lands in a way that promotes the orderly development of such lands; and

WHEREAS, the City of Idaho Falls Comprehensive Plan sets out policies and strategies designed to promote and sustain future growth within the City; and

WHEREAS, such designation is consistent with policies and principles contained within the City of Idaho Falls Comprehensive Plan; and

WHEREAS, the City desires the City of Idaho Falls Comprehensive Plan Map to be amended to reflect the designation contained in this Ordinance.

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

SECTION 1. Annexation of Property. The lands described in Exhibit A are hereby annexed to the City of Idaho Falls, Idaho.

SECTION 2. Amended Map and Legal Description. The City Clerk shall file a certified copy of this Ordinance with the Bonneville County Auditor, Treasurer, and Assessor, within ten (10) days after the effective date hereof. The City Engineer shall, within ten (10) days after such effective date, file an amended legal description and map of the City, with the Bonneville County Recorder and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code Section 63-2215.

SECTION 3. Findings. The findings contained in the recitals of this Ordinance be, and the same are hereby adopted as the official City Council findings for this Ordinance, and any further findings relative to this Ordinance shall be contained in the officially adopted Council minutes of the meeting in which this Ordinance was passed.

SECTION 4. 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 5. 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 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this _____ day of _____, 2022.

Rebecca L. Noah Casper, Mayor

ATTEST:

Jasmine Marroquin, Deputy City Clerk

(SEAL)

STATE OF IDAHO)
 : ss.
County of Bonneville)

I, JASMINE MARROQUIN, DEPUTY 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; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 10.649 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

Jasmine Marroquin, Deputy City Clerk

(SEAL)

EXHIBIT "A"

LEGAL DESCRIPTION (Page 1 of 1)

BEGINNING AT A POINT THAT IS S.00°12'14"E. ALONG THE SECTION LINE 1036.53 FEET FROM THE EAST 1/4 CORNER OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 37 EAST OF THE BOISE MERIDIAN, SAID POINT BEING ON THE BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; RUNNING THENCE S.89°59'57"E. ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE OF 40.00 FEET TO THE WESTERLY BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 2956; THENCE S.00°12'14"E. ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 2956 EXTENDED A DISTANCE OF 626.55 FEET TO THE NORTHERLY BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250; SAID POINT BEING ON A NON-TANGENT CURVE WITH A RADIUS OF 19198.59 FEET AND A CHORD BEARING S.51°55'30"W. 35.20 FEET; THENCE SOUTHERLY ALONG SAID NORTHERLY BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 THE FOLLOWING TWO (2) COURSES: (1) THENCE TO THE LEFT ALONG SAID NON-TANGENT CURVE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 A DISTANCE OF 35.20 FEET THROUGH A CENTRAL ANGLE OF 00°06'18" TO A POINT OF CURVE WITH A RADIUS OF 19198.59 FEET AND A CHORD BEARING S.50°33'57"W. 874.65 FEET; (2) THENCE CONTINUING TO THE LEFT ALONG SAID CURVE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 A DISTANCE OF 874.73 FEET THROUGH A CENTRAL ANGLE OF 02°36'38"; THENCE N.00°02'40"E. 916.78 FEET TO THE SOUTH BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 1177; THENCE EASTERLY AND NORTHERLY ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 1177 THE FOLLOWING TWO (2) COURSES: (1) THENCE S.89°34'26"E. 62.20 FEET; (2) THENCE N.00°10'04"E. 5.86 FEET TO THE SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; THENCE S.89°59'25"E. ALONG SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE EXTENDED OF 559.10 FEET; THENCE N.00°12'14"W. 281.74 FEET TO SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; THENCE S.89°59'57"E. ALONG SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10.649 ACRES.

Submitted By:

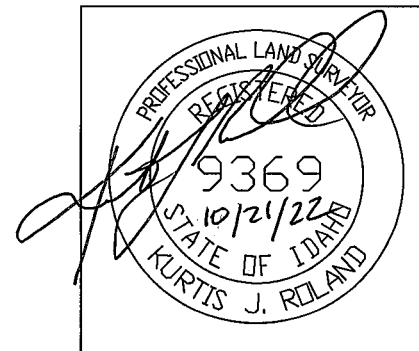
Firm Name: EAGLE ROCK ENGINEERING

Contact Name: KURT ROLAND

Phone Number: 208-542-2665

Email: kroland@erengr.com

Overall Document Page Range ____ of ____



S00°12'14"E 1036.53'
S89°59'57"E 40.00'

ORD. NO. 3432
S89°59'57"E 40.00'
ORD. NO. 2956
P.O.B.

