



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. Public 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. Regularly-scheduled 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 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. Item from Office of the Mayor:

- 1) Appointments/Reappointments to City Boards, Commissions and Committees
Arthur Kull, Civic Center for the Performing Arts Committee, Reappointment
Carrie Scheid, Civic Center for the Performing Arts Committee, Reappointment
Anne Staton-Voilleque, Civic Center for the Performing Arts Committee, Reappointment
Bonnee Taggart, Civic Center for the Performing Arts Committee, Reappointment
Deidre Warden, Civic Center for the Performing Arts Committee, Reappointment

B. Item from Idaho Falls Airport:

- 1) \$15,000 Grant Offer of the State of Idaho through Idaho Transportation Department, Division of Aeronautics

C. Item from Public Works:

- 1) Bid Award – Well 16 Power Upgrades

D. Items from Municipal Services:

- 1) Bid IF-19-05, Side Loader Container Truck for Public Works
- 2) Bid IF-19-06, Tilt Frame Truck for Public Works
- 3) Purchase of Replacement Mower for Pinecrest Golf Course
- 4) Bid IF-19-10, Orchestra Shell for the Idaho Falls Civic Center for the Performing Arts
- 5) Quote for Stryker® Power Load System and Gurneys for the Fire Department
- 6) Quote, 19-100 Street Light Poles for Idaho Falls Power

- 7) Bid IF-19-C, Replacement Vehicles for Various Departments
- 8) Annual License Renewal for Microsoft Software Products for Municipal Services
- 9) Online Service Agreement Renewal for Idaho Falls Power

E. Items from the City Clerk:

- 1) Expenditure Summary for the month of November, 2018
- 2) Minutes from the October 25, 2018 Council Meeting; November 5, 2018 Council Work Session; November 8, 2018 Idaho Falls Power Board Meeting; November 8, 2018 Council Meeting; November 19, 2019 Council Work Session; and, November 20, 2018 Council Meeting
- 3) License Applications, including Beer Licenses to Applebee's Neighborhood Grill; ARTitorium on Broadway; Arugula Deli; Bee's Knees Pub & Catering; Blue Wave LLC; Bowlero; Buffalo Wild Wings; Carniceria Aguililla Inc.; Casa Jaliscos Inc.; Chinese Garden; City Bagels & Bakery; Common Cents Food Stores #160, #161, and #162; Copper Rill Restaurant; D'Railed; Diamond Concessions; Eagle's Lodge; Elk's Lodge; Famous Dave's BBQ; Ford's Bar; Fred Meyer Stores Inc.; Garcia's; Garcia's Meat Market #2; Gas-N-Grub; Hampton Inn; Hilton Garden Inn; Hitt the Road; Holmes Speedi Mart; Home 2 Suites by Hilton; Idaho Brewing Company; Idaho Falls Arts Council; Idaracing at Sandy Downs; Jacksons; Jaker's of Idaho Falls; KC's Food Mart; Krung Thep; La Hidalguense; La Union Market; Legends Bar & Grill; Leo's Place; Los Albertos Inc.; Marcellar's Vintage Wines & Brews; Maverik Country Stores #239, #396, and #578; Midget Market; Muddy's Place; Olive Garden Italian Restaurant; Pachangas Mexican Food; Paula's Meat Market; Plum Loco; Pockets Inc.; Puerto Escondido Inc.; R & R Bar; Red Robin America's Gourmet Burgers; Roadhouse Saloon; Roadrunner Pit Stop; Samoa Club; Sam's Club; Sandpiper East LLC; Shaka's; Shari's of Idaho Falls; Shopko; Short Stop Market; Sizzler Family Steak House; Skyline Lanes; Smith's Food and Drug Center; Snake Bite Restaurant; Snow Eagle Brewing & Grill; Speedi Mart; Stinker Stores #27 and #28; Stockman's Restaurant; Sunnyside Travel; Tap-N-Fill; That One Place Lounge; The Alibi; The Celt; The Zone; Tobacco Connections #15 and #30; Uncle Benny's Pizza; Walmart; Walmart Fuel Station; Winco Foods; and, Yummy House Restaurant; all carrying the required approvals

RECOMMENDED ACTION: To approve, accept, or receive all items on the Consent Agenda according to the recommendations presented (or take other action deemed appropriate).

5. Regular Agenda.

A. Municipal Services

1) IF-19-C, Addition to Fleet for Public Works: It is the recommendation of the Municipal Services Department to piggyback the State of Idaho Contract #SBPO18200325 with Smith Chevrolet to furnish one pickup with snowplow for a lump sum total of \$36,102.60. This purchase is an addition to the fleet as requested and approved in the Public Works 2018/2019 budget for a total of \$45,000.

RECOMMENDED ACTION: To approve the purchase of one pickup with snowplow for a lump sum total of \$36,102.60 (or take other action deemed appropriate).

B. Police Department

1) Animal Ordinance Revision: Idaho Falls Animal Services recommends that the City Ordinances dealing with licensing be amended. This ordinance was discussed at a previous Council Work Session.

RECOMMENDED ACTION: To approve the revised Animal Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).

C. Idaho Falls Power

1) Approve Task Order 1 with HDR Engineering for Paine Substation Design: Idaho Falls Power, in accordance with Idaho State Statute 65-2320, solicited proposals for engineering services involving the design of the Paine Sub and Sugarmill to Paine transmission line. HDR Engineering was selected as the most qualified firm for that work. Therefore, the City has entered into a Multiple Services Agreement with HDR Engineering Inc. for professional services. The Multiple Services Agreement is a blanket agreement governing all work between Idaho Falls Power and HDR Engineering Inc. Task Order 1 includes a scope of services and a not-to-exceed amount of \$200,000.

RECOMMENDED ACTION: To approve Task Order 1, under the Multiple Services Agreement dated 11 July 2014, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

D. Community Development Services

1) Final Plat and Reasoned Statement of Relevant Criteria and Standards, Television Park Addition, 1st Amended: For consideration is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards for Television Park Addition, 1st Amended. The Planning and Zoning Commission first considered this item at its September 5, 2017 meeting and recommended approval by an 8-2 vote. Due to technical issues with the plat that took a significant amount of time to resolve, the plat was not ready to bring forward to the Mayor and Council until recently. Because of the length of time since the Planning and Zoning Commission recommendation, staff brought the plat to that commission again and December 4, 2018 and it was recommended for approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. To accept the Final Plat for Television Park Addition, 1st Amended, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
- b. To approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Television Park Addition, 1st Amended, and give authorization for the Mayor to execute the necessary documents.

2) Street Name Change, University Boulevard to MK Simpson Boulevard: For consideration is an ordinance to change the name of University Boulevard to MK Simpson Boulevard. The request for this change was made by the Idaho National Laboratory. Notices were sent to property owners along University Boulevard and staff has not received any comments or concerns.

RECOMMENDED ACTION: To approve the Ordinance for the street name change of University Boulevard to MK Simpson Boulevard, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).

3) Public Hearing - Annexation and Initial Zoning of RP, R1, R2, and LC, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B Approximately 1.64 Acres SW 1/4 Section 28, T 2N R 38E and 2.46 Acres NW 1/4 Section 29, T 2N R 38E: For consideration is the application for Annexation and Initial Zoning of RP, R1, R2, and LC, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B Approximately 1.64 Acres SW 1/4 Section 28, T 2N R 38E and 2.46 Acres NW 1/4 Section 29, T 2N R 38E. This is a City-initiated annexation. The Planning and Zoning Commission considered this item at its October 2, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Ordinance annexing M&B approximately 1.64 acres SW 1/4 Section 28, T 2N R 38E and 2.46 acres NW 1/4 Section 29, T 2N R 38E, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).
- b. To approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for M&B approximately 1.64 acres SW 1/4 Section 28, T 2N R 38E and 2.46 acres NW 1/4 Section 29, T 2N R 38E, and give authorization for the Mayor to execute the necessary documents.
- c. To assign a Comprehensive Plan Designation of Higher Density and to approve the ordinance establishing the initial zoning for M&B approximately 1.64 acres SW 1/4 Section 28, T 2N R 38E and 2.46 acres NW 1/4 Section 29, T 2N R 38E as RP, R1, R2, and LC Zones, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance), that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning Office.
- d. To approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of RP, R1, R2, and LC Zones for M&B approximately 1.64 acres SW 1/4 Section 28, T 2N R 38E and 2.46 acres NW 1/4 Section 29, T 2N R 38E, and give authorization for the Mayor to execute the necessary documents.

6. Announcements and Adjournment.

CONSENT

AGENDA:



MEMORANDUM

TO: City Council

FROM: Rebecca Casper

DATE: December 3, 2018

RE: Appointments/Reappointments to City Boards, Commissions and Committees

Attached please find communication from Municipal Services Director, Pam Alexander, regarding the citizen volunteers I am appointing to serve on the Idaho Falls Civic Center for the Performing Arts Committee.

Name	Commission (City code citation)	Sponsoring Department	Term Expires	Status
Arthur Kull	Civic Center for the Performing Arts Committee	Municipal Services	12/31/20	Reappointment
Carrie Scheid	Civic Center for the Performing Arts Committee	Municipal Services	12/31/20	Reappointment
Anne Staton-Voilleque	Civic Center for the Performing Arts Committee	Municipal Services	12/31/20	Reappointment
Bonnee Taggart	Civic Center for the Performing Arts Committee	Municipal Services	12/31/19	Reappointment
Deidre Warden	Civic Center for the Performing Arts Committee	Municipal Services	12/31/19	Reappointment

These applicants have a desire to continue their service and come recommended by Director Alexander as they have served our community well over the past two years. I anticipate they will continue to make a positive contribution to the good work of the city.

I request your vote to confirm these appointments at the regular Council Meeting on Thursday evening December 13, 2018

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



MEMORANDUM

TO: Mayor Casper

FROM: Municipal Services Department 

DATE: November 13, 2018

RE: Idaho Falls Civic Center for the Performing Arts Committee Reappointment

City Council approved Ordinance 3227 amending Title 2, Chapter 9, Committee Member Terms for the Idaho Falls Civic Center for the Performing Arts on Thursday, November 8, 2018. Municipal Services respectfully requests the Mayor to reappoint the following Idaho Falls Civic Center for the Performing Arts committee members and service terms.

Arthur Kull, two-year term
Carrie Scheid, two-year term
Anne Staton-Voilleque, two-year term
Bonnee Taggart, one-year term
Deidre Warden, one-year term

Committee members have confirmed their interest in reappointment to the committee and the service terms.

Mayor, we also have a vacant council member seat on the committee with the decision of former Councilmember Marohn not running again. Councilmember Freeman requested to be added to the committee notices and has attended a few of the meetings. Would you be willing to approach him or another Councilmember to fill the vacancy?

Thank you.

ORDINANCE NO. 3227

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 2, CHAPTER 9 STAGGERING IDAHO FALLS CIVIC CENTER FOR THE PERFORMING ARTS COMMITTEE MEMBER TERMS; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the Mayor, with the consent of the City Council, has appointed five (5) committee members for the Idaho Falls Civic Center for the Performing Arts Committee for a specific term of two (2) years with an expiration date of December 31, 2018; and

WHEREAS, the Mayor and the Committee believe that staggering the terms of the Committee members' terms will make for a smoother transition for its members, will assist with the institutional memory within the Committee, and will allow the Mayor and Council some flexibility with appointments that serve the purposes of the Committee; and

WHEREAS, the Mayor, with the consent of the City Council, is recommending the staggering of terms for the reappointment and continuity of service terms of Committee members.

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

SECTION 1. Title 2, Chapter 9, of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

...

2-9-2: TERM: Members of the Committee shall serve a term of two (2) years and may be appointed or reappointed to such terms in a manner that the terms of not more than two (2) members expire annually. ~~The terms of members shall expire on December 31 of the second year after their appointment.~~

...

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

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

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

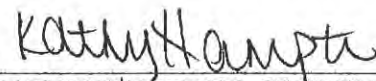
SECTION 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this 9th day of ~~October~~ **NOVEMBER**, 2018.

CITY OF IDAHO FALLS, IDAHO


REBECCA L. NOAH CASPER, MAYOR

ATTEST:


KATHY HAMPTON, CITY CLERK



County of Bonneville

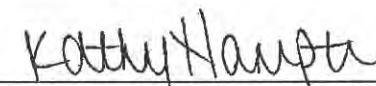
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) ss:
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I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO,
DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 2, CHAPTER 9 STAGGERING IDAHO FALLS CIVIC CENTER FOR THE PERFORMING ARTS COMMITTEE MEMBER TERMS; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."



ORDINANCE - CIVIC CENTER TERM


KATHY HAMPTON, CITY CLERK

ORDINANCE NO. 3064

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, CONFIRMING ADOPTION OF TITLE 2, CHAPTER 9, PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, in 1950, a bond was passed to construct a Civic Auditorium for the sole purpose of providing a wider avenue of culture for the City and surrounding communities; and

WHEREAS, The City of Idaho Falls is proud of the many uses that that Civic provides for our community;

WHEREAS, The City of Idaho Falls is dedicated to providing an Auditorium that can be used by many entities for numerous occasions; recitals, graduations, meetings, performing arts, community concerts, etc.

WHEREAS, because a record of adoption of an ordinance forming this committee has not been located, the Council desires to confirm the formation of this Committee by the adoption of this Ordinance.

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

SECTION 1. Title 2, Chapter 9 of the City Code of the City of Idaho Falls, Idaho is hereby adopted as follows:

2-9-1: APPOINTMENT: The Mayor, with the consent of the City Council, shall appoint a Civic Auditorium Committee of not less than three (3) nor more than five (5) voting members. The Committee shall include, as non-voting ex officio members, at least one (1) member of the Council of the City, General Services Administration, and a representative of the current manager of the Civic Auditorium. A non-voting member of the Committee shall not be considered in determining the number required for a quorum or whether quorum is present.

2-9-2: TERM: Members of the Committee shall serve a term of two (2) years. The terms of members shall expire on December 31 of the second year after their appointment.

2-9-3 VACANCIES: The Mayor, with the consent of the Council, shall appoint a qualified person to fill the unexpired term of a Committee member in the event of a vacancy.

2-9-4 DUTIES: The Committee shall study the function and operation of the Civic Auditorium, shall assist in the development of a long-term financial and facility plan to improve and sustain the viability of the Civic Auditorium, and shall present recommendations, consistent with available City funds, to the Director of Municipal Services.

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

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

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

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

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this 11 day of APRIL, 2016.

CITY OF IDAHO FALLS, IDAHO


REBECCA L. NOAH CASPER, MAYOR

ATTEST:

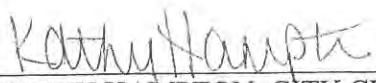

KATHY HAMPTON, CITY CLERK



)
) ss:
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I, ~~KATHY HAMPTON~~, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO,
DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, CONFIRMING ADOPTION OF TITLE 2, CHAPTER 9, PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."


KATHY HAMPTON, CITY CLERK



ORDINANCE - CIVIC AUDITORIUM COMMITTEE

MEMORANDUM

TO: Honorable Mayor and City Clerk

FROM: Rick Cloutier, Airport Director

DATE: December 6, 2018

SUBJECT: **Consent Agenda Item – \$15,000 Grant Offer of the State of Idaho through Idaho Transportation Department, Division of Aeronautics**

Attached for your consideration is the Agreement & Resolution whereas City of Idaho Falls has submitted to the state an application for assistance from the Idaho Airport Aid Program for development of the Idaho Falls Regional Airport to Expand Terminal Building.

The Airport Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said documents.

Respectfully submitted,



Rick Cloutier
Airport Director

GRANT AGREEMENT
IDAHO AIRPORT AID PROGRAM
STATE FISCAL YEAR-19

TO: City of Idaho Falls, Idaho
(Hereinafter referred to as the "SPONSOR")

FROM: The State of Idaho, acting through the IDAHO TRANSPORTATION DEPARTMENT, DIVISION
OF AERONAUTICS
(Hereinafter referred to as the "STATE")

WHEREAS, the SPONSOR has submitted to the STATE an application for assistance from the Idaho Airport Aid Program for development of the Idaho Falls Regional Airport, together with the planning proposal or plans and specifications for the project. The STATE approved the application and it is hereby incorporated herein and made a part thereof:

WHEREAS, the Idaho Transportation Board has approved a project for development of the airport consisting of the following described airport development:

Project Description: Expand Terminal Bldg
FS Program Number: F198IDA
Project Number: AIP-044

NOW THEREFORE, for the purpose of carrying out the provisions of the Uniform State Aeronautics Department Act of 1947, as amended, and in consideration of the SPONSOR acceptance of this offer, as hereinafter provided, the STATE hereby agrees to pay, as its share of the costs incurred in accomplishing the project, not more than a lump sum amount of \$15,000.

This Grant incorporates the following terms and conditions:

1. The STATE affirms that:
 - A. The maximum obligation of the STATE payable under this Grant shall be \$15,000.00.
 - B. This grant expires on June 30, 2021 and the STATE shall have no further obligation after that date.
2. The SPONSOR shall:
 - A. Certify the availability of at least \$215,960.44 to match STATE participation in said project.
 - B. Diligently and expeditiously complete this project by June 30, 2021 and likewise pursue appropriate measures as may be agreed upon by the SPONSOR and the STATE to remedy project delays, including but not limited to litigation or condemnation.
 - C. Carry out and complete the project in accordance with the plans, specifications, and property map, incorporated herein, as they may be revised or modified, with approval of the STATE.

