

**NOTICE OF PUBLIC MEETING**

**Monday, June 5, 2023**

**Idaho Falls Civic Center**

**501 S. Holmes Avenue, Idaho Falls, ID 83402**

**3:10 p.m.**

*The public is invited to observe City Council Work Sessions. However, the agenda for Work Sessions does not include an opportunity for public interaction. Seating in the Council Chambers may be limited. All seating is available on a first-come, first-serve basis. The public also may view this meeting via livestream on the City's website at <https://www.idahofallsidaho.gov/429/Live-Stream>.*

*This meeting may be cancelled or recessed to a later time in accordance with law. If you need communication aids or services or other physical accommodations to participate or access this meeting of the City of Idaho Falls, you may contact City Clerk Corrin Wilde at 612-8414 or the ADA Coordinator Lisa Farris at 612-8323 not less than 48 hours prior to the meeting. They can help accommodate special needs.*

**CITY COUNCIL WORK SESSION**

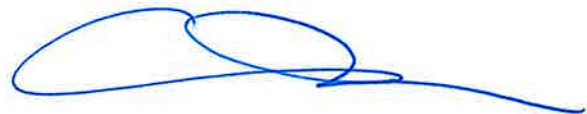
*Times listed in parentheses are only estimates.*

**Call to Order and Roll Call**

- Public Works and Police Department:** **Update and Discussion:** Idaho Falls Police Complex Update (30)  
*Action Item: Council Direction to Staff (or take other appropriate action)*
- Human Resources and Municipal Services:** **Presentation and Discussion:** Medical premium and plan changes (60)  
*Action Item: Council Direction to Staff (or take other appropriate action)*
- City Attorney:** **Discussion:** Revisions and standardization of Title 3 of City Code (20)  
*Action Item: Council Direction to Staff (or take other appropriate action)*
- Mayor and Council:** **Mayor and Council Reports:** Calendars, Announcements, Events, Reports, Updates, Concerns, Questions and Discussion (30)  
*Action Item: Council Direction to Staff*
- Executive Sessions:** **Executive Sessions called pursuant to the provisions of:**  
**Idaho Code Section 74-206(1(f))** *To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated*

*Council will not reconvene after the Executive Session*

**DATED this 2nd day of June, 2023**



**Jasmine Marroquin, Deputy City Clerk**

# **Public Works and Police Department**





# IDAHO FALLS POLICE DEPARTMENT

## Council Work Session Update 06/05/23

Submitted by:

**Architects Design Group**

Winter Park, FL | Dallas, TX

in association with

**NBW Architects**

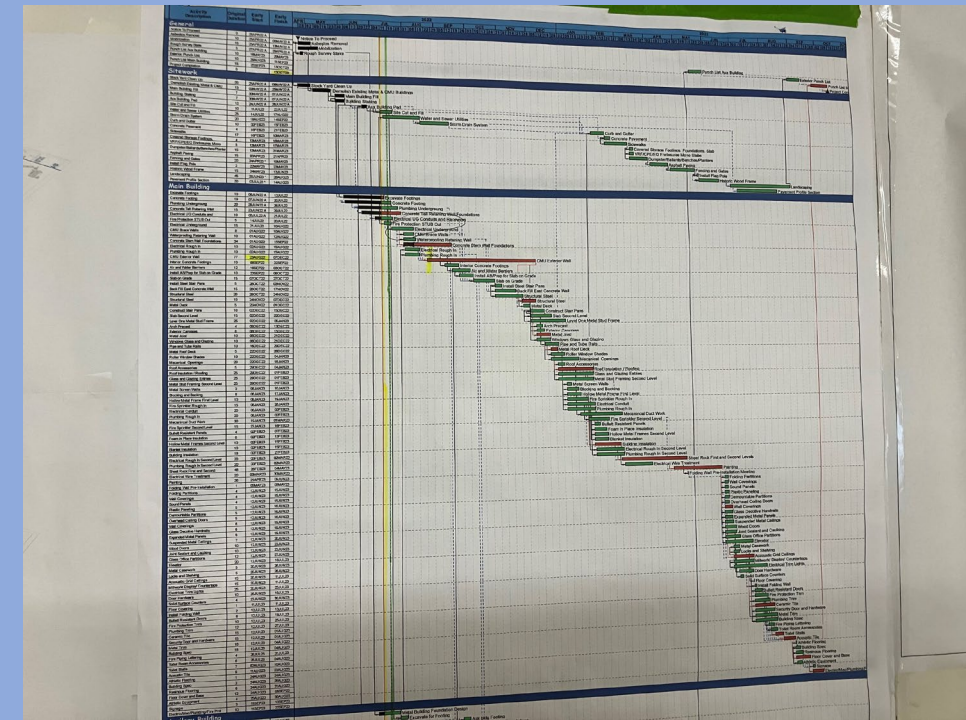
Idaho Falls, ID



# Project Schedule



- Design completed and bid documents in February/March 2022
- Executed Construction Contract April 14, 2022
- NTP & Construction Began April 25, 2022
- Scheduled Completion Date: Dec 2023
  - (43 days added via 11 Change Orders)