ANNEXATION ORDINANCE # _____

AN ADDITION TO THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO
A PARCEL OF LAND BEING SITUATED IN THE SOUTHEAST QUARTER OF SECTION 23
AND A STRIP OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 24,
TOWNSHIP 2 NORTH, RANGE 37 EAST OF THE BOISE MERIDIAN

BEGINNING AT A POINT THAT IS S.00°12'14"E. ALONG THE SECTION LINE 1036.53 FEET FROM THE EAST 1/4 CORNER OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 37 EAST OF THE BOISE MERIDIAN, SAID POINT BEING ON THE BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; RUNNING THENCE S.89°59'57"E. ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE OF 40.00 FEET TO THE WESTERLY BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 2956; THENCE S.00°12'14"E. ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 2956 EXTENDED A DISTANCE OF 626.55 FEET TO THE NORTHERLY BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250; SAID POINT BEING ON A NON-TANGENT CURVE WITH A RADIUS OF 19198.59 FEET AND A CHORD BEARING S.51°55'30"W. 35.20 FEET; THENCE SOUTHERLY ALONG SAID NORTHERLY BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 THE FOLLOWING TWO (2) COURSES: (1) THENCE TO THE LEFT ALONG SAID NON-TANGENT CURVE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 A DISTANCE OF 35.20 FEET THROUGH A CENTRAL ANGLE OF 00°06'18" TO A POINT OF CURVE WITH A RADIUS OF 19198.59 FEET AND A CHORD BEARING S.50°33'57"W. 874.65 FEET; (2) THENCE CONTINUING TO THE LEFT ALONG SAID CURVE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 A DISTANCE OF 874.73 FEET THROUGH A CENTRAL ANGLE OF 02°36'38"; THENCE N.00°02'40"E. 916.78 FEET TO THE SOUTH BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 1177; THENCE EASTERLY AND NORTHERLY ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 1177 THE FOLLOWING TWO (2) COURSES: (1) THENCE S.89°34'26"E. 62.20 FEET; (2) THENCE N.00°10'04"E. 5.86 FEET TO THE SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; THENCE S.89°59'25"E. ALONG SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE EXTENDED OF 559.10 FEET; THENCE N.00°12'14"W. 281.74 FEET TO SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; THENCE S.89°59'57"E. ALONG SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10.649 ACRES.

10.649 ACRES

R=19198.59', L=35.20'
CH=S51°55'30"W, C=35.20'
Δ=0°06'18"

NOT ANNEXED

NOT ANNEXED



100' 50' 0 100'
SCALE: 1" = 100'

U.S. INTERSTATE-15

R=19198.59', L=874.73'
CH=S50°33'57"W, C=874.65'
Δ=2°36'38"

ORD. NO. 3250

S00°12'14"E 2636.53'

SOUTHEAST CORNER OF SECTION 23
TOWNSHIP 2 NORTH RANGE 37 EAST BM

N89°56'53"W 2624.52' BASIS OF BEARING (SECTION LINE)

SOUTH QUARTER CORNER OF
SECTION 23 TOWNSHIP 2
NORTH RANGE 37 EAST BM



EAGLE ROCK
ENGINEERING
CIVIL • PLANNING • SURVEYING
IDAHO FALLS (208) 542-2665 REXBURG (208) 359-2665

OFFICES AT:

1331 Fremont Ave.
Idaho Falls, Idaho 83402

310 N 2nd East, Suite 153
Rexburg, Idaho 83440

DRAWN BY:	TH
APPROVED BY:	KURT ROLAND
PROJECT NO.	22110
SCALE:	1"=100'
DATE:	OCT 2022
CAD NAME:	ANNEX MAP.DWG

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

ANNEXATION OF APPROXIMATELY 10.649 ACRES NORTH OF W 17th S, EAST OF GRIZZLY AVE, SOUTH OF PANCHERI DR, AND WEST OF S SKYLINE DR.