- D. Competitively bid all contracts for construction involved in this project in accordance with bidding procedures otherwise authorized for public entities.
 - E. In connection with the acquisition of real property for the project, secure at least two written appraisals by licensed appraisers and not pay in excess of the highest appraisal without the written consent of the STATE or except as directed by a court of competent jurisdiction after a contested trial and a judgment not resulting from agreement between the parties.
 - F. Receive no STATE funds in any case until it certifies in writing that it has funds available and will spend at least the amount designed in Paragraph (A) above, solely for the project in question.
 - G. Agrees to hold said airport open to the flying public for the useful life of the facilities developed under this project. Grant no exclusive use or operating agreements, to any person, company, or corporation. Failure to abide by such agreement shall automatically obligate the immediate and full return of all State of Idaho money expended on behalf of the project to the State of Idaho.
 - H. Submit with this accepted Grant Agreement the full name of the local Project Manager/Inspector along with full contact information including work phone number, cell phone number, fax number, email address, and postal mailing address. Also include a job related contact that will know the whereabouts of and can contact the Project Manager/Inspector quickly for Grant related matters.
 - I. Use the provided "Project List and Submittals" form to monitor the project's progress. The SPONSOR will submit the form when submittals are made, and provide the completed form, along with the reports, as part of the closeout documents.
- 3. The allowable costs of the project shall not include any costs determined by the STATE to be ineligible.
 - 4. The STATE reserves the right to amend or withdraw this offer at any time prior to its acceptance by the SPONSOR.
 - 5. This offer shall expire and the STATE shall not be obligated to pay any part of the costs of the project unless the final agreement has been accepted by the SPONSOR on or before December 15, 2018 or such subsequent date as may be prescribed in writing by the STATE.

Except for those projects receiving both State and Federal Aid (submit copies of FAA Application and Agreement), the following inspection schedule, and reporting system is required:

6. Inspection Schedule and Reporting System:

Inspection Schedule and Reporting System will vary for each project. The SPONSOR must make reports and be subject to inspections on the following schedule:

- A. SPONSOR shall report project commencement date.
- B. SPONSOR shall make no less than three progress reports during construction.
- C. SPONSOR shall receive approval prior to any change in the scope of the project

- D. SPONSOR shall report project completion date and request final inspection and payment.
- E. STATE may participate in the final inspection and shall sign off the project as completed.
- F. STATE may arrange for audit of account in accordance with regularly scheduled audit program.

The execution of this instrument by the SPONSOR and ratification and adoption of the project application incorporated herein provides proof of the Sponsors commitment, as hereinafter provided. Said offer and acceptance shall comprise allocation agreement, constituting the obligation and rights of the State of Idaho and the SPONSOR with respect to the accomplishment of the project and the operation and the maintenance of the airport. Such allocation agreement shall become effective upon the SPONSOR acceptance of this offer and shall remain in full force and effect throughout the useful life of the facilities developed under the project but in any event not to exceed twenty (20) years from the date of acceptance.

STATE OF IDAHO, ITD
Division of Aeronautics

By: _____

Mike Pape, Administrator

ACCEPTANCE

THE SPONSOR DOES HEREBY RATIFY AND ADOPT ALL STATEMENTS, representations, warranties, covenants, and agreements contained in the project application and incorporated materials referred to in the foregoing offer and does hereby accept said offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this ____ day of _____, 2018.

By: _____

Rebecca Casper, Mayor
City of Idaho Falls, City Council

ATTEST:

Kathy Hampton, City Clerk

I, Kathy Hampton, City Clerk do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. _____ adopted at a regular meeting of the City Council held on the ____ day of _____, 2018, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the City, this ____ day of _____, 2018.

Kathy Hampton, City Clerk

City Resolution

Exact from the minutes of a regular meeting
of the City Council of City of Idaho Falls, Idaho
Held on _____, 2018.

Councilman _____, introduced the following Resolution, was read in full,
considered, and adopted:

Resolution number _____ of City of Idaho Falls, Idaho accepting the Grant Offer of the State of
Idaho through the Idaho Transportation Department, Division of Aeronautics, in the maximum amount of
\$15000 to be used under the Idaho Airport Aid Program, FS Program number: F198IDA, Project number:
AIP-044 in the development of the Idaho Falls Regional Airport; and

Be it resolved by the Mayor and City Council of City of Idaho Falls, Idaho (herein referred to as the City as
follows:

Sec. 1. That the City shall accept the Grant Offer of the State of Idaho in the amount of \$15,000.00, for the
purpose of obtaining State Aid under FS Program Number: F198IDA, Project Number: AIP-044 in the
development of the Idaho Falls Regional Airport; and

Sec. 2. That the Mayor of the City of Idaho Falls City Council is hereby authorized and directed to sign the
statement of Acceptance of said Grant Offer (entitled Acceptance) on behalf of the City, the City Clerk is
hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the
City on the aforesaid statement of Acceptance; and

Sec. 3. A true copy of the Grant Agreement referred to herein be attached hereto and made a part thereof.

Passed by the City Council and approved by the Mayor this ____ day of _____, 2018.

Rebecca Casper, Mayor

ATTEST:

Kathy Hampton, City Clerk

CERTIFICATE

I, Kathy Hampton, City Clerk do hereby certify that the foregoing is a full, true, and correct copy of Resolution
No. _____ adopted at a regular meeting of the City Council held on the ____ day of
_____, 2018, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have
hereunto set my hand and impressed the official seal of the City, this ____ day of _____,
2018.

Kathy Hampton, City Clerk



MEMORANDUM

TO: Honorable Mayor & City Council

FROM: Chris H Fredericksen, Public Works Director

DATE: December 5, 2018

RE: Bid Award – Well 16 Power Upgrades

On Tuesday, December 4, 2018, bids were received and opened for the Well 16 Power Upgrades project. A tabulation of bid results is attached.

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, Mountain West Electric, Inc. in an amount of \$611,800.00 and, authorization for the Mayor and City Clerk to sign contract documents.

City of Idaho Falls

Engineering Department Preliminary Estimate

Project: Well 16 Power Upgrades

Number: 2-37-15-4-WTR-2017-35

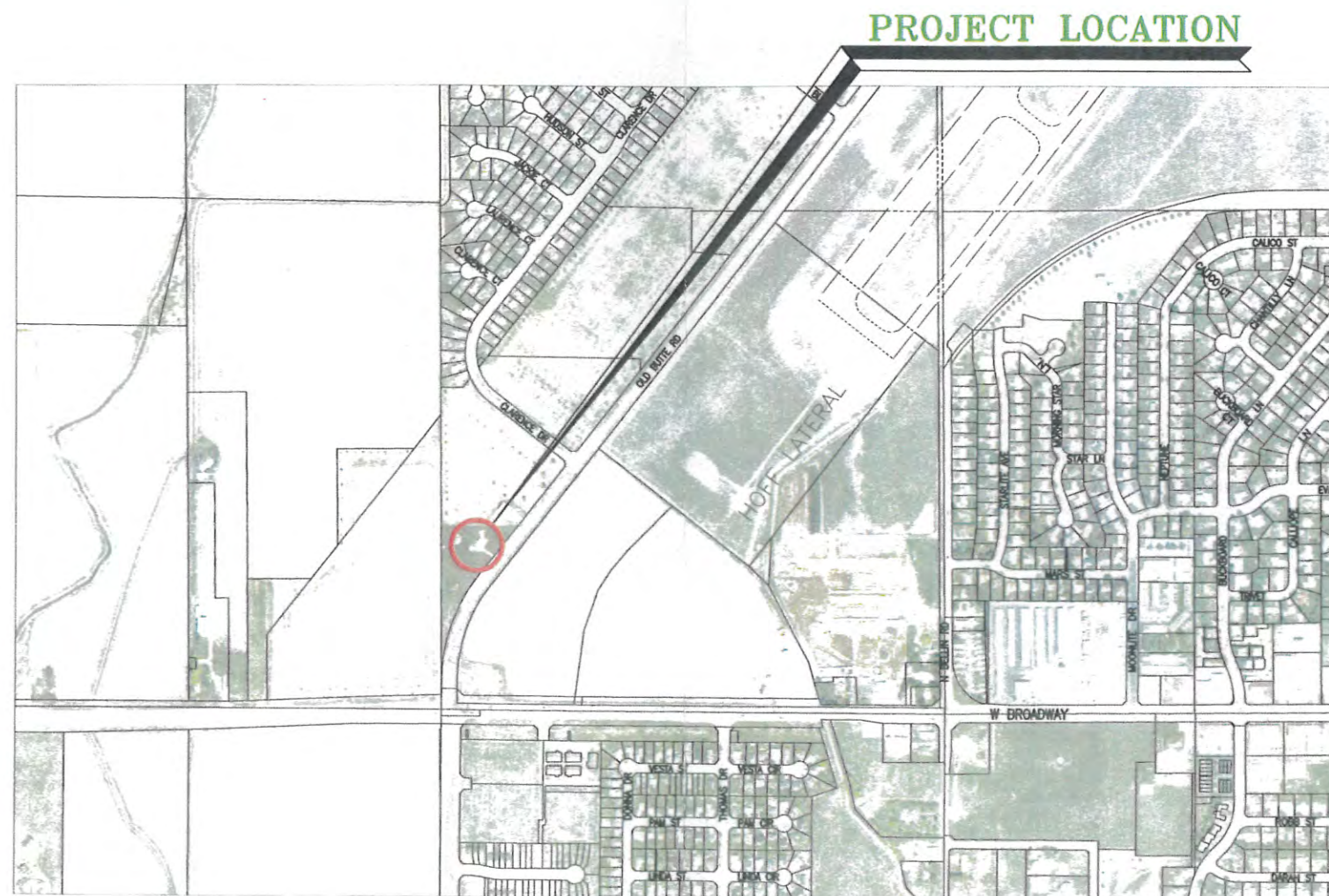
Submitted: Kent J. Fugal, P.E., PTOE

Date: December 4, 2018

Item Number	Item Number	Description	Estimated Quantity	Unit	Engineer's Estimate		Mountain West Electric		RSCI		Arco Electric Idaho, Inc.		CR Clark Construction		Wheeler Electric, Inc.	
					Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
BASE BID SCHEDULE																
SPECIAL PROVISIONS																
	SP - 0425	Well Electrical Upgrade	1	LS	\$600,000.00	\$600,000.00	\$598,500.00	\$598,500.00	\$618,647.00	\$618,647.00	\$670,148.00	\$670,148.00	\$688,000.00	\$688,000.00	\$710,620.00	\$710,620.00
TOTAL BASE BID SCHEDULE					\$600,000.00		\$598,500.00		\$618,647.00		\$670,148.00		\$688,000.00		\$710,620.00	
ADDITIVE ALTERNATE BID SCHEDULE NO. 1																
SPECIAL PROVISIONS																
	SP - 0426	Additional Motor Controls	1	LS	\$25,000.00	\$25,000.00	\$74,000.00	\$74,000.00	\$72,522.00	\$72,522.00	\$86,085.00	\$86,085.00	\$98,000.00	\$98,000.00	\$81,995.00	\$81,995.00
TOTAL ADDITIVE ALT. BID SCHEDULE 1					\$25,000.00		\$74,000.00		\$72,522.00		\$86,085.00		\$98,000.00		\$81,995.00	
ADDITIVE ALTERNATE BID SCHEDULE NO. 2																
SPECIAL PROVISIONS																
	SP - 0427	Closed Transition Transfer Switch	1	LS	\$50,000.00	\$50,000.00	\$13,300.00	\$13,300.00	\$13,398.00	\$13,398.00	\$13,373.00	\$13,373.00	\$18,000.00	\$18,000.00	\$15,230.00	\$15,230.00
TOTAL ADDITIVE ALT. BID SCHEDULE 2					\$50,000.00		\$13,300.00		\$13,398.00		\$13,373.00		\$18,000.00		\$15,230.00	
TOTAL BID					\$675,000.00		\$685,800.00		\$704,567.00		\$769,606.00		\$804,000.00		\$807,845.00	

WELL 16 POWER UPGRADES

PROJECT # 2-37-15-4-WTR-2017-35



REVIEWED BY: WATER DEPARTMENT

[Signature]

DATE: 11-14-2018



MAYOR

REBECCA L. NOAH CASPER

CITY COUNCIL

MICHELLE ZIEL-DINGMAN
SHELLY SMEDE
THOMAS HALLY

JIM FRANCIS
JOHN B. RADFORD
JIM FREEMAN

ENGINEERING DIVISION

PUBLIC WORKS DIRECTOR
CHRIS H FREDERICKSEN, P.E.

CITY ENGINEER
KENT J. FUGAL, P.E., PTOE

2019

AS BUILT:			
SCALE SHOWN IS FOR SHEET 11 x 17 ONLY			
ENGINEERING DIVISION			
WELL 16 POWER UPGRADES			
CHK BY: K.J.F.	DSG BY: Y.G.	DWN BY: Y.G.	
FILE NO. 2-37-15-4-WTR-2017-35		DATE PLOTTED: 11/14/18	SHEET NO. 1 of 17
DWG NO. Title Page-Well 16			



MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

DATE: November 19, 2018

RE: Bid IF-19-05, Side Load Container Truck for Public Works

Attached is the tabulation for the above subject bid. It is the recommendation of the Municipal Services and Public Works Departments to accept the lowest responsive, responsible bid from Rush Truck Centers of Jerome, Idaho for a total \$158,300.00, including a trade-in allowance of \$17,500.00. With an original useful life of seven years, unit #7021 is a 2014 Freightliner side load container truck scheduled for replacement in fiscal year 2020. However, in reviewing the equipment maintenance records, along with the cost of rebuilding an inoperable engine, Fleet Maintenance and Public Work staff are recommending it is more cost effective to replace the equipment.

Funds are budgeted in the 2018/2019 Public Works Sanitation Division Municipal Equipment Replacement Fund (MERF).

Respectfully,


Pamela Alexander
Municipal Services Director

City of Idaho Falls

PO BOX 50220
IDAHO FALLS, IDAHO 83405
PHONE: (208) 612-8433

Office of Purchasing Agent

Opening Date: November 28, 2018

BID IF-19-05

One (1) New 2018 or newer Side Load Refuse Container Body –mounted on one (1) New 2019 or newer Conventional Cab and Chassis

BIDDER	Rush Truck Centers	Freightliner of Idaho		
	Jerome, ID	Idaho Falls, ID		
REFUSE CONTAINER BODY				
Manufacturer	Southwestern Equipment	Southwestern Equipment		
Model	Challenger 30-LH	Challenger 30-LH		
Year	2019	2019		
CAB AND CHASSIS				
Manufacturer	International	Freightliner		
Model	HV-607	M2106		
Year	2020	2020		
Delivery Time of Complete Unit	250-280 Days	200-220 days ARO		
Price per Each	\$175,500.00	\$175,908.00		
TOTAL Price Without Trade-Ins	\$175,500.00	\$175,908.00		
Trade-in Allowance #7021	\$17,500.00	\$17,500.00		
TOTAL PRICE WITH TRADE-INS	\$158,300.00	\$158,408.00		
Idaho Motor Vehicle Dealer's License	0169	4947		
Sub-Bidder	Southwestern Equipment	Southwestern Equipment		



MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

DATE: November 19, 2018

RE: Bid IF-19-06, Tilt Frame Truck for Public Works

Attached is the tabulation for the above subject bid. It is the recommendation of the Municipal Services and Public Works Departments to accept the lowest responsive, responsible bid from Rush Truck Centers of Jerome, Idaho for a total of \$117,680.00, including a trade-in allowance of \$26,000. This purchase will replace unit #7014, a 2009 Sterling tilt frame truck that has reached its useful life and scheduled for replacement. Funds are budgeted in the 2018/2019 Public Works Sanitation Division Municipal Equipment Replacement Fund (MERF).

Respectfully,

Pamela Alexander
Municipal Services Director

City of Idaho Falls

PO BOX 50220
IDAHO FALLS, IDAHO 83405
PHONE: (208) 612-8433

Office of Purchasing Agent

Opening Date: November 13, 2018

BID IF-19-06

One (1) New 2019 or Newer Roll-Off Container Tilt Frame mounted on One (1) New 2019 Cab and Chassis

BIDDER	1) Rush Truck Centers Jerome, ID	2) Kenworth Sales Idaho Falls, ID	3) 40MIN LATE - NONCONFORMING Technology International, Inc Lake Mary, FL
ADDENDUM	X	X	X
ADDENDUM 2	X	NONE	NONE
ROLL OFF CONTAINER TILT FRAME			
Manufacturer	GALFAB	GALFAB	GALBREATH
Model	I0601745072	I0601745072	U5-OR-174
Year	2019	2019	2019
CAB AND CHASSIS			
Manufacturer	INTERNATIONAL	KENWORTH	GALBREATH
Model	HV607	T440	U5-OR-174
Year	2020	2020	2019
Delivery Time of Complete Unit	250 Days	END OF MARCH	4 MONTHS ARO
Price Without Trade-In	\$143,680.00	\$155,883.00	\$393,400.00
Trade-in Allowance #7014	\$26,000.00	\$7,500.00	0
TOTAL PRICE WITH TRADE-IN	\$117,680.00	\$148,383.00	NA
Idaho Motor Vehicle Dealer's License	0169	3600405	NA
Sub-Bidder Container Refuse Body	GALFAB	GALFAB	CUSTOM ONE TRUCK



MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

DATE: December 5, 2018

RE: Purchase of Replacement Mower for Pinecrest Golf Course

It is the recommendation of Municipal Services and Parks and Recreation Departments to purchase one Toro mower from Turf Equipment and Irrigation, Inc. with pricing honored from City of Idaho Falls Bid IF-18-20 from fiscal year 2017/18. This purchase will replace unit #9113, a 2007 Jacobsen mower that has reached its useful life and scheduled for replacement. The total cost of \$73,773.10 is budgeted in 2018/19 Parks and Recreation Municipal Equipment Replacement Fund (MERF).

