

CITY COUNCIL CHAMBERS
680 Park Avenue
Idaho Falls, Id 83402

*Thank you for your interest in City Government. If you wish to express your thoughts on a matter listed below, please contact Councilmembers by email or personally **before** the meeting as testimony on agenda items will not be taken unless a hearing is indicated. Be aware that an amendment to this Agenda may be made upon passage of a motion that states the reason for the amendment and the good faith reason that the Agenda item was not included in the original Agenda posting. City Council Meetings are live streamed at www.idahofallsidaho.gov, then archived on the city website. If you need communication aids or services or other physical accommodations to participate or access this meeting please contact City Clerk Kathy Hampton at 612-8414 or the ADA Coordinator Lisa Farris at 612-8323 as soon as possible and they will make an effort to accommodate your needs.*

1. **Call to Order.**

2. **Pledge of Allegiance.**

3. **Public Comment.** *Members of the public are invited to address the City Council regarding matters that are **not** on this Agenda or already noticed for a public hearing. When you address the Council, please state your name and address for the record and please limit your remarks to three (3) minutes. Please note that matters currently pending before the Planning Commission or Board of Adjustment which may be the subject of a pending enforcement action, or which are relative to a City personnel matter are not suitable for public comment.*

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

A. Items from the City Clerk:

- 1) Approval of Expenditure Summary for the month of September, 2016.
- 2) Approval of Minutes from the September 6, 2016 Council Work Session; September 8, 2016 Council Meeting; September 19, 2016 Council Work Session; September 22, 2016 Council Meeting; and September 26, 2016 Special Meeting.
- 3) Approval of License Applications, all carrying the required approvals.

RECOMMENDED ACTION: To approve all items on the Consent Agenda according to the recommendations presented.

5. **Regular Agenda.**

A. Community Development Services

- 1) **Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Castlerock Division No. 5:** For consideration is the application for Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Castlerock Division No. 5. The Planning and Zoning Commission considered this item at its September 6, 2016 meeting and recommended approval. Staff concurs with this recommendation.

RECOMMENDED ACTIONS: (in sequential order)

- a. To approve the Development Agreement for Castlerock Division No. 5, and give authorization for the Mayor and City Clerk to execute the necessary documents.
- b. To accept the Final Plat for Castlerock Division No. 5, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
- c. To approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Castlerock Division No. 5, and give authorization for the Mayor to execute the necessary documents.

B. Municipal Services

1) Cayenta Managed Services Plan (CMS): The Municipal Services Department is requesting the authorization to enter into a professional services agreement with Cayenta, a division of N. Harris Computer Corporation, to provide database administration, system application and maintenance for a total amount of \$54,000.

RECOMMENDED ACTION: To authorize a professional services agreement with Cayenta to provide database administration, system application and maintenance for a total amount of \$54,000 (or take other action deemed appropriate).

2) Bid Award – IF-17-02, Chlorine and Sodium Bisulfite: It is the recommendation of the Public Works and Municipal Services Departments to accept the lowest responsive, responsible bids from Thatcher Company Inc. and Landview Inc. for water and wastewater treatment operations products in an approximate lump sum amount of \$362,296.50.

RECOMMENDED ACTION: To accept the lowest responsive, responsible bids from Thatcher Company Inc. and Landview Inc. for water and wastewater treatment operations products in an approximate lump sum amount of \$362,296.50 (or take other action deemed appropriate).

3) Bid Award – IF-17-01, Hauling and Spreading Sewer Sludge: It is the recommendation of the Public Works and Municipal Services Departments to accept the lowest responsive, responsible bid from G & F Pond Enterprises for sewer sludge services in an extended price of \$295,200.

RECOMMENDED ACTION: To accept the lowest responsive, responsible bid from G & F Pond Enterprises for sewer sludge services in an extended price of \$295,200 (or take other action deemed appropriate).

4) Bid Award – IF-17-B, Road Salt: It is the recommendation of the Public Works and Municipal Services Departments to piggyback the Idaho Department of Transportation's contract #ITB16000986 with Burns D. Leavitt, DBA Taurus Natural Salt, to furnish the required annual road salt for an amount of \$37.50 per cubic yard.

RECOMMENDED ACTION: To piggyback the Idaho Department of Transportation's contract #ITB16000986 with Burns D. Leavitt, DBA Taurus Natural Salt, to furnish the required annual road salt for an amount of \$37.50 per cubic yard (or take other action deemed appropriate).

C. Public Works

1) Easement Vacation Request – Lot 13, Block 1, Freeway Commercial Plaza (Instrument No. 1489425): The property owner of Freeway Commercial Plaza, Division 3, Block 1, Lot 13 has requested the vacation of a utility easement in order to make better use of the property. All utility services have reviewed and approve the request.

RECOMMENDED ACTION: To authorize the City Attorney to prepare documents needed to accomplish the Freeway Commercial Plaza easement vacation (or take other action deemed appropriate).

D. Idaho Falls Power

1) Change Order to Upper Plant Sedimentation Removal Project: On February 5, 2016 City Council awarded a project to remove sedimentation upstream from the Upper Power Plant to Rhodehouse Construction Inc. to remove 45,000 cubic yards of sediment. Upon dewatering the channel, there was more sediment built up than originally estimated. Idaho Falls Power respectfully requests City Council approve Change Order #1 for \$245,000 for additional sedimentation removal.

RECOMMENDED ACTION: To approve Change Order #1 in the amount of \$245,000 for the Upper Power Plant sedimentation removal project and authorize the Mayor to execute the necessary document (or take other action deemed appropriate).

6. Motion to Adjourn.

City of Idaho Falls
Expenditure Summary
From 9/01/2016 To 9/30/2016

Fund	Total Expenditure
General Fund	1,767,396.52
Street Fund	1,593,624.39
Recreation Fund	50,322.25
Library Fund	73,158.80
MERF Fund	136,456.18
EL Public Purpose Fund	79,996.11
Golf Fund	43,902.67
Self-Insurance Fund	110,003.72
Sanitary Sewer Cap Imp	886.20
Municipal Capital Imp F	332,481.45
Water Capital Imp Fund	1,312.00
Traffic Light Cap Imp F	44,238.75
Parks Capital Imp Fund	12,871.50
Airport Fund	129,626.49
Water & Sewer Fund	2,015,757.19
Sanitation Fund	302,298.20
Ambulance Fund	118,849.39
Electric Light Fund	3,537,403.03
Payroll Liability Fund	2,778,231.18
	13,128,816.02

September 6, 2016

The City Council of the City of Idaho Falls met in Special Council Meeting (Council Work Session), Tuesday, September 6, 2016, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 3:00 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember David M. Smith (arrived at 3:02)
Councilmember Michelle Ziel-Dingman
Councilmember Barbara Ehardt
Councilmember Ed Marohn
Councilmember John B. Radford

Also present:

Pamela Alexander, Municipal Services Director
Kenny McOmber, City Treasurer
Mark Hagedorn, City Controller
Greg Weitzel, Parks and Recreation Director
David Pennock, Zoo Superintendent
Chris Fredericksen, Public Works Director
Brad Cramer, Community Development Services Director
Kerry Beutler, Community Development Services Assistant Director
Kerry Hammon, Public Information Officer
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:00.

It was moved by Councilmember Radford, seconded by Councilmember Marohn, to add to the final position on the agenda, prior to the Executive Session, the finalization of the Air Show Resolution. The good faith reason for the addition is the time sensitive nature of a resolution so the Air Show Board can move forward with their preparation and the fact it does not appear on the agenda presently. Mayor Casper stated she has been in conversation with the Airshow Board as well as Department Directors related to the requested services to specify the level of support required by the City. She indicated a written request has not been received from the Airshow Board at this point. Roll call as follows: Aye – Councilmembers Marohn, Dingman, Ehardt, Hally, Radford. Abstain – Councilmember Smith. Nay – none. Motion carried.

Mayor's Report and Action Items/Announcements and Calendar Items:

September 8, Idaho Falls Power APPA (American Public Power Association) Webinar 12:00-1:30 p.m.
September 8, Regular Council Meeting
September 9, Sean Allen, Idaho Falls Fire Department Fire Captain, will be receiving an award in Boise
September 10, Fallen Heroes Tribute run/walk at Snake River Landing
September 10, Webinar "The Many Faces of Religious Freedom: Where's the Balance"
September 10, Bonneville County Heritage Association, Treasurer's Tours
September 10, Symphony Concert in the park
September 13, UAMPS (Utah Associated Municipal Power Systems) in Salt Lake City, Utah
September 15, Bizfest, Keefers Island
September 16, Zoo Brew at Idaho Falls Zoo at Tautphaus Park
September 17, Hometown Heroes event, Pocatello
September 17, Birds, Bugles and Brunch event at Camas National Wildlife Refuge

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Mayor Casper announced three (3) City of Idaho Falls employees, Community Development Services Director Brad Cramer, Idaho Falls Power Assistant Director Bear Prairie, and Recreation Superintendent PJ Holm, have been selected for the Chamber of Commerce Distinguished Under 40 recognition with an awards dinner scheduled for October 6. She introduced Ryan Tew, who was recently appointed as Human Resources Director. She stated the City will be hosting the Adult Sister Cities delegation October 3-8, with special recognition by City officials and staff scheduled for October 3.

City Council Reports:

Councilmember Hally stated discussion regarding 17th Street and Hitt Road is continuing.

Councilmember Radford believes the 17th Street and Hitt Road conversation has been positive.

Councilmember Marohn stated the Ammon Mutual Fire Aid Agreement is being reviewed by Legal Services, each City appears to be in agreement of the fee structure and protocol.

Councilmember Ehardt encouraged the Councilmembers to review the public comments regarding the Traffic Signal Removal project.

Councilmember Dingman stated the first meeting has been held with the City of Ammon regarding the Hitt Road Maintenance Agreement.

Councilmember Smith indicated the City of Ammon will not proceed with the Hitt Road Maintenance Agreement until an agreement has been confirmed regarding 17th Street and Hitt Road. He stated Idaho Falls Power Open House is scheduled for September 24.

Quarterly Financial Report (postponed from August):

Director Alexander stated the financial report will be presented on a quarterly basis. She then turned the presentation to Mr. McOmber. Mr. McOmber reviewed Cash Balance Trends, which includes all funds for the previous ten (10) years. Director Alexander stated internal resources are being utilized for trends. Brief discussion occurred regarding the Golf and Capital Improvement Funds. Mr. McOmber stated the Golf Fund is typically in a deficit, except for the September and October months, due to golf being a seasonal activity. He reviewed the Cash and Investment Report stating the majority of total City investments occur in the Enterprise Fund (68%) at an average of 1-1.5% investment rate, as the City develops its own portfolio versus a State portfolio. He reviewed the Cash and Investment Report, which includes all other funds (32%), also at 1-1.5% investment rate.

Mr. Hagedorn reviewed Tax Collections Reporting as follows:

- Fiscal Year 2014/15 Total Tax Collections - \$28.7 million (includes property and other taxes)
- Total Tax Collections for 2015/16 for the five open tax levy years (2011-2015) - \$24.9 million

Mr. McOmber reviewed Utility Collections, stating the recently approved write off of approximately \$350,000 represents one-half percent of the total amount collected. He indicated in January 2015, the ordinance was changed reducing the past due timeframes which have reduced the number of delinquent accounts. He stated the current collection rate is approximately 99.5%.

Mr. Hagedorn reviewed the following FY2016 Forecast reports with general discussion throughout:

Revenue Reporting:

Taxes and Franchises - \$30,029,890
Intergovernmental Revenue - \$21,305,794
Government Charges for Services - \$12,490,754
Enterprise Charges for Services - \$70,531,496
Miscellaneous - \$5,160,758
Non Revenue Transfer - \$4,315,536
Total - \$143,834,229

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Governmental Expenditure Reporting:

Mayor & Council - \$267,087
Legal - \$439,331
Municipal Services - \$5,373,797
Planning & Building - \$2,124,106
Human Resources - \$164,020
Police - \$13,216,106
Fire - \$12,313,565
Parks & Recreation - \$12,832,475
Public Works - \$9,561,587
Library - \$2,537,119
Total - \$58,829,193

Enterprise Expenditure Reporting:

Airport - \$9,288,452
Public Works-Enterprise - \$24,002,908
Fire-Ambulance - \$6,609,084
Electric - \$58,873,214
Total - \$98,773,658

Expenditure by Type Reporting:

Wages - \$42,940,476
Benefits - \$20,894,090
Operating Expenses - \$70,195,471
Capital Outlay - \$32,468,422
MERF Depreciation - \$3,182,947
Debt Service Payments - \$1,100,000
Operating Transfers - \$552,440
Interfund Transfer - \$(10,799,506)
Total - \$160,534,340

Mr. Hagedorn reviewed Encumbrances, a placeholder for the budget to ensure the budget is not overspent in a department or category. He stated the encumbrance is generally a rollover of funding for projects to occur in the following fiscal year. \$3 million is the encumbrance capacity to roll over.

Director Alexander stated future quarterly financial presentations will include status of 2016/17 capital projects; status of one-time 2016/17 budget items, including projects that fell through; and trend analysis of unassigned cash balances.

Discussion and Adoption of Idaho Falls Zoo at Tautphaus Park 5-year Plan:

Director Weitzel stated the zoo presentation regarding the Strategic Plan has involved the elected officials, the Tautphaus Park Zoological Society Board and Staff, the zoo staff and volunteers, and more than 1,000 patrons and community members. He then turned the presentation to Mr. Pennock with general discussion throughout.

Mr. Pennock stated the five-year plan is to focus all efforts toward a common vision to create a zoo which is: more financially viable; more valuable education and recreation asset; increased impact on the local economy; and inspires active participation in creating a healthy future for wildlife. The plan established five (5) priorities for the zoo. Mr. Pennock reviewed the history and impact of the Idaho Falls zoo, stating the zoo began in 1935. After 40 years, growing concerns began to generate letters and by 1985 complaints were submitted to the U.S. Humane Society. The City began building a powerful public/partnership for dramatic transformation which included passage

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of a formal resolution by the City Council. The Idaho Falls Zoo became the first zoo in Idaho to receive accreditation by the Association of Zoos and Aquariums (AZA) and has maintained this distinction for 18 years. Mr. Pennock stated the Idaho Falls Zoo is among the most highly used attractions in Eastern Idaho, with an average number of 123,000 visitors each year with an annual \$3.54 million impact on the local economy. The zoo is an Educational Resource for the Entire Region, with an average number of 7,000 school children every year.

Director Weitzel reviewed General Findings:

What is the purpose of the zoo? Education, Entertainment/Recreation, Conservation.

What does Idaho Falls Zoo do well? Great collection of well-cared for animals, well-trained and dedicated staff, and patrons love the experience they have.

What needs to be improved? Idaho Falls Zoo is not seen as a dynamic, interactive, education experience; is perceived as being stale; can attract more visitors; basic operations infrastructure needs strengthening.

Areas of Priority:

1. Strengthen the Foundation
2. Improve Visitor Experience
3. Conservation
4. Broaden the Reach
5. Maintain the Current Atmosphere and Accessibility of the Zoo

Next Steps include:

1. Approval of Plan Resolution
2. Approval of Tautphaus Park Master Plan
3. Implement Recommendations
4. Staff Reorganization

It was moved by Councilmember Radford, seconded by Councilmember Hally, to adopt the Resolution for the 5-year Strategic Plan. Brief discussion followed including the possibility of expanding hours to allow additional attendance. Roll call as follows: Aye - Councilmembers Smith, Hally, Radford, Dingman, Marohn. Nay - Councilmember Ehardt. Motion carried.

RESOLUTION 2016-27

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, APPROVING AND ADOPTING THE "IDAHO FALLS ZOO FIVE-YEAR STRATEGIC PLAN," DEVELOPED BY THE CITY OF IDAHO FALLS DEPARTMENT OF PARKS AND RECREATION; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Recycling Discussion:

Director Fredericksen reviewed recycling comparison of eight (8) Idaho cities including solid waste collection, monthly garbage rates, recycling collection – municipal or private, monthly recycle rates, recycling – mandatory or volunteer, and billing – municipality or private. He stated four (4) cities recycle on a volunteer basis and four (4) cities mandate recycling. Director Fredericksen stated conversation has occurred with Bonneville County regarding landfill issues/concerns. Discussion followed regarding possibility of franchise services with a private recycler. Director Fredericksen believes there is a low percentage of Idaho Falls residents who voluntarily recycle with a private company. After further brief discussion, it was decided future conversation will include costs for the current City recycling bins, possible partnership with Bonneville County, participation rate with a private provider, and input from citizens.

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Discussion of Ordinance Definitions for Single-family Dwellings:

Director Cramer stated definition updates to the zoning ordinance are being required due to an enforcement issue that the current ordinance is unable to address. Assistant Director Beutler stated an individual in a single-family neighborhood has been renting beds in their home to multiple people. He indicated the individual has interpreted the ordinance different than Community Development Services Department (CDSD). The issue was then presented to the Board of Adjustment (BOA) who confirmed the resident was not in compliance with the ordinance. However, Assistant Director Beutler indicated staff prefers to clarify the ordinance to prevent any recurrence. He reviewed definition changes, stating 'family' will be updated to 'household' in single-family neighborhoods. Director Cramer stated this definition will not change the traditional household although an owner, not living in home, could rent out to 4 unrelated individuals. General discussion followed. Director Cramer stated short-term rentals and Airbnb will be discussed during the zoning ordinance update which will occur in the near future.