WHEREAS, the applicant filed an application for annexation on July 27, 2022; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on September 6, 2022; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public hearing on November 10, 2022; 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 City of Idaho Falls Comprehensive Plan, City of Idaho Falls Zoning Ordinance, City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 10.649 acres generally located north of W 17th S, east of Grizzly Ave, south of Pancheri Dr and west of S Skyline Dr.
3. This property is in the Area of Impact and contiguous to City limits along the north property line.
4. This application is a Category "A" annexation.
5. City utilities are present in the area to provide services to this property.
6. The Comprehensive Plan designates this area as Mixed-Use Centers and Corridors
7. Idaho Falls Planning and Zoning Commission recommended approval of annexation.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the annexation as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2022

Rebecca L. Noah Casper - Mayor



Memorandum

File #: 21-707

City Council Meeting

FROM: Brad Cramer, Director
DATE: Tuesday, November 1, 2022
DEPARTMENT: Community Development Services

Subject

Legislative Public Hearing-Part 2 of 2 of the Annexation and Initial Zoning of LC, Limited Commercial with Controlled Development Airport Overlay Zones, Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards, 10.649 acres of the SE ¼ of Section 23, Township 2 North, Range 37 East.

Council Action Desired

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

1. Assign a Comprehensive Plan Designation of "Mixed Use Centers and Corridors" and approve the Ordinance establishing the initial zoning for LC, Limited Commercial with Controlled Development Airport Overlay Zones as shown in the Ordinance exhibits under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning office (or consider the Ordinance on the first reading and that it be read by title, reject the Ordinance, or take other action deemed appropriate).

2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of LC, Limited Commercial with Controlled Development Airport Overlay Zones, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

Description, Background Information & Purpose

Attached is part 2 of 2 of the application for Annexation and Initial Zoning of LC, Limited Commercial with Controlled Development Airport Overlay Zones, which includes the Initial Zoning Ordinance and Reasoned Statement of Relevant Criteria and Standards for 10.649 acres of the SE ¼ of Section 23, Township 2 North, Range 37 East. The Planning and Zoning Commission considered this item at its September 6, 2022, meeting and unanimously voted to recommend approval of LC, Limited Commercial with Controlled Development Airport Overlay Zones to the Mayor and City Council as presented. Staff concurs with this recommendation.

Alignment with City & Department Planning Objectives



Consideration of initial zoning must be consistent with the principles of the Comprehensive Plan which includes many policies and goals related to Good Governance, Growth, Sustainability, and Livable Communities.

Interdepartmental Coordination

The initial zoning legal description has been reviewed by the Survey Division.