Respectfully,

A handwritten signature in black ink that reads "Pamela Alexander". The signature is fluid and cursive, with a large initial "P" and a checkmark at the end.

Pamela Alexander
Municipal Services Director



**TURF EQUIPMENT
& IRRIGATION INC**

Turf Equipment & Irrigation, Inc.
1630 S. Gladiola St. SLC, UT 84104
P.O. Box 26903 SLC, UT 84126-0903
(801) 566-3256

Prepared by:
Scott Allen
(801) 597-7268
scott.allen@turfequip.com

Proposal Date: 2018-11-30
Expiration Date: 2019-01-31
Quote ID: Q03964



Count on it.

Mark Spraktes
Superintendent
Pinecrest Golf Club
701 E Elva St Idaho Falls, Idaho 83401-2768 United States

National IPA Municipal Contract

2018 Pricing is still Available until the end of this month.

<u>Qty</u>	<u>Model #</u>	<u>Name</u>	<u>Award</u>	<u>Ext. Award</u>
1	30882	Groundsmaster 4700-D (T4)	\$73,773.10	\$73,773.10
Equipment Total:				\$73,773.10

Does not include Sales Tax, Use Tax, or Personal Property Tax



MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

DATE: December 5, 2018

RE: Bid IF-19-10, Orchestra Shell for Idaho Falls Civic Center for the Performing Arts

Attached is the tabulation for the above subject bid. It is the recommendation of the Municipal Services Department to accept the sole responsive, responsible bid from Wenger Corporation of Owatonna, Minnesota for a total contract award of \$306,630.00. Funds to purchase the orchestra shell is within the 2018/2019 Idaho Falls Civic Center for the Performing Arts phase I renovation budget line item of \$336,000.

Respectfully,

A handwritten signature in blue ink that reads "Pamela Alexander". The signature is fluid and cursive, with a large initial "P".

Pamela Alexander
Municipal Services Director

City of Idaho Falls

PO BOX 50220
IDAHO FALLS, IDAHO 83405
PHONE: (208) 612-8433

Office of Purchasing Agent

Opening Date: December 4, 2018

BID IF-19-10

Orchestra Shell - Civic Auditorium

BIDDER	Wenger Corporation				
	Owatonna, MN				
ORCHESTRA SHELL	\$229,000.00				
Manufacturer	Wenger Corporation				
Installation	\$62,960.00				
FOB Idaho Falls, Idaho	\$14,670.00				
Deliver Date ARO	120 to 140 Days				
TOTAL PRICE	\$306,630.00				
Public Works License Number	C186473				
Sub-Contractor					
License Number					

Customer Quotation

Quote: 3121555

Prepared For: Idaho Falls Civic Auditorium
500 S Holmes Ave
Idaho Falls ID 83401-4751

Page: 1

Date: 12/05/2018

Effective: For 30 days only

Wenger®

Delivery Within: ** TBD

Tax: Included

Terms: PENDING CREDIT APPROVAL

F.O.B. Point: Destination

Regarding: BUNDLE BID: Shell and rigging w/o tax

Item	Description	Quantity	Unit Price	Price
S231111	Reference: * Bid IF-19-10 * Exhibit A * Drawing #006 - Section Shell Layout * Drawing #007 & 008 - Orchestra Shell Layout * Price includes 2019 delivery and installation. Acoustic Shell CUSTOM MAESTRO COMPONENTS Consists of: (1) Ceil Tap End 1 Curve, 10' Radius, 8' Wide 45'9" Long, Est Wgt 1,550lbs (1) Ceil Tap End 1 Curve, 10' Radius, 8' Wide 43' Long, Est Wgt 1,425lbs (1) Ceil Tap End 1 Curve, 10' Radius, 8' Wide 40'2" Long, Est Wgt 1,425lbs (10) Twr Sqr Top 4' Base, 8' Radius, 10' Wide 26' Tall Face Material P Lam, .118" Vertical Grain (3) Slide Lock Assembly, pair (2) Wheeled Movers (18) Lieto LED Fixtures by Wenger (18) 15' Powercon Cables (18) 15' DMX Cable	1		
T23-40	Rigging RIGGING SUBCONTRACT Consists of: (3) Motorized Lineshaft Hoists and Associated Rigging - Shell Ceilings (1) Control System - Expandable (1) 1-Ton Chain Hoist w/60' Travel w/Trolley and Trolley beam	1		

Submitted By: Sasha Olchefske
Project Cost Estimator

Phone: 800-493-6437 Ext 8444 Fax: 507-774-8580

Email: sasha.olchefske@wengercorp.com

On Behalf of: Jeff Kirkpatrick

WENGER CORPORATION
555 Park Drive, PO Box 448
Owatonna, MN 55060-0448
Phone 800.4WENGER (493-6437)
Fax 507.455.4258
Parts & Service 800.887.7145

WENGER CORPORATION
CANADA OFFICE
Phone 800.268.0148

WORLDWIDE
Phone 1.507.455.4100
Fax 1.507.774.8576

WEB SITE
www.wengercorp.com

Wenger®
Your Performance Partner

Customer Quotation

Quote: 3121555

Prepared For: Idaho Falls Civic Auditorium
500 S Holmes Ave
Idaho Falls ID 83401-4751

Page: 2

Date: 12/05/2018

Effective: For 30 days only

Wenger®

Delivery Within: ** TBD

Tax: Included

Terms: PENDING CREDIT APPROVAL

F.O.B. Point: Destination

Regarding: BUNDLE BID: Shell and rigging w/o tax

Item	Description	Quantity	Unit Price	Price
	Not Included: * Additional Structural or Support Steel * Any Field Electrical Work including All control and power runs, conduit, boxes, terminations, and power wire.			
	Total Product Charge			306,630.00
	Total Charge			306,630.00
	CLARIFICATION: * Wenger is providing pricing for the Maestro Shell as a more cost effective option.			
	TERMS AND CONDITIONS			
	* Pricing is for 2019 delivery and installation.			
	* Price does include Sales Tax.			
	* Price does include Field Measurements.			
	* Price includes ONE delivery w/installation and demonstration of product at time of delivery. If customer authorizes delivery & Jobsite is not ready to receive product and installation, customer shall be responsible for additional mobilization and other expenses.			
	* Wenger shall attend Jobsite Meetings as necessary, while on site performing work.			
	* If a payment bond is required by the Owner, the General Trades agree to provide a copy.			

Submitted By: Sasha Olchefske
Project Cost Estimator



Phone: 800-493-6437 Ext 8444

Fax: 507-774-8580

Email: sasha.olchefske@wengercorp.com

On Behalf of: Jeff Kirkpatrick

WENGER CORPORATION
555 Park Drive, PO Box 448
Owatonna, MN 55060-0448
Phone 800.4WENGER (493-6437)
Fax 507.455.4258
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Customer Quotation

Quote: 3121555

Prepared For: Idaho Falls Civic Auditorium
500 S Holmes Ave
Idaho Falls ID 83401-4751

Page: 3

Date: 12/05/2018

Effective: For 30 days only

Wenger®

Delivery Within: ** TBD

Tax: Included

Terms: PENDING CREDIT APPROVAL

F.O.B. Point: Destination

Regarding: BUNDLE BID: Shell and rigging w/o tax

Item	Description	Quantity	Unit Price	Price
	<p>* The time for delivery shown on the face of this quotation, if any, is an estimate only. Wenger Corporation will not be liable for any loss or damage to Buyer or others due to delay or not delivering in accordance with the estimated date regardless of cause. Wenger Corporation will select method of delivery unless specified by customer.</p> <p>* Full payments are due seven days after payment is received or should have been received by Contractor from Owner. Final payment is due 60 days after substantial completion of Wenger Corporation's work. Retainage held shall not exceed the amount withheld by Owner and/or allowable by law.</p> <p>* Wenger Corporation shall not waive its right to file a lien or bond claim, nor its right to payment for work properly performed and accepted by owner or its representative.</p> <p>* Wenger Corporation accepts liability for bodily injury and property damage only to the extent of the direct costs caused by its own negligent acts during the performance of our work.</p> <p>* Wenger Corporation expressly conditions all orders upon the acceptance by Buyer of Company's terms and conditions without change unless specifically set forth in writing and accepted by the signature of an authorized representative of Company at Owatonna, MN.</p>			

Submitted By: Sasha Olchefske
Project Cost Estimator



Phone: 800-493-6437 Ext 8444

Fax: 507-774-8580

Email: sasha.olchefske@wengercorp.com

On Behalf of: Jeff Kirkpatrick

WENGER CORPORATION
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Owatonna, MN 55060-0448
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WEB SITE
www.wengercorp.com

Wenger®

Your Performance Partner



MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

DATE: December 5, 2018

RE: Quote for Stryker® Power Load System and Gurneys for the Fire Department

It is the recommendation of the Fire and Municipal Services Departments to purchase two (2) gurneys and one (1) Stryker ® Power Load System for a total quote of \$58,620.43. In October 2017, the Fire Department received approval for the sole source purchase of Stryker ® power load systems to reduce the risk of Fire personnel safety issues associated with lifting and loading patients in ambulances. Funds to purchase the gurneys and power load system is budgeted in the 2018/2019 Municipal Equipment Replacement Fund (MERF).

Respectfully,

Pamela Alexander
Municipal Services Director



Comprehensive Quotation

Sales Account Manager
ANNIE KOERNER
annie.koerner@stryker.com
Cell: 406-214-9548

Remit to:
Stryker Medical
P.O. Box 93308
Chicago, IL 60673-3308

End User Shipping Address
1298601
IDAHO FALLS FIRE STATION 1
343 E ST
IDAHO FALLS, ID 83402-3676

Shipping Address
1298601
IDAHO FALLS FIRE STATION 1
343 E ST
IDAHO FALLS, ID 83402-3676

Billing Address
1109975
CITY OF IDAHO FALLS
PO BOX 50220
IDAHO FALLS, ID 83405

Customer Contact	Ref Number	Date	PO Number	Reference Field	Quote Type
	7000401	12/01/2018	QUOTE		

Line #	Quantity	Item Description	Part #	Unit Price	Extended Price	Item Comments
1.00	2	Power-PRO XT	6506000000	\$18,545.68	\$37,091.36	
		Options				
	2	Power-PRO XT	6506000000	\$18,545.68	\$37,091.36	
	2	Dual Wheel Lock	6086602010			
	2	PR Cot Retaining Post	6085033000			
	2	Power Pro Standard Components	6506026000			
	2	XPS Siderails	6506040000			
	2	No Runner/HE O2	0054200994			
	2	Equipment Hook	6500147000			
	2	Power-LOAD Compatible Option	6506127000			
	2	Knee-Gatch/Trendelenburg	6500082000			
	2	No HE Section O2 Bottle	6506036000			
	2	Pocketed Back Rest Pouch	6500130000			
	2	Head End Storage Flat	6500128000			
	2	Fowler O2 Bottle Holder	6500241000			
	2	ONE PER ORDER, MANUAL, ENG OPT	650606160000			
	2	120V AC SMRT Charging Kit	6500028000			
	2	J Hook	6092036018			
	2	XPS Mattress - Black	6500003130			
	2	Steer Lock Option	6506038000			
	2	3 YR X-Frame Powertrain Wnty	7777881669			
	2	2 Yr Bumper to Bumper Warranty	7777881670			
	2	DOM SHIP (NOT HI, AK, PR, GM)	0054030000			
	2	3 Stage IV Pole PR Option	6500315000			
	2	X-RESTRAINT PACKAGE	6500001430			
	2	STANDARD FOWLER	6506012003			
2.00	1	PowerLOAD	6390000000	\$21,529.07	\$21,529.07	
		Options				
	1	PowerLOAD	6390000000	\$21,529.07	\$21,529.07	
	1	Standard Comp 6390 Power Load	6390026000			
	1	English Manual	6390600000			
	1	1 year parts, labor & travel	7777881660			
	1	UNIVERSAL FLOORPLATE OPTION	6390028000			
	1	ONE PER ORDER, MANUAL, ENG OPT	639000220000			



Comprehensive Quotation

Sales Account Manager

ANNIE KOERNER
annie.koerner@stryker.com
Cell: 406-214-9548

Remit to:

Stryker Medical
P.O. Box 93308
Chicago, IL 60673-3308

Note:
Pricing valid through 12.24.2018

Product Total	\$58,620.43
Freight	\$0.00
Tax	\$0.00
Total	\$58,620.43

☐ Signature: _____ Title/Position: _____ Date: _____

Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule.

Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency.

Terms: Net 30 Days. FOB origin. A copy of Stryker Medical's standard terms and conditions can be obtained by calling Stryker Medical's Customer Service at 1-800-STRYKER.

Cancellation and Return Policy: In the event of damaged or defective shipments, please notify Stryker within 30 days and we will remedy the situation. Cancellation of orders must be received 30 days prior to the agreed upon delivery date. If the order is cancelled within the 30 day window, a fee of 25% of the total purchase order price and return shipping charges will apply.



MEMORANDUM

TO: Mayor and City Council

FROM: Municipal Services Department

DATE: December 4, 2018

RE: Quote 19-100 Street Light Poles for Idaho Falls Power

Attached is the tabulation for the above subject quote. It is the recommendation of Municipal Services and Idaho Falls Power to accept the lowest responsive responsible bid from D & S Electrical Supply to furnish street light pole inventory. Funds for this purchase is within the 2018/2019 Idaho Falls Power budget and is below the \$200,000.00 Idaho Code §67-2805 threshold for public works projects.

Respectfully,


Pamela Alexander
Municipal Services Director

CITY OF IDAHO FALLS

PO BOX 50220

IDAHO FALLS, ID 83405-0220

Phone 208-612-8433

Fax 208-612-8536

Office of Purchasing Agent

Closing Date: November 19, 2018

TABULATION

Quotation #19-100/68845/Power

Item	1	POLE: 30' MONOTUBE STEEL STREET LIGHT POLE WITH ROUND GALVANIZED SHAFT	QTY	Vendor	
				1) Codale Electric Supply Salt Lake City, UT	2) D & S Electrical Supply Idaho Falls, ID
	100		\$1032.82		853.00
Price Per Each					
TOTAL			103,282.00		85,300.00
Delivery Time			11 – 13 Weeks		10-12 Weeks



MEMORANDUM

TO: Mayor and City Council

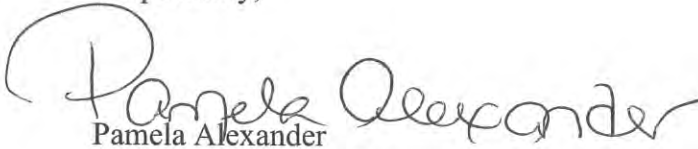
FROM: Municipal Services Department

DATE: December 3, 2018

RE: Bid IF-19-C, Replacement Vehicles for Various Departments

It is the recommendation of the Municipal Services Department to piggyback the State of Idaho Contracts with Smith Chevrolet to furnish the listed vehicles as per Attachment A for the Public Works, Parks and Recreation and Community Development Departments. The replacement vehicles will be transition into surplus as per resolution #2015-01. The lump sum total amount for Smith Chevrolet is \$372,314.49. Funds to purchase the replacement vehicles and equipment is budgeted within the 2018/2019 Municipal Equipment Replacement Fund (MERF).

Respectfully,


Pamela Alexander
Municipal Services Director

BID IF-19-C VEHICLES
ATTACHMENT A

[illegible]



MEMORANDUM

TO: Mayor and City Council


FROM: Municipal Services Department

DATE: November 27, 2018

RE: Annual License Renewal for Microsoft Software Products for Municipal Services

It is the recommendation of the Municipal Services Department to renew the annual licenses with Dell Computer Corporation for required citywide Microsoft software product licenses. This request is the second of a three-year contract for Microsoft product licenses for a total of \$131,291.31. Funds for the annual license renewal is budgeted within the 2018/19 Municipal Services, Information Technology budget.

Respectfully,


Pamela Alexander
Municipal Services Director



A quote for your consideration!

Based on your business needs, we put the following quote together to help with your purchase decision. Please review your quote details below, then contact your sales rep when you're ready to place your order.