# Idaho Falls Police Complex Update



- Construction Schedule
  - Main building
    - Exterior Masonry complete.
    - Interior first floor framed and sheet rock completed.
    - Interior second floor framing continues.
    - Work at entry ongoing
    - Site Work to resume
  - Aux Building
    - Roof and exterior walls/Insulation complete.
    - Doors and Interior work to resume

# Idaho Falls Police Complex Update



- Construction Budget Status
  - Original Contract = \$23,847,576
    - CO's & Cont = \$175,426
    - Current Construction Contract = \$23,999,112
    - Work Complete thru January = \$15,647,191
    - Complete = 65%
    - Contract time thru May 2023 = 68%



# Layout





# Masonry Complete





# Drywall & Mud



# More Drywall





1<sup>st</sup> Floor





2<sup>nd</sup> Floor

Mech & Framing





# 2<sup>nd</sup> Floor Entry



**Project "Hard Costs" Construction**

Building & Site Construction (with CO's & Cont items)	\$23,999,112
Off Site Utilities/Fiber	\$65,000
Total Construction	<b>\$24,064,112</b>

**Project "Soft Costs"**

**FF & E**

Furniture Allowance (Main Building @ 48,734 SF)	\$1,900,000
Moving Costs / Audited Evidence	By City

**Additional Soft Costs**

Professional Service Fees	\$2,405,769
Permits/Utility Connection Fees/3rd Party	
Testing/Commissioning/Historic	\$131,672
	<b>\$4,437,441</b>
Owner's Project Contingency (Construction) 5%	<b>\$1,074,207</b>

<b>Total Project Cost</b>	<b>\$29,575,760</b>
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**City Attorney**

## **ORDINANCE NO.**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 3, STANDARDIZING AND SIMPLIFYING LANGUAGE AND INTERNAL CITY DEPARTMENTAL STRUCTURE; DELETION OF SECTION 3-2-9 REGULATING THE LICENSING OF AMBULANCE SERVICES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, City organization and functions are regularly reviewed to promote efficiency, good governance, tax savings, and good service; and

WHEREAS, Title 3 of the City Code organized internal City Departmental structure in a formal manner that does facilitate organizational flexibility that allows the City to timely anticipate or respond to internal and external “customer” needs; and

WHEREAS, the current codified structure, including interdepartmental divisions, hampers the Departments’ respective abilities to make changes without the delay of Council action; and

WHEREAS, the day-to day administrative and supervisory role of a modern Mayor (as well as the authority of the Council over Directors and the City budget and policies) will continue to provide needed oversight and accountability of the various Department Directors; and

WHEREAS, Department Directors and other employee job descriptions have been and continue to be collated, reviewed, updated, managed, and modernized by the Human Resource Department, which makes their inclusion in Title 3 no longer necessary; and

WHEREAS, development of the City Personnel Manual; the Idaho Falls Police Department Personnel Manual; internal Department policies and procedures; collective bargaining agreements; Council Ordinances and Resolutions; and applicable Federal and State laws and regulations will continue to govern and inform decisions related to City governance following the streamlining of Title 3; and

WHEREAS, because the State’s ambulance services licensing regulation is sufficient to address City interests, the Ordinance eliminates City regulation and oversight of ambulance services (Section 3-2-9 of the Code); and

WHEREAS, adoption of this Ordinance will not result in any disruption or discontinuation of any essential City function and will not result in any increased costs to the City or to taxpayers.

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



OF IDAHO FALLS, IDAHO, THAT:

**SECTION 1:** Title 3, Chapter 1 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately replaced with the following:

3-1-1: **CREATION OF POLICE DEPARTMENT:** The Police Department is hereby established as an administrative department of the City.

3-1-2: **APPOINTMENT OF THE CHIEF OF POLICE; MANAGEMENT:** The Police Department shall be managed by the Chief of Police, who shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The Chief of Police may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four (4) members of the Council, or by the Council on its own initiative, upon a unanimous vote of the full Council.