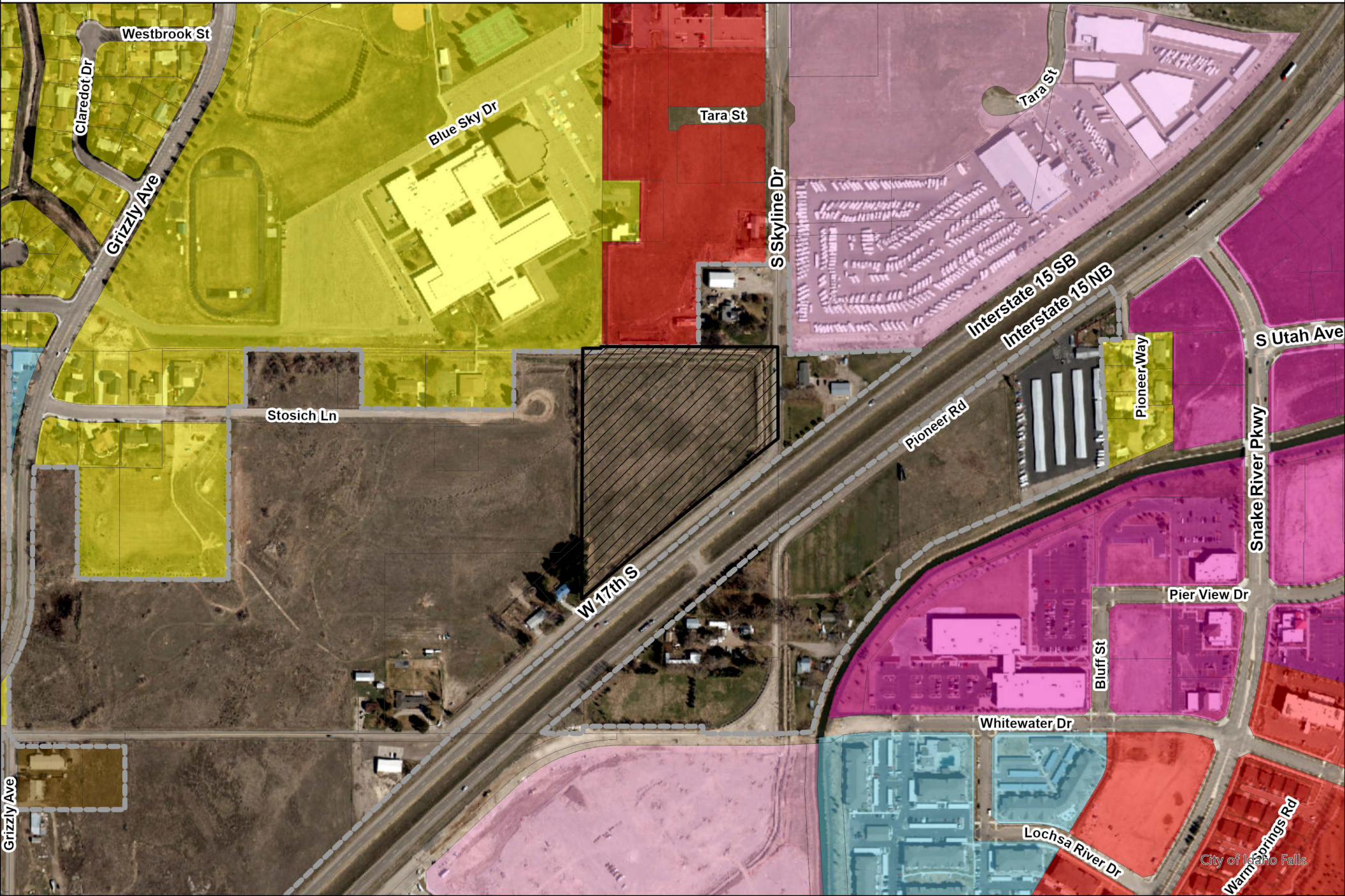
Fiscal Impact

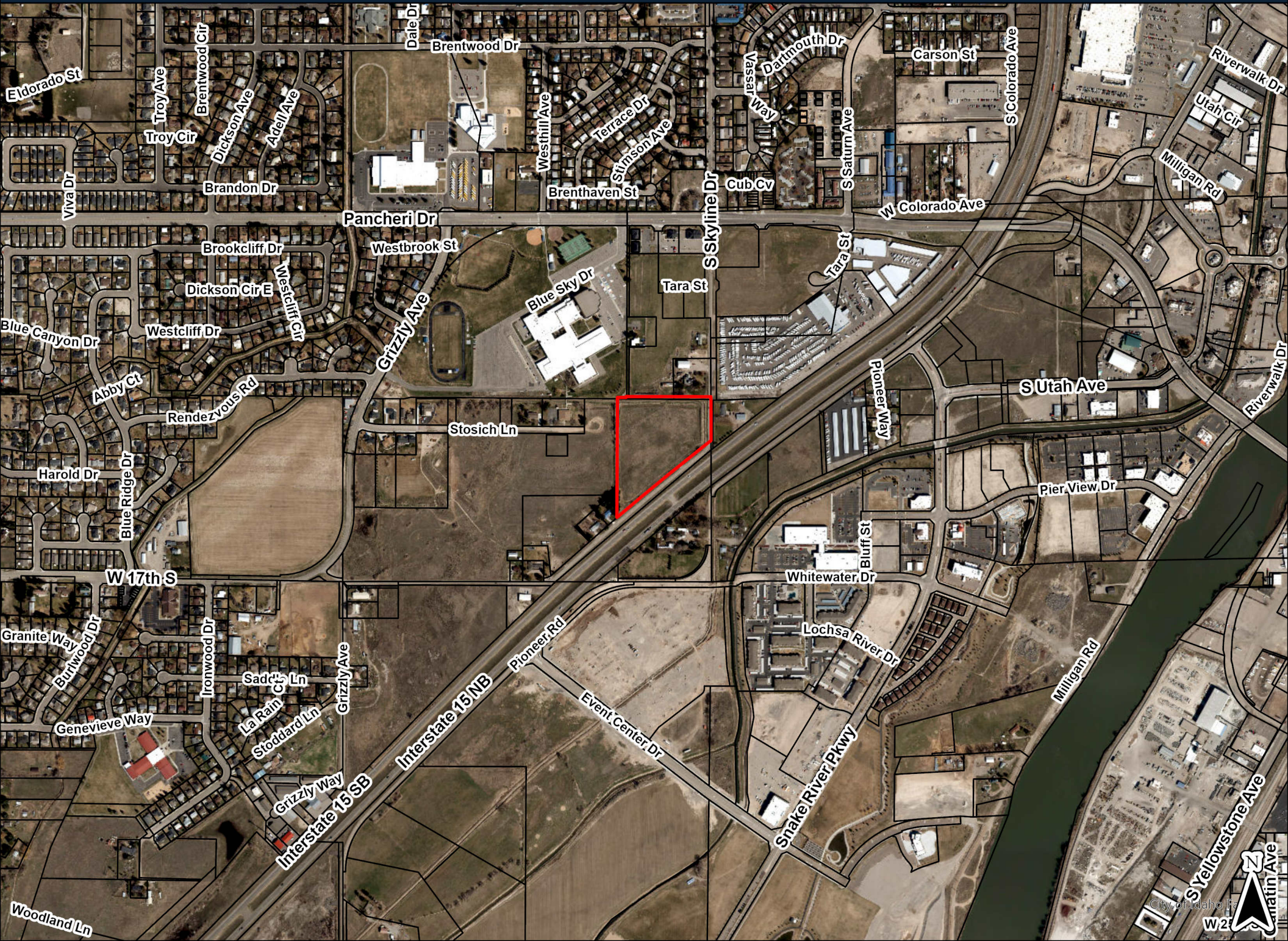
NA

Legal Review

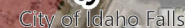
This application and ordinance have been reviewed by the City Attorney's Office pursuant to applicable law.

RE	R1	TN	R3	PB	LC	R&D	I&M
RP	R2	RMH	R3A	CC	HC	LM	P





ANNX22-016- Initial Zoning: LC



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 10.649 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS LC, LIMITED COMMERCIAL AND CONTROLLED DEVELOPMENT AIRPORT OVERLAY ZONES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed initial zoning district of lands described in Exhibit A is LC, Limited Commercial and Controlled Development Airport Overlay Zones for such annexed lands is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation “Mixed Use Centers and Corridors”; and

WHEREAS, the proposed zoning district is consistent and compatible with the existing and surrounding zoning districts and is consistent with principles of the City of Idaho Falls Comprehensive Plan; and

WHEREAS, for consistency with the Comprehensive Plan, the Council desires to designate the lands within the area of annexation as “Mixed Use Centers and Corridors”; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on September 6, 2022, and recommended approval of zoning the subject property to LC Zone with the Controlled Development Airport Overlay Zone; and

WHEREAS, the Council conducted a duly noticed public hearing and passed a motion to approve this zoning on November 10, 2022.

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

SECTION 1: Comprehensive Plan Designation. The area described in Exhibit A are hereby given a Comprehensive Plan designation of Mixed-Use Corridors.

SECTION 2: Legal Description. The lands described in Exhibit A are hereby zoned as LC Zone with the Controlled Development Airport Overlay Zones.

SECTION 3. Zoning. The property described in Section 1 of this Ordinance be and the same hereby is zoned “LC Zone” and “Controlled Development” the City Planner is hereby ordered to make the necessary amendments to the official maps of the City of Idaho Falls which are on file at the City Planning Department Offices, 680 Park Avenue.

SECTION 4. 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 5. 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 6. 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 _____, 2022.