Discussion of Airshow:

Mayor Casper stated this item has been tentatively scheduled for the September 19, 2016 Work Session. She believes there should be a simple agreement to capture the health, safety, and welfare costs and services. She indicated after discussion with Department Directors, some dollar amounts approved in the budget are above and beyond the typical cost of service, while some amounts are less. She believes the Councilmembers preferred additional information to allow future community support discussion as the funding allocation is from the same funding source and believes extra time may be needed to sort out the costs. Councilmember Marohn indicated the initial cost was reduced to \$85,000 and he recommended the resolution specify \$85,879 as service costs as he believes the City is in a position to lose the Airshow. He stated the resolution confirms what the Councilmembers agreed to support as the City will be controlling traffic and community safety. Councilmember Radford believes the resolution is the documented way to move forward. Mayor Casper believes the specific dollar amounts should be removed from resolution. Councilmember Dingman believes the Airshow Board should have applied through the Community Support Grant process. Councilmember Hally stated this is a large event and will require logistics/planning, including a written agreement. After further discussion it was moved by Councilmember Smith, seconded by Councilmember Marohn, to amend the resolution to remove 'budgeted amount', to add 'not to exceed \$85,879', and in place of specific department dollar amounts add 'in-kind services'. Roll call as follows: Aye – Councilmembers Dingman, Smith, Marohn, Ehardt, Hally, Radford. Nay – none. Motion carried. Councilmember Ehardt stated she supports the Council to move forward but expressed her concern for the process. It was then moved by Councilmember Radford, seconded by Councilmember Hally, to amend Councilmember Smith's motion to 'not to exceed \$102,000'. Roll call as follows: Aye – Councilmembers Hally, Radford, Dingman, Ehardt, Marohn. Nay – Smith. Motion carried. Roll call on passage of resolution as follows: Aye – Councilmember Marohn, Dingman, Ehardt, Hally, Radford, Smith. Nay – none. Motion carried. Mr. Fife stated the resolution commits the City and funds for the airshow. After brief discussion, it was consensus of the Council that no further agreement will be needed.

It was moved by Councilmember Marohn, seconded by Councilmember Dingman, to adjourn the meeting at 6:41 p.m. and move into Executive Session which has been 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, and not reconvene to Work Session upon conclusion of the Executive Session. Roll call as follows: Aye - Councilmembers Dingman, Smith, Marohn, Ehardt, Hally, Radford. Nay – none. Motion carried.

The City Council of the City of Idaho Falls met in Special Council Meeting (Executive Session), Tuesday, September 6, 2016, in the Annex Conference Room in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 6:48 p.m.

There were present:

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Mayor Rebecca L. Noah Casper
Councilmember David M. Smith
Councilmember Barbara Ehardt
Councilmember John B. Radford
Councilmember Ed Marohn
Councilmember Thomas Hally
Councilmember Michelle Ziel-Dingman

Also present:

Chris Fredericksen, Public Works Director
Michael Kirkham, Assistant City Attorney
Randy Fife, City Attorney

The Executive Session has been called pursuant to the provision 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.

There being no further business, it was moved by Councilmember Marohn, seconded by Councilmember Hally, that the meeting adjourn at 7:27 p.m. which motion passed following a unanimous vote.

CITY CLERK

MAYOR

September 8, 2016

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, September 8, 2016, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Councilmember John B. Radford
Councilmember Barbara Ehardt
Councilmember Thomas Hally
Councilmember David M. Smith
Councilmember Ed Marohn
Councilmember Michelle Ziel-Dingman

Also present:

Randy Fife, City Attorney
Kathy Hampton, City Clerk
All available Department Directors

Mayor Casper invited Ethan Martin, a 9th grade student at Compass Academy, to come forward and lead those present in the Pledge of Allegiance.

Mayor Casper requested any public comment not related to items on the agenda. No one appeared.

Consent Agenda Items:

The City Clerk requested approval of Minutes from the July 25, 2016 Council Work Session; July 26, 2016 Council Budget Session; July 28, 2016 Council Meeting; and August 8, 2016 Council Work Session.

The City Clerk requested approval of License Applications, all carrying the required approvals.

It was moved by Councilmember Marohn, seconded by Councilmember Radford, to approve all items on the Consent Agenda according to the recommendations presented. Roll call as follows: Aye – Councilmembers Ehardt, Marohn, Hally, Radford, Smith, Dingman. Nay – none. Motion carried.

Regular Agenda Items:

Public Works:

Subject: Traffic Signal Removal Study Project

A public open house was held on June 28, 2016, to present the results of the engineering analysis and solicit public input regarding the potential removal of various traffic signals in Idaho Falls. Open house attendees were invited to submit comments to the City on comment forms that were provided. Information and comment forms were also posted on the City web site.

Councilmember Ehardt expressed her appreciation for the public comments and the willingness of citizens to become engaged with the elected officials. She stated she is pro-business and pro-downtown and believes the benefit of removing lights will allow easier access. She indicated the Idaho Falls Downtown Development Corporation (IFDDC) is in favor of the downtown traffic light removal. She believes the safety of citizens should not be compromised.

A- Intersection of Broadway and Lindsay Boulevard: Lindsay Boulevard has the lowest side street traffic volumes of any of the 12 total intersections initially evaluated as part of the Traffic Signal Removal Study which

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are dramatically below the volumes needed to justify the signal under any of the Manual on Uniform Traffic Control Devices (MUTCD) signal warrants. The connection of Utah Avenue to Lindsay Boulevard north of Broadway (25 years ago) made Utah Avenue the primary connection to Broadway from points north, eliminating the need for a traffic signal at the Lindsay Boulevard intersection.

It was moved by Councilmember Ehardt, seconded by Councilmember Dingman, to remove the traffic signal at the Broadway and Lindsay Boulevard intersection together with the marked crosswalks across Broadway, and that it be replaced with a stop sign on the Lindsay Boulevard approach. Roll call as follows: Aye – Councilmembers Dingman, Radford, Marohn, Smith, Hally, Ehardt. Nay – none. Motion carried.

B- Intersection of Broadway and Shoup Avenue: Shoup Avenue has very low side street traffic volumes, which is dramatically below the volumes needed to justify the signal under any of the MUTCD signal warrants.

Councilmember Ehardt believes the removal of this light will prove to be advantageous.

It was moved by Councilmember Ehardt, seconded by Councilmember Dingman, to remove the traffic signal at the Broadway and Shoup Avenue intersection together with the marked crosswalks across Broadway, and that it be replaced with a stop sign on the Shoup Avenue approach. Roll call as follows: Aye – Councilmembers Radford, Ehardt, Smith, Marohn, Dingman, Hally. Nay – none. Motion carried.

C- Intersections of Yellowstone Avenue and A Street & Yellowstone Avenue and B Street: These intersections on Yellowstone Avenue have the highest side street traffic volumes of the six intersections where removal tests and delay studies were conducted. Neither intersection meets the 8-hour MUTCD signal warrant, the warrant under which signals are most commonly justified, but they both marginally meet the 4-hour warrant. The short distances to the adjacent signals at Broadway and at Constitution Way result in the A Street and B Street signals inhibiting traffic operations and progression on Yellowstone Avenue without providing the level of benefit that would offset those impacts.

Councilmember Ehardt believes it is important to keep access available from parking across Yellowstone Avenue to the downtown businesses and indicated the HAWK (High-intensity Activated crossWALK beacon) signal will accommodate any pedestrian crossing. Councilmember Marohn concurred. Councilmember Radford believes in creating pathways for alternate methods of transportation and also concurs with the HAWK signal installation.

It was moved by Councilmember Ehardt, seconded by Councilmember Dingman, to remove the traffic signal at the Yellowstone Avenue and A Street intersection, remove the signal equipment for the minor street approaches at the Yellowstone Avenue and B Street intersection, convert the signal equipment controlling Yellowstone Avenue traffic at B Street to a Pedestrian Hybrid Beacon (HAWK signal) to accommodate pedestrian and bicycle crossing, remove the marked crosswalks across Yellowstone Avenue at A Street, and, place stop signs on the A Street and B Street approaches. Roll call as follows: Aye – Councilmembers Hally, Smith, Dingman, Ehardt, Marohn, Radford. Nay – none. Motion carried.

D- Intersection of 17th Street and June Avenue: June Avenue has very low side street traffic volumes which are dramatically below the volumes needed to justify the signal under any of the MUTCD signal warrants.

Councilmember Ehardt stated there are additional exits for this neighborhood, although she would like future discussion regarding exit/entrance around the Lowe's property.

It was moved by Councilmember Ehardt, seconded by Councilmember Radford, to remove the traffic signal at the 17th Street and June Avenue intersection together with the marked crosswalks across 17th Street, and that it be replaced with stop signs on the June Avenue and ShopKo parking lot approaches. Roll call as follows: Aye – Councilmembers Hally, Radford, Ehardt, Marohn. Nay – Councilmembers Smith, Dingman. Motion carried.

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E- Intersection of 17th Street and Ponderosa Drive: Ponderosa Drive has somewhat higher side street traffic volumes than those at June Avenue, Lindsay Boulevard, or Shoup Avenue, but they are still dramatically below the volumes needed to justify the signal under any of the MUTCD signal warrants.

Councilmember Ehardt believes removal of both traffic signals in this area would be a disservice as 17th Street is considered an arterial street. She stated Ponderosa Drive is a means to avoid Holmes Avenue and this signal provides businesses a break in traffic flow. She expressed her concern for safety reasons. Councilmember Dingman stated she cannot support the light removal for pedestrian crossing and expressed her concern for lack of complete sidewalks in the surrounding areas for safety reasons. Councilmember Hally stated traffic signal removal always tends to be controversial. He expressed concerns for the movement of traffic on 17th Street as well as pedestrian crossing. Councilmember Marohn believes this signal removal may be reconsidered in the future during the St. Clair Road project. It was consensus of the Council for no motion on this item.

Public Works Director Chris Fredericksen stated Public Works Department will coordinate with Idaho Falls Power and Idaho Transportation Department for removal of the approved traffic signals.

Subject: Easement Vacation – 845 South Milligan

The property owner of 845 South Milligan Road has requested the vacation of a utility easement in order to make better use of the property. All utility services have reviewed and approve the request.

It was moved by Councilmember Ehardt, seconded by Councilmember Dingman authorize the City Attorney to prepare documents needed to accomplish the easement vacation at 845 South Milligan. Roll call as follows: Aye – Councilmembers Marohn, Dingman, Ehardt, Hally, Radford, Smith. Nay – none. Motion carried.

Subject: Bid Rejection – Sanitary Sewer Rehabilitation

On September 2, 2016, bids were received and opened for the Sanitary Sewer Rehabilitation – 2016 project. The only bid received in the amount of \$117,990.00 exceeded the budgeted amount and was 152% of the Engineer's Estimate.

It was moved by Councilmember Ehardt, seconded by Councilmember Dingman reject the bid received for the Sanitary Sewer Rehabilitation – 2016 project and that notice of such be sent to the sole bidder. Roll call as follows: Aye – Councilmembers Smith, Hally, Dingman, Radford, Ehardt, Marohn. Nay – none. Motion carried.

Director Fredericksen stated the available funds will be reprioritized for future projects.

Municipal Services:

Subject: Bid Award IF-16-28, One New 2017 ¾ ton Pickup, Full Size, Mega Cab (Fleet Addition)

It is the recommendation of the Airport and Municipal Services Departments to accept the lowest responsive, responsible bid from Stone's Town and Country Motors in the amount of \$40,709.00. The airport fleet will need to be adjusted to meet airport operational needs as additional operation staff are hired. Funding to purchase this vehicle is from available operational savings within the 2015/16 Airport Fund budget. This vehicle will be included in MERF (Municipal Equipment Replacement Fund) planning.

Councilmember Marohn stated this vehicle is requested as an addition to the Airport fleet to be used for airfield inspections and maintenance operations pursuant to Federal Aviation Regulations. The specific make and model of the vehicle is being requested based upon the need for fuel and operational efficiencies required within the aircraft movement areas. The vehicle cannot leave the air field during snow events.

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It was moved by Councilmember Marohn, seconded by Councilmember Smith, accept the lowest responsive, responsible bid from Stone's Town and Country Motors in the amount of \$40,709.00, for one new 2017 ¾-ton Pickup to be included in the Airport fleet. Councilmember Radford recused himself. Roll call as follows: Aye – Councilmembers Hally, Marohn, Dingman, Smith, Ehardt. Nay – none. Motion carried.

Subject: Authorization to Approve Insurance Contracts for Workers Compensation for 2016/17

The Municipal Services Department respectfully requests the authorization to enter into three (3) professional contracts for worker's compensation insurance for the 2016/17 fiscal year for a total amount of \$180,910:

- Moreton & Company - \$36,000
- Safety National and Traveler Surety Company - \$137,455
- Travelers Casualty & Surety Company - \$7,455

Councilmember Marohn briefly reviewed the contents of each contract and stated all contracts will begin on October 1, 2016, for a one (1) year timeframe.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to enter into three (3) professional contracts for worker's compensation insurance for the 2016/17 fiscal year for a total amount of \$180,910. Roll call as follows: Aye – Councilmembers Ehardt, Radford, Smith, Marohn, Dingman, Hally. Nay – none. Motion carried.

Community Development Services:

Subject: Request for Electric Line Extension Fee Waiver, 845 Milligan Road

For consideration is a request for waiver of electric line extension fees for the project at 845 Milligan Road for Indian Motorcycle. The total fees are \$19,529.36. This request is made pursuant to City Code 8-5-31. Because the site is surrounded by existing City development, is part of an urban renewal district in which redevelopment is occurring, and because there was previously a structure on the site which received Idaho Falls Power services, staff recommends approval of the entire \$19,529.36 fee.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the request for waiver of electric line extension fees for the project at 845 Milligan Road for Indian Motorcycle, in the amount of \$19,529.36. Roll call as follows: Aye – Councilmembers Ehardt, Hally, Smith, Marohn, Dingman. Nay – Councilmember Radford. Motion carried.

Subject: Public Hearing – Annexation with Initial Zoning of RP-A, Annexation and Initial Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B 79.641 acres (Sand Pointe Subdivision)

For consideration is the application for Annexation with Initial Zoning of RP-A, Annexation and Initial Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards for M&B 79.641 acres (Sand Pointe Subdivision). This application was considered by the Planning and Zoning Commission on August 2, 2016, and recommended approval by unanimous vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing. She ordered all information presented be entered into the record.

Community Services Development Director Brad Cramer appeared with the following:

- Slide 1-Property under consideration in surrounding zones
- Slide 2- Aerial photo of property under consideration
- Slide 3-Additional aerial photo of property under consideration

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Slide 4- Comprehensive Plan Future Land Use Map
Slide 5- Photo looking at north end of property
Slide 6- Photo looking at south end of property
Slide 7- Additional photo looking at north end of property
Slide 8- Photo looking at dunes at the north end
Slide 9- Additional photo looking at south end of property
Slide 10- Photo looking at entrance off of 65th South
Slide 11- Photo looking at dune on southern end
Slide 12- Photo looking east along 65th South

Director Cramer stated the applicant is working with the City of Idaho Falls to gain access into the area. He indicated RP-A requests are rare and unique due to home-based businesses not being allowed. He stated the setbacks on the side yards are more restrictive. Brief discussion followed regarding the sand dunes with Director Cramer stating the dunes will be incorporated into the lot.

Mayor Casper requested public comment from the applicant. No one appeared.

Mayor Casper requested other public comment.

Clay Murdock, Long Cove Drive, Idaho Falls, appeared. Mr. Murdock stated his family moved to the neighborhood because of the quiet location, realizing there was a good chance of development. He expressed concern for the safety hazard of one access for Long Cove Drive as it could become a thoroughfare for the neighborhood as well as two additional subdivisions. Mr. Fife stated this request is for annexation which does not include a development agreement, therefore it is not appropriate to consider connectivity and access or design.

Mayor Casper closed the public hearing.

Councilmember Dingman stated the sand dune concern is addressed in the minutes from the Planning and Zoning Commission.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Ordinance annexing Sand Pointe Subdivision, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Ehardt, Marohn, Hally, Radford, Smith, Dingman. Nay – none. Motion carried.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3088

AN ORDINANCE ANNEXING APPROXIMATELY 79.641 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE; ASSIGNING A COMPREHENSIVE PLAN MAP DESIGNATION OF LOW DENSITY RESIDENTIAL; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for Sand Pointe Subdivision, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Dingman, Radford, Marohn, Smith, Hally, Ehardt. Nay – none. Motion carried.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Ordinance assigning a Comprehensive Plan Designation of Low Density Residential and establishing the initial zoning for

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Sand Pointe Subdivision as RP-A (Residence Park Zone), under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, that the Comprehensive Plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning, and amendment to the Comprehensive Plan on the Comprehensive Plan and Zoning Maps located in the Planning Office. Roll call as follows: Aye – Councilmembers Radford, Ehardt, Smith, Marohn, Dingman, Hally. Nay – none. Motion carried.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3089

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 79.641 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS RP-A ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of RP-A Residence Park Zone for Sand Pointe Subdivision, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Smith, Dingman, Ehardt, Marohn, Radford. Nay – none. Motion carried.

Subject: Public Hearing – Annexation with Initial Zoning of RP-A, Annexation and Initial Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B 20.219 acres (Darcy Stewart Subdivision)

For consideration is the application for Annexation with Initial Zoning of RP-A, Annexation and Initial Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards for M&B 20.219 acres (Darcy Stewart Subdivision). This application was considered by the Planning and Zoning Commission on August 2, 2016, and recommended approval by unanimous vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing. She ordered all information presented be entered into the record.

Director Cramer appeared with the following:

- Slide 1-Property under consideration in surrounding zones
- Slide 2- Aerial of property under consideration
- Slide 3-Additional aerial of property under consideration
- Slide 4- Comprehensive Plan Future Land Use Map
- Slide 5- Photo looking west across property from the end of Long Cove Drive
- Slide 6- Photo looking back into neighborhood from the end of Long Cove Drive

Mayor Casper requested public comment from the applicant. No one appeared.

Mayor Casper requested other public comment. No one appeared.

Mayor Casper closed the public hearing.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Ordinance annexing Darcy Stewart Subdivision, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Dingman, Smith, Marohn, Ehardt, Hally, Radford. Nay – none. Motion carried.

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At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3090

AN ORDINANCE ANNEXING APPROXIMATELY 20.221 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE; ASSIGNING A COMPREHENSIVE PLAN MAP DESIGNATION OF LOW DENSITY RESIDENTIAL; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for Darcy Stewart Subdivision, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Marohn, Dingman, Ehardt, Hally, Radford, Smith. Nay – none. Motion carried.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Ordinance assigning a Comprehensive Plan Designation of Low Density Residential and establishing the initial zoning for Darcy Stewart Subdivision as RP-A (Residence Park Zone), under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, that the Comprehensive Plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning, and amendment to the Comprehensive Plan on the Comprehensive Plan and Zoning Maps located in the Planning Office. Roll call as follows: Aye – Councilmembers Smith, Hally, Dingman, Radford, Ehardt, Marohn. Nay – none. Motion carried.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3091

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 20.221 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS RP-A ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of RP-A Residence Park Zone for Darcy Stewart Subdivision, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Marohn, Radford, Dingman, Smith, Ehardt. Nay – none. Motion carried.