**Total: \$
131,291.31**

Quote number:	Quote date:	Quote expiration:
1025682723404.1	Nov. 16, 2018	Dec. 15, 2018

Company name:	Customer number:	Phone:
ID-L CITY OF IDAHO FALLS	98598490	(208) 529-1230

Sales rep information:	Billing Information:
Elisa Carel	ID-L CITY OF IDAHO FALLS
Elisa_Carel@Dell.com	PO BOX 50220
(800) 456-3355	IDAHO FALLS
Ext: 7280496	ID 83405
	US
	(208) 529-1230

Pricing Summary

Item	Qty	Unit Price	Subtotal
VLA ENTERPRISE CORE CAL PLATFORM USER CAL SOFTWARE ASSURANCE ALL LANGUAGES	675	\$43.11	\$29,099.25
VLA ENTERPRISE CORE USER CAL L/SA PLATFORM ALL LANGUAGES	25	\$78.37	\$1,959.25
VLA ENTERPRISE OFFICE PRO PLUS PLATFORM SA ALL LANGUAGES	575	\$87.45	\$50,283.75
VLA ENTERPRISE OFFICE PRO PLUS PLATFORM LIC/SA ALL LANGUAGES	25	\$150.43	\$3,760.75
VLA ENTERPRISE WINDOWS ENT PLATFORM SOFTWARE ASSURANCE ALL LNG	575	\$38.60	\$22,195.00
VLA ENTERPRISE WINDOWS ENT PLATFORM UPGRADE/SA ALL LNG	25	\$49.30	\$1,232.50
VLA ENTERPRISE EXCHANGE SERVER SOFTWARE ASSURANCE ALL LANGUAGES	1	\$116.27	\$116.27
VLA ENTERPRISE EXCHANGE SERVER STD LICENSE/SOFTWARE ASSURANCE ALL LANGUAGES	3	\$271.35	\$814.05
VLA ENTERPRISE SKYPE FOR BUSINESS SERVER SOFTWARE ASSURANCE ALL LANG	1	\$599.21	\$599.21
VLA ENTERPRISE SQL SERVER ENT SA PER 2 CORE LIC ALL LANGUAGES	4	\$2,259.79	\$9,039.16

VLA ENTERPRISE SQL SERVER STD SA PER 2 CORE LIC ALL LANGUAGES	2	\$589.31	\$1,178.62
VLA ENTERPRISE VISIO STD SA ALL LANGUAGES	2	\$47.51	\$95.02
VLA ENTERPRISE WIN SVR DC CORE ALNG SA MVL 2LIC CORELIC	84	\$126.53	\$10,628.52
VLA ENTERPRISE WINSVRSTDCORE ALNG SA MVL 16LIC CORELIC	2	\$144.98	\$289.96
Subtotal:			\$131,291.31
Shipping:			\$0.00
Environmental Fees:			\$0.00
Non-Taxable Amount:			\$0.00
Taxable Amount:			\$0.00
Estimated Tax:			\$0.00
Total:			\$131,291.31

Special lease pricing may be available for qualified customers. Please contact your DFS Sales Representative for details.

Dear Customer,

Your Quote is detailed below; please review the quote for product and information accuracy. If you find errors or desire certain changes please contact me as soon as possible.

Regards,
Elisa Carel

Order this quote easily online through your [Premier page](#), or if you do not have Premier, using [Quote to Order](#)

Shipping Group 1

Shipping Contact:

DATA PROCESSING

Shipping phone:

()

Shipping via:

Standard Delivery

Shipping Address:

ID-L CITY OF IDAHO FALLS
 308 CONSTITUTION WAY
 IDAHO FALLS
 ID 83402-3539
 US

SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE CORE CAL PLATFORM USER CAL SOFTWARE ASSURANCE ALL LANGUAGES	675	\$43.11	\$29,099.25

AA001061	VLA ENTERPRISE CORE CAL PLATFORM USER CAL SOFTWARE ASSURANCE ALL LANGUAGES	675	-	-
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SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE CORE USER CAL L/SA PLATFORM ALL LANGUAGES	25	\$78.37	\$1,959.25

AA001062	VLA ENTERPRISE CORE USER CAL L/SA PLATFORM ALL LANGUAGES	25	-	-
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SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE OFFICE PRO PLUS PLATFORM SA ALL LANGUAGES	575	\$87.45	\$50,283.75

AA001063	VLA ENTERPRISE OFFICE PRO PLUS PLATFORM SA ALL LANGUAGES	575	-	-
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SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE OFFICE PRO PLUS PLATFORM LIC/SA ALL LANGUAGES	25	\$150.43	\$3,760.75

AA001064	VLA ENTERPRISE OFFICE PRO PLUS PLATFORM LIC/SA ALL LANGUAGES	25	-	-
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SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE WINDOWS ENT PLATFORM SOFTWARE ASSURANCE ALL LNG	575	\$38.60	\$22,195.00

AA001065	VLA ENTERPRISE WINDOWS ENT PLATFORM SOFTWARE ASSURANCE ALL LNG	575	-	-
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SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE WINDOWS ENT PLATFORM UPGRADE/SA ALL LNG	25	\$49.30	\$1,232.50

AA001066	VLA ENTERPRISE WINDOWS ENT PLATFORM UPGRADE/SA ALL LNG	25	-	-
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SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE EXCHANGE SERVER SOFTWARE ASSURANCE ALL LANGUAGES	1	\$116.27	\$116.27

AA001067	VLA ENTERPRISE EXCHANGE SERVER SOFTWARE ASSURANCE ALL LANGUAGES	1	-	-
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SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE EXCHANGE SERVER STD LICENSE/SOFTWARE ASSURANCE ALL LANGUAGES	3	\$271.35	\$814.05

AA001068	VLA ENTERPRISE EXCHANGE SERVER STD LICENSE/SOFTWARE ASSURANCE ALL LANGUAGES	3	-	-
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SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE SKYPE FOR BUSINESS SERVER SOFTWARE ASSURANCE ALL LANG	1	\$599.21	\$599.21

AA001069	VLA ENTERPRISE SKYPE FOR BUSINESS SERVER SOFTWARE ASSURANCE ALL LANG	1	-	-
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SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE SQL SERVER ENT SA PER 2 CORE LIC ALL LANGUAGES	4	\$2,259.79	\$9,039.16

AA001070	VLA ENTERPRISE SQL SERVER ENT SA PER 2 CORE LIC ALL LANGUAGES	4	-	-
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SKU	Description	Qty	Unit Price	Subtotal
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	VLA ENTERPRISE SQL SERVER STD SA PER 2 CORE LIC ALL LANGUAGES	2	\$589.31	\$1,178.62
AA001178	VLA ENTERPRISE SQL SERVER STD SA PER 2 CORE LIC ALL LANGUAGES	2	-	-
SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE VISIO STD SA ALL LANGUAGES	2	\$47.51	\$95.02
AA001179	VLA ENTERPRISE VISIO STD SA ALL LANGUAGES	2	-	-
SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE WIN SVR DC CORE ALNG SA MVL 2LIC CORELIC	84	\$126.53	\$10,628.52
AA001180	VLA ENTERPRISE WIN SVR DC CORE ALNG SA MVL 2LIC CORELIC	84	-	-
SKU	Description	Qty	Unit Price	Subtotal
	VLA ENTERPRISE WINSVRSTDCORE ALNG SA MVL 16LIC CORELIC	2	\$144.98	\$289.96
AA001181	VLA ENTERPRISE WINSVRSTDCORE ALNG SA MVL 16LIC CORELIC	2	-	-
Subtotal:				\$131,291.31
Shipping:				\$0.00
Environmental Fees:				\$0.00
Estimated Tax:				\$0.00
Total:				\$131,291.31

Unless you have a separate written agreement that specifically applies to this order, your order is subject to Dell's Terms of Sale (for consumers the terms include a binding arbitration provision). Please see the legal disclaimers below for further information.

Important Notes

Terms of Sale

Unless you have a separate written agreement that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hardcopy from Dell at your request: Dell's Terms of Sale (www.dell.com/learn/us/en/uscorp1/terms-of-sale), which include a binding consumer arbitration provision and incorporate Dell's U.S. Return Policy (www.dell.com/returnpolicy) and Warranty (for Consumer warranties ; for Commercial warranties).

If this purchase includes services: in addition to the foregoing applicable terms, the terms of your service contract will apply (Consumer;Commercial). If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - Type A (www.dell.com/AEULA) and use of the Dell-branded system software is subject to the Dell End User License Agreement - Type S (www.dell.com/SEULA).

If your purchase is for Mozy, in addition to the foregoing applicable terms, your use of the Mozy service is subject to the terms and conditions located at <https://mozy.com/about/legal/terms>.

If your purchase is for Boomi services or support, your use of the Boomi Services (and related professional service) is subject to the terms and conditions located at <https://boomi.com/msa>.

If this purchase is for (a) a storage product identified in the DELL EMC Satisfaction Guarantee Terms and Conditions located at

http://www.emc.com/collateral/sales/dellemc-satisfaction-guarantee-terms-and-conditions_ex-gc.pdf ("Satisfaction Guarantee") and (ii) three (3) years of a ProSupport Service for such storage product, in addition to the foregoing applicable terms, such storage product is subject to the Satisfaction Guarantee.

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: **Dell Marketing L.P.**

Note: All tax quoted above is an estimate; final taxes will be listed on the invoice.

If you have any questions regarding tax please send an e-mail to Tax_Department@dell.com.

For certain products shipped to end-users in California, a State Environmental Fee will be applied to your invoice. Dell encourages customers to dispose of electronic equipment properly.



MEMORANDUM

TO: Mayor and City Council

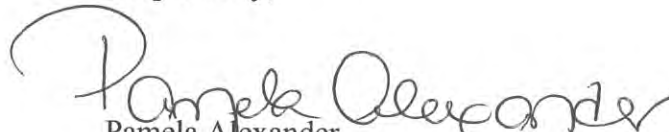
FROM: Municipal Services Department

DATE: December 5, 2018

RE: Online Service Agreement Renewal for Idaho Falls Power

It is the recommendation of Municipal Services and Idaho Falls Power to approve the renewal of the software services agreement with The Energy Authority for hosting, disaster recovery, maintenance, operational support and backup slice planning. The total costs of the renewal services is \$145,623.50. Funds for the renewal of the agreement is within the 2018/19 Idaho Falls Power operating budget.

Respectfully,


Pamela Alexander
Municipal Services Director

69153

Foxboro.

by **Schneider Electric**

Triconex.

by **Schneider Electric**

Wonderware.

by **Schneider Electric**

Systems Proposal
for
City of Idaho Falls
Idaho Falls, ID
ATTN: Jace Yancey

System Upgrade

Proposal No.: 18EH280


9007 7806

Contacts:

CSE: Bill Gustaveson

CC: Alan Beard

CSS: Eric Hull

This proposal contains technical and business information that is confidential and proprietary to Schneider Electric Systems USA, Inc. It is provided to City of Idaho Falls solely for internal review and evaluation. The information contained herein may not be shown or disclosed in any form to third parties without the express consent of Schneider Electric Systems USA, Inc.

Schneider
 **Electric**

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Invensys and Schneider Electric

Schneider Electric, a global specialist in energy management, completed its acquisition of Invensys PLC on 17th January, 2014. The Invensys Group is now part of the Schneider Electric group of companies. This change does not affect the terms or commitments of this proposal in any way and Schneider Electric will continue to support and invest in Invensys products and solutions.

Combining the strengths of Schneider Electric and Invensys will offer greater value to your business. Through this integration, we are building a global, innovative, technology company with a strong position in integrated industrial automation, software and energy management. Our ability to offer more comprehensive solutions – along with our global execution capabilities will enable Schneider Electric to help you increase business performance and improve operational efficiency.

1. EXECUTIVE SUMMARY

Schneider Electric is pleased to provide a proposal for the hardware and software upgrade of the Idaho Falls Power Foxboro SCADA system from the current version FCS6.0 to FCS7.0. The following are the elements of the upgrade.

1. Software Licenses

Schneider Electric will upgrade the existing FCS6.0 licenses (Wonderware 2014) to FCS7.0 licenses (Wonderware 2014R2). This license upgrade is covered under the existing CFA agreement.

2. Hardware

The following new hardware is proposed:

Qty	Manufacturer	Description
2	Dell	PowerEdge 740 Rack Mount Servers w/ Intel Xeon Silver 4114 2 2 GB 10C/20T 9.6 GT/s, 14M Cache processor, RAID 5 controller, 8 200 GB SSD Hard Drive, 6 8 GB RAM (48 GB total), Microsoft Server 2016 Standard Edition 16 Core, Dual Power Supply, 3 year warranty
2	Dell	Precision 5820 Tower, Intel Xeon W-2104 3.2 GHZ 4C processor, Windows 10 Professional, Microsoft Office 2016 Professional, NVIDIA Quadro Pro 4 GB, 4 mDP, 500 GB 7200 RPM hard drive, Optical Disk, Keyboard, Mouse, 1GB NIC add in, 3 year warranty. No monitors, no mouse.
2	Perle	Perle System IOLAN STS8 Secure Terminal Server 8 X RJ45 connectors, 10/1010/1000 Ethernet interface.

3. Engineering

Schneider Electric will migrate the existing customer system to FCS7.0 system. During the migration, the following items will be addressed:

1. The database will be touched up to correct discrepancies in the overall template design on the current galaxy.
2. The Short Term Load Forecast application (SRLF) will interfaced to the National Weather Server using the newer HTTPS: format.
3. Smart symbols will be created to match the templates which are sized for the 1920x1080 resolution of the new system.

4. ArchestraA graphics will be created for the existing breaker popups. This will allow removal of these displays from the InTouch display system, and overall reduction in the number of displays. The breaker popups will be sized appropriately for readability with the new 1920 x 1080 graphics.
5. The following InTouch graphics will be redrawn to use the new smart symbols and fill the display with 1920x1080 resolution.

#	Type	Display
1	Online	12.5 Loop East
2	Online	12.5 Loop West
5	Tabular	4R7AUX
6	Tabular	Analog_GenCon
7	Tabular	Analog_GenCon2
8	Tabular	Analog_GenCon3
9	Tabular	Analog_GenCon4
10	Tabular	Analog_Hatch
12	Tabular	Analog_Jem (Picture of meter..)
13	Tabular	Analog_N_Boulevard
14	Tabular	Analog_Rack
15	Tabular / Trend	Analog_Substation
16	Tabular / Trend	Analog_Substation2
17	Tabular	Analog_Substation4
18	Tabular	Analog_Substation5
19	Tabular	Analog_SugarMill
20	Tabular	Analog_TedGen
21	Tabular	Analog_TedGen2
22	Tabular	Analog_TedSubs
23	Tabular	Analog_Weather
24	Tabular	Analog_WestSide
25	Tabular	Analog_York
28	Online	Distribution_SugarMill
42	Tabular	Modello
57	Tabular	NETHEAD
58	Tabular	NO_RECAUX
89	Online	Substation_City
90	Online	Substation_City_2016
91	Online	Substation_Fifteenth
92	Online	Substation_Harrison
92	Online	Substation_Harrison_2016
93	Online	Substation_Hatch
94	Online	Substation_Hatch_2016
95	Online	Substation_Milligan
96	Online	Substation_Milligan_2016
98	Online	Substation_NoBlvd
99	Online	Substation_NoBlvd2
100	Online	Substation_Northblvd_2
101	Online	Substation_Rack

102	Online	Substation_Rack_2016
104	Online	Substation_SugarMill
105	Online	Substation_SugarMill_2
106	Online	Substation_SugarMill_2016
107	Online	Substation_Templeview
108	Online	Substation_Templeview_2016
109	Online	Substation_WestSide
110	Online	Substation_WestSide_2016
111	Online	Substation_York
112	Online	Substation_York_2016
116	Tabular	TedGen2
117	Tabular	Temperatures_Lower2
118	Tabular	Temperatures_Old_Lower
119	Tabular	Temperatures_Plant
120	Tabular	Temperatures_Upper
121	Tabular	Temperatures_Upper2
125	Tabular	VoltageRegulatorSample
128	Online	Web_Anderson
129	Online	Web_Substations

Bill of Materials

Item	Qty	Model	Description
10.00	2	Precision 5820	Dell Precision Tower Tower Lead Time (ARO): 4 Weeks Precision 5820 FUNCTION: Dell Precision Tower Tower

Item	Qty	Model	Description
20.00	2	PowerEdge R740	Dell PowerEdge Server Lead Time (ARO): 4 Weeks PowerEdge R740 FUNCTION: Dell PowerEdge Server

Item	Qty	Model	Description
30.00	1	04030414	Perle Sys 04030414 Lead Time (ARO): 3 Weeks 04030414 FUNCTION: Perle Sys 04030414 PERLE SYS 04030414 IOLAN STS8 SECURE TERMINAL SERVER: 8 X RJ45 CONNECTOR, 10/100/1000 ETHERNET 1U RACK MOUNT, RS232 INTERFACE, ADVANCED DATA ENCRYPTION USER AUTHENTICATION AND EVENT MANAGEMENT SECURITY FEATURES INCLUDED, IPV6, COM PORT REDIRECTOR, 15KV ESD, AC POWER ADAPTER INCLUDED

Item	Qty	Model	Description
40.00	1	VAS-ES-IA	IA Series-Engineering Lead Time (ARO): 12 Weeks VAS-ES-IA FUNCTION: IA Series-Engineering Engineering services are provided for projects involving I/A Series products. Specifics are defined in proposal/contract.

Item	Qty	Model	Description
50.00	1	VAS-ES-IA	IA Series-Engineering Lead Time (ARO): 12 Weeks VAS-ES-IA FUNCTION: IA Series-Engineering Engineering services are provided for projects involving I/A Series products. Specifics are defined in proposal/contract.

Item	Qty	Model	Description
60.00	1	VAS-ES-IA	IA Series-Engineering Lead Time (ARO): 12 Weeks VAS-ES-IA FUNCTION: IA Series-Engineering Engineering services are provided for projects involving I/A Series products. Specifics are defined in proposal/contract.

Item	Qty	Model	Description
70.00	1	VAS-ES-IA	IA Series-Engineering Lead Time (ARO): 12 Weeks VAS-ES-IA FUNCTION: IA Series-Engineering Engineering services are provided for projects involving I/A Series products. Specifics are defined in proposal/contract.