3-1-3: **RESPONSIBILITIES OF DEPARTMENT:** The Police Department shall have the following general responsibilities and authority:

- (A) The Chief of Police shall be the chief administrative officer of the Police Department and all officers and employees of the Department shall be under the Chief's immediate supervision, direction and control, including code enforcement, parking, emergency dispatch, and animal control enforcement, prevention, and other related activities;
- (B) Organization of the Police Department as is deemed to be in the best interests of the City, including organizing the Police Department into divisions, groups, or subgroups;
- (C) The Department shall ensure the laws of the State of Idaho and Ordinances of the City are obeyed and executed and shall have such other powers and duties prescribed herein or granted or imposed by law;
- (D) Preparation and presentation of the annual operating and capital budget of the Department;
- (E) Administration of the operating budget of the Department in accordance with the annual appropriation Ordinance adopted by the Council; and
- (F) Administration, management, and assumption of such other duties, programs, and policies as may be directed by the Mayor and Council.

3-1-4: **POLICE OFFICERS:** The Chief of Police and every police officer before entering upon their duties shall subscribe to the official oath set forth in Chapter 9, Title 1 of this Code. All police officers shall be subject to the direction of the Mayor, Council and Chief of Police. All police officers shall perform all duties of police officers, preserve order and peace, ensure all laws are enforced, and carry out the lawful instructions of the Chief in all matters pertaining to the enforcement of laws, the protection of persons and property within the City, and internal established policy, procedure, and regulation, including those contained in the Idaho Falls Personnel Policy Manual, the Idaho Falls Police Policy Manual, and the Idaho Falls Police Department Policy and Procedures.

3-1-5: **REMOVAL OF POLICE OFFICERS:** Any officer who neglects or refuses to report any violation of law by any other officer of the police force or who fails to observe the rules or regulations of the Police Department, may be removed from office or employment. Such removal shall be in accordance with the Idaho Falls Personnel Policy, relevant laws, Ordinances, and Police Department rules and regulations, including the Idaho Falls Personnel Policy. A non-probationary police officer shall be removed from office, suspended, demoted, or discharged only for cause, based upon the preponderance of evidence and materials considered.

3-1-6: **LIMITATION OF OUTSIDE EMPLOYMENT:** No member of the Police Department shall engage in any other employment or undertaking which is reasonably likely to interfere with the performance of their duties or which will bring disrespect upon the City or the Department. Before engaging in any outside employment or undertaking, all members of the Police Department shall comply with the current Personnel Policy and Department Policy.

3-1-7: **POWERS OF POLICE OFFICERS:** All police officers may exercise, to the fullest extent permitted by law, all authority, including extraterritorial authority, conferred upon them pursuant to Idaho Code.

3-1-8: **NO PRIVATE DUTY:** Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employee of the Police Department to perform the duties prescribed herein.

**SECTION 2:** Title 3, Chapter 2 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately replaced with the following:

3-2-1: **CREATION OF FIRE DEPARTMENT:** The Fire Department is hereby established as an administrative department of the City.

3-2-2: **APPOINTMENT OF FIRE CHIEF; MANAGEMENT:** The Fire Department shall be managed by the Fire Chief. The Fire Chief shall be appointed by the Mayor, subject to confirmation by at least four (4) members of the Council. The Fire Chief may be removed by the Mayor, with or without cause, subject to a confirmation by a vote of at least four members of the Council, or by the Council upon its own initiative upon a unanimous vote of the full Council.

3-2-3: **RESPONSIBILITIES OF DEPARTMENT:** The Fire Department shall have the following responsibilities and authority:

- (A) Organization of the Fire Department as is deemed to be in the best interests of the City, including organizing the Fire Department into Divisions, groups, or subgroups;
- (B) Management of the Fire Department and the equipment and property belonging thereto; supervision and direction of the Department in preventing and fighting fires; preventing conditions hazardous to life, property or public welfare in occupancy of structures or premises; reducing fire hazards in the structure or on the premises from occupancy or operation; matters related to the construction, extension, repair alteration or removal of fire



suppression or alarm systems; and conditions affecting the safety of fire fighters and emergency responders during emergency operations;

- (C) Provision, management regulation, and coordination of Emergency Medical Services (EMS) operations, equipment and personnel, including coordination of associated dispatch services, contacts with other agencies, and mutual aid agreements; and
- (D) Reporting to the Mayor and Council, as requested;
- (E) Appointment of a Fire Code Official for the purpose of administering and enforcing the International Fire Code, as adopted and amended;
- (F) General authority and responsibilities specified within the International Fire Code, as amended as necessary for the implementation, administration, and enforcement of the Fire Code, including the authority to appoint inspectors as necessary to administer the Fire Code Official's duties under the Fire Code;
- (G) Preparation and presentation of the annual operating and capital budget of the Department;
- (H) Administration of the operating budget of the Department in accordance with the annual appropriation Ordinance adopted by the Council; and
- (I) Administration, management, and assumption of such other duties, programs, and policies as may be directed by the Mayor and Council.