Subject: Public Hearing – Annexation with Initial Zoning of R-1, Annexation and Initial Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B 45.450 acres (Silverleaf Estates Subdivision)

For consideration is the application for Annexation with Initial Zoning of RP-A, Annexation and Initial Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards for M&B 45.450 acres (Silverleaf Estates Subdivision). This application was considered by the Planning and Zoning Commission on August 2, 2016, and recommended approval by unanimous vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing. She ordered all information presented be entered into the record.

Director Cramer appeared with the following:

Slide 1- Area under consideration in surrounding zones

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Slide 2- Aerial photo of property under consideration

Slide 3- Additional aerial photo of property under consideration

Slide 4- Comprehensive Future Land Use Map

Slide 5- Photo looking south from Simon Street

Slide 6- Photo looking west from Simon Street

Slide 7- Photo looking north from Simon Street

Slide 8- Photo looking southeast from W. 17th North

Mayor Casper requested public comment from the applicant.

Greg Hansen, Ammon Idaho, and representative for the applicant, appeared. Mr. Hansen stated he is looking forward to this project as well as bringing additional projects to the City of Idaho Falls.

Mayor Casper requested other public comment. No one appeared.

Mayor Casper closed the public hearing.

Councilmember Dingman stated this property is located within the Area of Impact and can be served by City utilities and services.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Ordinance annexing Silverleaf Estates Subdivision, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Radford, Ehardt, Hally, Smith, Marohn, Dingman. Nay – none. Motion carried.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3092

AN ORDINANCE ANNEXING APPROXIMATELY 45.450 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE; ASSIGNING A COMPREHENSIVE PLAN MAP DESIGNATION OF LOW DENSITY RESIDENTIAL; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for Silverleaf Estates Subdivision, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Marohn, Dingman, Ehardt, Hally, Radford, Smith. Nay – none. Motion carried.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Ordinance assigning a Comprehensive Plan Designation of Low Density Residential and establishing the initial zoning for Silverleaf Estates Subdivision as R-1 (Residence Zone), under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, that the Comprehensive Plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning, and amendment to the Comprehensive Plan on the Comprehensive Plan and Zoning Maps located in the Planning Office. Roll call as follows: Aye – Councilmembers Ehardt, Marohn, Hally, Radford, Smith, Dingman. Nay – none. Motion carried.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

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ORDINANCE NO. 3093

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 45.450 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS R-1 ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of RP-A Residence Park Zone for Silverleaf Estates Subdivision, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Dingman, Radford, Marohn, Smith, Hally, Ehardt. Nay – none. Motion carried.

Mayor Casper stated Sean Allen, Idaho Falls Fire Department firefighter, will be receiving a great honor in Boise.

There being no further business, it was moved by Councilmember Marohn, seconded by Councilmember Hally, that the meeting adjourn at 8:52 p.m. which motion passed following a unanimous vote.

CITY CLERK

MAYOR

September 19, 2016

The City Council of the City of Idaho Falls met in Special Council Meeting (Council Work Session), Monday, September 19, 2016, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 3:00 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Councilmember John B. Radford (arrived at 3:05)
Councilmember Barbara Ehardt
Councilmember Thomas Hally
Councilmember David M. Smith
Councilmember Ed Marohn
Councilmember Michelle Ziel-Dingman (departed at 6:30)

Also present:

Pamela Alexander, Municipal Services Director
Jackie Flowers, Idaho Falls Power Director
Chris Fredericksen, Public Works Director
Brian Cardon, Street Superintendent
Dana Briggs, Economic Development Coordinator
Dave Hanneman, Fire Chief
Kerry Hammon, Public Information Officer
Randy Fife, City Attorney
Michael Kirkham, Assistant City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:00.

Mayor's Report and Action Items/Announcements and Calendar Items:

Mayor Casper distributed the following calendar items:

September-

19 Sister Cities Meeting
20 Idaho Falls Police Department Media Day; training annex
22 Idaho Falls Power (IFP) Board Meeting & Old Lower Plant Ribbon Cutting
22 City Council Meeting
23 City Club Luncheon
24 Community Recovery Celebration; Freeman Park
24 IFP Open House
24 Walkabout Tour; Sportsman's Park
26 Culture Training; Council Chambers
26 Special Council Meeting
26 Sister Cities Meeting
29 Airport Tenant BBQ
29 11th Annual Span Memorial Walk; Community Park
30 Habitat's Hoedown for Humanity; Pinecrest Event Center

October-

1 National Federation of the Blind Book Fair; Barnes & Noble
3 Tokai-mura Delegation City Day
3 Tokai-mura Welcome Reception; Catered Your Way

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6 Distinguished Under 40 Awards Dinner
7 10th Annual Policeman's Ball; Pinecrest Event Center
10 Columbus Day
10 Tokai-mura Farewell Reception

Mayor Casper stated due to the timeliness of the power pole relocation in conjunction with the Hitt Road and 17th Street intersection, a Special Meeting will be scheduled for Monday, September 26, at 4:30 p.m.

Acceptance and/or Receipt of Minutes:

It was moved by Councilmember Marohn, seconded by Councilmember Ehardt, to accept receipt of actions from the Planning and Zoning Commission September 6, 2016 meeting. Roll call as follows: Aye – Councilmembers Smith, Hally, Dingman, Ehardt, Marohn. Nay – none. Motion carried.

City Council Reports:

There were no items to report from Councilmembers.

Cayenta Go Live Orientation:

Director Alexander stated the Executive Committee for the Cayenta software conversion consists of herself, Director Flowers and Director Fredericksen. Director Alexander stated the conversion process began in spring of 2015. Director Flowers stated the Cayenta team has been very dedicated and thorough to ensure a top notch product. Director Fredericksen concurred with Director Flowers and stated staff has spent a great deal of time in addition to their regular duties. He is very excited for the new software and new opportunities. Additional Cayenta team members include: Thane Sparks, Jana Windmiller, Brigitte Sanow, Derek Bates, Matt Evans, Mesha Hudman, Van Ashton, Trent Galbraith, and Loren Honeycutt. Director Alexander turned the presentation to Mr. Evans for Phase I orientation with brief discussion throughout. Mr. Evans stated Cayenta is replacing the former AS400 software system which was written in-house over thirty years ago. He indicated Cayenta will allow enhanced customer service and will streamline the process for customer accounts. A newsletter explaining the new utility statements will be mailed in the near future. It was noted the Utility, Treasurer, and Credit Offices will be closed for transition of the software on Friday, September 30.

Water and Wastewater Ordinance Change Discussion:

Director Fredericksen stated definition changes in the Water and Wastewater Ordinances will be required to align with Cayenta. These ordinance amendments will be presented for Council approval at the September 22, 2016 Council Meeting.

Snow Removal Discussion:

Director Fredericksen introduced the new Street Superintendent, Brian Cardon, and announced Jamie Burrows as the new administrative assistant for the Street Department. Director Fredericksen stated the department began snow removal discussion beginning in March through email, social media, survey, and phone calls. Several concerns received regarded residential snow removal as opposed to arterial and collector street snow removal. Director Fredericksen and Mr. Cardon presented the following information with general discussion throughout:

Key issues:

- Effectiveness/Efficiency/Frequency

- Ice buildup

- Driveway approach snow removal – important service, cost expenditure deemed beneficial

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Public notification regarding snow removal activities – when & how

Steps to optimize activities performed:

- Review other snow removal procedures with cities of comparable size and snow accumulation

- No changes to the budget

- Staff utilization changes with additional Public Works staff in two (2), 12-hour shifts

- Equipment usage and future purchases, including multi-use of equipment

- Use of qualified and competent contractors will still be needed

- Pickup and haul versus plow to side costs (approximately 5:1 cost)

Snow removal pilot program for 2016-2017:

- Establish a snow and ice control policy and procedures (to be posted on website)

- Prioritize all street snow removal-

 - Priority One – arterial and collector

 - Priority Two – minor collector streets and special needs (schools, care centers and emergency response facilities)

 - Priority Three – residential and minor streets

- Maximize utilization of City employees and City equipment (two (2) graders with gates have been purchased for use with driveway approaches)

- Minimize haul (update mapping on all routes)

- Update snow removal parking restrictions (Title 9, Chapter 5)

- Review and update annually

Director Fredericksen stated the next steps will involve coordination of proposed changes to procedures, mapping, ordinance, and public notification/involvement with follow-up discussion occurring in the upcoming months.

Community Support Grant Discussion:

Mayor Casper stated there is a strong desire to offer a better process for the City to demonstrate support for the non-profit sector. She believes non-profit entities should provide benefits to the entire community including arts, social services, public safety and welfare and there is ample reason for the City to be involved. She recommended a subcommittee of Councilmembers review all applications and offer guidance for future council discussion.

Mr. Briggs briefly reviewed total funding of community support data from the previous four (4) years and provided the following information for the current year funding support:

	2015-16 Budget	2016-17 Budget
Total Community Support Budget	\$331,998	\$379,500
Council Approved Agency/Program Funds	209,800	202,500
Airshow	0	102,000
Utility Write-offs	24,298	0
Remaining	\$97,900	\$75,000

Ms. Briggs stated the City currently has obligations with Senior Citizen Center, 911 Dispatch Center, Bonneville County Historical Society, Art Museum and Serenity Hall. Director Alexander reviewed previous utility assistance data which included City and County entities. She indicated the Community Support Grant funds were previously allocated from non-departmental funds, and, for the majority, is now included in the Council budget.

Mr. Kirkham briefly reviewed utility write-offs with perspective to taxpayers versus ratepayers. Mr. Fife stated the business purpose needs to be defined to determine any utility write-off or support grant funding. General discussion followed.

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Ms. Briggs reviewed the current application and timeline, the overview of the application process and eligibility, and application criteria/additional information. She indicated a scoresheet, based on the applicant and description, will be provided to the subcommittee for assistance with recommendations of funding. It was consensus of the Council to form a subcommittee. Councilmembers Dingman, Ehardt, and Radford volunteered as subcommittee members.

Sister Cities Youth Delegation Report:

Melinda Cebull, President, stated the Sister Cities is an exchange program with Tokai-Mura and provides an opportunity for youth to travel but not necessarily through the school system. The youth participate in fundraising events but the majority of costs are deferred by home stays with host families.

Youth Delegates presentation:

Julia Peck, student at Compass Academy. Ms. Peck stated she appreciated learning Japanese culture, experiences, foods, and activities. She believes the Sister Cities is an amazing organization and the City of Idaho Falls is lucky to have the program.

A'maurie Duckwitz, student at Idaho Falls High School. Ms. Duckwitz believes the Sister Cities has created a bridge between the two cultures as it provides an opportunity for youth. She stated she learned a lot and enjoyed the experience.

Garrett Corbridgem, student at Hillcrest High School. Mr. Corbridgem stated there is a historical parallel between the two cities with each City having a strong background in nuclear engineering. He indicated the opportunity to stay with a host family allows an in-depth experience into the culture.

Rachel Cebull, student at Idaho Falls High School. Ms. Cebull stated she has participated in the Sister Cities organization for six (6) years. She has become semi-fluent in the Japanese language and has been given the opportunity to use her language skills. She believes the opportunity has changed her life goals.

Mayor Casper stated the Sister Cities (Adult and Youth Delegation) is formally being transitioned as City Committees.

Fire Department Citizen Review Committee (CRC) Report:

Mayor Casper stated the CRC members consist of citizens who have dedicated numerous hours analyzing the effectiveness and operations of the department.

Members of the Idaho Falls Fire Department (IFFD) CRC consist of: Chairperson Julie Foster, Nancy Carlson, Kathy Nave, David Haderlie, Steven Besse, Stephanie Willoughby, and Ronald Tallman. Ms. Foster stated the process began in February 2016 with a scope of review and tour of all facilities. Committee objectives and scope review areas included: Budget, Operations, EMS (Emergency Medical Services), Training, ISO (Insurance Services Office) Rating Goals, Fire Prevention, Guidelines and Procedures, and Administration. CRC members also attended a promotional ceremony and participated in Fire OPs day. CRC members presented the following findings and recommendations with general discussion throughout:

Budget – The IFFD budget process is based on a forward-looking IFFD Business Plan aligned with an IFFD Five-Year Strategic Plan. Taxpayers can be assured their IFFD allocated tax dollars are spent to save lives and property. The department's complex budget covers the following unique budget areas: Administration, Fire Alarm Training, Fire Prevention, Fire Fighting, Bonneville Fire District #1, Fire Stations and Buildings, Auxiliary Services, and Ambulance Fund.

Recommendations –

- Modify job descriptions and budget personnel services element object codes to clearly show exempt, administrative, and represented positions
- Establish a performance-based pay grade and salary structure for IFFD Fire Chief

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- Be provided uniform, City-wide rates and the basis for those rates by the Municipal Services Department General Services Equipment Maintenance Division for IFFD Repair & Maintenance Auto Equipment expenses
- IFFD Training Chief serves as the City of Idaho Falls Safety Officer and must be paid for his services via inter-department fund transfers
- Establish a training budget for the Training Division
- Establish "MERF" (Municipal Equipment Replacement Fund) for station upgrades, renovations, and/or new builds in Fire Stations and Buildings portion of IFFD budget
- Provide a listing of the number of full-time and/or part-time employees covered in a unique budget area
- Provide Administration Deputy Chief with part- to full-time administrative assistance focusing on budget data entry and tracking
- Update Fire Prevention (FP) Division rates
- Right-size "extra" services requested at no cost by some entities in town

Operations – Operations provides firefighting services in the City of Idaho Falls as well as Bonneville County Fire District #1; thus, their service area covers 350 square miles and a population of approximately 87,000 people. 115 Operations personnel work shift rotation of 48 hours on and 96 hours off. IFFD Operations is responsible for the firefighting and EMS equipment as well as staff vehicles. The Operations Special Teams include Swift Water/Ice Rescue, Regional Response Haz-Mat Team and Idaho Technical Rescue (ITR) Team, and Aircraft Rescue Firefighting.

Recommendations –

- Maintain span of control in optimum range
- Include MERF funds in the FY 2017 budget to cover need for additional staff vehicles
- Establish a truck company sufficient to meet the firefighting demands of multi-story structures
- Proactively work to reduce the number of false alarm calls
- Explore options to reestablish funds for Haz-Mat and ITR
- Work with the County Sheriff to explore ways to receive budget assistance to cover swift water/ice rescue training costs
- Work with Idaho Falls Police Department (IFPD) to provide basic swift water rescue skills training to patrol officers
- Continue the practice of Rapid Intervention Teams (RIT) to back up fire fighters in buildings
- Move forward with the IFFD Strategic Planning process
- Provide 24/7/365 coverage of the Idaho Falls Airport

Emergency Medical Services (EMS) – EMS have a regional response area that includes Bonneville County, Northern Bingham County, and East Jefferson County. The total EMS response area covers 2,500 square miles and a population of 140,000 people.

Recommendations –

- Establish response time standards in alignment with National Fire Protection Association (NFPA) 1710 within the City of Idaho Falls to optimize saving lives
- Work collaboratively with counties to improve county EMS response times
- Continue the practice of requiring all fire fighters to be certified as EMTs (Emergency Medical Technician) and equipping engines with Advance Life Support (ALS) kits
- Budget for sufficient ambulances to adequately cover the IFFD EMS service area to minimize putting engines out-of-service
- Reduce time spent on handling short falls by a proactive education program
- Review the EMS user fees annually to insure that the fees are adequate to cover rendered services and that fees are being collected in a timely manner

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- Expand the ambulance fleet, as services calls warrant, and train or hire adequate paramedics to staff new ambulances
- Equip ambulances with power gurneys and loaders, including reserve ambulances, to reduce IFFD personnel lifting injuries
- Purchase a "sim man" for use in EMS training

Training – The newly created IFFD training division is a long overdue and a necessary addition for a vibrant future for the fire service in Idaho Falls. Centralizing training insures that IFFD staff can perform their jobs efficiently and safely under the very challenging situations they face. All training, including that conducted at the Fire Stations, is recorded in the Target Solutions System.

Recommendations –

- Complete preparation of a department-level, formalized Training Plan and update annually
- Establish job descriptions aligned with Training Plan
- Increase training staff to a minimum of three (3) training captains
- Build on the collaborative partnership with Idaho State University (ISU) and Eastern Idaho Technical College (EITC) to provide academic learning and career development opportunities for IFFD staff
- Evaluate the need for an upgraded IFFD training facility
- Provide Training Division with a shared administrative support person to handle clerical chores, maintain schedules, coordinate required training with Fire Prevention and EMS
- Continue use of the National Professional Development training model

ISO Rating Goals – The ISO has set forth guidelines to analyze a community's ability to fight fire based on specific criteria, such as water supply, communications dispatch, staffing, firefighting apparatus, etc. Property insurance rates (both commercial and residential) are based on this ISO rating. The rating system is from 1 to 10, with 1 being the best. Currently, the ISO rating in Idaho Falls is 3.

Recommendations –

- Improve emergency dispatch operations receiving and handling times in collaboration with IFPD
- Fully implement CAD (Computer Aided Dispatch) system
- Approve IFFD FY 2017 staffing requests so Ladder 1 can be manned 24/7/265 and Ambulance 7 fully-staffed
- Complete and implement IFFD Strategic Plan
- Develop public education approaches to inform businesses and homeowners of the new Idaho Falls ISO 2 rating

Fire Prevention – The IFFD Fire Prevention Division (FP) function enforces codes and standards established to limit the devastating effect that fire can create. The newly appointed Fire Marshall's strategy focuses on four (4) discipline areas: Plans Review, Inspection, Investigations, and Public Education.

Recommendations –

- Right-size permit and inspection fees
- Receive monthly inter-departmental transfers from Community Development Services for FP portion of building permits
- Staff Fire Prevention Division with a minimum of five inspectors
- Proactive notification of FP when commercial buildings undergo change of ownership, use, or occupancy
- Acquire Community Development Services digitized Idaho Falls commercial building plans and enter into CAD system
- Educate business owners, homeowners, and the public about the vital importance of fire and life safety systems

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- Ensure 100% of all new commercial construction building plans are populated in CAD by embedding FP certified inspector in Community Development Services division
- Provide FP Division with a shared administrative support person to handle clerical chores, maintain FP schedules, coordinate FP required training with Training and EMS Divisions
- Modernize the permit/license processes to e-processes

Guidelines and Procedures – IFFD Standard Operating Guidelines (SOG) and Standard Operating Procedures (SOP) were reviewed and discussed. Guidelines and procedures must be current, relevant, correct, and instructive.