Item	Qty	Model	Description
80.00	1	VAS-ES-IA	IA Series-Engineering Lead Time (ARO): 12 Weeks VAS-ES-IA FUNCTION: IA Series-Engineering Engineering services are provided for projects involving I/A Series products. Specifics are defined in proposal/contract.

Item	Qty	Model	Description
90.00	1	VAS-ES-IA	IA Series-Engineering Lead Time (ARO): 12 Weeks VAS-ES-IA FUNCTION: IA Series-Engineering Engineering services are provided for projects involving I/A Series products. Specifics are defined in proposal/contract.

Item	Qty	Model	Description
100.00	1	VAS-ES-IA	IA Series-Engineering Lead Time (ARO): 12 Weeks VAS-ES-IA FUNCTION: IA Series-Engineering Engineering services are provided for projects involving I/A Series products. Specifics are defined in proposal/contract.

Item	Qty	Model	Description
110.00	1	VAS-ES-IA	IA Series-Engineering Lead Time (ARO): 12 Weeks VAS-ES-IA FUNCTION: IA Series-Engineering Engineering services are provided for projects involving I/A Series products. Specifics are defined in proposal/contract.

2. ASSUMPTIONS

- City of Idaho Falls will provide equipment mounting space and will be responsible for equipment mounting and cable installation / termination, per Schneider Electric Systems USA, Inc published guidelines.
- It will be City of Idaho Falls responsibility to provide unimpeded system access, system resources, and adequate workspace during all onsite programming and startup activities.
- Delays due to scheduling, coordination and City of Idaho Falls provided support, which result in on-site standby time or rescheduled on-site support for Schneider Electric Systems USA, Inc personnel may result in additional support cost at Schneider Electric Systems USA, Inc current hourly rates above those quoted.
- All Field support (hardware / software), field installation, field verification and field startup support including 3rd party device programming will be provided by others and coordinated by City of Idaho Falls or their representatives.

3. SCHEDULE

Upon receipt of purchase order and acceptance of order, please allow for up to an ten-week period for order delivery and six - weeks for scheduling and startup up preparation.

Material Delivery: 10 weeks

Preparatory Engineering: 6 to 8 weeks

Schedule to be determined after receipt of PO.

4. COMMERCIAL SUMMARY

4.1 PRICING

Pricing for Products and Services described in this quote:

Description	Net
Hardware / Software	\$28,299.33
Engineerig Services	\$111,674.78
Total	\$139,974.11

*Travel and Living expenses are in addition at Cost +10%.

4.2 PROPOSAL TERMS AND CONDITIONS

Proposal Acceptance:	This Proposal is valid for 30 calendar days from the date of this Proposal.
Firm Prices:	Prices are in US dollars and are firm for all Schneider Electric Systems USA, Inc equipment shipped and/or services. Pricing level is for a single purchase order. Multiple purchase orders may affect pricing.
Taxes/Duties:	Sales taxes, duties and other fees are not included in this quotation.
Freight:	Shipment is FOB factory and is pre-pay and add. Packing is for domestic shipment.
Terms of Payment/Schedule	100% Hardware/Software shipment All invoices are due and payable within 30 days from invoice date. Late charges may result in a late payment fee.
Services:	Man-hours of configuration and startup support are included in this proposed work scope. The rates included are for eight (8) hour weekdays, Monday through Friday. Overtime rates apply to labor and travel performed in excess of 8 hours and up to 12 hours, or on Saturday, and is charged at 1.5 times the hourly rate. Time or travel in excess of 12 hours, or on Sundays or Legal Holidays, is charged at 2 times the hourly rate. Hourly rate is the daily labor rate divided by 8 hours. Minimum billing is (1) day. If further labor is required which is not due to delays caused by Schneider Electric Systems USA, Inc, such labor can be provided on a time and material basis.

Travel & Living:

Travel and living expenses will be billed over and above labor charges as follows:

- Invoiced at cost plus 10%
- Travel time to the work site exceeding 30 minutes one way (daily and overtime rates apply)
- Mileage by auto is charged at \$.85 per mile from point of origin
- Regular meals and overnight accommodations, as required, for duration of work

Unless stated as included elsewhere in the Proposal, all engineering estimates do not include travel time which will be charged at an agreed to rate.

This quotation assumes standard work 8-hour days, Monday through Friday, Schneider Electric Systems USA, Inc holidays excluded.

**Please send your
purchase order to:**

Mail:
Schneider Electric Systems USA, Inc.
10900 Equity Drive
Houston, TX 77041
USA

Email:
processautomation.us@schneider-electric.com
cc : Eric.Hull@schneider-electric.com
Fax: 949-639-1508

Commercial Terms

" Schneider Electric Systems USA, Inc will pass through the terms and conditions for any directed subcontractors, notwithstanding the requirements of any contract between Schneider Electric Systems USA, Inc and Customer."

The following commercial terms are in effect – **Schneider Electric Systems USA, Inc General Terms & Conditions of Sale of Goods and Services and License of Software – Multiple Purchase Orders**

5. SYSTEM DRAWINGS

NA

PURCHASE REQUISITION NBR: 0000069153

REQUISITION BY: EL-BRNOX/JACE

STATUS: SUPERVISOR (#1)
REASON: SCADA/FIBER UPGRADE

DATE: 12/04/18

SHIP TO LOCATION: ELECTRIC ADM-IF POWER

SUGGESTED VENDOR: 7389 SCHNEIDER ELECTRIC SYSTEMS USA

DELIVER BY DATE: 12/15/18

LINE
NBR DESCRIPTION

QUANTITY UOM

UNIT
COST EXTEND
COST

VENDOR PART NUMBER

1 PROPOSAL FOR THE HARDWARE & SOFTWARE UPGRADE OF
THE IDAHO FALLS POWER FOXBORO SCADA SYSTEM FROM
THE CURRENT VERSION PCS6.0 TO PCS7.0
SOFTWARE LICENSES, HARDWARE & ENGINEERING.
TRAVEL & LIVING EXPENSES WILL BE IN ADDITION
AT COST +10%
HARDWARE/SOFTWARE NET \$28,239.33
ENGINEERING SERVICES 111,674.78
PER PROPOSAL #18EH280
COMMODITY: ELEC/IF POWER
SUBCOMMOD: ENGINEERING

REQUISITION TOTAL: 139974.11

A C C O U N T I N F O R M A T I O N

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	06490076037800	Construction Work orders		
		EA3830	100.00	139974.11
		M&G-Operation-SCADA Softw		139974.11

REQUISITION IS IN THE CURRENT FISCAL YEAR.

City of Idaho Falls
Expenditure Summary
From 11/01/2018 To 11/30/2018

Fund	Total Expenditure
General Fund	1,155,364.85
Street Fund	76,065.50
Recreation Fund	33,330.23
Library Fund	39,066.31
MERF Fund	54,097.63
EL Public Purpose Fund	39,420.26
Golf Fund	52,817.45
Self-Insurance Fund	23,332.82
Sanitary Sewer Cap Imp	9,407.71
Street Capital Imp Fund	9,886.10
Bridge & Arterial St Fund	2,275.28
Parks Capital Imp Fund	3,150.00
ZOO CAPITAL IMPROVEMENT	160,475.68
Civic Auditorium CIP	123,015.94
Airport Fund	50,192.17
Water Fund	971,230.44
Sanitation Fund	17,932.29
Ambulance Fund	45,667.31
Electric Light Fund	2,848,549.99
Fiber	5,076.08
Wastewater Fund	389,244.19
Payroll Liability Fund	3,734,924.12
	9,844,522.35

October 25, 2018 - Unapproved

The City Council of the City of Idaho Falls met in Regular City Council Meeting, Thursday, October 25, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue, Idaho Falls, Idaho at 7:30 p.m.

Call to Order:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember John Radford
Councilmember Jim Francis
Councilmember Shelly Smede
Councilmember Jim Freeman
Councilmember Michelle Ziel-Dingman

Also present:

All available department directors
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Pledge of Allegiance:

Mayor Casper requested Robert Akins, Veterans of Foreign Wars (VFW) member, to lead those present in the Pledge of Allegiance.

It was then moved by Councilmember Radford, seconded by Councilmember Smede, to remove item 4.C.1) Municipal Services, Treasurer's Report from the Consent Agenda. Roll call as follows: Aye – Councilmembers Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried. It was also moved by Councilmember Smede, seconded by Councilmember Dingman, to remove item 5.E.1) Community Development Services, Annexation and Initial Zoning for a portion of York Road, from the Regular Agenda. Roll call as follows: Aye – Councilmembers Dingman, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

Public Comment:

Mayor Casper requested any public comment not related to items currently listed on the agenda or not related to a pending matter.

Shannon Stewart, Idaho Falls, appeared. Ms. Stewart is upset about the business, Adam and Eve, located at 118 1st Street. She is upset that a sex shop was allowed to open within 50' of a residential area. She indicated the business will only attract sexual predators and deviants. Ms. Stewart commended the City of Idaho Falls for the infrastructure that makes her feel safe during storms and, the round-about on Elm Street.

Brenden Harris, Idaho Falls, appeared. Mr. Harris expressed his concern for the third resolution of the proposed City Flag Policy. He described flag design guidelines from the North American Vexillological Association (NAVA) style guide and urged the Council not to approve a design that is a "copy and paste" of the City Logo, and instead carefully pick a design that is memorable.

Jacob Mowrer, Idaho Falls, appeared. Mr. Mowrer read a list of identified missing in action in North Korea that have not been found from Idaho, including Ralph Cross from Idaho Falls. Mr. Mowrer indicated if the Prisoner of War/Missing in Action (POW/MIA) flag is removed it will be disgracing those people that fought for our freedom. Mr. Mowrer comes from a long line of military, some who fought in Vietnam and are listed on the Vietnam wall, and their remains have not been recovered. Mr. Mowrer urged the Council to not remove the POW/MIA flag.

October 25, 2018 - Unapproved

Donna Martin, Idaho Falls, appeared. Ms. Martin stated she also addressed the Council on July 30. She indicated names have been researched and were placed on the T-shirts worn by many in attendance, one of those names was a cousin of hers. Ms. Martin indicated that removing the flag will be disrespectful to past military service members, including 75 of her family members. She urged the Council to not degrade the men and women that have promised to serve by taking down the POW/MIA flag.

Kurt Holverson, Idaho Falls, appeared. Mr. Holverson indicated that Melaleuca Field is in his back yard. He distributed photos to the Councilmembers showing an alley in the area which is currently in need of some attention, including removal of a two-year old tree that will soon take over the fence it is against. Mr. Holverson asked for additional pavement to extend to the fence with striping for additional parking. He expressed concern regarding the speeding in the alley but has been told it is not feasible to put signage in alleys.

Nancy Shamel, Idaho Falls, appeared. Ms. Shamel stated she has attended all of the meetings concerning the POW/MIA flag. She understood from the October 22 Work Session that there has not been a complaint about the flag, but there is a possibility of a complaint. She believes it was obvious that Mr. Fife has an opinion about the POW/MIA flag and voiced it to the Council indicating that all groups believe their flag is the most important. Ms. Shamel believes no flag will supercede the veterans that fight for our Country so we can maintain freedom. She indicated in 1971 the flag was designed originally for the POW/MIA in Vietnam, but it now is used for all wars since World War II (WWII). Ms. Shamel presented the POW/MIA flag to the City as the president of the Vietnam Veterans Organization after the dedication of the Vietnam Veterans Memorial in the City. She indicated the POW/MIA flag has flown in the City for 28 years because the Mayors have respect for the veterans the flag represents, and it needs to fly daily as a reminder that the missing are never forgotten. She stated that because of the organization and, with the help of the Government, the remains of five (5) POW/MIA have been recovered and returned to their families to be buried in the United States (U.S.). Ms. Shamel indicated the POW/MIA flag flies in the U.S. Capital Rotunda continuously. She urged the Council to send any complaints that are made about the POW/MIA flag to a veteran to be educated on why they have the right to challenge and speak freely.

Bruce Aaron, Idaho Falls, appeared. Ms. Aaron indicated he has spoken to many groups and they are in support of the POW/MIA flag. He stated there are 1,500 individuals missing and 20,000 individuals missing in Korea. He indicated the POW/MIA flag means something to everyone as the flag is a National flag that has been flown in every City and he doesn't know why the City of Idaho Falls would take the POW/MIA flag down.

Kacey Jackman, Idaho Falls, appeared. Mr. Jackman is a member of the POW/MIA Awareness Organization from Pocatello. He reminded the Council that on August 10, 1990 the 101st Congress passed U.S. Public Law 101355 which recognized the flag and designated the flag the symbol of the Nations concern. He indicated according to the Defense POW/MIA Counting Agency as of October 19, 2018, there are still 82,191 individuals unaccounted for from WWII, Korea, Vietnam, Cold War, and Gulf War, including 355 individuals from the Idaho. Mr. Jackman stated that Idaho Falls needs to set the standard in southeast Idaho to not forget the reason the POW/MIA flag exists. He read from the proposed resolution regarding other flags and agrees there should be a policy on the reason to fly the POW/MIA flag so no one forgets why the flag is flown. Mr. Jackman urged the Council to consider a resolution that would have the POW/MIA flag to remain with the City, State and National Flag. He read a list of families in southeast Idaho that have had their lost loved ones returned to them many years later. He stated the missing veterans are missing every day and should be remembered every day.

Kraig McGee, Pocatello, appeared. Mr. McGee, and his parents, own and operate the Adam and Eve store in Idaho Falls as well as other Adam and Eve stores in Idaho. He stated they are not zoned as a sexually oriented business and have complied with all codes and ordinances. Mr. McGee stated he is open for discussion with members of the community. He is troubled when a member of the community comes into his place of business and threatens and scares his staff members and threatens to burn down the property. Mr. McGee stated his business does not condone elicit acts, but rather promotes love and monogamy.

Jerry McManus, Idaho Falls, appeared. Mr. McManus stated he would love to see the POW/MIA flag stay flying and it would be a disgrace to remove the flag.

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Bruce Aaron, Idaho Falls, reappeared. He questioned when the vote on the POW/MIA flag would happen. Mayor Casper indicated the schedule has not been set, although there is intent to discuss this issue at the November 5 Work Session and consider a vote at the November 8 Council Meeting, prior to Veterans Day.

Dustin Daum, Idaho Falls, appeared. Mr. Daum stated he was raised on military bases all over the country with both his parents being retired Air Force. He has many family members that have served and/or are serving in the military. Mr. Daum stated the POW/MIA flag is a source of pride for all military members especially ones that are on a journey to reintegrate into society and taking the flag down will make the journey more difficult. He expressed his appreciation to the military for their service.

Larry Watson, Ammon, appeared. Mr. Watson is a military veteran. He stated that military members took an oath to serve and that oath didn't end when they left the service. He also stated they took an oath to the Country and the POW/MIA flag reminds them of their brothers and sisters they served with and they are one big military family.

Mike Crowley, Idaho Falls, appeared. Mr. Crowley served in Vietnam in 1967. He stated that when he came home from Vietnam he was spit on, and taking the POW/MIA flag down is doing the same thing again. Mr. Crowley asked the Council to leave the POW/MIA flag up and flying.

Kurt Bankinstein, Idaho Falls, appeared. Mr. Bankinstein related his story of serving in the military when he was young, he was not old enough to drink, smoke, or vote. He stated that four (4) tours took a toll on him mentally and physically. He was told if he was injured the Veterans Administration (VA) would take care of him. He went to the VA when he was discharged for medical reasons and was denied help. Mr. Bankinstein indicated the VA is a government entity telling veterans they are no longer worth their time and not valuable. He stated that removing the POW/MIA flag will send the message that the veterans are not worth the time and are yesterdays' garbage. He questioned who will take up arms to protect the Country.

Cinda Hammond, Bonneville County, appeared. Ms. Hammond is a spouse of a 20-year veteran who was in submarines for six (6) months out of the year and had no communication. She stated families of POW/MIA veterans are feeling they have no communication or closure for 66 years. She also stated the POW/MIA flag is a reminder that there are still people missing and they are not going to be forgotten. Ms. Hammond indicated this is not some silly flag of an organization, it is a National flag and it is displayed proudly across the Country and Idaho Falls will do a disservice if they vote to remove the POW/MIA flag.

Bob Akins, Idaho Falls, appeared. Mr. Akins is a member of several military organizations. He stated that when he was serving in the military, some of his friends were killed in action and some are still missing in action. He also stated there are 92,000 individuals unknown. The POW/MIA flag is a National flag and needs to be recognized. Mr. Akins plead with the Council to not take the POW/MIA flag down.

Rachel Edwards, Idaho Falls, appeared. Ms. Edwards has family that has served in military. She is trying to teach her children what the POW/MIA flag means as it is not being taught in schools anymore.

Alex Morrison appeared. Mr. Morrison has family members that are retired military. He stated the POW/MIA flag represents everyone that was a prisoner, and everyone that has not come home. The right to be in this meeting and have this discussion is because of the sacrifices given by the military and the ones that gave their lives for freedom.

William Hayes, Idaho Falls, appeared. Mr. Hayes is a Vietnam Veteran. He stated the Vietnam Vets do not need to be thanked for their service, they need to be welcomed home.