CITY OF IDAHO FALLS, IDAHO

Rebecca L. Noah Casper, Mayor

ATTEST:

Jasmine Marroquin, Deputy City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, JASMINE MARROQUIN, DEPUTY 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; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 10.649 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS LC, LIMITED COMMERCIAL AND CONTROLLED DEVELOPMENT AIRPORT OVERLAY ZONES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

Jasmine Marroquin, Deputy City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION (Page 1 of 1)

BEGINNING AT A POINT THAT IS S.00°12'14"E. ALONG THE SECTION LINE 1036.53 FEET FROM THE EAST 1/4 CORNER OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 37 EAST OF THE BOISE MERIDIAN, SAID POINT BEING ON THE BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; RUNNING THENCE S.89°59'57"E. ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE OF 40.00 FEET TO THE WESTERLY BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 2956; THENCE S.00°12'14"E. ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 2956 EXTENDED A DISTANCE OF 626.55 FEET TO THE NORTHERLY BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250; SAID POINT BEING ON A NON-TANGENT CURVE WITH A RADIUS OF 19198.59 FEET AND A CHORD BEARING S.51°55'30"W. 35.20 FEET; THENCE SOUTHERLY ALONG SAID NORTHERLY BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 THE FOLLOWING TWO (2) COURSES: (1) THENCE TO THE LEFT ALONG SAID NON-TANGENT CURVE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 A DISTANCE OF 35.20 FEET THROUGH A CENTRAL ANGLE OF 00°06'18" TO A POINT OF CURVE WITH A RADIUS OF 19198.59 FEET AND A CHORD BEARING S.50°33'57"W. 874.65 FEET; (2) THENCE CONTINUING TO THE LEFT ALONG SAID CURVE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 A DISTANCE OF 874.73 FEET THROUGH A CENTRAL ANGLE OF 02°36'38"; THENCE N.00°02'40"E. 916.78 FEET TO THE SOUTH BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 1177; THENCE EASTERLY AND NORTHERLY ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 1177 THE FOLLOWING TWO (2) COURSES: (1) THENCE S.89°34'26"E. 62.20 FEET; (2) THENCE N.00°10'04"E. 5.86 FEET TO THE SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; THENCE S.89°59'25"E. ALONG SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE EXTENDED OF 559.10 FEET; THENCE N.00°12'14"W. 281.74 FEET TO SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; THENCE S.89°59'57"E. ALONG SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10.649 ACRES.

Submitted By:

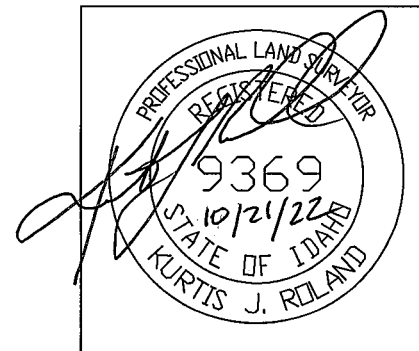
Firm Name: EAGLE ROCK ENGINEERING

Contact Name: KURT ROLAND

Phone Number: 208-542-2665

Email: kroland@erengr.com

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EAST QUARTER CORNER OF SECTION 23
TOWNSHIP 2 NORTH RANGE 37 EAST BM

S00°12'14"E 1036.53'
S89°59'57"E 40.00'

ORD. NO. 3432
S89°59'57"E 40.00'
ORD. NO. 2956
P.O.B.

ANNEXATION ORDINANCE # _____

AN ADDITION TO THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO
A PARCEL OF LAND BEING SITUATED IN THE SOUTHEAST QUARTER OF SECTION 23
AND A STRIP OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 24,
TOWNSHIP 2 NORTH, RANGE 37 EAST OF THE BOISE MERIDIAN