Recommendations –

- It appears that the department has not done an update on several of the guidelines and/or procedures for several years. A thorough review of all documents needs to be completed and updates made to bring them current in content and establish a review baseline.
- A review system needs to be put in place to establish a yearly review cycle and assign stewardship/ownership to the various documents. The Fire Chief is the owner and approves them, but a Deputy Chief or Division Chief responsible for the content should be identified on the documents.
- Driving documents, e.g. NFPA standards, International Fire Code, International Building Code, Idaho Falls City Code, IFFD 5-Year Strategic Plan, Citywide Emergency Operations Plan, etc., associated with the procedure/guideline needs to be placed in the associated document so when there is a change to a driving document impacted SOGs/SOPs can be identified and modified in a timely manner.
- A procedure detailing an appropriate, yearly review schedule needs to be written and include review assignments to the responsible person for each document.
- Currently names (both IFFD and other city employees) are being used in some of the documents instead of positions. An appendix should be created with the position title and the appropriate individual's name and referenced in the document(s). This will allow a quick change to the appendix and the procedure/guideline can remain untouched until its yearly review.
- Acronyms need to be defined, and there is a need to be consistent within the documents on how they are used. AMB and AB are both currently used to identify an ambulance.
- Training documents should reference the applicable IFFD procedures/guidelines.
- Job descriptions are needed for all positions detailed in the IFFD organizational chart.
- Scrub all documents and replace outdated IFFD titles with titles aligned with the current IFFD organizational chart, e.g. replace Duty Chief with Battalion Chief.
- Have a contracted document control professional review revised, new, and proposed guidelines and procedures for content completeness and correctness.

Administration – Administration covers logistics, EMS billing, and Fire Prevention. Additionally, Administration handles the IFFD Budget, agreements between IFFD and other entities for firefighting and EMS services, and the IFFD grievance process.

Recommendations –

- Implement a tracking/inventory system for IFFD consumable equipment and components
- Pay competitive rates for professional services
- Review the IFFD grievance process
- Work proactively to maintain existing relationships and to establish new relationships for IFFD firefighting and EMS services

Chief Hanneman stated he agrees with and has implemented approximately 75% of the CRC recommendations as best practices. He stated several budgetary items discussed during the CRC evaluation were in the process of Council approval.

September 19, 2016

Mayor Casper believes the first responders are asked to perform a variety of tasks. She stated the CRC recommendations are helpful although realistic options need to occur at a realistic pace. On behalf of the citizens and Councilmembers, Mayor Casper expressed her appreciation to the members of the IFFD CRC.

There being no further business, it was moved by Councilmember Marohn, seconded by Councilmember Radford, that the meeting adjourn at 6:34 p.m. which motion passed following a unanimous vote.

CITY CLERK

MAYOR

September 22, 2016

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, September 22, 2016, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Michelle Ziel-Dingman
Councilmember John B. Radford
Councilmember Ed Marohn
Councilmember David M. Smith
Councilmember Barbara Ehardt

Absent:

Councilmember Thomas Hally

Also present:

Randy Fife, City Attorney
Kathy Hampton, City Clerk
All available Department Directors

Mayor Casper invited Marcus Cabrera, a student at Rocky Mountain Middle School and Boy Scout Troop #449, to come forward and lead those present in the Pledge of Allegiance.

Mayor Casper requested any public comment not related to items on the agenda. No one appeared.

Consent Agenda Items:

The Mayor's Office requested Monica Bitrick to serve on the Civil Service Commission.

Idaho Falls Airport requested Council Ratification for Acceptance and Execution of Federal Aviation Administration (FAA) Grant Offer Land Acquisition North Parcel Project.

The City Clerk requested approval of Expenditure Summary for the month of August, 2016.

<u>FUND</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$1,053,336.13
Street Fund	76,626.22
Recreation Fund	22,367.33
Library Fund	33,509.62
Municipal Equipment Replacement Fund (MERF)	88,790.28
Electric Light Public Purpose Fund	220,302.82
Golf Fund	34,937.79
Self-Insurance Fund	56,667.72
Municipal Capital Improvement Fund	35,042.51
Street Capital Improvement Fund	8,500.00
Water Capital Improvement Fund	54,928.65
Airport Fund	131,473.23
Water and Sewer Fund	1,515,086.40
Sanitation Fund	2,147.94
Ambulance Fund	101,762.69
Electric Light Fund	3,753,585.33
Payroll Liability Fund	2,928,275.30
TOTAL	10,117,339.96

September 22, 2016

The City Clerk requested approval of Treasurer's Report for the month of August, 2016.

The City Clerk requested approval of minutes from the August 11, 2016 Council Meeting; August 18, 2016 Special Council Meeting; August 22, 2016 Council Work Session; and August 25, 2016 Council Meeting.

The City Clerk requested approval of License Applications, all carrying the required approvals.

It was moved by Councilmember Marohn, seconded by Councilmember Radford, to approve all items on the Consent Agenda according to the recommendations presented. Roll call as follows: Aye – Councilmembers Smith, Radford, Dingman, Ehardt, Marohn. Nay – none. Motion carried.

Regular Agenda Items:

Municipal Services

Subject: Bid Rejection, IF-16-26, Long Range Inspection Camera System

It is the recommendation of the Public Works and Municipal Services Departments to reject all bids received for the long range inspection camera system.

Councilmember Marohn stated after evaluation of each bid received, there were technology-related discrepancies noted between the request for bid specifications and the vendor bid responses. The Public Works Department will re-evaluate the technology requirements and resubmit a bid at a later date.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to reject all bids received for the long range inspection camera system for the sewer division. Roll call as follows: Aye – Councilmembers Dingman, Smith, Marohn, Ehardt, Radford. Nay – none. Motion carried.

Subject: Bid IF-16-J, Information Technology Networking Software and Equipment

It is the recommendation of the Municipal Services Department to piggyback the State of Idaho Contract #PADD118 with Compunet, Inc. to access pricing discounts offered on the State of Idaho contract.

Councilmember Marohn stated the purchase will include two (2) routers and associated software for the City's fiber ring as well as Wi-Fi access points and associated software and licenses for the City's aging infrastructure.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to piggyback the State of Idaho Contract #PADD118 with Compunet, Inc. in the amount of \$80,050.44 for networking software, licenses and equipment. Roll call as follows: Aye – Councilmembers Marohn, Dingman, Ehardt, Radford, Smith. Nay – none. Motion carried.

Subject: Renewal of Shore Tel Unified Communications Support and Maintenance Agreement

The Municipal Services Department respectfully requests authorization to renew the Shore Tel unified communications support and maintenance agreement with the City of Idaho Falls.

Councilmember Marohn stated the renewal option includes extended warranty protection and replacement, software updates, customer service assistance, and replacement of equipment as needed.

It was moved by Councilmember Marohn, seconded by Councilmember Smith To renew the Shore Tel Unified Communications Support and Maintenance Agreement for a 3-year renewal option for a total agreement amount of

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\$92,270.01, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smith, Dingman, Radford, Ehardt, Marohn. Nay – none. Motion carried.

Subject: RFP – #16-026, Comprehensive Annual Financial Audit Services

For consideration is the evaluation for Request for Proposals #16-026, Comprehensive Annual Financial Audit Services. The City received a total of four (4) proposals. Based on the totality of the scored proposals and interview responses it is the recommendation of the Municipal Services and Idaho Falls Power Departments to enter into a professional service contract with Moss Adams, LLC.

Councilmember Marohn stated there is a slight increase in cost due to the City using only one (1) audit company for Municipal Services and Idaho Falls Power. He indicated Moss Adams, LLC is familiar with the newly-implemented Cayenta software system. Councilmember Smith believes the audit service companies should be re-evaluated on a regular basis.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to enter into a professional service contract with Moss Adams, LLC to provide comprehensive annual financial auditing services for a total contract award of \$104,925.00, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Marohn, Radford, Dingman, Smith, Ehardt. Nay – none. Motion carried.

Parks and Recreation

Subject: Festival of Lights Personal Services Agreement

The Parks and Recreation Department recommends approval of a professional services agreement between the City of Idaho Falls and Wilding Enterprises, LLC for set up and administration of a drive-through winter light display at Freeman Park.

Councilmember Radford stated this renewal agreement has a new owner. He indicated the Festival of Lights was very successful in the previous year.

It was moved by Councilmember Radford, seconded by Councilmember Smith, to approve of the Festival of Lights professional services agreement with Wilding Enterprises, LLC and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Ehardt, Radford, Smith, Marohn, Dingman. . Nay – none. Motion carried.

Subject: Veterinary Services Independent Contractor Agreement

The Parks and Recreation Department recommends approval of a draft independent contractor agreement renewal between the City of Idaho Falls and Dr. Rhonda Aliah for the purposes of providing veterinary services at the Idaho Falls Zoo at Tautphaus Park from October 1, 2016 through September 30, 2017.

It was moved by Councilmember Radford, seconded by Councilmember Marohn, to approve of the Veterinary Services Agreement with Dr. Rhonda Aliah from October 1, 2016 through September 30, 2017, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Radford, Ehardt, Smith, Marohn, Dingman. Nay – none. Motion carried.

Subject: Tautphaus Park Arcade Concession Agreement Renewal

The Parks and Recreation Department recommends approval of the Tautphaus Park Arcade Concession Agreement with LOML, LLC dba Funland.

September 22, 2016

It was moved by Councilmember Radford, seconded by Councilmember Marohn, to approve the Tautphaus Park Arcade Concession Agreement with LOML, LLC dba Funland, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smith, Dingman, Ehardt, Marohn, Radford. Nay – none. Motion carried.

Subject: Ice Arena Concession Agreement

The Parks and Recreation Department recommends approval of the one (1) year food and beverage Ice Arena Concession Agreement with the Idaho Falls Youth Hockey Association.

It was moved by Councilmember Radford, seconded by Councilmember Marohn, to approve the Ice Arena Concession Agreement with the Idaho Falls Youth Hockey Association, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smith, Radford, Dingman, Ehardt, Marohn. Nay – none. Motion carried.

Public Works

Subject: City Ordinance Revision – Title 8, Chapter 1 – Sewers

For consideration is a proposed revision prepared by the City Attorney to City Code Title 8, Chapter 1. The proposed revision reflects required changes due to utility customer reclassifications associated with the recently approved Fee Resolution.

Public Works Director Chris Fredericksen stated the proposed revisions include definition changes. Mr. Fife stated the definitions have been taken from the zoning code to allow proper zone use. Brief discussion followed regarding apartment definition.

It was moved by Councilmember Ehardt, seconded by Councilmember Dingman, to approve the ordinance amending City Code Title 8, Chapter 1, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Dingman, Smith, Marohn, Ehardt, Radford. Nay – none. Motion carried.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3094

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 8, CHAPTER 1; ADDING DEFINITIONS AND CLARIFICATIONS IN SUPPORT OF RESTRUCTURED FEES RELATED TO THE CITY'S WASTEWATER SERVICES, SEWER SYSTEM, AND PUBLICALLY OWNED TREATMENT WORKS; AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Brief discussion followed regarding apartment definition. At the request of Mr. Fife, agenda item 5.C.3) was discussed prior to agenda item 5.C.2) to allow Mr. Fife's confirmation of apartment definition.

Subject: Easement Vacation Request – 845 South Milligan Road (Instrument No. 975506)

As authorized by the Council on September 8, 2016, the City Attorney has prepared the documents to vacate the utility easement at 845 South Milligan Road.

Councilmember Ehardt stated this item is the continued process for a vacation request approved at September 8, 2016 Council Meeting.

September 22, 2016

It was moved by Councilmember Ehardt, seconded by Councilmember Dingman, to approve the ordinance vacating the utility easement at 845 South Milligan Road under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Smith, Dingman, Radford, Ehardt, Marohn. Nay – none. Motion carried.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3096

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE VACATION OF AN EASEMENT LOCATED WITHIN THE CITY OF IDAHO FALLS AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED EASEMENT SHALL VEST AS SPECIFIED IN SECTION 3 OF THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Mr. Fife stated apartment definition is not included in the zoning code although it has been included in the Water and Wastewater Ordinances to differentiate dwellings. This will not affect the zoning code.

Subject: City Ordinance Revision – Title 8, Chapter 4 – Water Service

For consideration is a proposed revision prepared by the City Attorney to City Code Title 8, Chapter 4. The proposed revision reflects required changes due to utility customer reclassifications associated with the recently approved Fee Resolution.

It was moved by Councilmember Ehardt, seconded by Councilmember Dingman, to approve the Ordinance amending City Code Title 8, Chapter 4, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Marohn, Dingman, Ehardt, Radford, Smith. Nay – none. Motion carried.

At the request of Mayor Casper, the City Clerk read the ordinance by title only:

ORDINANCE NO. 3095

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING SECTION 8, TITLE 4, ADDING DEFINITIONS AND CLARIFICATIONS IN SUPPORT OF RESTRUCTURED FEES RELATED TO THE CITY'S WATER SERVICES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Mayor Casper stated the Idaho Falls Power Open House is scheduled for September 24, and the soft closing for the Idaho Falls Zoo at Tautphaus Park will be in October.

There being no further business, it was moved by Councilmember Marohn, seconded by Councilmember Ehardt, that the meeting adjourn at 8:09 p.m. which motion passed following a unanimous vote.

CITY CLERK

MAYOR

September 26, 2016

The City Council of the City of Idaho Falls met in Special Meeting (City Council), Monday, September 26, 2016, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 4:30 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Barbara Ehardt
Councilmember John B. Radford (by phone until approximately 5:00 p.m.)
Councilmember David M. Smith
Councilmember Ed Marohn
Councilmember Michelle Ziel-Dingman (by phone)
Councilmember Thomas Hally

Also present:

Chris Fredericksen, Public Works Director
Jackie Flowers, Idaho Falls Power Director
Kerry Hammon, Public Information Officer
Kathy Hampton, City Clerk

Mayor Casper stated beginning on October 3, 2016, Rocky Mountain Power (RMP) will be relocating power poles located at the 17th Street and 25th East (Hitt Road) intersection. The pole relocation is needed regardless of the intersection project. She then turned the meeting to Director Fredericksen with the following:

Discussion and possible approval of 17th Street and 25th East (Hitt Road) Intersection Reconstruction Funding:

Director Fredericksen indicated discussion of reconstruction of this intersection has been occurring for several years. He believes this is a major project which has been anticipated with the Public Works Department, the City of Idaho Falls and the City of Ammon. He stated committee members for the 17th Street/Hitt Road intersection include Councilmembers Hally and Radford as well as City of Ammon Councilmembers Brian Powell and Byron Wiscombe.

Director Fredericksen reviewed the reconfiguration of the intersection including installation of a median westbound to Ashment Avenue and an extension of a median southbound to Target. He stated the City of Idaho Falls would be solely responsible for any construction costs west of the intersection.

Director Fredericksen reviewed crash data at the intersection and stated the reconfigured intersection will increase the level of service and will reduce the number of accidents as adequate timing of the lights cannot be provided due to the over-capacity use. He reviewed estimated construction costs for the City of Idaho Falls stating the overall total cost has been reduced by approximately \$377,000 due to administrative costs which would occur regardless of this project or not. He indicated the power pole relocation costs were also reduced due to cost sharing with the City of Ammon. He briefly reviewed the available funding sources and indicated \$1.8 million has been allocated in the budget. He stated additional cost savings will continued to be monitored and each City would independently be required to obtain their own Right-of-Way properties.

After general discussion, including the City of Ammon's recently-approved motion, it was moved by Councilmember Smith, seconded by Councilmember Hally, to accept the \$1 million proposal from the City of Ammon with inclusion of 50/50 shared cost of power pole relocation and commitment to a public shareholder meeting. There will be no required dedicated right-turn lane for northbound traffic and staff will be directed to prepare a Joint Powers Agreement to capture costs with any cost savings be apportioned based on the \$1 million contribution from City of Ammon and on total expected cost of \$2,624,607. Roll call as follows: Aye – Councilmembers Marohn, Dingman, Ehardt, Hally, Smith. Nay – none. Motion carried.

September 26, 2016

Director Fredericksen stated groundbreaking for this project will begin in spring 2017 with construction scheduled for late summer 2017. He indicated there is anticipated cost sharing to further reduce out-of-pocket costs.

There being no further business, it was moved by Councilmember Hally, seconded by Councilmember Marohn, that the meeting adjourn at 5:42 p.m. which motion passed following a unanimous vote.

CITY CLERK

MAYOR

COMMUNITY DEVELOPMENT SERVICES

Planning Division
Office (208) 612-8276
Fax (208) 612-8520

Building Division
Office (208) 612-8270
Fax (208) 612-8520



BGC-105-16

TO: Honorable Mayor and City Council
FROM: Brad Cramer, Community Development Services Director
SUBJECT: Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Castlerock Division No. 5
DATE: October 11, 2016

Attached is the application for Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Castlerock Division No. 5. The Planning and Zoning Commission considered this item at its September 6, 2016 meeting and recommended approval. Staff concurs with this recommendation. This item is now being submitted to the Mayor and Council for consideration.