Joseph Behling, Ammon, appeared. Mr. Behling leads the Bonneville County Veterans Memorial Team and serves military families in the Idaho Falls area. He was told from a government agency he could have a job only if he took down his POW/MIA flag from his cubicle. He left that job and went to a job that applauded him flying his POW/MIA flag. Mr. Behling stated his uncle was a POW in WWII. He is appalled at some of the responses from the City Council on this matter. He stated that POW/MIA is not a group flag, it is an emblem that represents those

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who never came home and those who were held and tortured in war. He also stated our youth need to have the example and see the POW/MIA flag and know why they are free. Mr. Behling indicated if City Council cannot see the importance and vote unanimously to keep the POW/MIA flag flying, then they need to be removed from office.

Elaine Gunderson, Idaho Falls, appeared. Ms. Gunderson stated she is not an American but knows the importance and honor of the POW/MIA flag. She is a British Veteran and the POW/MIA flag does not exist in Britain, but she would love to see one fly. Ms. Gunderson stated one of her uncles fought in WWII and went down in 1942 and his body was never found, along with the members of his crew he served with. She asked the Council to not dishonor the memory and keep the POW/MIA flag flying.

Unidentified female appeared. She stated her father served in the military and flies the POW/MIA flag on his motorcycle. It is a disgrace that anyone on the Council would consider taking down the flag. She believes it is a disgrace to the community that this issue is up and that it would be compared to a NAMBLA flag or a Nazi flag. She indicated the State Statute states the Veterans Association advises the POW/MIA flag be flown 365 days as long as the American flag is flying.

Jerry Harwood, Idaho Falls, appeared. Mr. Harwood served 20 years in the Air Force, Vietnam Air Vet, and Dessert Storm Vet. He stated the POW/MIA flag is a learning tool and if it is taken away it is removing a part of history.

Frank Smith, Idaho Falls, appeared. Mr. Smith stated he has seen changes in the City. He is an Air Force Vet from 1964-1968. He used to be proud of the City and the way they honored the Veterans although in the last ten (10) years the town has changed. Mr. Smith is happy that so many people are in attendance tonight to express what the POW/MIA flag means to them. He stated the flag helps everyone to remember.

Unidentified male appeared. He is a Vietnam Navy Vet and was honored to fly with a group of Veterans to Washington D.C. He stated the POW/MIA flag is not just for Vietnam Veterans, but for all wars and is flown at all WWI, WWII, Korean, Vietnam Veteran Memorial, Vietnam Wall, and Arlington National Cemetery. 300 students met the Veterans at the wall and they were Korean and Vietnamese and they each carried the POW/MIA flag. He stated taking the POW/MIA flag away is doing a dishonor to the Country and the people that shed blood for our freedom and the families left behind.

Unidentified female appeared. She stated she has no clothing to represent her brother who was killed in action. She stated by denying the people the remembrance of the POW/MIA flag, there is no respect for the military. The military is the reason we are not speaking German or Japanese.

Todd Jensen, Blackfoot, appeared. Mr. Jensen has family members who are POW/MIA. He stated if the POW/MIA flag is removed, the hope is removed.

Jason Anderson, Idaho Falls, appeared. Mr. Anderson works for National Write Your Congressman who encourage responsible Americans to use their influence in government to maintain freedoms. He stated that attendance tonight should speak to the voice that the City is giving. He urged the Council to be pragmatic about the vote.

Darrell Homer, Idaho Falls, appeared. Mr. Homer stated he does due diligence when he votes. He also stated the flag policy is likely something that needs to happen, but the Councilmembers need to do their due diligence to find out what the POW/MIA flag stands for and its history. Mr. Homer stated the POW/MIA veterans have no voice here today although their brothers and sisters are here and passionate about taking care of their family. He believes the POW/MIA flag needs to fly daily. He stated that flying it daily will not desensitize the public, but will be a daily reminder that all efforts need to be taken to get prisoners released and the remains of others returned and accounted for.

Mayor Casper stated possible dialogue could be forthcoming for clarification and any misunderstanding. She expressed her appreciation to those in attendance.

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Consent Agenda:

Office of the Mayor requested approval of reappointments to City Boards, Commissions and Committees: Terri Gazdik – Idaho Falls Redevelopment Agency, reappointment; Gene Hicks – Planning and Zoning Commission, reappointment; Kim Smith – Historic Preservation Commission, reappointment; David Novack – Idaho Falls Business Assistance Corporation, reappointment; Matt Hill – Parks & Rec Commission, reappointment; Brian McGiff – Golf Advisory Board, reappointment; Matt Hill – Shade Tree Committee, reappointment; Kim Johnson – Shade Tree Committee, reappointment; and, Kerry Beutler – Shade Tree Committee, reappointment.

Public Works requested approval of Bid Award – 18th and 19th Street Water Line between S. Emerson Avenue to Higbee Avenue.

Municipal Services requested approval of Bid IF-19-A, Road Salt for Public Works; and, Quote: Replacement Dimming System for the Idaho Falls Civic Center for the Performing Arts.

The City Clerk requested approval of the Expenditure Summary for the month of September, 2018; minutes from the September 10, 2018 Council Work Session and Executive Session; and September 13, 2018 Council Meeting; and, license applications, all carrying the required approvals.

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

Regular Agenda:

Office of the Mayor

Subject: Community Support Grant Committee Summary

For consideration is the summary of funding recommendations from the Community Support Grant ad hoc citizen committee. As discussed, the report provides a detailed breakdown of the grant funding recommended for each nonprofit organization that applied for public funding during the 2018-2019 fiscal year. The total Community Support Grant package is in the amount of \$121,000.

Mayor Casper stated the Community Support Grant Committee presented their summary at the October 22 Council Work Session.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to approve the Community Support Grant awards in the amount of \$121,000. Roll call as follows: Aye – Councilmembers Dingman, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

Municipal Services

Subject: Sole Source Purchase of One (1) CALIBER T5 Robot for Police Department

The Municipal Services Department requests authorization to advertise the City's intent to make a sole source procurement per I.C. § 67-2808, and to issue a purchase order to purchase one (1) CALIBER T5 Robot for Explosive Ordnance Device (EOD) and SWAT missions from ICOR Technology, Inc. of Ottawa, Ontario for a total amount of \$161,647.70. Funds to purchase the T5 Robot come through a grant secured from the Bureau of Homeland Security, Idaho Office of Emergency Management for the Region 7 Bomb Squad.

Councilmember Radford stated this robot will be used within the region.

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It was moved by Councilmember Radford, seconded by Councilmember Dingman, to advertise the City's intent to make a sole source procurement, per I.C. § 67-2808, and then to issue a purchase order to purchase one (1) CALIBER T5 Robot from ICOR Technology, Inc. of Ottawa, Ontario for a total amount of \$161,647.70. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

Subject: Purchase of Used Auditorium Seats for the Idaho Falls Civic Center for the Performing Arts

Municipal Services requests the authorization to purchase used Irwin performance auditorium chair for the Idaho Falls Civic Center for the Performing Arts from Preferred Seating Company for the purchase, shipping and installation of 1,800 used auditorium seats for a total \$107,598. This purchase will provide temporary seating while new theater seats are in production. Upon installation of the new seats, the temporary seats will be sold through surplus. Funds to purchase the used auditorium seats are budgeted in the 2018/19 Municipal Services, Civic Center budget.

Councilmember Radford stated the original company failed to meet the contractual obligation. The seats will be purchased from another company in spring 2019.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to purchase used Irwin performance auditorium seats for the Idaho Falls Civic Center for the Performing Arts for a total amount of \$107,598. Roll call as follows: Aye – Councilmembers Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

Subject: Bid IF-19-03, Mechanical Gala Lift System: Idaho Falls Civic Center for the Performing Arts

Formal Bid IF-1903 for the mechanical Gala Lift System for the Idaho Falls Civic Center for the Performing Arts was advertised as required. The City did not receive any bid submissions. Therefore, the Municipal Services Department is requesting the authorization to seek prices on the open market in order to proceed with this project.

Councilmember Radford stated the Gala Lift System will allow the orchestra pit to be used as a stage. Councilmember Freeman noted this Gala Lift System was purchased by an additional donation from the Maeck Foundation. Mayor Casper stated the current process involves manual work of employees.

It was moved by Councilmember Radford, seconded by Smede to authorize to seek prices on the open market in order to proceed with this project. Roll call as follows: Aye – Councilmembers Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried.

Subject: Write-off of Unpaid Ambulance Service Accounts

The Municipal Services and Fire Departments respectfully request authorization to write-off ambulance service accounts determined as uncollectible for the service dates of 2014, 2015, 2016 and 2017 for a total amount of \$4,397,679.80.

Councilmember Radford stated general accounting principles must be followed for fiscal responsibility, including a write-off policy. This amount represents monies that could not be collected from insurance companies, including 70% as uncollectable from Medicare/Medicaid. Every opportunity was made to ensure money is collected, including third-party assistance. He briefly reviewed the uncollectable reasons.

It was moved by Councilmember Radford, seconded by Smede, to write-off ambulance service accounts determined as uncollectible for the service dates of 2014, 2015, 2016 and 2017 for a total amount of \$4,397,679.80. Roll call as follows: Aye – Councilmembers Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

Subject: Write-off of Unpaid Utility Service Accounts

Municipal Services, Idaho Falls Power and Public Works respectfully request authorization to write-off approximately 923 utility service accounts for calendar year 2013 determined as uncollectible following outside collection agency efforts for a total of \$349,319.40.

Councilmember Radford briefly reviewed uncollectible reasons for the utility write off. Councilmember Smede noted if any individual attempts to reconnect for utility service, they would be responsible for any past due amounts.

It was moved by Councilmember Radford, seconded by Smede, to write-off utility service accounts for calendar year 2013 determined as uncollectible for a total of \$349,319.40. Roll call as follows: Aye – Councilmembers Hally, Radford, Francis, Dingman, Smede, Freeman. Nay – none. Motion carried.

Public Works

Subject: State/Local Agreement with the Idaho Transportation Department for a Pavement Management System

For consideration is a State/Local Agreement with the Idaho Transportation Department and accompanying Resolution with respect to the Pavement Management System project. This agreement requires City financial contribution toward the entire project with a match rate of 7.34% for an estimated total of \$5,505.00.

Councilmember Freeman stated this project was presented by the Bonneville Metropolitan Planning Organization (BMPO). This item was discussed at the October 22 Council Work Session.

It was moved by Councilmember Freeman, seconded by Councilmember Francis, to approve the State/Local Agreement with the Idaho Transportation Department and accompanying Resolution for the Pavement Management System project, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

RESOLUTION NO. 2018-26

WHEREAS, THE IDAHO TRANSPORTATION DEPARTMENT, HEREAFTER CALLED THE STATE, HAS SUBMITTED AN AGREEMENT STATING OBLIGATIONS OF THE STATE AND THE CITY OF IDAHO FALLS, HEREAFTER CALLED THE CITY, FOR DEVELOPMENT OF A PAVEMENT MANAGEMENT SYSTEM.

Subject: Iona Bonneville Sewer District (IBSD) – Request for Sewer Service Area Reduction

Public Works is in receipt of a request from the IBSD to decrease the District's Sewer Service Area boundary by 28.39 acres. The proposed area for reduction is adjacent Thunder Ridge High School.

Mayor Casper stated the following two (2) items were discussed at the October 22 Council Work Session.

It was moved by Councilmember Freeman, seconded by Councilmember Francis, to approve the request from the IBSD and to authorize a decrease in the District's Sewer Service Area boundary by 28.39 acres. Roll call as follows: Aye – Councilmembers Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

Subject: Iona Bonneville Sewer District (IBSD) – Request for Sewer Service Area Expansion for Teton Commercial Park:

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Public Works is in receipt of a request from the IBSD to increase the District's Sewer Service Area boundary by 58.67 acres for Teton Commercial Park. The proposed expansion area is for inclusion of the property located at the northeast corner of the intersection of 25th East (Hitt Road) and Lincoln Road.

It was moved by Councilmember Freeman, seconded by Councilmember Francis, to approve the request from the IBSD and to authorize an increase to the District's Sewer Service Area boundary by 58.67 acres for Teton Commercial Park. Roll call as follows: Aye – Councilmembers Dingman, Radford, Francis, Smede, Hally, Freeman. Nay – none. Motion carried.

Idaho Falls Power

Subject: Ordinance Adopting High-Density Load Rates

Increased customer demand for high-density load capacity to operate crypto-mining and other intensive electrical uses requires a change to Title 8, Chapter 5, of the City Code. The proposed Ordinance creates a high-density load rate; changes some security lighting requirements; changes the large single-load rate and the large power temporary or construction rate; and, aligns Chapter 5 with approved City billing practice. The draft Ordinance was previously considered by the Council at the Idaho Falls Power Board meeting on September 27, 2018.

Councilmember Hally stated the use of electricity has changed over the course of years and this ordinance will address the demand for such use. This item was discussed at length at the October 25 Idaho Falls Power (IFP) Board Meeting.

It was moved by Councilmember Hally, seconded by Councilmember Radford, to approve the High-Density Load Rate Ordinance 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, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

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

ORDINANCE NO. 3222

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 8, CHAPTER 5 TO ADOPT APPROVED CITY BILLING PRACTICES; CHANGE SECURITY LIGHTING; ESTABLISH A HIGH-DENSITY LOAD RATE; CHANGE THE LARGE SINGLE LOAD RATE AND LARGE POWER TEMPORARY OR CONSTRUCTION RATE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Subject: Electric Line Extension Fee Waiver Resolution

For consideration is an electric line extension fee waiver resolution which identifies the geographical areas within city limits which are eligible for a waiver of up to fifty percent (50%) of the Idaho Falls Power (IFP) labor portion of their line extension fees. The map identifies the areas that the City wishes to encourage development and/or redevelopment where existing electric infrastructure exists.

Councilmember Hally stated this item was discussed at the October 25 IFP Board Meeting. This resolution will allow waivers to incentivize areas in dilapidated locations. Councilmember Dingman stated this resolution will refine the process for the fee waivers. She believes this is an economic development tool. Councilmember Freeman stated this resolution will allow consistency with developers.

It was moved by Councilmember Hally, seconded by Councilmember Radford, to approve the Electric Line Extension Fee Waiver Resolution, and give authorization for the Mayor and City Clerk to execute the necessary

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documents. Roll call as follows: Aye – Hally, Smede, Dingman, Freeman, Francis, Radford. Nay – none. Motion carried.

RESOLUTION 2018-27

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, IDENTIFYING GEOGRAPHICAL AREAS WITHIN CITY LIMITS WHICH ARE ELIGIBLE FOR CONSIDERATION FOR ELECTRIC LINE EXTENSION FEE WAIVER BY THE COUNCIL; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Subject: Joint Power Agreement with City of Ammon for Fiber Connection

For consideration is a Joint Power Agreement between the City of Idaho Falls and Ammon for connection of fiber infrastructure. The purpose of the agreement is to memorialize the conditions under which Ammon and Idaho Falls can co-locate respective fiber optic lines and associated equipment at the same points of presence.

Councilmember Radford stated the City recognizes the need to build digital infrastructure as well as providing fiber to each meter and residence within the City. Councilmember Francis stated this item was discussed at the October 25 IFP Board Meeting. He believes this is important for education, school safety, and public safety. Councilmember Hally stated connections are being shared for a specific reason, this is important to the total region.

I was moved by Councilmember Radford, seconded by Hally, to approve the Joint Power Agreement with the City of Ammon for fiber connection, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Smede, Hally, Radford, Dingman, Freeman, Francis. Nay – none. Motion carried.

Community Development Services

Subject: Public Hearing – Rezone from PB to R3A, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Portion of Lot 4, Block 2, Parkwood Addition, Division No. 4

For consideration is the application for Rezoning from PB to R3A, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Portion of Lot 4, Block 2, Parkwood Addition, Division No. 4. The Planning and Zoning (P&Z) Commission considered this item at its September 11, 2018 meeting and recommended approval by a 6-2 vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record.

Community Development Services Director Brad Cramer appeared with the following:

Slide 1 – Property under consideration in current zoning

Director Cramer stated the property was annexed in 1978, there is no known, specific reason for the current zoning.

Slide 2 – Comprehensive Plan Future Land Use Map

Slide 3 – Aerial photo of property under consideration

Slide 4 – Additional aerial photo of property under consideration

Slide 5 – Photo looking south at east entrance

Slide 6 – Photo looking south along Homer Avenue

Slide 7 – Photo looking east from Homer Avenue

Councilmember Francis questioned the height limit for a PB Zone versus a R3 Zone. Director Cramer stated the PB Zone height limit is two (2) story or 24 feet. The current R3A Zone does not currently have a height limit although a height limit with graduated setbacks will be requested in the near future. Councilmember Francis questioned the buffer requirements within the two (2) zones. Director Cramer stated the buffering requirements are similar.

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Mayor Casper requested any public comment.

Blake Jolley, Connect Engineering, appeared. Mr. Jolley stated the property owners are looking for the best flexibility and options of the area.

Unidentified male appeared. He questioned the R3A Zone.

Director Cramer stated R3A Zone is a residential zone which allows single-family home or an apartment complex at a density of 35 units per acre. This zone also allows professional businesses, including day care centers.

Councilmember Radford questioned the construction of a lower retail center with housing on top. Director Cramer stated that would not be allowed as a new structure in this zone.

Mayor Casper closed the public hearing.

Councilmember Smede stated the changes would allow a smoother transition from the existing single-family residences to the existing commercial businesses. She indicated the required entrance on John Adams Parkway could be revised if needed. High-density residential is the predominant land use in this area.