3-2-4: **LIMITATION OF OUTSIDE EMPLOYMENT:** No member of the Fire Department shall engage in any other employment or undertaking which is reasonably likely to interfere with the performance of their duties or which will bring disrespect upon the City or the Department. Before engaging in any outside employment or undertaking, all members of the Fire Department shall comply with the current Personnel Policy and Department Policy.

3-2-5: **NO PRIVATE DUTY:** Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employee of the Fire Department to perform the duties prescribed herein.

**SECTION 3:** Title 3, Chapter 3 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately replaced with the following:

3-3-1: **MUNICIPAL SERVICES DEPARTMENT ESTABLISHED:** The Department of Municipal Services is hereby established as an administrative department of the City.

3-3-2: **APPOINTMENT OF MUNICIPAL SERVICES DIRECTOR; MANAGEMENT:** The Department of Municipal Services shall be managed by a Municipal Services Director who shall be appointed by the Mayor, subject to confirmation by at least four (4) members of the Council. The Director may be removed by the Mayor, with or without cause, subject to confirmation by a vote of at least four (4) members of the Council, or by the Council upon its own initiative upon a unanimous vote thereof.

3-3-3:      **RESPONSIBILITIES OF DEPARTMENT:** The Municipal Services Department shall have the following responsibilities and authority:

- (A) Organization of the Municipal Services Department as is deemed to be in the best interests of the City, including organizing the Municipal Services Department into divisions, groups, or subgroups;
- (B) Management and supervision of all City shops, garages, including all equipment and vehicles; administering and maintaining all public buildings and other real or personal property owned or leased by the City; and administering and controlling the purchase of all equipment and supplies used by the various departments and divisions throughout the City;
- (C) Preparation, supervision and control of the annual budget, supervision of the general account of the City, maintaining and keeping records of all insurance coverage, in cooperation with the Clerk; accounting for all City utility revenue; accounting for all moneys belonging to the City, filing proper reports and financial statements;
- (D) Custody of all moneys belonging to the City and rendering of a monthly report under oath showing the state of the balance of all monies and funds belonging to the City; managing and depositing all City funds; and having charge of all funds and records of Local Improvement Districts; investing all public funds in a sound, prudent and lawful manner and keeping a record of all unpaid checks or warrants of the City in cooperation with the Clerk; keeping a record of all outstanding bonds against the City in cooperation with the Clerk, showing the amount of each, to whom the bonds were issued and when any bonds are purchased, paid or cancelled; collecting all utility revenue, and performing all other duties imposed upon the office by law;
- (E) Maintenance of all financial records in cooperation with the Clerk, in accordance with generally accepted accounting practices, audit requirements, and as required by law, regulations, and City policy;
- (F) Operation and maintenance of all computer and electronic media record-keeping equipment for the Department; administration and supervision of all data entry, computer programming and other record-keeping or electronic data retrieval operations of the Department;
- (G) Coordination of operation and maintenance of City Information Technology departments, as appropriate;
- (H) Administration of the operating budget of the Department in accordance with the annual appropriation Ordinance adopted by the Council; and
- (I) Administration, management, and assumption of such other duties, programs, and policies as may be directed by the Mayor and Council.

3-3-4:      **NO PRIVATE DUTY:** Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account



of any failure by the City or any employee of the Municipal Services Department to perform the duties prescribed herein.

**SECTION 4:** Title 3, Chapter 4 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately replaced with the following:

3-4-1: ESTABLISHMENT OF DEPARTMENT: Idaho Falls Power (or “IFP” and formerly known as the “Electric Light Division”) is hereby established as an administrative department of the City.

3-4-2: APPOINTMENT OF IDAHO FALLS POWER DEPARTMENT DIRECTOR; MANAGEMENT: Idaho Falls Power shall be managed by the Director of Idaho Falls Power. The Director shall be appointed by the Mayor, subject to confirmation by at least four (4) members of the Council. The Director may be removed by the Mayor, with or without cause, subject to a confirmation by a vote of at least four members of the Council, or by the Council upon its own initiative upon a unanimous vote of the full Council.