Attachments: Vicinity Map
Aerial Photo
Final Plat
Staff Report, September 6, 2016
Planning and Zoning Commission Minutes, September 6, 2016
Development Agreement Special Conditions
Reasoned Statement of Relevant Criteria and Standards

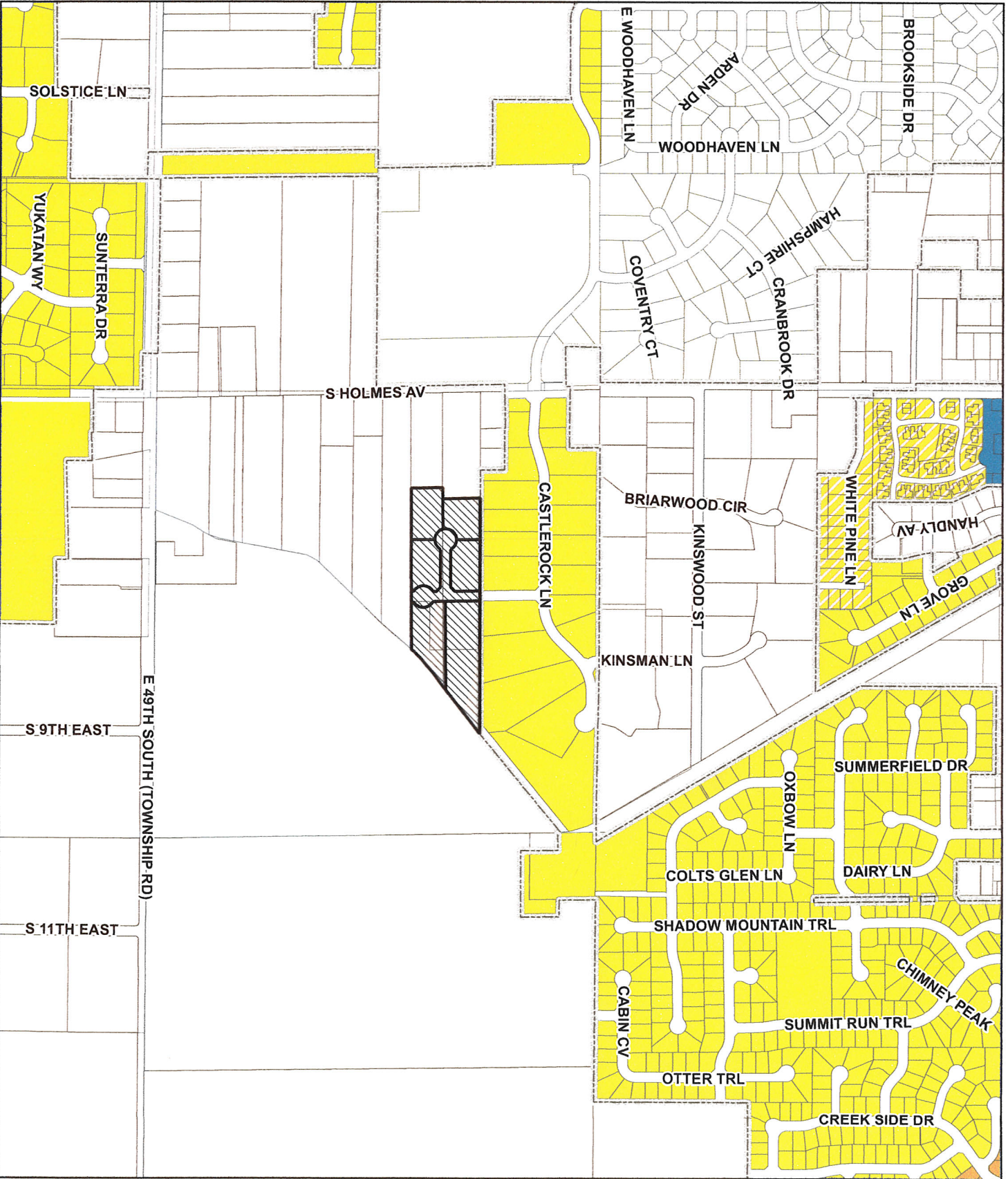
Cc: Kathy Hampton, City Clerk
File

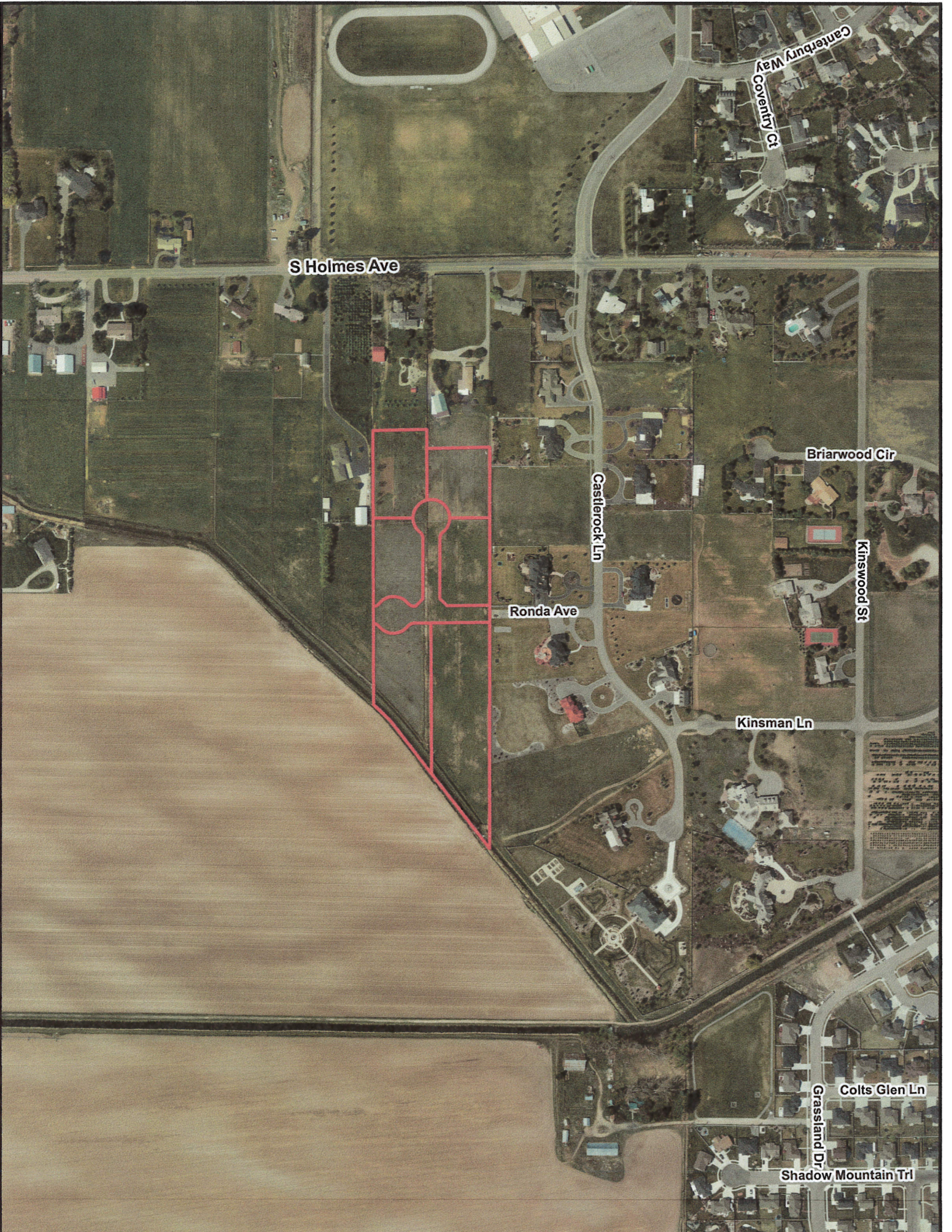
Legend

[Hatched Box]	Site
[Dotted Box]	RP
[Dotted Box]	RP-A
[Yellow Box]	R-1
[Orange Box]	R-2
[Light Orange Box]	R-2A
[Brown Box]	R-3
[Dark Brown Box]	R-3A
[Blue Box]	PB
[Dark Blue Box]	MS
[Red Box]	RSC-1
[Dark Red Box]	C-1
[Pink Box]	HC-1
[Light Pink Box]	CC-1
[Green Box]	GC-1
[Dark Green Box]	R&D-1
[Light Green Box]	M-1
[Grey Box]	I&M-1
[Dark Grey Box]	I&M-2
[Dark Green Box]	RMH
[Dotted Box]	PT-1
[Cross-hatched Box]	PT-2
[Dotted Box]	PT-2 & T-1
[Dotted Box]	PUD
[Dashed Blue Box]	T-1
[Dashed Blue Box]	T-2
[Red Line]	30' Setback
[Blue Line]	50' Setback
[Blue Line]	City Limits
[Green Line]	Area of Impact

IDAHO FALLS

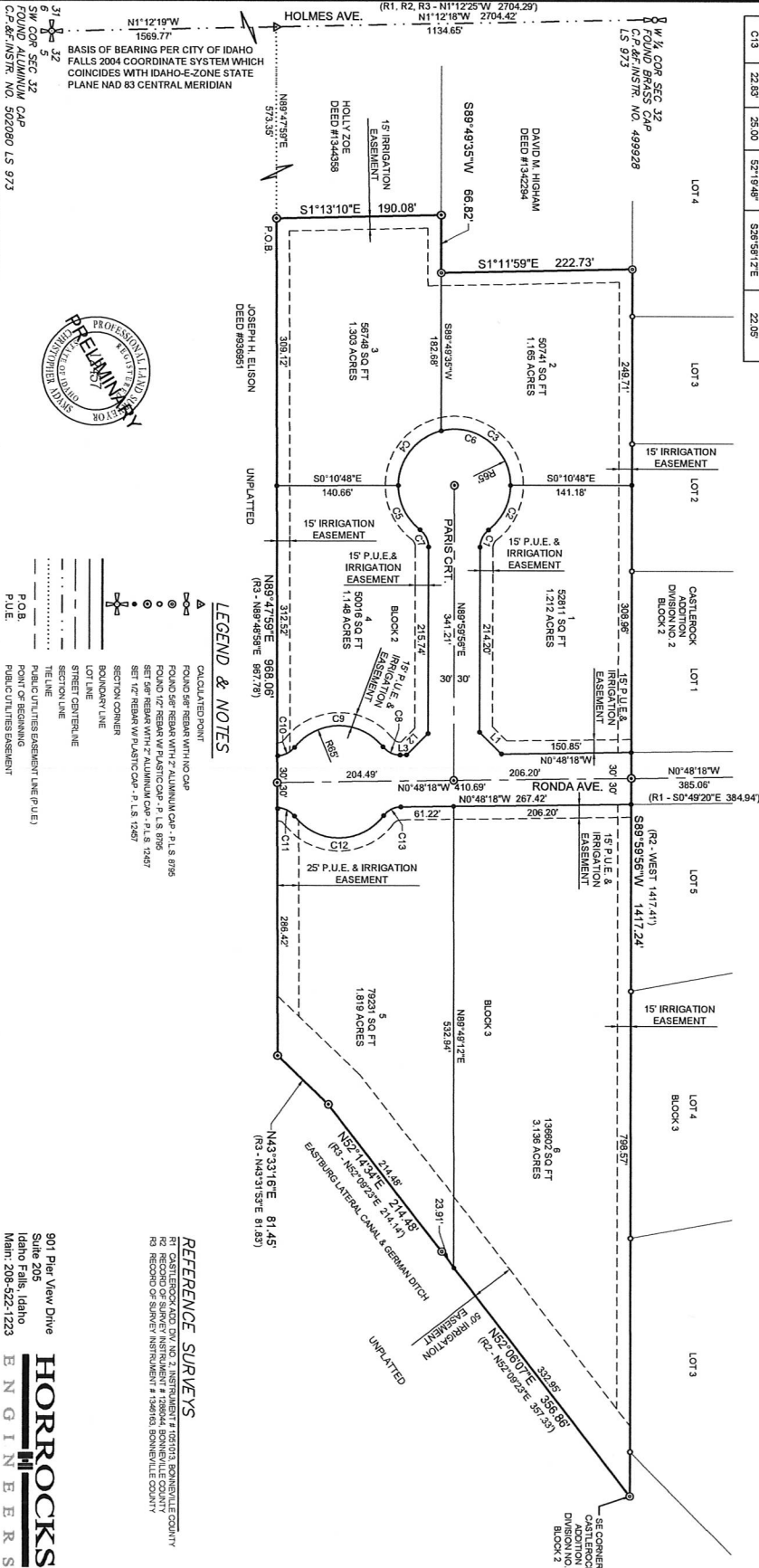
Planning Division
City Annex Building
680 Park Ave.
Idaho Falls, ID 83402
(208) 612-8276





Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	22.83	25.00	52°19'48"	869°50'17"E	22.05
C2	69.57	65.00	52°30'32"	869°55'22"E	57.51
C3	116.01"	65.00	104°01'30"	N37°48'27"E	102.46
C4	86.19	65.00	75°58'30"	N62°11'33"W	80.07
C5	59.16	65.00	52°09'05"	S63°44'40"W	57.14
C6	324.54	65.00	284°39'37"	S00°00'4"E	79.44
C7	22.83	25.00	52°19'48"	S63°50'02"E	22.05
C8	22.83	25.00	52°19'48"	N53°21'36"E	22.05
C9	111.80	65.00	103°55'19"	N0°56'50"E	102.39
C10	23.28	25.00	52°30'56"	N25°43'11"W	22.45
C11	23.14	25.00	S3°02'41"	S25°44'15"W	22.42
C12	119.56	65.00	105°32'28"	S0°26'22"E	103.41
C13	22.83	25.00	52°19'48"	S26°56'12"E	22.05

Line Table		
Line #	Length	Direction
L1	35.60	N44°35.49'E
L2	35.11	N45°24.11'W
L3	7.40	N0°48.18'W



REFERENCE SURVEYS

901 Pier View Drive
Suite 205
Idaho Falls, Idaho
Main: 208-522-1223

HORROCKS

ENGINEERS

IDAHO FALLS PLANNING AND ZONING COMMISSION
STAFF REPORT
FINAL PLAT
Castlerock, Division No. 5
September 6, 2016



Community
Development
Services

Applicant: Horrocks
Engineers

Location: Generally south
of Castlerock Ln, west of S
15th E., north E 49th S.,
and east of S Holmes Ave

Size: 11.146 acres
Single-family Lots: 6
Net Density: .613

Existing Zoning:

Site: RP-A
North: R-1
South: County A-1
East: County A-1
West: County A-1

Existing Land Uses:

Site: Vacant
North: Residential/Vacant
South: Residential
East: Agricultural
West: Residential

Future Land Use Map:

Low Density Residential

Attachments:

1. Maps and aerial photos

Requested Action: To **recommend** to the Mayor and City Council
approval of the final plat for Castlerock, Division No. 5.

Staff Comments: The property was annexed and zoned RP-A on
August 25. The plat includes 6 single-family lots. All of the
proposed single family lots meet the minimum of the RP-A Zone.

The access to the development will come from Rhonda Avenue on
the north side. The development will be constructed in one phase.

The proposed development aligns with the Comprehensive Plan.

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

Subdivision Ordinance: Boxes with an “X” indicated compliance with the ordinance

REQUIREMENTS	Staff Review
• Purposes listed in Section 10-1-1 as follows:	
Building envelopes sufficient to construct a building.	X
Lot dimensions conform to the minimum standards of Zoning Ordinance.	X
Lots have full frontage on, and access to, a dedicated street.	X
Residential lots do not have direct access to arterial streets.	X
Direct access to arterial streets from commercial or industrial lots shall be permitted only where it can be demonstrated that: 1) The direct access will not impede the flow of traffic on the arterial or otherwise create an unsafe condition; 2) There is no reasonable alternative for access to the arterial via a collector street; 3) There is sufficient sight distance along the arterial from the proposed point of access; 4) The proposed access is located so as not to interfere with the safe and efficient functioning of any intersection; and 5) The developer or owner agrees to provide all improvements, such as turning lanes or signals, necessitated for the safe and efficient uses of the proposed access.	NA
Adequate provisions shall be made for soil preservation, drainage patterns, and debris and waste disposal and collection.	X
Sidelines of lots shall be at, or near, right angles or radial to the street lines. All corner lots shall have a minimum radius of twenty feet on the property line.	X
All property within the subdivision shall be included within a lot or area dedicated for public use.	X
All corner lots zoned RP through R-3, inclusive, shall be a minimum of ten percent larger in area than the average area of all similarly zoned lots in the plat or subdivision under consideration.	X
All major streets in subdivision must conform to the major street plan of the City, as set forth in Comprehensive Plan.	X
The alignment and width of previously platted streets shall be preserved unless topographical conditions or existing buildings or structures required otherwise.	X
Residential lots adjoining arterial streets shall comply with: 1) Such lots shall have reverse frontage on the arterial streets, 2) such lots shall be buffered from the arterial street by any effective combination of the following: lot depth, earth berms, vegetation, walls or fences, and structural soundproofing, 3) Minimum lot depth shall be 150 ft except where the use of berms, vegetation, and structures can be demonstrated to constitute an effective buffer, 4) Whenever practical, existing roadside trees shall be saved and used in the arterial buffer, 5) Parking areas shall be used as part of the arterial buffer for high density residential uses, 6) Annexation and development agreement shall include provisions for installation and continued maintenance of arterial buffers.	X
Planning Director to classify street on basis of zoning, traffic volume, function, growth, vehicular & pedestrian safety, and population density.	Ronda Ave. and Paris Crt. – local roads

**Comprehensive
Plan Policies:**

Residential development should reflect the economic and social diversity of Idaho Falls. New and existing developments should foster inclusiveness and connectivity through mixed housing types and sizes and neighborhood connections through paths, parks, open spaces, and streets. (p. 40)

Zoning Ordinance:

10-3-9: RP-A RESIDENCE PARK

(A) General Objectives and Characteristics.

The objective in establishing the RP-A Residence Park Zone is to provide a residential environment within the City which is characterized by smaller lots and somewhat denser residential environment than is characteristic of the RP Zone. Nevertheless, this Zone is characterized by spacious yards and other residential amenities adequate to maintain desirable single-family residential conditions. The principal uses permitted in this Zone shall be one-family dwellings and certain other public facilities needed to promote and maintain stable residential neighborhoods.

In order to accomplish the objectives and purposes of this Zoning Code, and to promote the essential characteristics of this Zone, the following regulations shall apply in the RP-A Residence Park Zone.

(B) Use Requirements.

The following uses shall be permitted in the RP-A Zone:

- (1) Any use permitted in the RP Residence Park Zone.
- (2) Public utility buildings and structures when approved as required by this Zoning Code.
- (3) Planned Unit Developments, when approved by the Planning Commission as required by this Zoning Code.
- (4) Religious Institutions, when approved by the Planning Commission as a conditional use, but not including temporary revival tents or buildings, and not including night lighting for outdoor recreational purposes, except when permitted under the terms of the Special Provisions applying to Public and Semi-Public Parks, Playgrounds, and Schools.
- (5) Public and parochial schools, and public and semi-public parks and playgrounds, and similar public and semi-public uses when approved by the Planning Commission as a conditional use, as set by this Zoning Code.
- (6) Temporary uses of land and buildings when approved by the Board of Adjustment.

(C) Area Requirements.

An area of not less than eight thousand square feet (8,000 ft²) shall be provided and maintained for each one-family dwelling and uses accessory thereto. No minimum area shall be required for other main buildings, except as required for conditional uses permitted in the Zone.