Councilmember Francis questioned the concern from the P&Z regarding the height of a potential structure. Director Cramer stated the applicant has the right to have the application considered under the current rules. Mr. Fife concurred.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Ordinance rezoning a portion of Lot 4, Block 2, Parkwood Addition, Division No. 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 – Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

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

ORDINANCE NO. 3223

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF A PORTION OF LOT 4, BLOCK 2, PARKWOOD ADDITION DIVISION 4 AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM PB ZONE TO R3A ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for rezoning a portion of Lot 4, Block 2, Parkwood Addition, Division No. 4, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Hally, Radford, Francis, Dingman, Smede, Freeman. Nay – none. Motion carried.

Subject: Public Hearing – Annexation and Initial Zoning of R2, LC, and HC, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, Yellowstone and Poitevin Additions

For consideration is the application for Annexation and Initial Zoning of R2, LC, and HC, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, Yellowstone and Poitevin Additions. The Planning and Zoning Commission considered this item at its September 11, 2018 meeting and recommended approval by a 7-1 vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record.

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Director Cramer appeared with the following:

Slide 1 – Property under consideration in current zoning

Director Cramer stated this is a Category B, City-initiated annexation. He stated there is intent to address the commercial County island in the near future.

Slide 2 – Aerial photo of property under consideration

Slide 3 – Additional aerial photo of property under consideration

Director Cramer stated there is a mix of single-family and multi-family residential

Slide 4 – Comprehensive Plan Future Land Use Map

Slide 5 – Aerial photo of proposed zoning, R2, LC, HC

Director Cramer stated two (2) public neighborhood meetings were held to discuss the zoning options and zoning preferences. He stated of those residents in attendance, the mix of commercial and residential zoning was preferred. This area is currently serviced with City sewer and water from a 1980 Local Improvement District (LID) agreement.

Slide 6 – Photo looking east across Atlanta Street

Slide 7 – Photo looking east down Houston and Albany Streets

Slide 8 – Photo looking west down Houston, Albany, and Carson Streets

Slide 9 – Photo looking south down Colorado Street

Slide 10 – Photo of vacant properties along I-15

Councilmember Smede clarified the services currently served by Bonneville County. Director Cramer stated the neighbors expressed frustration between City and County not wanting to take ownership of this area. He indicated the City is willing to take ownership. Councilmember Freeman questioned the City takeover of the electric services. Director Cramer stated any electric service would have to be requested by the neighborhood.

Mayor Casper requested any public comment.

Sherri Jo McManus, Idaho Falls, appeared. Ms. McManus submitted a petition signed by several neighbors who are against the annexation. She stated no one in the neighborhood wants to be annexed into the City due to the privacy. She read a statement from Deloris Smith: Ms. Smith stated when she purchased her home she made an effort to know the neighborhood. Many stories have been told about the neighborhood which indicated Happy Lemon willed his property for a park for a safe place for children to place. Ms. Smith has recently watched condos being built. She questioned the promise of the park in the neighborhood. The neighbors work to keep properties neat. Ms. Smith stated Bonneville County is responsible for the weeds, she has requested County assistance for the weeds on multiple occasions but this has not happened. She reiterated the park needs developed, children have almost been hit by cars that do not respect the speed limit. She also stated the notice sign has only been in place for three (3) days. Ms. McManus stated condos are destroying the backside of her property. Most of the neighbors are elderly and ailing. There is no where for children to play as there is no park for two (2) miles.

Councilmember Francis questioned information regarding the park referred to by Ms. McManus. Director Cramer identified the adjacent park, which is currently included in City limits.

Mayor Casper closed the public hearing.

Councilmember Smede stated the annexation would help with the issues described by Ms. McManus. Councilmember Freeman concurred. He believes current problems within the neighbor may be due to the lack of City police services. Mayor Casper believes there is an equity issue associated with providing City services to non-City taxpayers. Councilmember Dingman also believes this is an equity issue and believes there are many benefits to annexation. Councilmember Radford stated conversations have occurred regarding this park with additional future conversations to occur. Councilmember Smede believes there could be assistance with the weed issue.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Ordinance annexing Yellowstone and Poitevin Additions, under the suspension of the rules requiring three complete and

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separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

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

ORDINANCE NO. 3224

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 28.51 ACRES DESCRIBED IN SECTION 1 AND EXHIBIT A OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for Yellowstone and Poitevin Additions, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to assign a Comprehensive Plan Designation of “Commercial and Higher and Lower Density Residential” and to approve the ordinance establishing the initial zoning for Yellowstone and Poitevin Additions as HC, LC, and R2 Zones, 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 City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning Office. Roll call as follows: Aye – Dingman, Radford, Francis, Smede, Hally, Freeman. Nay – none. Motion carried.

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

ORDINANCE NO. 3225

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 28.51 ACRES DESCRIBED IN SECTION 1 AND EXHIBIT A OF THIS ORDINANCE AS HC, LC AND R2 ZONES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of HC, LC, and R2 Zones for Yellowstone and Poitevin Additions, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

Subject: Public Hearing – Rezone from R3A, R2, and RP to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Portion of Lots 1-2, Block 1, Hatch Division 1 and Lots 21-23, Block 1, Hatch Division 5 plus half of the adjacent Right-of-Way (ROW) on Carol Avenue

For consideration is the application for Rezoning from R3A, R2, and RP to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Portion of Lots 1-2, Block 1, Hatch Division 1 and Lots 21-23, Block 1, Hatch Division 5 plus half of the adjacent ROW on Carol Avenue. The Planning and Zoning Commission considered this item at its September 11, 2018 meeting and recommended approval if the City Council vacated the portion of Carol Avenue by a 5-4 vote. Although the recommendation was contingent on the vacation of the street, rezoning cannot be done conditionally. The rezone must be considered independent of the street vacation. Because this item has been considered twice by the Planning and Zoning Commission, once with the proposed vacation and once without, and both times the vote has been a split recommendation, staff is comfortable bringing the current

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application forward for consideration without remanding it back to the Commission. Staff recommends approval of the request for reasons outlined in the staff report.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record.

Director Cramer stated this item was advertised as a hearing for a rezone and another hearing for the vacation of Carol Avenue. However, following additional Legal staff discussion, this item will only address the rezone as the items must be considered separately. A property cannot be rezoned conditionally, likewise, the vacation cannot occur conditionally. In rezone hearings the zone itself is discussed, not the land use. If the vacation is considered before a rezone there is no reason to vacate the street. If the vacation is considered after a rezone there may or may not be a reason to vacate the street. If the zone is approved, additional action can still occur. This discussion and decision should be based on a rezone only. Director Cramer stated the P&Z recommendation is not an advisable motion to make. He noted this will be the fourth hearing on this property.

Director Cramer stated he received an email from Jon Richard Barnes, 1963 Caribou Street. The email was not received in time to be included in the Council packet. Director Cramer read the email in its entirety: I would like to voice some concerns that I have on the proposed Zone change on Carol Avenue. Foremost of my concerns is the fact that even though this change has been proposed and declined in past, it continues to find its way back into vote. I feel as though those proposing the change are attempting to slip it in under the radar of those who do not approve of it, or are merely waiting for the afore mentioned individuals to become apathetic enough to let the vote pass. I do not appreciate this. I have not voiced my opinion on this matter in the past due to the fact that I have just recently turned 18 just over a month ago. I have lived in this neighborhood for over 12 years, and I love the quiet peace it has, despite the fact that it is located near to businesses and commercial areas. The zone change would negate the entire feel of the neighborhood. I hope that you will not take my new status as a voting citizen for granted, but will rather see it as an indicator of how passionate I am against this proposition. I know that the change could have several very positive benefits, in terms of both jobs and economic growth of the area, but I do not believe it is at the desire of the people who the change would affect. The purpose of government is to serve the people, and this is not something I believe will be done properly by the instatement of this new change. Sincerely, Jon Richard Barnes.

Director Cramer then presented the following:

Slide 1 – Property under consideration in current zoning

Director Cramer stated this proposed rezone includes a portion of Carol Avenue. All roads in the City have a zone due to annexation and the need for land uses.

Slide 2 – Aerial photo of property under consideration

Slide 3 – Additional aerial photo of property under consideration

Slide 4 – Comprehensive Plan Future Land Use Map

Director Cramer stated all zones that currently sit on the property are consistent with the designations, the proposed zone is also consistent with the designations.

Slide 5 – Zoning Ordinance rezoning considerations

Director Cramer stated things to consider for a rezone include consistency with the principles of the Comprehensive Plan, the potential effects on traffic congestion as a result of development or change of land use exceeding the capacity of public services (sewer, water, school capacities, trash collection), nuisances, health and safety hazards, and, recent changes on adjoining parcels in the neighborhood for the proposed amendment.

Slide 6 – Photos of front and rear of property

Slide 7 – Photos of corner of 1st Street and Woodruff Avenue

Slide 8 – Photos of homes on Carol Avenue

Slide 9 – Photos looking north and south along Carol Avenue

Slide 10 – Photos looking along 1st Street

Slide 11 – Comprehensive Plan Policies

Director Cramer stated the map does not speak to the livability of the community. It does not address how new development looks or how it works. It does not help us create change that is as good, or better, than what we presently have.

Slide 12 – Comprehensive Plan Policies - referencing neighborhood and community services

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Slide 13 – Aerial photo of property under consideration - Woodruff Avenue and 1st Street is an arterial corner

Slide 14 – Purpose of the LC zone - designed to be near neighborhoods

Slide 15 – Comprehensive Plan Policies - perimeter landscaping and buffer development requirements

Slide 16 – LC Zone Site Design Requirements - landscaping and buffer requirements

Slide 17 – Comprehensive Plan Policies - commercial development

Slide 18 – Photo of example of vacated road

Slide 19 – Photo of arterial and residential street

Slide 20 – Photo of developments in neighborhoods

Slide 21 – Photo of new development

Slide 22 – Photo of Broadway example

Slide 23 – Photo of 17th Street example (Natural Grocers)

Slide 24 – Photo of Sunnyside Road example

Slide 25 – Additional aerial photo of property under consideration

Director Cramer stated due to this property being located at an arterial corner, it is not a deep enough property to accommodate any more access onto 1st Street. A site plan could include an access onto Carol Avenue and tie into 1st Street.

Councilmember Dingman questioned any previous rezones that may be inconsistent with adjacent land uses in the previous three (3) years. Director Cramer could not recall any other rezones. Councilmember Francis confirmed Council approval would include the additional extension of Carol Avenue and the remaining area rezoned to LC Zone.

Mayor Casper requested public comment from the applicant.

Dean Mortimer, 7403 S. 1st E., Idaho Falls, appeared. Mr. Mortimer represents Commerce Properties, LLC, which includes the four (4) properties at 100 N. Woodruff, as well as 127 Carol Avenue, 165 Carol Avenue, and 160 Carol Avenue (this property was acquired following the previous rezone request). Mr. Mortimer concurred with Director Cramer on why the rezone to LC is important. He stated the rezone will fit within the Comprehensive Plan. He also stated the property is in transition and the rezone can help with upgrade. Mr. Mortimer indicated there was a lot of concern about the traffic on Carol Avenue, therefore after the previous hearing testimony he filed an application to vacate Carol Avenue to mitigate the traffic. He recognizes if the rezone is approved he will have to ensure there is mitigation to make it a nice addition and, the redevelopment fits within the neighborhood and the other three (3) corners. Councilmember Smede questioned how the new plan will help with the traffic problem. Mr. Fife stated the traffic issue is beyond the scope, only the traffic from the uses allowed in the zone requested can be discussed. Mr. Mortimer stated traffic has been mentioned as well as access, both of which would be taken into consideration regarding Carol Avenue as the traffic flow would be affected.

Mayor Casper requested any public comment.

Duane Oswald, Idaho Falls, appeared. Mr. Oswald stated he uses Carol Avenue as an exit and entrance to 1st Street and hasn't had to wait long to get onto 1st Street. He does not understand destroying a corner to put in something that will increase the traffic problem. He stated the wrecks have been on Woodruff Avenue.

Mr. Fife stated applause is not appropriate as it is disruptive and testifies in a different way. Mayor Casper clarified applause is appropriate during the "public comment" section. She stated a "public hearing" is part of State law as a quasi-judicial process and testimony must be received formally.

Robert Haskins, Idaho Falls, appeared. Mr. Haskins presented a petition that was signed by approximately 200 residents from the Hatch Addition. He stated the notice was a sign that was placed five (5) days ago. He requested to read a letter from Ms. Laura Wadlington, 330 Joan Avenue, Idaho Falls. Ms. Wadlington worked for Mr. Mortimer in the 1980's. She was contacted by Mr. Mortimer to obtain information of the residents in the Hatch Addition in order to hold a neighborhood meeting. She did not give the information to Mr. Mortimer. Ms. Wadlington stated once the zoning is changed to LC the City can continue to rezone adjacent property easily. She

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indicated that the Hatch Addition is densely populated by people that are against the request. She asked the Council to consider the home owners request to maintain peace and tranquility. She believes the LC Zone would decrease the value of the homes and also believes the vacation of Carol Avenue would send all traffic to Hatch and Caribou. Ms. Wadlington voiced concerns about school bus and children. She indicated Mr. Mortimer told her the office building and homes are costing him a lot of money to keep rented and he can just let them go unrepaired and unsightly. Mr. Haskins expressed his frustration about not being able to talk about the vacation. He presented communication from the Idaho Falls Police Department staff regarding traffic accidents on 1st Street and Carol Avenue and, 1st Street and Woodruff Avenue. In the last 12 months, there were no accidents at 1st Street and Carol Avenue and there were 23 accidents at 1st Street and Woodruff Avenue. Mr. Haskins indicated the transportation plan from Bonneville County showed 1st Street and Woodruff Avenue in the top 10 dangerous intersections. He believes additional commercial business on that intersection would create more accidents. He stated, according to the Comprehensive Zoning, things to be considered when establishing zones is the suitability of land for a particular use with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City. He also stated the Comprehensive Zoning is to promote the health, safety, peace and general welfare of the inhabitants of Idaho Falls; to protect the tax base; protect property values; avoid undo concentration of population; and, prevent the overcrowding of land. Mr. Haskins doesn't believe this proposal meets the conditions. He also doesn't believe the City can break the "zoning contract" that he purchased his home under.

Don Backman, Idaho Falls, appeared. Mr. Backman stated changing the zoning of the two (2) residences to LC is fine, but there is no need to rezone to the center of Carol Avenue and, closing Carol Avenue will have a major impact on the neighborhood. Mr. Fife explained discussion can occur regarding the change of the zone impacts, but not the vacation of Carol Avenue. Mayor Casper reiterated the separation of rezoning and vacation. Mr. Backman stated the rezone is fine, but the rezone doesn't need to go any further. He indicated the residents in attendance came because they were under the impression that the vacation was going to be discussed. Mayor Casper stated Director Cramer withdrew the vacation because they are standalone items and conditional approval doesn't make sense, so logically rezoning has to come first. Mr. Fife stated it is okay to mention Carol Avenue as part of the proposal for rezone.

Brent Butikofer, Rigby, Idaho, appeared. Mr. Butikofer is a commercial broker helping with this disposition. In reply to Councilmember Smede's question regarding the safer corner, Mr. Butikofer stated the curb cuts are outdated and are too close to the intersection, which are not sufficient for today's standards. A rezone would allow the curb cuts to be moved farther away from the intersection where the homes are, but the homes are not currently zoned LC. Mr. Butikofer believes no one will invest money into the corner properties because of the access points. He stated they have to purchase more property, as Mr. Mortimer has, zone them LC and move the curb cuts farther away from the intersection. The land values will depreciate if the corner cannot be brought up to standards. Mr. Butikofer stated redeveloping urban areas with neighborhoods is a challenge.

Eva Hines, Idaho Falls, appeared. Ms. Hines stated Mr. Mortimer approached her regarding the sale of her home although she was not offered the value of her home. She indicated they have not spoken of a buffer between her house and the commercial zone. She believes there would be a devaluation of her property and the rezone would be spot zoning that intends to benefit a particular property owner. Ms. Hines does not believe this rezone is in compliance with the Comprehensive Plan as only the properties fronting Woodruff Avenue should be commercial and the properties on Carol Avenue are shown as low density residential. She believes the lack of information of what will go on the property makes it hard to evaluate the impact on the neighborhood. Ms. Hines stated the Mayor and City Council denied the rezone on June 5, 2018, and the Idaho Falls City Guide to rezone states that the action taken by the City is final and the rezone request may not be resubmitted to the zoning administration within six (6) months following each action. She questioned why this rezone is now coming before the City Council. She stated a rezone should only be approved if it benefits the general public.

Roger Buchanan, Idaho Falls, appeared. Mr. Buchanan testified at the P&Z Meeting in September. He stated the same issue was presented regarding the traffic problem if the zoning is changed. He also stated the motion that was made by the P&Z Commission to approve the rezone was based upon the vacation of half of Carol Avenue. Mr. Buchanan asked the Council to not approve the zoning as there is not enough information and the Council is

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working in a grey area. He uses Carol Avenue to get out of the subdivision and has never had much problem getting in and out. He noted there are only two (2) curb cuts to the subject property.