3-4-3: RESPONSIBILITIES OF DEPARTMENT: The Idaho Falls Power Department shall have the following responsibilities and authority:

- (A) Establishment of technical standards, methods and procedures for the Department and assuring the same are properly executed;
- (B) Employment, assignment, or reassignment all personnel within the Department and ensuring that all equipment is efficiently used and maintained;
- (C) Formulating and recommending to the Mayor and Council all policies and procedures for the planning, design, construction, maintenance and improvement of all hydroelectric generating facilities and electric distribution and transmission lines and equipment;
- (D) Constructing, operating and maintaining all electric distribution and transmission lines and facilities, hydroelectric generating plants and all equipment and facilities necessary to generate, transmit and distribute electrical energy to the customers of Idaho Falls Power;
- (E) Constructing, operating, and maintaining all poles, conduit, fiber optic cables, electronics, physical facilities and financial obligations necessary to provide fiber optic broadband access for the City and its wholesale and retail customers.
- (F) Administering and enforcing all rules, regulations, ordinances and statutes pertaining to the distribution of electrical energy to customers of Idaho Falls Power, and establishing all rates, fees and tariffs charged to such customers;
- (G) Administering all covenants, terms and conditions on all ordinances providing for the issuance of bonds to construct any hydroelectric generating facility owned by the City, insofar as the same pertain to the construction, operation and maintenance thereof;
- (H) Installing, operating, and maintaining all traffic signalization equipment owned or operated

by the City;

- (I) Performing all actions, duties or responsibilities as may be necessary for the sound, reasonable and prudent operation of Idaho Falls Power;
- (J) Preparation and presentation of the annual operating and capital budget of the Department;
- (K) Administration of the operating budget of the Department in accordance with the annual appropriation Ordinance adopted by the Council; and
- (L) Administering, managing, and assumption of such other duties, programs, and policies as may be directed by the Mayor and Council.

3-4-4: NO PRIVATE DUTY: Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employee of the Idaho Falls Power Department to perform the duties prescribed herein.

**SECTION 5:** Title 3, Chapter 5 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately replaced with the following:

3-5-1: ESTABLISHMENT OF PUBLIC WORKS DEPARTMENT: The Department of Public Works is hereby established as an administrative department of the City.

3-5-2: APPOINTMENT OF PUBLIC WORKS DIRECTOR; MANAGEMENT: The Department of Public works shall be managed by a Public Works Director, who shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The Director may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four (4) members of the Council, or by the Council on its own initiative, upon a unanimous vote of the full Council.

3-5-3: RESPONSIBILITIES OF DEPARTMENT: The Public Works Department shall have the following responsibilities and authority:

- (A) Organization of the Public Works Department as is deemed to be in the best interests of the City, including organizing the Public Works Department into divisions, groups, or subgroups;
- (B) Establishing technical standards, methods and procedures for the Department and ensuring that they are properly executed;
- (C) Employment, assignment or reassignment all personnel within the Department, resolution of all disputes between any division of the Department, and resolution of conflicting demands for labor and equipment;
- (D) Carrying out public works construction projects approved by the Mayor and Council according to design and time schedules within allocated budgets;

- (E) Formulation and implementation policies and procedures for the planning, design, construction, maintenance, repair, and improvement of all public works owned or operated by the City, except as otherwise provided in this Code;
- (G) Constructing, operating, and maintaining all public streets, sidewalks, alleys, bridges, highways and rights-of-way, including the placement and operation of street regulatory and informational signs;
- (H) Constructing, operating, and maintaining all sewer facilities and appurtenances, including sanitary sewers, pumping stations, storm sewers, drains, ditches, culverts and streams and water courses under the jurisdiction of the City;
- (I) Administrating all rules, regulations and ordinances pertaining to the construction, maintenance and operation of all streets, sidewalks, rights-of-way, easements, sewers, sanitation facilities, waterlines and pumps, and communication lines and subdivision improvements;
- (J) Making of all surveys, maps, public works plans, drawings, utility construction/maintenance in the right-of-way, and other documents required for the construction, maintenance and operation of all public works owned or operated by the City;
- (K) Preparation of contract drawings, specifications and cost estimates for all public works construction and maintenance and the administration of such construction, including field inspections;
- (L) Constructing, operating, and maintaining all public water supply and distribution facilities;
- (M) Collecting and disposing of all refuse and the cleaning of all streets and alleys, including the removal of snow therefrom;
- (N) Collecting, maintaining, and distributing mapping and geographic information including aerial photography, cadastral, water, sewer, storm, sanitation, snow, street, traffic, and related data;
- (O) Preparation and presentation of the annual operating and capital budget of the Department;
- (P) Administration of the Operating budget of the Department in accordance with the annual appropriation Ordinance adopted by the Council; and
- (Q) Administration, management, and assumption of such other duties, programs, and policies as may be directed by the Mayor and Council.