(D) Width Requirements.

The minimum width of any building site for a dwelling shall be eighty feet (80'), measured at the setback line. 54

(E) Location of Buildings and Structures.

- (1) Setback. All buildings shall be set back a minimum distance of thirty feet (30') from any public street, except as herein provided and required under the provisions of this Zoning Code. (See also, Supplementary Regulations to Zones).
- (2) Side Yards. For main buildings there shall be a side yard of not less than eight inches (8") for each foot of building height, except that no side yard shall be less than ten feet (10'). Side yard

requirements for accessory buildings shall be the same as for main buildings, except that the side yard may be reduced to five feet (5') for accessory buildings which are located more than twelve feet (12') feet in the rear of the main building.

- (3) Rear Yards. For main buildings there shall be a rear yard of not less than twenty-five feet (25') on all lots. For accessory buildings the rear yard may be reduced to five feet (5') when the building is located more than twelve feet (12') feet from the rear of the main building.

(F) Height of Building.

No building shall be erected to a height of greater than two (2) stories, provided, however, no accessory building may be erected to a height of greater than one (1) story. Roofs above the square of the building, chimneys, flagpoles, television antennas, church towers, and similar structures not used for human occupancy, are excluded in determining height.

(G) Size of Building.

No requirements.

(H) Lot Coverage.

The total area of structures on a lot shall not exceed forty percent (40%).

(I) See Supplementary Regulations.

1. FINAL PLAT. Castlerock Division No. 5. McLane presented the staff report, a part of the record. Wimborne clarified that the last time this piece of property came before the Commission, there was concerns with the neighbors about the Ronda access and Ronda access will be a temporary round-about and eventually that will lead to another access. McLane stated that the developers of the property are a group of the residents in Castlerock, who purchased the property and are developing it to what they would like for their neighborhood. Morrison asked if the temporary turn-around is part of the two lots. McLane indicated that the turn-around is part of the right of way and the lots actually have cut outs on the property boundaries. Dixon confirmed that the road going on past the turnaround is the same width as the road approaching. Dixon asked if there is an extension of the walking path. McLane stated that the improvements drawings showed the extension of the current road section that is currently in Castlerock, and the walking path would be part of the right of way. Dixon asked what C-1, C-2, C-3 are. McLane indicated they are curves. Dixon indicated that because the lots are over 1 acre, they will have rural street section. Swaney stated that the final plat should show the sidewalks and paths. McLane indicated that they are shown in the improvement drawings that are submitted and reviewed in house with the City Engineer. McLane stated that the City sections require the walking paths.

The applicant chose not to speak.

Wimborne moved to recommend the Mayor and City Council approval of Castlerock Division No 5., Morrison seconded the motion.

Wimborne stated that the proposed plan makes sense and is consistent with the neighborhood and Wimborne is pleased that the neighbors have come together and put together a project that fits in with the neighborhood and is well thought out.

The Motion passed unanimously.

EXHIBIT "B"

SPECIAL CONDITIONS FOR

CASTLEROCK, DIVISION NO. 5

S-C 1.00. Arterial Street and Bridge Fees. The Bridge and Arterial Streets fee for this Subdivision is \$27,865 (11.146 acres/lots of RP-A zone at \$2,500 per acre), payable as follows:

<u>Due Date</u>	<u>Payment Amount</u>
Upon execution hereof	\$ 2,786.52
April 1, 2017	\$ 6,269.62
October 1, 2017	\$ 6,269.62
April 1, 2018	\$ 6,269.62
October 1, 2018	<u>\$ 6,269.62</u>
TOTAL	\$ 27,865.00

S-C 2.00. Surface Drainage Fees. The surface drainage fee for this Subdivision is \$3,641.40 (485,520 square feet net area at \$.0075 per square foot), payable as follows:

<u>Due Date</u>	<u>Payment Amount</u>
Upon execution hereof	\$ 364.16
April 1, 2017	\$ 819.31
October 1, 2017	\$ 819.31
April 1, 2018	\$ 819.31
October 1, 2018	<u>\$ 819.31</u>
TOTAL	\$ 3,641.40

S-C 3.00. Traffic Signs. Developer agrees to install all street signs designating the names of all streets within the Subdivision. Street signs designating the name of public streets shall be constructed with white letters over green background. Street signs designating the name of private streets shall be constructed with white lettering over blue background. Such signs shall be installed in the manner and locations as directed by the City Engineer.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FINAL PLAT OF CASTLEROCK DIVISION NO 5 LOCATED GENERALLY SOUTH OF CASTLEROCK LN, WEST OF S 15TH E., NORTH E 49TH S., AND EAST OF S HOLMES AVE.

WHEREAS, the applicant filed an application for a final plat on August 2, 2016; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on September 6, 2016; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public meeting on October 13, 2016 and

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

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 11.146 acre parcel located generally south of Castlerock Ln, west of S 15th E., north E 49th S., and east of S Holmes Ave.
3. The subdivision includes 6 single-family lots.
4. The plat complies with all requirements of the Subdivision Ordinance and Zoning Ordinance for the RP-A.
5. The proposed development is consistent with and supports the principles of the Comprehensive Plan.
6. The Idaho Falls Planning and Zoning Commission recommended approval of this Final Plat as presented.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the Final Plat of Castlerock, Division No. 5.

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2016

Rebecca L. Noah Casper, Mayor



MEMORANDUM

TO: Mayor and City Council
FROM: Municipal Services Department
DATE: September 28, 2016
RE: Cayenta Managed Services Plan (CMS)

The Municipal Services Department is requesting the authorization to enter into a professional services agreement with Cayenta, a division of N. Harris Computer Corporation to provide database administration, system application and maintenance for a total of \$54,000. The annual agreement amount of \$54,000 includes a one-time administrative set up fee of \$6,000 and a yearly cost of \$48,000 at \$4,000 per month for database and application technical support. This agreement is recommended to be in place to provide technical support of the Cayenta enterprise resource planning (ERP) applications and may be renewed annually as needed. Funding for this professional services agreement is budgeted within the Cayenta system project for the 2016/17 fiscal year in the Municipal Services Department.

Respectfully,


Pamela Alexander
Municipal Services Director

MANAGED SERVICES AGREEMENT

THIS MANAGED SERVICES AGREEMENT made as of the ____ day of October, 2016 (the "Effective Date").

BETWEEN:

CAYENTA, a division of N. HARRIS COMPUTER
CORPORATION
("Harris")

- and -

City of Idaho Falls, ID
("City")

WHEREAS:

- (a) The City wishes retain Harris to perform certain project management services as set out herein in respect of certain Harris software licensed by City pursuant to a Software License, Implementation, and Support and Maintenance Agreements entered into between the parties on 23 March 2015; and
- (b) Harris has agreed to provide such services on the terms and conditions set out in this Agreement.

NOW THEREFORE, in consideration of the mutual covenants set out in this Agreement and for other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged), the parties agree as follows:

1. Term.

This Agreement shall commence on the Effective Date and shall continue for a period of one (1) year (the "Initial Term"). Thereafter City shall have the option to renew for an additional one year period ("Renewal Term") subject to annual increases, by providing Harris notice prior to the expiration of the end of the then current term. Harris may give City written notice within

thirty (30) days of receiving City's notice to renew of Harris's intention not to renew. The Initial Term and the Renewal Terms shall collectively be referred to as the "**Term**".

2. Services.

(a) **Harris' Obligations.** Harris shall use commercially reasonable efforts to provide the project management services set out in Schedule "A" (the "**Services**") to City.

(b) **City's Obligations.** To enable Harris to perform the Services, City agrees to provide the following to Harris:

- i. Information relative to City's hardware and software on which the required CMS programs must run or with which these programs must interact. Required programs are outlined in Schedule "A";
- ii. City agrees to enable Harris remote access to City's system for the purposes of performing the Services;
- iii. Personnel and assistance as is reasonably required to enable Harris to perform the Services;
- iv. Ongoing access to the system via an Internet connection acceptable to Harris, from City's remote access server to the Harris datacenter, to enable monitoring; and
- v. A representative with authority to approve the plans and deliverables described in Schedule "A" if so required.

(c) **Ownership.** City agrees that Harris may install, access and run certain scripts and other software tools on City's hardware as required by Harris to perform the Services (the "**Harris Tools**"). City acknowledges and agrees that Harris is and shall remain the sole owner of all such Harris Tools, including all copyright, patents, trademarks, trade secrets and other intellectual property rights therein, and City is granted no license to access or use the Harris Tools. City may retain a paper or pdf copy of any reports provided by Harris to City as part of the Services, however Harris is and shall remain the owner of all copyright, patents, trademarks, trade secrets and other intellectual property rights in and to such reports. City may disclose paper or pdf copies of reports provided by Harris when necessary to comply with the Idaho Public Records Law, Chapter 1 of Title 74 of the Idaho Code.

3. Fees.

(a) **Fees.** In consideration of providing the Services, City agrees to pay the fees set out in Schedule "A" (the "**Fees**") to Harris. During the term of this Agreement, Harris shall, from time to time, deliver invoices to City. Each invoice delivered to City by Harris shall be due and payable upon receipt thereof by City.

(b) **Taxes.** The Fees are exclusive of taxes. City agrees to pay all foreign, federal, state,

provincial, county or local income taxes, value added taxes, use, personal, property, sales and any other taxes, tariff, duty or similar charges that may be levied by a taxing authority (excluding taxes on Harris's net income) ("**Taxes**") unless it provides Harris with a tax exemption certificate acceptable to the applicable taxing authorities. Harris will reimburse City to the extent Taxes paid by City are recovered by Harris from the taxing or governmental authority. To the extent that Taxes may only be refunded to Harris, Harris agrees to cooperate reasonably with City's obtaining a refund or reimbursement of the Taxes. In the event that City is obliged by law to withhold any tax with respect to a payment to Harris, City will (a) withhold the appropriate amount from the payment; (b) pay the withheld amount to the applicable authority, as required by law, and (c) furnish to Harris certified copies of tax receipts and any other documentation reasonably requested by Harris as proof of City's payment of the withholding tax.

(c) **Late Payment.** In the event City fails to pay all or any portion of an invoice on or before ninety (90) days after the date it becomes due, in addition to all other remedies Harris has under this Agreement or otherwise, Harris shall have the option to suspend or terminate all Services under this Agreement. Suspension or termination of any such Services shall not relieve the City of its obligation to pay its outstanding invoices, including any applicable late charges.

4. Warranty

- (a) **Warranty.** Harris warrants that the Services will be performed in a professional and diligent manner by personnel who are competent in performing their individual tasks.
- (b) **DISCLAIMER.** TO THE GREATEST EXTENT PERMITTED BY LAW, EXCEPT FOR THE LIMITED WARRANTY PROVIDED IN SECTION 4(a), THE SERVICES ARE PROVIDED TO THE CITY "AS IS" AND THERE ARE NO WARRANTIES, REPRESENTATIONS OR CONDITIONS, EXPRESSED OR IMPLIED, WRITTEN OR ORAL, ARISING BY STATUTE, OPERATION OF LAW, COURSE OF DEALING, USAGE OF TRADE OR OTHERWISE, REGARDING THEM OR ANY OTHER PRODUCT, SERVICE OR MATERIAL PROVIDED HEREUNDER OR IN CONNECTION HERewith.

HARRIS, ITS LICENSORS AND SUPPLIERS DISCLAIM ANY IMPLIED WARRANTIES OR CONDITIONS REGARDING THE SERVICES AND ANY MATERIALS PROVIDED HEREUNDER OR IN CONNECTION HERewith, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OF MERCHANTABLE QUALITY, MERCHANTABILITY, DURABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE OR NON-INFRINGEMENT.

HARRIS DOES NOT REPRESENT OR WARRANT THAT THE SERVICES SHALL MEET ANY OR ALL OF THE CITY'S PARTICULAR REQUIREMENTS. NO AGREEMENTS VARYING OR EXTENDING ANY EXPRESS WARRANTIES SET FORTH IN THIS AGREEMENT SHALL BE BINDING ON EITHER PARTY UNLESS IN WRITING AND SIGNED BY AN AUTHORIZED SIGNING OFFICER OF HARRIS.

5. Termination

(a) Termination. This Agreement may be terminated as follows:

i. In addition to any other rights and remedies available to it, either party may immediately terminate this Agreement in the event of material breach by the other party of its obligations hereunder that is not cured within thirty (30) days of receipt of written notice from the other party to that effect;

ii. If City has failed to pay the Fees or other amounts due then Harris shall have the right to terminate this Agreement effective immediately upon written notice to City that effect; and

iii. Either party may terminate this Agreement effective immediately upon written notice to the other party if the other party: (i) becomes insolvent; (ii) becomes the subject of any proceeding under any bankruptcy, insolvency or liquidation law, whether domestic or foreign, and whether voluntary or involuntary, which is not resolved favorably to the subject party within ninety (90) days of commencement thereof; or (iii) becomes subject to property seizure under court order, court injunction or other court order which has a material adverse effect on its ability to perform hereunder.

(b) Effects of Termination. In the event of termination of this Agreement:

i. City shall immediately pay all outstanding Fees and other amounts owing to Harris under this Agreement; and

ii. City agrees that Harris shall have the right to access and delete all Harris Tools installed on City's equipment.

6. Limitation of Liability

TO THE GREATEST EXTENT PERMITTED BY APPLICABLE LAW, HARRIS, ITS AFFILIATES, AND EACH OF THEIR RESPECTIVE DIRECTORS, OFFICERS, EMPLOYEES AND SHAREHOLDERS' ENTIRE LIABILITY AND CITY'S EXCLUSIVE REMEDY WITH RESPECT TO THE SERVICES AND ANY OTHER PRODUCTS, MATERIALS OR SERVICES SUPPLIED BY HARRIS IN CONNECTION WITH THIS AGREEMENT FOR DAMAGES FOR ANY CAUSE AND REGARDLESS OF THE CAUSE OF ACTION, WHETHER IN CONTRACT OR IN TORT, INCLUDING FUNDAMENTAL BREACH, NEGLIGENCE, STRICT LIABILITY OR OTHERWISE, SHALL NOT EXCEED IN THE AGGREGATE AN AMOUNT THAT IS EQUAL TO THE FEES PAID TO HARRIS BY THE CITY UNDER THIS AGREEMENT

IN NO EVENT SHALL HARRIS, ITS AFFILIATES AND EACH OF THEIR RESPECTIVE DIRECTORS, OFFICERS, EMPLOYEES AND SHAREHOLDERS, BE LIABLE FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, EXEMPLARY, PUNITIVE, OR SPECIAL DAMAGES WHATSOEVER, INCLUDING BUT NOT LIMITED TO FOR LOST REVENUE OR LOSS OF PROFITS, LOSS OF BUSINESS, LOSS OF DATA, FAILURE TO REALIZE EXPECTED SAVINGS, OR COST OF SUBSTITUTE GOODS OR SERVICES ARISING

OUT OF OR IN CONNECTION WITH THIS AGREEMENT, EVEN IF IT HAS BEEN ADVISED OF THE LIKELIHOOD OF THE OCCURRENCE OF SUCH LOSS OR DAMAGE OR SUCH LOSS OR DAMAGE IS FORSEEABLE AND NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY.

7. Confidential Information

a) Definition. The parties acknowledge that it may receive Confidential Information from the other party or otherwise in connection with this Agreement. "**Confidential Information**" means all information or material that either party treats as confidential and any information relating to third parties that a party has an obligation to treat as confidential, which is disclosed by or obtained by a party in connection with this Agreement, whether such information is in oral, written, graphic or electronic form, which: is (A) marked "Confidential," "Restricted," or "Proprietary Information" or other similar marking, (B) known by the parties to be considered confidential or proprietary, or (C) which should be known or understood to be confidential or proprietary by an individual exercising reasonable commercial judgment in the circumstances. Confidential Information does not include information to the extent that such information: (i) is or becomes generally known to the public by any means other than a breach of the obligations of a receiving party hereunder; (ii) was previously known to the receiving party as evidenced by its written records; (iii) is rightly received by the receiving party from a third party who is not under an obligation of confidentiality; or (iv) is independently developed by the receiving party without reference to or use of the other party's Confidential Information which such independent development can be established by evidence that would be acceptable to a court of competent jurisdiction.

b) Confidentiality Obligations. Each of the parties agree:

- i. to maintain the Confidential Information of the other party in confidence and to take all reasonable steps, which shall be no less than those steps it takes to protect its own confidential and proprietary information, to protect the Confidential Information of the other party from unauthorized use, disclosure, copying or publication;
- ii. not to use the Confidential Information of the other party other than in the course of exercising its rights or performing its obligations under this Agreement;
- iii. not to disclose or release such Confidential Information except to the extent required by applicable law, including the Idaho Public Records Law, or during the course of or in connection with any litigation, arbitration or other proceeding based upon or in connection with the subject matter of this Agreement, provided that the receiving party shall first give reasonable notice to the disclosing party prior to such disclosure so that the disclosing party may obtain a protective order or equivalent and provided that the receiving party shall comply with any such protective order or equivalent;
- iv. not to disclose or release such Confidential Information to any third person without the prior written consent of the disclosing party, except for authorized employees or agents of the receiving party who have a need to know such information for the

purpose of performance under this Agreement and exercising its rights under this Agreement, and who are bound by confidentiality obligations at least as protective of the disclosing party's Confidential Information as this Agreement; and

- v. to take such actions as may be reasonably necessary to enforce its agreements with its employees and agents, including commencing legal proceedings.

8. Insurance

- (a) Harris shall obtain and maintain during the Term, at its sole expense, the following insurance coverage:

Workers' Compensation Insurance, with all limits as required in the jurisdiction in which Harris's personnel are required to be covered by Workers' Compensation Insurance.

Commercial general liability of not less than \$1,000,000 per occurrence and \$2,000,000 general aggregate limit.

For automobile liability the limits shall not be less than \$1,000,000 each accident/occurrence, \$2,000,000 in the aggregate.

Professional liability insurance shall not be less than \$1,000,000 per occurrence.