BEGINNING AT A POINT THAT IS S.00°12'14"E. ALONG THE SECTION LINE 1036.53 FEET FROM THE EAST 1/4 CORNER OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 37 EAST OF THE BOISE MERIDIAN, SAID POINT BEING ON THE BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; RUNNING THENCE S.89°59'57"E. ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE OF 40.00 FEET TO THE WESTERLY BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 2956; THENCE S.00°12'14"E. ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 2956 EXTENDED A DISTANCE OF 626.55 FEET TO THE NORTHERLY BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250; SAID POINT BEING ON A NON-TANGENT CURVE WITH A RADIUS OF 19198.59 FEET AND A CHORD BEARING S.51°55'30"W. 35.20 FEET; THENCE SOUTHERLY ALONG SAID NORTHERLY BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 THE FOLLOWING TWO (2) COURSES: (1) THENCE TO THE LEFT ALONG SAID NON-TANGENT CURVE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 A DISTANCE OF 35.20 FEET THROUGH A CENTRAL ANGLE OF 00°06'18" TO A POINT OF CURVE WITH A RADIUS OF 19198.59 FEET AND A CHORD BEARING S.50°33'57"W. 874.65 FEET; (2) THENCE CONTINUING TO THE LEFT ALONG SAID CURVE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3250 A DISTANCE OF 874.73 FEET THROUGH A CENTRAL ANGLE OF 02°36'38"; THENCE N.00°02'40"E. 916.78 FEET TO THE SOUTH BOUNDARY LINE OF CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 1177; THENCE EASTERLY AND NORTHERLY ALONG SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 1177 THE FOLLOWING TWO (2) COURSES: (1) THENCE S.89°34'26"E. 62.20 FEET; (2) THENCE N.00°10'04"E. 5.86 FEET TO THE SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; THENCE S.89°59'25"E. ALONG SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE EXTENDED OF 559.10 FEET; THENCE N.00°12'14"W. 281.74 FEET TO SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432; THENCE S.89°59'57"E. ALONG SAID SOUTH BOUNDARY LINE OF SAID CITY OF IDAHO FALLS ANNEXATION ORDINANCE NUMBER 3432 A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING, CONTAINING 10.649 ACRES.

10.649 ACRES

R=19198.59', L=35.20'
CH=S51°55'30"W, C=35.20'
Δ=0°06'18"

NOT ANNEXED

NOT ANNEXED



100' 50' 0 100'
SCALE: 1" = 100'

U.S. INTERSTATE-15

R=19198.59', L=874.73'
CH=S50°33'57"W, C=874.65'
Δ=2°36'38"

ORD. NO. 3250

S00°12'14"E 2636.53'

SOUTHEAST CORNER OF SECTION 23
TOWNSHIP 2 NORTH RANGE 37 EAST BM

N89°56'53"W 2624.52' BASIS OF BEARING (SECTION LINE)

SOUTH QUARTER CORNER OF
SECTION 23 TOWNSHIP 2
NORTH RANGE 37 EAST BM



**EAGLE ROCK
ENGINEERING**
CIVIL • PLANNING • SURVEYING
IDAHO FALLS (208) 542-2665 REXBURG (208) 359-2665

OFFICES AT:

1331 Fremont Ave.
Idaho Falls, Idaho 83402

310 N 2nd East, Suite 153
Rexburg, Idaho 83440

DRAWN BY:	TH
APPROVED BY:	KURT ROLAND
PROJECT NO.	22110
SCALE:	1"=100'
DATE:	OCT 2022
CAD NAME:	ANNEX MAP.DWG

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

INITIAL ZONING OF LC, LIMITED COMMERCIAL, WITH CONTROLLED DEVELOPMENT AIRPORT OVERLAY ZONES, APPROXIMATELY 10.649 ACRES, GENERALLY LOCATED NORTH OF W 17TH S, EAST OF GRIZZLY AVE, SOUTH OF PANCHERI, AND WEST OF S SKYLINE DR.

WHEREAS, the applicant filed an application for annexation on July 27, 2022; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on September 6, 2022; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public hearing on November 10, 2022; 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 City of Idaho Falls Comprehensive Plan, City of Idaho Falls Zoning Ordinance, City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 10.649 acres generally located north of W 17th S, east of Grizzly Ave, south of Pancheri, and west of S Skyline Dr.
3. The Comprehensive Plan designates this area as Mixed-Use Center and Corridor.
4. The proposed zoning of LC is consistent with the Comprehensive Plan map and policies and existing zoning and land uses in the area.
5. Idaho Falls Planning and Zoning Commission recommended approval of zoning the property to LC and Controlled Development.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the initial zoning as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2022

Rebecca L. Noah Casper - Mayor