3-5-4: NO PRIVATE DUTY: Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employee of the Public Works Department to perform the duties prescribed herein.



**SECTION 6:** Title 3, Chapter 6 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately replaced with the following:

3-6-1:     **ESTABLISHMENT OF THE PARKS AND RECREATION DEPARTMENT:** The Parks and Recreation Department is hereby established as an administrative department of the City.

3-6-2:     **APPOINTMENT OF THE PARKS AND RECREATION DEPARTMENT DIRECTOR; MANAGEMENT:** The Parks and Recreation Department shall be managed by the Parks and Recreation Director, under the supervision and control of the Mayor and Council. The Director shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The Director may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four (4) members of the Council, or by the Council on its own initiate upon a unanimous vote thereof.

3-6-3:     **RESPONSIBILITIES OF DEPARTMENT:** The Parks and Recreation Department shall have the following responsibilities and authority:

- (A) Maintaining, operating, and controlling all public parks, playgrounds, cemeteries, swimming pools, community centers, gymnasiums, rodeo grounds, athletic fields, golf courses, skate parks, tennis courts, pickleball courts, amusement parks, recreational bike and pedestrian trails and pathways; and the Idaho Falls Zoo at Tautphaus Park, all of which are owned by the City;
- (B) Establishing and administering all budgets for the operation of the Department and collecting all revenues accruing to the City relating to recreational facilities or lands owned by the City; and
- (C) Administering all public recreational activities, programs, leagues, tournaments, and events sponsored and/or owned by the City;
- (D) Preparation and presentation of the annual operating and capital budget of the Department;
- (E) Administration of the operating budget of the Department in accordance with the annual appropriation Ordinance adopted by the Council; and
- (F) Administration, management, and assumption of such other duties, programs, and policies as may be directed by the Mayor and Council.

3-6-4:     **NO PRIVATE DUTY ESTABLISHED:** Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employees of the Parks and Recreation Department to perform the duties prescribed herein.

**SECTION 7:** Title 3, Chapter 7 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately replaced with the following:

3-7-1: ESTABLISHMENT OF AIRPORT DEPARTMENT: The Airport Department (or “Idaho Falls Regional Airport” or “IFRA” or the “Airport” and formerly known as “Fanning Field” or “Idaho Falls Municipal Airport”) is hereby established as an administrative department of the City.

3-7-2: APPOINTMENT OF AIRPORT DEPARTMENT DIRECTOR; MANAGEMENT: The Airport Department shall be managed by the Airport Director. The Airport Director shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The Airport Director may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four members of the Council, or by the Council upon its own initiative upon a unanimous vote of the full Council.

3-7-3: RESPONSIBILITIES OF DEPARTMENT: The Airport Department shall have the following responsibilities and authority;

- (A) Supervising and managing all uses, operations and maintenance of all facilities, appurtenances, structures and equipment at the Idaho Falls Regional Airport;
- (B) Administration and enforcement of all rules, regulations, Ordinances and statutes of the City, the State of Idaho and the United States of America, insofar as the same may be applicable to the operation of the Airport;
- (C) Recommending and advising the Council regarding Airport development, federal and state grants, budgets, policies, operations and design, and construction of new facilities;
- (D) Supervision and control of all employees of the Airport Department;
- (E) Administration of the budget of the Airport Department and administration and ensuring the collection of all revenues, fees, tariffs and charges derived from the operation of the Department;
- (F) Provision of the safe, efficient, and convenient operation of the Airport and the facilities, structures and improvements thereon;
- (G) Preparation and presentation of the annual operating and capital budget of the Department;
- (H) Administration of the operating budget of the Department in accordance with the annual appropriation Ordinance adopted by the Council; and
- (I) Administration, management, and assumption of such other duties, programs, and policies as may be directed by the Mayor and Council.