9. General

(a) **Mediation.** The parties agree to submit any claim, controversy or dispute arising out of or relating to this Agreement or the relationship created by this Agreement to non-binding mediation before bringing a claim, controversy or dispute in a court or before any other tribunal. The mediation is to be conducted by either an individual mediator or a mediator appointed by mediation services mutually agreeable to the parties. Such mediator shall be knowledgeable in software system agreements. The mediation shall take place at a time and location which is also mutually agreeable; provided; however, in no event shall the mediation occur later than ninety (90) days after either party notifies the other of its desire to have a dispute be placed before a mediator. The costs and expenses of mediation, including compensation and expenses of the mediator (and except for the attorney's fees incurred by either party), is to be shared by the parties equally. If the parties are unable to resolve the claim, controversy or dispute within ninety (90) days after the date either party provides the other notice of mediation, then either party may bring and initiate a legal proceeding to resolve the claim, controversy or dispute unless the time period is extended by a written agreement of the parties. Nothing in this Section shall inhibit a party's right to seek injunctive relief at any time.

(b) Notice

Any notice required or permitted to be given to any party to this Agreement shall be given in writing and shall be delivered personally, mailed by prepaid registered post or sent by facsimile to the appropriate address or facsimile number set out below. Any such notice shall be conclusively deemed to have been given and received on the day on which it is delivered or transmitted (or on the next succeeding business day if delivered or received by facsimile after 5:00

p.m. local time on the date of delivery or receipt, or if delivered or received by facsimile on a day other than a business day), if personally delivered or sent by facsimile or, if mailed, on the third business day following the date of mailing, and addressed, in the case of Harris, to:

N. HARRIS COMPUTER CORPORATION
201-4200 North Fraser Way
Burnaby BC V5J 5K7
Attention: VP Of Services
Telephone: 604-570-4300, extension 363

and in the case of the City, to:

Attn: Pam Alexander
City of Idaho Falls
308 Constitution Way
Idaho Falls, Idaho 83402

Each party may change its particulars respecting notice, by issuing notice to the other party in the manner described in this Section 7(b).

(c) Assignment. Neither party may assign any of its rights or duties under this Agreement without the prior written consent of the other party, such consent not to be unreasonably withheld, except that either party may assign to a successor entity in the event of its dissolution, acquisition, and sale of substantially all of its assets, merger or other change in legal status. The Agreement shall inure to the benefit of and be binding upon the parties to this Agreement and their respective successors and permitted assigns.

(d) Entire Agreement. This Agreement shall constitute the entire agreement between the parties hereto with respect to the matters covered herein. No other understandings, agreements, representations, warranties or other matters, oral or written, purportedly agreed to or represented by or on behalf of Harris by any of its employees or agents, or contained in any sales materials or brochures, shall be deemed to bind the parties hereto with respect to the subject matter hereof. City acknowledges that it is entering into this Agreement solely on the basis of the representations contained herein. The terms of this Agreement may not be changed except by an amendment signed by an authorized representative of each party. No provisions in any purchase orders, or in any other documentation employed by or on behalf of the City in connection with this Agreement, regardless of the date of such documentation, will affect the terms of this Agreement, even if such document is accepted by Harris, with such provisions being deemed deleted.

(e) Governing Law. This Agreement shall be governed by the laws of the State of Idaho, United States of America. The venue for any action arising under the terms of this agreement shall be in Bonneville County, State of Idaho, United States of America. This Agreement excludes that body of law applicable to choice of law, the Uniform Commercial Code and the United Nations Convention on Contracts for the International Sale of Goods (UNCCISG and any legislation implementing such Convention), if otherwise applicable.

(f) **Trial by Jury.** City and Harris hereby waive, to the fullest extent permitted by applicable law, the right to trial by jury in any action, proceeding or counterclaim filed by any party, whether in contract, tort or otherwise, relating directly or indirectly to this Agreement or any acts or omissions of Harris in connection therewith or contemplated thereby.

(g) **Severability.** The invalidity or unenforceability of any provision or covenant contained in this Agreement shall not affect the validity or enforceability of any other provision or covenant herein contained and any such invalid provision or covenant shall be deemed modified to the extent necessary in order to render such provision valid and enforceable; if such provision may not be so saved, it shall be severed and the remainder of this Agreement shall remain in full force and effect.

(h) **Waiver.** No waiver of any breach of any provision of this Agreement shall constitute a waiver of any prior, concurrent, or subsequent breach of the same or any other provisions hereof, and no waiver shall be effective unless made in writing and signed by an authorized representative of the waiving party.

(i) **Counterparts.** This Agreement may be executed in counterparts (whether by facsimile or PDF signature or otherwise), each of which when so executed shall constitute an original and all of which together shall constitute one and the same instrument.

(j) **Relationship.** The parties are and shall at all times remain, independent contractors in the performance of this Agreement and nothing herein shall be deemed to create a joint venture, partnership or agency relationship between the parties. Neither party will have the power to bind the other party or to contract in the name of or create any liability against the other party in any way for any purpose. Neither party will be responsible for the acts or defaults of the other party or of those for whom the other party is in law responsible.

(k) **Allocation of Risk.** City acknowledges that the limited warranties, disclaimers and limitations of liability contained in this Agreement are fundamental elements of the basis of bargain between City and Harris and set forth an allocation of risk reflected in the fees and payments due hereunder.

(l) **Force Majeure.** No default, delay or failure to perform on the part of Harris shall be considered a breach of this Agreement where such default, delay or failure is due to a force majeure or to circumstances beyond its control. Such circumstances will include, without limitation, strikes, riots, civil disturbances, actions or inactions concerning government authorities, epidemics, war, terrorist acts, embargoes, severe weather, fire, earthquakes, acts of God or the public enemy or default of a common carrier or other disasters or events.

(m) **Survival.** The following sections and articles shall survive the termination or expiration of this Agreement: Sections 2(c), 3, 4, 5(b), 6-9 and any other provisions which are required to ensure that the parties fully exercise their rights and obligations hereunder.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement to be effective as of the Effective Date.

N. HARRIS COMPUTER CORPORATION

By: _____

Name: _____

Title: _____

City of Idaho Falls

By: _____

Name: _____

Title: _____



CITY OF IDAHO FALLS – CMS SCHEDULE A

This section describes the tasks that were carried out in the course of managing the application's server infrastructure and environment. A "Y" indicates that the component was successfully monitored as described. An "NP" indicates that the Service was not purchased from Cayenta.



CITY OF IDAHO FALLS - CAYENTA MANAGED SERVICES (CMS) PLAN

CMS

This plan outlines the costs and managed services of Database Administration and Cayenta Application Services for the City of Idaho Falls, as it relates to the Cayenta ERP applications.

Standard Cayenta Managed Services Pricing

	Database Administration	Cayenta Application Administration	Total
One time setup fee ¹	3,000	3,000	6,000
Monthly cost ²	2,000	2,000	4,000
Yearly cost ²	24,000	24,000	48,000

1. One time set up fee waived on 24 month contract
2. Fees are based on a 12 month contract.

General Assumptions

- Post-go live: Support for 1 Cayenta Production environment, and 2 additional non-production environments (ex. testing, and Training) for all Cayenta ERP applications.
- Pre-go live: Support for the environments in the current phase of the project.
- The client will provide remote access to the servers for CMS staff and their monitoring tools. The client will be responsible for ensuring that Cayenta has access to this server environment via one of the following methods: terminal server, remote desktop or VPN. It will be assumed the servers will be part of the client's central backup strategy.
- Customer will log support calls via Team Support, selecting the "CMS" group for all requests related to services provided herein.

Service Level Objectives

- 99.5% uptime for the City's production environment, excluding holidays, and planned outages.
- Response to P1s - within 1 hour (nb. Historically, 99% get call backs within 15 minutes)
- Mean time to repair for P1 - 30 minutes

PENALTY FOR NON-COMPLIANCE - DATABASE SERVER AVAILABILITY

Upon your written or email notification to cms-idahofalls@cayenta.com, if system availability for the full month is below the objective levels, Cayenta will issue a refund according to the schedule below.

Cayenta Production system availability	99.0% - 99.5%	5% of monthly fee credited
Cayenta Production system availability	98.0% - 98.9%	10% of monthly fee credited
Cayenta Production system availability	95.0% - 97.9%	15% of monthly fee credited
Cayenta Production system availability	90.0% - 94.9%	25% of monthly fee credited
Cayenta Production system availability	89.9% or below	2.5% credited for every additional 1% of lost availability

The down time is calculated from the time CMS team received an email or call from Idaho Falls staff until we send an email or call to the user and primary contact saying that the systems are back online.

Notes on System Downtime:

- System down time is considered when Cayenta production system is not available to the entire group of City users of the city due to a problem with the application or database.
- Application errors experienced by certain users or in a certain component of the application are not considered as system down time.
- Unavailability of Cayenta production system due to hardware or network issues won't be considered as system down time.

Notes

- Standard support is 6 am to 5 pm (PST), Monday to Friday (excluding holidays).
- CMS support outside of Standard support hours is billed at that current services rate per hour (minimum of 1 hour).
- Premium support (24x7) is available for an additional US\$900.00 per month.
- Significant version migrations (RDBMS, UNIX or Application) will be considered outside of scope and therefore require additional charges, depending on vendors recommendations.

One-time setup fee does not include travel expenses for on-site monitoring tool setup, which are billed as per Cayenta's standard travel policy.

Reporting

- Incident Reports generated for each incident of Database, UNIX or Application unplanned outage (depending on services are purchased).
- Monthly CMS Report generated.



SYSTEM COMPONENT CHECKLIST

This section describes the tasks that are carried out in the course of managing the application's server infrastructure and environment. A "Y" indicates that the component was successfully monitored as described. An "NP" indicates that the Service was not purchased from Cayenta.

Database Administration Services	Frequency					Comment
	Daily	Weekly	Monthly	Quarterly	Annually	As Required

DATABASE AVAILABILITY & PERFORMANCE MONITORING

In order to ensure the availability and performance of your system, Cayenta monitors your database on a daily basis. Cayenta's software agents provide information about the database functionality, communicate the potential for imminent failures, and communicate database errors, warnings and alerts to Cayenta Managed Services. The Cayenta CMS Consultant:

Monitor errors, warnings and alerts	Y					
Diagnose and assists in resolving database performance problems, identified by monitoring tools		Y				
Log all database problems and report on problems and problem resolution status			Y			
Diagnose and assist in resolving database availability						Y
Support diagnosis of application to database connectivity issues						Y
Problem Resolution for the database server patches						Y

DATABASE MAINTENANCE

Cayenta performs regular maintenance to ensure that the performance of your database does not degrade over time, within the constraints imposed by licensee's hardware and/or network. Cayenta CMS Consultants also perform security maintenance to ensure that your users have appropriate access to the data. The Cayenta CMS Consultant will:

Perform individual table reorganizations to address performance issues, identified by monitoring tools			Y			
Perform individual index reorganizations to address performance issues, identified by monitoring tools			Y			
Perform data security maintenance			Y			

DATABASE BACKUP & RESTORATION

Assuming Cayenta compatible backup tools are used by the client, Cayenta works with you to ensure that database backups are performed reliably and that your data can be recovered quickly in the event of corruption or loss of data. The Cayenta CMS Consultant will:

Perform daily on-line backups according to the back-up schedule	Y					
Perform daily migration of archived online redo logs to tape	Y					
Perform weekly off-line backup		Y				
Perform daily exports (logical backup)	Y					
Assist Client to perform data recovery in the event of corruption or loss of data						Y
Assist client with data recovery test to assure recoverability from exports				Y		
Assist client with data recovery test to assure recoverability from archive logs				Y		

DATABASE UPDATES

In order to ensure that your database environment is current with new database releases and fixes, Cayenta provides maintenance services for your database platforms. The Cayenta CMS Consultant will:

Apply database maintenance patches as needed						Y	
--	--	--	--	--	--	---	--

DATABASE REFRESHES & COPIES

In order to ensure that Testing and Training environments are current, the Cayenta CMS Consultant can copy Production data to the Testing and Training environments to a maximum of 1 time each quarter.

Make copy of current Production environment for Testing				Y			
Make copy of current Production environment for Training				Y			

Cayenta Utilities Application (CIS) Services	Frequency						Comment
	Daily	Weekly	Monthly	Quarterly	Annually	As Required	

UTILITIES APPLICATION AVAILABILITY AND PERFORMANCE MONITORING

In order to ensure the availability and performance of your application, Cayenta CMS monitors your system components. Cayenta utilizes tools that test the availability of your system components and alert the Cayenta CMS Consultant in the event of a problem. The Cayenta CMS Consultant will:

Monitor errors, warnings and alerts	Y						
Diagnose and resolve application performance problems, identified by monitoring tools						Y	
Log all application problems and report on problems and problem resolution status			Y			Y	
Diagnose and assist in resolving application availability						Y	
Support diagnosis of application to database connectivity issues						Y	
Problem resolution for application specific patches						Y	

UTILITIES APPLICATION AND OTHER MAINTENANCE

Cayenta performs regular maintenance to ensure that the Applications are clean. The Cayenta CMS Consultant will:

Utilities Application

Archive and purge batch queue logs			Y				
Archive and purge job process logs			Y				
Copy xml archive files and style sheets to storage media			Y				

Reporting Application Maintenance

Perform Backups	Y						
Clear temporary Reporting files				Y			
Archive old reports						Y	
Purge reporting software logs	Y	y					
Restart services and agents						Y	

UTILITIES APPLICATION BACKUP AND RESTORATION

The Cayenta CMS Consultant will:

Assist in creating backup policies for the Utility Application						Y	
--	--	--	--	--	--	---	--

UTILITIES APPLICATION FEATURE RELEASES, UPDATES, PATCHES

Cayenta performs regular maintenance to ensure that that your Production, Testing and Training Environments are at the appropriate fix levels. The Cayenta CMS Consultant will:

Utilities Application							
Apply P1patches to the Production environment						Y	
Apply P1 patches to the Testing and Training environments						Y	
Apply Feature Releases/Updates to the Production environments			Y				
Apply Feature Releases/Updates to the Testing and Training environments			Y				
Reporting Application							
Maintain and upgrade the Report Server software				Y			
Desktop activities							
Recommend additions, enhancement, version requirements to desktops			Y			Y	
Recommend network enhancements, updates, etc.			Y				
Assist in troubleshooting Cayenta-specific desktop issues						Y	

UTILITIES APPLICATION COPIES

In order to ensure that Testing and Training environments are current, the Cayenta CMS Consultant can copy current Production data to the Testing and Training environments to a maximum of 1 time each quarter.

Make copy of current Production environment for Testing purposes (ex. CayTest)				Y			
Make copy of current Production environment for Training purposes (ex. CayTrain)				Y			

Cayenta Financials Application (FMS/HR) Services	Frequency						Comment
	Daily	Weekly	Monthly	Quarterly	Annually	As Required	

FINANCIAL APPLICATION AVAILABILITY AND PERFORMANCE MONITORING

In order to ensure the availability and performance of your application, Cayenta monitors your system components. Cayenta utilizes tools that test the availability of your system components and alert the Cayenta Technical Consultant in the event of a problem. The Cayenta Technical Consultant will:

Monitor errors, warnings and alerts	Y						
Diagnose and resolve database performance problems, identified by monitoring tools		Y					
Log all application problems and report on problems and problem resolution status			Y				
Diagnose and resolve application availability						Y	
Support diagnosis of application to database connectivity issues						Y	
Problem resolution for application specific patches						Y	

FINANCIAL APPLICATION AND OTHER MAINTENANCE

Cayenta performs regular maintenance to ensure that the Applications are clean. The Cayenta Technical Consultant will:

Financial Application							
Archive and purge log files			Y				
Archive and purge spool directories			Y				

Archive and purge audit files			Y			
Regular wisip and work library cleanup			Y			
Restart message listener and kill defunct processes					Y	
Cognos Application						
Apply core report patches			Y			
Archive old reports					Y	
Purge Cognos logs		Y				
Application Web Server						
Archive and purge Application Web Server log files			Y			
Archive and purge audit files			Y			

FINANCIAL APPLICATION BACKUP AND RESTORATION

The Cayenta Technical Consultant will:

Assist client in creating Backup policies for Utility Applications					Y	
--	--	--	--	--	---	--

FINANCIAL APPLICATION FEATURE RELEASES, UPDATES, PATCHES

Cayenta performs regular maintenance to ensure that that your PROD, TEST and TRN Environments are at the appropriate fix levels. The Cayenta Technical Consultant will:

Financial Application						
Apply P1patches to the PROD environment					Y	
Apply P1 patches to the TEST and TRN environments					Y	
Apply Feature Releases/Updates to the PROD environments (max. once monthly)			Y			
Apply Feature Releases/Updates to the Testing and Training environments(max. once monthly)			Y			
Application Web Server Application						
Maintain and upgrade Application Web Server software				Y		
Desktop activities						
Recommend additions, enhancement, version requirements to desktop			Y			
Recommend network enhancements, updates, etc.			Y			
Assist in troubleshooting Cayenta-specific desktop issues					Y	

FINANCIAL APPLICATION COPIES

In order to ensure that TEST and TRN environments are current, the Cayenta Technical Consultant can copy current PROD data to the TEST and TRN environments to a maximum of 1 time each quarter.

Make copy of current PROD environment for Testing purposes				Y		
Make copy of current PROD environment for Training purposes				Y		

Cayenta Work Management Application (WMS) Services	Frequency						Comment
	Daily	Weekly	Monthly	Quarterly	Annually	As Required	

WORK MANAGEMENT APPLICATION AVAILABILITY AND PERFORMANCE MONITORING

In order to ensure the availability and performance of your application, Cayenta monitors your system components. Cayenta utilizes tools that test the availability of your system components and alert the Cayenta Technical Consultant in the event of a problem. The Cayenta Technical Consultant will:

Monitor errors, warnings and alerts	Y						
-------------------------------------	---	--	--	--	--	--	--

Diagnose and resolve database performance problems, identified by monitoring tools		Y					
Log all application problems and report on problems and problem resolution status			Y				
Diagnose and resolve application availability						Y	
Support diagnosis of application to database connectivity issues						Y	
Problem resolution for application specific patches						Y	

WORK MANAGEMENT AND OTHER MAINTENANCE

Cayenta performs regular maintenance to ensure that the Applications are clean. The Cayenta Technical Consultant will:

Work Management Application							
Archive and purge log files			Y				
Archive and purge spool directories			Y				
Archive and purge audit files			Y				
Regular wisp and work library cleanup			Y				
Restart message listener and kill defunct processes						Y	
Cognos Application							
Apply core report patches			Y				
Archive old reports						Y	
Purge Cognos logs		Y					
Application Web Server							
Archive and purge Application Web Server log files			Y				
Archive and purge audit files			Y				

WORK MANAGEMENT APPLICATION BACKUP AND RESTORATION

The Cayenta Technical Consultant will:

Assist client in creating Backup policies for Applications					Y		
--	--	--	--	--	---	--	--

WORK MANAGEMENT APPLICATION FEATURE RELEASES, UPDATES, PATCHES

Cayenta performs regular maintenance to ensure that that your PROD, TEST and TRN Environments are at the appropriate fix levels. The Cayenta Technical Consultant will:

Work Management Application							
Apply P1patches to the PROD environment						Y	
Apply P1 patches to the TEST and TRN environments						Y	
Apply Feature Releases/Updates to the PROD environments (max. once monthly)			Y				
Apply Feature Releases/Updates to the Testing and Training environments(max. once monthly)			Y				
Application Web Server Application							
Maintain and upgrade Application Web Server software				Y			
Desktop activities							
Recommend additions, enhancement, version requirements to desktop			Y				
Recommend network enhancements, updates, etc.			Y				
Assist in troubleshooting Cayenta-specific desktop issues						Y	

WORK MANAGEMENT APPLICATION COPIES

In order to ensure that TEST and TRN environments are current, the Cayenta Technical Consultant can copy current PROD data to the TEST and TRN environments to a maximum of 1 time each quarter.

Make copy of current PROD environment for Testing purposes				Y			
Make copy of current PROD environment for Training purposes				Y			




MEMORANDUM

TO: Mayor and Council
FROM: Municipal Services
DATE: September 21, 2016
RE: Bid Award – IF-17-02, Chlorine and Sodium Bisulfite

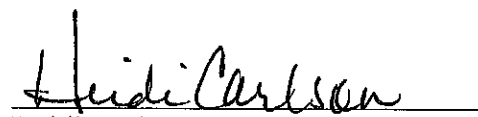
Attached is the tabulation for the above subject bid. It is the recommendation of the Public Works and Municipal Services Departments to accept the lowest responsive, responsible bids for the following sections. The products will be used for the Public Works Department water and wastewater treatment operations. This purchase will be for the period beginning October 14, 2016 and ending September 30, 2017. Funding is budgeted in the 2016/17 Public Works Department operating budget.

Section	Vendor	Description	Price per Container/ Cylinder	Approximate Annual Cost
I	Thatcher Company Inc.	Chlorine, 150 Pound Cylinders	\$225.375	\$45,976.50
II	Thatcher Company Inc.	Chlorine, 1-Ton Container	\$1,135.00	\$217,920.00
III	Landview Inc.	Sodium Bisulfite, per Gallon	\$1.23	\$98,400.00
Approximate Lump Sum				\$362,296.50

Respectfully,


Pamela Alexander
Municipal Services Director


Chandra Witt
General Services Administrator


Heidi Carlson
Purchasing Agent

CITY OF IDAHO FALLS
 PO BOX 50220
 IDAHO FALLS, ID 83405-0220
 Phone 208-612-8433

Office of Purchasing Agent

September 19, 2016

TABULATION

BID IF-17-02

Chlorine and Sodium Bisulfite

BIDDER	1) Univar USA Inc. Kent, Washington	2) Thatcher Company Inc. Salt Lake City, Utah	3) Landview Inc. Rupert, Idaho
SECTION I: Chlorine, 150 lb. Chlorine, 150 Pound Cylinders – Price per Each Fee for Demurrage After 120 Days Estimated Annual Total	No Bid	\$225,375 \$.30 \$45,976.50	No Bid
SECTION II: Chlorine – 1 Ton Chlorine, 1-Ton Container – Price per Each Estimated Annual Total	No Bid	\$1,135.00 \$217,920.00	No Bid
SECTION III: Sodium Bisulfite Sodium Bisulfite – Price per Gallon Estimated Annual Total	\$4.00 \$320,000.00	\$1.45 \$116,000.00	\$1.23 \$98,400.00



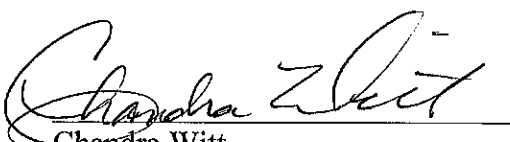
MEMORANDUM

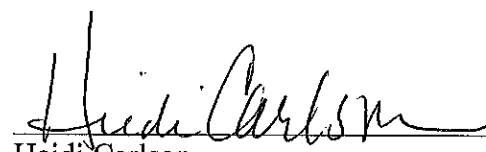
TO: Mayor and Council
FROM: Municipal Services
DATE: September 27, 2016
RE: Bid Award – IF-17-01, Hauling and Spreading Sewer Sludge

Attached is the tabulation for the above subject bid. It is the recommendation of the Public Works and Municipal Services Departments to accept the lowest responsive, responsible bid from G & F Pond Enterprises for a unit amount of \$1.44 per kilo gallon for an extended price of \$295,200.00. This service is to haul and spread sewer sludge to various fields throughout the City and will be for the period beginning October 14, 2016 and ending September 30, 2017. Funding is budgeted in the 2016/2017 Public Works operating budget.

Respectfully,


Pamela Alexander
Municipal Services Director


Chandra Witt
General Services Administrator


Heidi Carlson
Purchasing Agent

CITY OF IDAHO FALLS

PO BOX 50220
IDAHO FALLS, ID 83405-0220
Phone 208-612-8433

Office of Purchasing Agent

Opening Date: September 20, 2016

TABULATION BID IF-17-01

Sewer Sludge Hauling

BIDDER	G & F Pond Enterprises Idaho Falls, ID	Rhodehouse Construction Rigby, ID	Rick Dial Trucking Shelley, ID
Price Per kgal-mi (Approximate 205,000)	\$1.44	\$1.47	\$.175
Extended Price	\$295,200.00	\$301,350.00	Bid Withdrawn




MEMORANDUM


TO: Mayor and Council
FROM: Municipal Services
DATE: September 29, 2016
RE: Bid Award – IF-17-B, Road Salt

It is the recommendation of the Public Works Division and Municipal Services Departments to piggyback the Idaho Department of Transportation's contract #ITB16000986 with Burns D. Leavitt, DBA: Taurus Natural Salt. The supplier will furnish the required annual road salt for the amount of \$37.50 per cubic yard, per load with no fuel or delivery charge. The Street Division purchased \$64,306.37 for the 2015/16. Funding is budgeted in the 2016/2017 Public Works, Street operating budget.

Respectfully,


Pamela Alexander
Municipal Services Director


Chandra Witt
General Services Administrator


Heidi Carlson
Purchasing Agent



State of Idaho

Department of Administration
Division of Purchasing

C.L. "Butch" OTTER

Governor

ROBERT L. GEDDES

Director

SARAH HILDERBRAND

Administrator

650 West State Street B-15 (83702)

P. O. Box 83720

Boise, ID 83720-0075

Telephone (208) 327-7465

Fax: 208-327-7320

<http://purchasing.idaho.gov>

July 28, 2016

Burns D. Leavitt

VIA FACSIMILE: 208.475.3778

Burns D. Leavitt

1110 Yellowstone Ave. #111

ORIGINAL MAILED

Pocatello, ID 83201

Mr. Leavitt

RE: Bld ITB16000986, Snow and Ice Control Chemical Products, for the Idaho Transportation Department, through Division of Purchasing, Bld Closed, July 20, 2015 @ 5 PM Mountain Time.

You are the apparent low cost responsive responsible bidder for some of the above referenced bid ITB16000986. A copy of the bid tabulation has been attached for your records.

"This serves as notice under Idaho Code § 67-5733(1)(c) that the State intends to award contracts to the following Contractors for the following locations:

Compass Minerals America, Inc. – District 1, Cat 8A-B, 8A

Doug Andrus Distributing – District 2, Cat. 8B

Compass Minerals America, Inc. – District 3, Cat. 8B

Dustbuster, Inc. – District 4, Cat. 8 B

Compass Minerals America, Inc. – District 5, Cat. 8A-R, 8B

Burns D. Leavitt (DBA Taurus) – District 6, Cat. 8A-R, 8B

Roadwise – District 2, Cat. 1

Dustbuster, Inc. – District 3, Cat. 1

Dustbuster, Inc. – District 4, Cat. 1

American West Environmental Supply – District 1, Cat. A2

Note: This is a letter of Intent to Award only. Please do not take any action until you receive a Purchase Order from the Division of Purchasing.

For additional information, the Division of Purchasing contact person is Daniel Downen at 208-332-1605 or Daniel.downen@adm.idaho.gov

Sincerely,

Daniel Downen, Purchasing Officer
Division of Purchasing

"Serving Idaho citizens through effective services to their governmental agencies"



IDAHO TRANSPORTATION DEPARTMENT
PO BOX 97
RIGBY, IDAHO 83442
Phone: (208) 745-6653
Fax: (208) 745-6981

Purchase Order No. F005450DG th 11

SC

PURCHASE ORDER

Vendor

Name Burns D Leavitt
Address 1110 Yellowstone Ave.
City Pocatello ID 83201
Phone 208-475-3778 or 800-510-3697

Ship To

Name Idaho Transportation Department
Address 1540 Foote Drive
City Idaho Falls ID
Phone JR Grotjohn (208) 705-6612

Qty	Units	Description	Unit Price	TOTAL
1,400	ton	8B Road Salt		

No Fuel Surcharge
Flat Rate delivery

\$37.50

Please contact JR Grotjohn prior to delivery.

FOB Idaho Falls

SubTotal
Shipping & Handling

TOTAL

Shipping Date

Approval

dave.grenda@itd.idaho.gov

Date 8/11/2016
Order No
Sales Rep
Ship Via

Notes/Remarks



MEMORANDUM

To: Honorable Mayor & City Council

From: Chris H Fredericksen, Public Works Director

Date: September 6, 2016

Subject: **EASEMENT VACATION REQUEST – LOT 13 BLOCK 1, FREEWAY COMMERCIAL PLAZA (INSTRUMENT NO. 1489425)**

The property owner of Freeway Commercial Plaza, Division 3, Block 1, Lot 13 has requested the vacation of a utility easement in order to make better use of the property. All utility services have reviewed and approve the request.

Public Works requests authorization for the City Attorney to prepare documents needed to accomplish the vacation.

Respectfully,

Chris H Fredericksen, P. E.
Public Works Director

Attachments

CF:jk

c: Mayor
Council
Fugal
Cox

2-37-24-3

LOT 3

LOT 4

JOELLE AVE.

LOT 9

TARA ST.

LOT 6

LOT 5

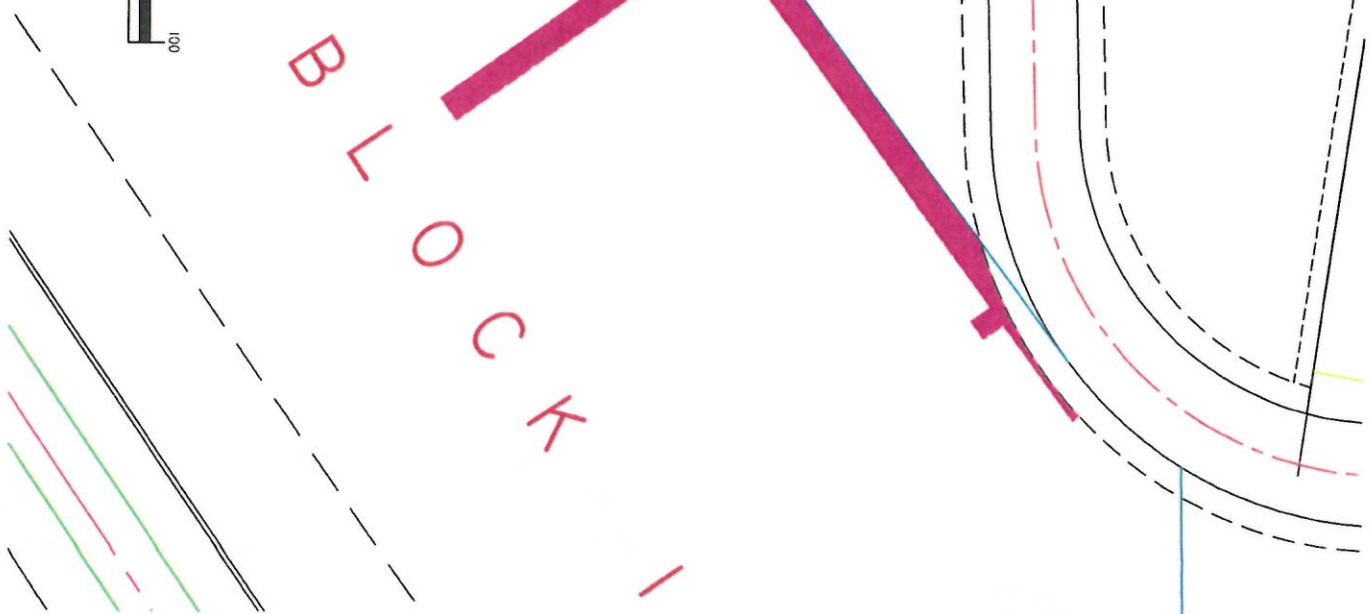
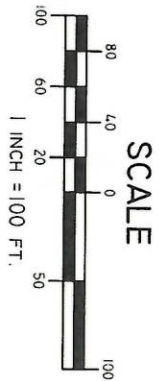
LOT 11

LOT 10

LOT 13

FREEWAY COMMERCIAL
CENTER DIVISION NO. 3

B
L
O
C
K



DEED OF EASEMENT

Instrument # 1489425

IDAHO FALLS, BONNEVILLE, IDAHO

1-22-2015 09:17:17 AM No. of Pages: 2

Recorded for : CITY OF IF

RONALD LONGMORE

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: EASEMENT

THIS INDENTURE, made this 7th day of JANUARY, 2015, between Japheth, LLC, an Idaho limited liability company, hereinafter referred to as "GRANTOR", and the CITY OF IDAHO FALLS, a municipal corporation, P.O. Box 50220, Idaho Falls, Idaho 83405, County of Bonneville, hereinafter referred to as "GRANTEE".

WITNESSETH

For and in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration paid by GRANTEE, the receipt of which is hereby acknowledged, GRANTOR hereby grants, bargains and conveys unto GRANTEE, and its successors and assigns forever, a permanent public utility easement over, across and under the following described real estate, situated in the County of Bonneville, State of Idaho, to-wit:

Part of Lot 13 Block 1 of Freeway Commercial Center Div. No. 3 an Addition to the City of Idaho Falls located in the SW1/4 of Section 24 Township 2 North Range 37 East, B.M. Bonneville County, Idaho described as:

Beginning at a point on the northwesterly line of said Lot 13, point being N88°27'45"E 162.40 feet and N53°38'51" E 95.82 feet from the northeast corner of Lot 10 of said Block 1 of Freeway Commercial Center Div. No. 3 ; continuing thence along said northwesterly line N53°38'51"E 241.30 feet to the intersection of said northwesterly line and a 15 foot Public Utility and Sidewalk Easement as shown on the recorded plat of said Freeway Commercial Center Div. No. 3, point of intersection also being a point of a non-tangent curve; thence along said 15 foot easement and non-tangent curve to the left 113.89 feet (Curve Data: Radius= 242.48 feet, Delta= 26°54'43", chord bears N60°27'01"E 112.85 feet); thence S43°00'21"E 4.35 feet; thence S54°06'32"W 67.02 feet; thence S35°53'28"E 13.72 feet; thence S54°06'32"W 12.00 feet; thence N35°53'28"W 13.72 feet; thence S54°06'32"W 259.97 feet; thence S35°51'56"E 184.37 feet; thence S54°08'04"W 15.00 feet; thence N35°51'56"W 199.20 feet to the point of beginning.

Parcel Contains 7,426 sq. ft. more or less

This easement may be used for the construction, maintenance, and repair of any public utility lines, equipment and appurtenant improvements placed on the premises hereunder, and GRANTEE shall have the right, at GRANTOR'S expense, to remove, cut, trim any trees, brush, ornamental shrubbery or plants, or other obstructions on said premises which may injure or interfere with the use thereof by the GRANTEE for such purposes. Such right may be exercised without prior notice to GRANTOR or its heirs, successors or assigns.

GRANTOR further agrees it will construct no permanent structures upon the premises described, including but not limited to buildings constructed on permanent foundations, light posts, sign posts or other structures which are not readily movable with nominal expense.

To have and to hold unto GRANTEE and its successors and assigns forever.

IN WITNESS WHEREOF, GRANTOR has hereunto subscribed its hands and seals on this day and year first above written.


Douglas B. Clegg-Manager

Japheth, LLC

STATE OF IDAHO)
) ss:
County of Ada)

On this 7th day of January, 2015, before me, the undersigned, a notary public, in and for said State, personally appeared Douglas B. Clegg known or identified to me to be the Manger of the Idaho limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company 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.



Rauni McDonald
Notary Public of Idaho
Residing at: Eagle, Idaho
My Commission Expires: 9/9/19



MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, General Manager
DATE: October 11, 2016
RE: Approve Change Order #1 for Upper Plant Sedimentation Removal Project

On February 5, City Council awarded a project to remove sedimentation upstream from the upper power plant to Rhodehouse Construction Inc., for \$520,372 would remove 45,000 cubic yards of sediment. This conservative estimate of sediment to be removed was based on limited record drawings from the channel prior to powerhouse construction. Upon dewatering the channel, we have found substantially more sediment built up than originally estimated. The bid did include a per cubic yard price in anticipation of additional sediment needing to be removed.

As of October 10, 29,200 cubic yards of material have been removed. At this rate, we anticipate the contractor will have removed 45,000 cubic yard by Friday. Other projects being conducted simultaneous to the sedimentation removal project (boat launch rebuild, transformer change out, and powerplant work) will still be in progress requiring the plant to remain off-line. Given that we will not be able to return the channel to normal operating condition until the boat ramp project is complete, staff is requesting City Council approve a change order to allow another 30,000 cubic yards of material to be removed. This additional material will cost \$245,000 leading to a new contract price of \$765,372. Staff is proposing to reallocate funds within the FY2017 budget year from a project that will not commence until FY2018. It is prudent to remove additional sediment at this time given costs to dewater the channel and build the coffer dam have already been incurred.

Idaho Falls Power respectfully requests City Council approve Change Order #1 for \$245,000 and authorize the Mayor to execute the document.

JRF/766

Attachment

C: City Clerk
Municipal Services
File