3-7-4: RULES AND REGULATIONS: The Council may adopt reasonable operational rules and regulations for the Airport and for the safe and efficient operation thereof. Such rules and regulations shall be posted in a conspicuous place at the Airport and shall be published in pamphlet form and shall be distributed free of charge to all persons requesting the same.

3-7-5: NO PRIVATE DUTY: Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employee of the Airport Department to perform the duties prescribed herein.

**SECTION 8:** Title 3, Chapter 8 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately replaced with the following:

3-8-1: COMMUNITY DEVELOPMENT SERVICES DEPARTMENT ESTABLISHED: The Department of Community Development Services is hereby established as an administrative department of the City.

3-8-2: APPOINTMENT OF COMMUNITY DEVELOPMENT SERVICES DEPARTMENT DIRECTOR; MANAGEMENT: The Community Development Services Department shall be managed by the Community Development Services Director who shall be appointed by the Mayor, subject to confirmation by at least four (4) members of the Council. The Director may be removed by the Mayor, with or without cause, subject to confirmation by a vote of at least four (4) members of the Council, or by the Council upon its own initiative upon a unanimous vote thereof.

3-8-3: RESPONSIBILITIES OF DEPARTMENT: The Community Development Services Department shall have the following responsibilities and authority:

- (A) Enforcing the Zoning Ordinance; the Uniform Building Code; the Sign Code; the Uniform Plumbing Code; the Subdivision Ordinance; the Code for Abatement of Dangerous Buildings; the Uniform Housing Code; the Uniform Administrative Code; the Northwest Energy Code; the One and Two Family Dwelling Code; the Uniform Mechanical Code; Uniform Electric Code; the City's Form Based Code; and all supplements and amendments thereto and all other uniform codes or Ordinances relating to the construction of any building or structure within the City and any health or safety regulations applicable thereto, except for the International Fire Code;
- (B) Preparing and administering the Comprehensive Plan and any Ordinances, regulations, or policies necessary to implement the same;
- (C) Issuing and enforcing permits issued pursuant to such Codes for which the Department is responsible and the performance of inspections required thereby;
- (D) Establishing and planning all public streets, alleys and thoroughfares within the City, the naming of such streets and thoroughfares, and the issuance of building numbers for structures located thereupon in cooperation with other City Departments;
- (E) Coordinating and administering all laws, statutes, and regulations pertaining to any census of the City or other procedure or analysis conducted for the purpose of determining the population of the City;
- (F) Coordinating and administering any matter involving the Idaho Falls Redevelopment Agency or other similar board or commission whose responsibilities encompass the urban



revitalization or growth of the City; and

- (G) Preparation and presentation of the annual operating and capital budget of the Department;
- (H) Administration of the operating budget of the Department in accordance with the annual appropriation Ordinance adopted by the Council; and
- (I) Administration, management, and assumption of such other duties, programs, and policies as may be directed by the Mayor and Council.

3-8-4: **NO PRIVATE DUTY ESTABLISHED:** Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employees of the Community Development Services Department to perform the duties prescribed herein.

**SECTION 9:** Title 3, Chapter 9 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately replaced with the following:

3-9-1: **ESTABLISHMENT OF HUMAN RESOURCES DEPARTMENT:** The Human Resources Department is hereby established as an administrative department of the City.

3-9-2: **APPOINTMENT OF HUMAN RESOURCES DEPARTMENT DIRECTOR; MANAGEMENT:** The Human Resources Department shall be managed by the Director of Human Resources. The Director of Human Resources shall be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The Director of Human Resources may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four (4) members of the Council, or by the Council upon its own initiative upon a unanimous vote thereof.

3-9-3: **RESPONSIBILITIES OF DEPARTMENT:** The Director of Human Resources shall have the following responsibilities and authority:

- (A) Assisting the Mayor and Departments in the recruitment of qualified officers and employees and in the classification of personnel;
- (B) Overseeing, administering, and providing recommendations with regards to programs related to employee wages and benefits;
- (C) Overseeing and providing guidance on employee leave programs (i.e., Family Medical Leave Act (FMLA), military leave, etc.)
- (D) Making recommendations to the Mayor, Council, and other City Departments regarding the City Personnel policy, policies related to City employment, collective bargaining agreements, and assist the other Departments in the administration, management and enforcement thereof;
- (E) Providing oversight and guidance on employee discipline, termination, and investigations,

including cases of discrimination and harassment;

- (F) Overseeing programs related to the Drug and Alcohol-Free Workplace Policy;
- (G) Administering Worker's Compensation and all death-on-duty programs;
- (H) Assisting the Mayor and Departments in the processing of grievances filed by City employees;
- (I) Overseeing and making recommendations regarding employee benefit programs, including without limitation, health insurance, life insurance, retiree benefits, deferred compensation plans, PERSI programs and benefits, cafeteria plans or other compensation plans or benefits approved by the Council;
- (J) Assisting the Clerk in the maintenance of general employee personnel files and other personnel-related administrative records;
- (K) Administration and management of labor relations, affirmative action programs and Title VII programs as directed by the Mayor and Council and assisting and training the other Departments in their duties, obligations and responsibilities with respect thereto;
- (L) Establishing, promoting, and fostering appropriate employee safety programs and policies;
- (M) Making recommendations to and assisting the Council and the City staff in the preparation of the annual appropriation ordinance and budget, insofar as employee wages, benefits and claims may impact such ordinance and budget;
- (N) Preparation and presentation of the annual operating and capital budget of the Department;
- (O) Administration of the operating budget of the Department in accordance with the annual appropriation Ordinance adopted by the Council; and
- (P) Administration, management, and assumption of such other duties, programs, and policies as may be directed by the Mayor and Council.

3-9-4: NO PRIVATE DUTY ESTABLISHED: Nothing in this Chapter shall create a private right, duty or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employees of the Human Resources Department to perform the duties prescribed herein.

**SECTION 10:** Title 3, Chapter 10 of the City Code of the City of Idaho Falls, Idaho, is hereby rescinded in its entirety and immediately replaced with the following:

3-10-1: ESTABLISHMENT OF DEPARTMENT: The City Attorney Department is hereby established as an administrative department of the City.

3-10-2: APPOINTMENT OF CITY ATTORNEY; MANAGEMENT: The City Attorney shall

be appointed by the Mayor, subject to confirmation by a vote of at least four (4) members of the Council. The City Attorney may be removed by the Mayor, with or without cause, subject to a confirming vote of at least four (4) members of the Council, or by the Council upon its own initiative upon a unanimous vote thereof. The City Attorney Department shall be managed by the City Attorney.

3-10-3: RESPONSIBILITIES OF CITY ATTORNEY DEPARTMENT: The City Attorney Department shall have the following responsibilities and authority:

- (A) Provision of independent legal advice to the City and representation of the City in all disputes, suits, or proceedings in which the City is involved;
- (B) Performance of duties as may be prescribed by the Idaho Code, Ordinances and Resolutions duly passed;
- (C) Prosecution of violations of City Ordinances, Idaho Code, traffic infractions, and Idaho Code misdemeanors committed within City limits by exercise of the same powers as the County prosecutor including, but not limited to, granting immunity to witnesses;
- (D) Provision of a wide range of independent legal-related advice, support, and information to the Mayor, City, the Council, City staff, City boards, committees, and commissions, the Idaho Falls Public Library, and others, in accordance with federal, State, and City legislation and Council direction;
- (E) Organization and oversight of work of outside legal counsel and determining the scope of outside legal services, as needed;
- (G) Participation in negotiation, mediation, and resolution of sensitive, significant, controversial, and/or complex legal matters;
- (H) Drafting and review of opinions, Resolutions, Ordinances, contracts, and other legal documents and instruments;
- (I) Oversight of the preparation of the City codification of general laws;
- (J) Preparation and presentation of the annual operating and capital budget of the Department;
- (K) Administration of the operating budget of the Department in accordance with the annual appropriation Ordinance adopted by the Council; and
- (L) Administration, management, and assumption of such other duties, programs, and policies as may be directed by the Mayor and Council.

3-10-4: NO PRIVATE DUTY ESTABLISHED: Nothing in this Chapter shall create a private right, duty, or obligation of the City in favor of any person, or give rise to any private right of action, on account of any failure by the City or any employees of the City Attorney Department to perform the duties prescribed herein.



**SECTION 11.** 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 12.** 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 13.** 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 \_\_\_\_\_, 2023.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

\_\_\_\_\_  
CORRIN WILDE, CITY CLERK

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

(SEAL)

STATE OF IDAHO                    )  
  ) ss:  
County of Bonneville            )

I, CORRIN WILDE, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, “AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 3, STANDARDIZING AND SIMPLIFYING LANGUAGE AND INTERNAL CITY DEPARTMENTAL STRUCTURE; DELETION OF SECTION 3-2-9 REGULATING THE LICENSING OF AMBULANCE SERVICES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

\_\_\_\_\_  
CORRIN WILDE, CITY CLERK

(SEAL)