Mayor Casper stated the public notice for the current meeting clearly stated that the two (2) items had to be considered separately, therefore, only the rezone was placed on the agenda. A good faith reason was made so there is no grey area on their procedure. Mayor Casper questioned the six-month timeframe regarding the rezone. Director Cramer did not find the statute on the six-month rule and read “after the governing board has made a decision on a zoning classification the governing board shall not subsequently reverse its action or otherwise change the zoning classification without the consent in writing of the current property owner for a period of four (4) years.” Director Cramer stated there is consent of the property owner. Mayor Casper questioned a community meeting. Director Cramer stated there are no requirements for a community meeting, although they are strongly advised. Mayor Casper questioned if staff strives to follow the procedural rules that the State Law prescribes when it comes to observing rights, deadlines, etc. Director Cramer confirmed staff strives to follow all guidelines and have cancelled hearings when they have not met the deadlines. He stated, according to staffs’ records, the posting was completed as required. Mayor Casper resumed public testimony.

Allen King, Idaho Falls, appeared. Mr. King questioned the zoning on half of Carol Avenue. Mr. Fife confirmed that is the current proposal. Mr. King questioned if zoning half the street would allow access onto Carol Avenue through the subdivision towards Caribou. He stated the previous rezone request was denied because the neighborhood would be impacted by the commercial access to Carol Avenue. He indicated Carol Avenue is used as an access to and from the neighborhood. Mayor Casper stated zones can permit traffic flow. Mr. King expressed his concern about the commercial traffic moving through the neighborhood.

Jim Avens, Idaho Falls, appeared. Mr. Avens has lived on Joan Drive for 28 years. He asked the Council to not vote in favor of the rezone as the rezone is an intrusion to the neighborhood.

Jay Simonson, Idaho Falls, appeared. Mr. Simonson believes the rezoning of half the street will impact Carol Avenue and the Hatch Subdivision. He also believes the only person to benefit from the rezone will be the owners of the property and property values will decrease.

Theresa Pope, Idaho Falls, appeared. Ms. Pope represented herself and her husband. She indicated their property connects to one (1) of the properties being considered for rezone. She is not in favor of the rezone as she does not want any more commercial business in the area. Ms. Pope indicated she is not against business and commerce although she wants to maintain the residential atmosphere. She stated the only person in favor of the rezone is the petitioner and the rest of the people attending the meeting have been opposed to the rezone. She requested the Council deny the petition for rezone.

Debbie Irick, Idaho Falls, appeared. Ms. Irick distributed maps showing previous and current views of Winco. She stated no homes had to be removed to build Winco. She expressed her concern for the residential neighborhood and does not believe this property development is in the best interest of the residents. She is also concerned more traffic could endanger the deaf child in the neighborhood, as well as children at a home daycare business. Mr. Irick believes it is selfish of Mr. Mortimer to purchase three (3) homes at the end of Carol Avenue and not consider the impact on the neighborhood. She indicated the homes Mr. Mortimer owns have been rentals and not well maintained, which has affected the property values in the neighborhood. She found it insulting that Mr. Mortimer purchased the third home at a fair market value, and offered Ms. Hines below market value for her home. Ms. Irick does not believe a strip mall, gas station or car wash is progress for the community. She indicated that ambulance, school buses, etc., need access to the neighborhood. She believes there are many suitable locations for Mr. Mortimer’s proposals.

Jim Dokus, Idaho Falls, appeared. Mr. Dokus has lived on Masters Drive for 37 years. He stated the P&Z Commission indicated their job is to consider the entire City and not just the residents of the Hatch Subdivision and, Mr. Mortimer has a right to a return on his investment. Mr. Dokus stated Mr. Mortimer doesn’t have a right to

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anything and the residents should have some rights as they bought their homes to live in, not as an investment. He is opposed to the commercial intrusion into the neighborhood and asked Council to vote against the proposal.

Chesley Jay Barnes Sr., Idaho Falls, appeared. Mr. Barnes has raised his children in the neighborhood. He stated he has known Mr. Mortimer for several years and knows he is a decent person. He believes emotion comes out in these proceedings. Mr. Barnes indicated there is space available for new commercial, but it doesn't need to be in this neighborhood. He stated the neighborhood retains its residents and they contribute to the tax base. He supports business and being an entrepreneur, but this commercial property is not adjacent to the Hatch Subdivision, it is within the subdivision. Mr. Barnes stated this is the exact same petition that was voted down at the previous City Council Meeting. He asked people to put emotion aside, no laws have been broken, no contracts have been broken, and Mr. Mortimer is only doing what the law permits him to do. Mr. Barnes also expressed his concern for the deaf child in the neighborhood and is concerned that revisiting the same application time and time again will soon make people tired and not show up. He believes the rezone would do a disservice to the area.

Mayor Casper stated this is a different shaped parcel than the previous rezone application.

Mr. Fife believes there is a problem as City Code 11-6-3, G(1) states "No Application that has been denied by the City shall be resubmitted in substantially the same form for the same use within one (1) year from the date of denial." Mr. Fife interpreted, following consultation with Director Cramer, this is substantially the same form with the only addition being half of the street. He believes the rezone should not be reconsidered for one (1) year from the date of the last denial. Mr. Fife stated he was unaware of this particular City Code. Mayor Casper believed the intent, which included the vacation, was a substantially different request. Per Mr. Fife's recommendation, Mayor Casper vacated the hearing with no action required on behalf of the Council.

Legal

Subject: Public Hearing – Updated Fee Schedule

For consideration is a Resolution which will update Idaho Falls Power and Police Department fees. The proposed changes are necessary to address the cost of providing services.

Mayor Casper opened the public hearing. She briefly reviewed the proposed fees. Mayor Casper requested any public comment.

Ronald Jorde, Idaho Falls, appeared. Mr. Jorde believes the distracted driving fees should be higher.

Mayor Casper closed the public hearing.

It was moved by Councilmember Freeman, seconded by Councilmember Radford, to approve the Resolution to update the noticed fees into the City's fee schedule, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Dingman, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

RESOLUTION NO. 2018-28

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING A SCHEDULE OF REVISED FEES FOR SERVICES PROVIDED AND REGULARLY CHARGED AS SPECIFIED BY CITY CODE; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Mayor Casper stated the fees related to distracted driving will not be charged until a period of education occurs.

Announcements and Adjournment:

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Mayor Casper stated Boo at the Zoo is being held October 25-27; the final Farmer's Market will be held October 27; Real Hero's Trunk or Treat will be held October 25; and, RECreate Idaho Falls public meeting regarding Parks and Recreation will be held October 30.

There being no further business, the meeting adjourned at 12:09 a.m.

CITY CLERK

MAYOR

November 5, 2018 - Unapproved

The City Council of the City of Idaho Falls met in Special Meeting (Council Work Session), Monday, November 5, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 3:00 p.m.

Call to Order and Roll Call:

Mayor Rebecca L. Noah Casper
Councilmember Michelle Ziel-Dingman
Councilmember Jim Freeman
Councilmember Jim Francis
Councilmember John Radford
Councilmember Shelly Smede

Absent:

Councilmember Thomas Hally

Also Present:

Brad Cramer, Community Development Services Director
Catherine Smith, Idaho Falls Downtown Development Corporation (IFDDC) Executive Director
Chris Fredericksen, Public Works Director
Ryan Tew, Human Resources Director
Bryce Johnson, Police Chief
Pamela Alexander, Municipal Services Director
Dana Briggs, Economic Development Coordinator
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:02 p.m. with the following:

Acceptance and/or Receipt of Minutes:

There was no action required by the Council.

Calendar, Announcements and Reports:

November 8, Idaho Falls Power (IFP) Board Meeting; and, City Council Meeting
November 9, Veterans Day Events; and, Business of Distinction Gala
November 12, Veterans Day, City offices closed
November 19, City Council Work Session
November 20, City Council Meeting
November 22, Thanksgiving, City offices closed
November 24, Annual IFDDC Tree Lighting Ceremony
November 30, Association of Idaho Cities (AIC) Legislative Summit

Mayor Casper stated a tentative schedule is continuing for a future Area of Impact (AOI) meeting with the Bonneville County Commissioners. She also stated discussion will need to occur regarding the January 2019 meeting schedule as there are several pending conflicts. Mayor Casper recognized the return of the Florida deployment team. She indicated due to this team being assigned by the Governor's Office, there is protocol with speaking arrangements. Councilmember Francis noted the deployment team supervised 8,500 individuals. Mayor Casper stated an Urban Land Institute event is forthcoming.

Liaison Reports and Concerns:

Councilmember Smede stated the Library has advertised for an Assistant Director position. The Library was recently awarded a Science, Technology, Engineering and Mathematics (STEM) grant in the amount of \$2500.

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Councilmember Freeman stated saturation patrol will begin for the newly adopted distracted driving ordinance, citations will begin in January 2019; the Idaho Falls Police Department (IFPD) Public Information Officer (PIO) position has closed; and, Shop with a Cop will be held December 8.

Councilmember Francis stated the Sr. Citizen Center is running short on funding for the Meals on Wheels program (approximately 50 cents/meal).

Councilmember Radford had no items to report.

Councilmember Dingman expressed her appreciation to all those who attended the Parks and Recreation (P&R) Master Plan meeting, RECreate IF. She also announced an upcoming P&R hockey event.

Hatch Addition Rezone Hearing Follow-up:

Director Cramer stated staff accepts the responsibility for the error with the recent public hearing. Prior to advertising the hearing, discussion occurred regarding the advertisement for the hearing and how to proceed forward. Then, prior to the Council Meeting Legal staff determined the two items, the rezone hearing and the vacation hearing, needed to be separated. It was too late for mailing notification to property owners of this decision. At that point the only options were to announce, at the meeting, the separation of the items or to cancel the hearing. Staff chose to proceed with the hearing due to time constraints for the applicant. Director Cramer stated he was not aware of any instance when a rezone was re-requested once a rezone request in the same area was denied. He also stated the document referred to at the meeting pertaining to the six-month timeframe was buried on the website and he was not aware of the document. Director Cramer indicated the previous zoning ordinance didn't have the six-month restriction, therefore, the document on the website was reporting incorrect information. The one-year requirement, which is part of the new zoning ordinance, was inserted into City Code although it is not part of the regular process and had not yet been worked into the system. Director Cramer explained that an applicant cannot apply for rezone after a denial for one (1) year, however, Community Development Services staff will recommend a six-month timeframe to be in line with State Code. Councilmember Freeman expressed concern for the language, as "significant changes" is not defined. Councilmember Radford believes the process needs to be predictable including a reasonable timeframe. Councilmember Dingman supports the six-month timeframe. She indicated a denial, for a good reason, will not change the outcome. She believes this was a learning lesson. Brief discussion followed regarding the Planning and Zoning Commission process. Director Cramer stated staff will involve other departments to prevent unanswered questions prior to a hearing although staff needs to be aware of the application timeframe process. Mr. Fife stated per land use planning, the same principles that may apply to the legislative process may not apply to the quasi-judicial process. He indicated when a development intersects with a vacation, according to Idaho Case Law, vacations are to be considered separately. Mr. Fife stated the six-month waiting period is the timeframe the Comprehensive Map can be changed. He indicated additional research will occur followed by a recommendation from the department.

Downtown Parking Discussion:

Director Cramer stated the numerous construction projects also include the necessity for construction workers to park their construction equipment. He was approached by Ms. Smith, due to the confusion of parking enforcement, for a proposed Construction Parking Permit. He stated the proposed Construction Parking Permit has been reviewed by the City's parking committee. Director Cramer stated the contractor could purchase a daily, weekly, or monthly permit. This permit would only be valid adjacent to the construction site and would become void at the time the building permit is closed. This permit would include new fees, and any parking permits would be issued through the Building Division. Ms. Smith indicated the downtown property owners are very interested in a permitting process. Brief comments followed, including the concern for 'adjacent'. This item will be included on a future Council Meeting agenda.

Water Settlement Agreements Introduction:

Director Fredericksen stated this item has been discussed for a number of years. The two (2) agreements include all cities mitigation and, internal City mitigation. Director Fredericksen stated the agreements will be discussed at a future Work Session with Rob Harris once the Council has had the opportunity to review the agreements. Director

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Fredericksen stated there is a financial component with the internal City agreement which will require discussion to determine the most cost-effective means to provide water to the citizens.

Idaho Transportation Department (ITD) I-15/US20 Update:

Director Fredericksen introduced Karen Hiatt, Engineering Management with ITD; Kelley Hoopes, Horrocks Engineering; and, Ryan Day, Project Manager with ITD. Mr. Hoopes expressed his appreciation for the communication with other entities including City, County and ITD. He stated Level 1 screen was presented with 14 alternatives, 9 of the 14 have become Level 2. These Level 2s were presented to the public on September 15, with great showing of public interest and comments. Mr. Hoopes will take the Level 2 alternatives to the next analysis to look at traffic analysis including: pedestrian/bike multi-mobile routing; right-of-way; environmental concerns; connections to local access; review of land use planning; individual environmental concerns; and, future use. Mr. Hoopes indicated the results will be screened by an established matrix and will be presented again to the public in early spring. He indicated the Community Working Group proposed a couplet, where the road splits and is one way on each side, as an alternative. He also indicated a short-term project came forward concerning the off-ramp of I-15 as it ties into US 20 going east, relative to traffic backup onto Grandview. Mr. Hoopes stated ITD is trying to balance the traffic by making a free right coming off I-15 going east bound onto US 20. The free right would not conflict if traffic on Grandview was funneled to a single lane. Mr. Hoopes briefly reviewed VHT (Vehicle Hours Traveled). He stated by changing the traffic signals and making I-15 a free right the VHT could decrease by 1/3 during peak hours. Mr. Hoopes stated this proposal is being submitted for strategic initiative funds from the State. Ms. Hiatt stated the ITD's process would be put into the Idaho Transportation Improvement Program and this time next year it potentially would be a real project, with the known amount of needed funding. Mr. Hoopes indicated the east bound traffic would have a green light with the free right off I-15, unless there is vehicular traffic exiting I-15 or pedestrian traffic. He stated pedestrians would need an island which would need to be well signed/well signaled or possibly constructing an underneath tunnel. There is also concern with conflicting traffic for Rexburg traffic and traffic wanting to get off at Lindsay Boulevard. Mr. Hoopes stated this is not the overall solution, but rather an interim solution to the current problem. ITD is striving to keep this project under \$1 million. Ms. Hiatt believes this project will rank high for safety and mobility.

City and Police Personnel Manuals Discussion:

Director Tew reviewed proposed changes to the City Personnel Policy with general comments throughout:

Nepotism Policy (not a change to current practice); Changes (will require the City to provide a 30-day window for employee comments before changes to the Personnel Policy Manual); Classification and Pay Grade Policy (will provide more flexibility with respect to the new salary of employees when promoted); Sick Leave (clarifies window of time for requesting annual sick leave payout); Leave of Absence without Pay (may grant leave of absence without pay to employees on military leave); Disciplinary Action and Terminations (progressive discipline); Code of Conduct (use of certain substances on breaks or at lunch); Grievance Procedures (similar to Police Personnel Manual); and, Drug Free Workplace Policy (disclosure of medication). General discussion followed regarding the wording of 'should'. Director Tew stated 'should' provides flexibility. He also stated this policy is a teaching document for supervisors.

Chief Johnson stated the Police Personnel Manual has been distributed to all IFPD personnel and the Fraternal Order of Police (FOP) with only minor concerns received. He reviewed the proposed Police Personnel Manual with general comments throughout:

Purpose; Application and Interpretation of the Policy (including calculating time); Changes (30 day notification for proposed changes); Management Decisions and Expectations (sole authority to operate and lead); Employee Expectations (Expectations allows employees to express their ideas in at least three (3) separate meetings, Investigation allows employees to be accompanied by a representative of their choice); Hours of Service and Overtime (Fair Labor Standards Act (FLSA) outlines legal obligations, this section also addresses changes in regular work days off, changes in scheduled hours, approved unscheduled hours, extra shifts, compensation for

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Court/Administrative Proceedings, standby, callout, compensatory time, and out of classification work); Vacation and Hold Days (including seniority, vacation time, and, shift bidding); Promotions; Seniority; Grievance Procedure; Boot and Uniform Cleaning Allowance; and Career Path. Chief Johnson prefers to amend the date of compensatory notification to April of each year to be consistent with the City Personnel Manual.

These two Personnel Manuals will be included on the November 8 Council Meeting agenda.

City Flag Policies Follow-up Discussion:

Mayor Casper stated questions have been received regarding the need for a flag policy. She indicated her administration has strived to find the best practice possible for a variety of agreements and contracts, which are then codified. This practice may anticipate potential problems or concerns to establish a procedure. She stated, due to the potential risk, there is responsibility to be aware of the risk and codify the practice. She believes there has been thorough, robust discussions with this item and, a policy needs adopted. Mayor Casper apologized for any previous insulting comments as that was not her intent. Director Alexander reiterated there is no standardization for the display of flags at all City buildings. She briefly reviewed the resolutions discussed at the October 22 Council Work Session: City of Idaho Falls Flag Policy (there were no requested changes); City Flag (there was consensus for preference of the City Seal versus the City logo, although there is interest to improve this flag); and, proposed Prisoners of War/Missing in Action (POW/MIA) flag (to be flown on six (6) designated holidays and designations). Councilmember Radford recommended the POW/MIA flag be flown 24/7/365. This would meet the needs of the veteran community. Councilmember Dingman concurred flying the POW/MIA flag 24/7/365 at City Hall, Idaho Falls Airport, Idaho Falls Power, Idaho Falls Public Library, the War Veterans Memorial on Memorial Drive, and the Vietnam Veterans Memorial in Freeman Park. She believes these locations have a history of the POW/MIA flag being flown. Councilmember Freeman prefers to grandfather the previous locations. He stated following discussion with those public members in attendance, he believes there is consensus to fly the POW/MIA flag at City Hall, the War Veterans Memorial on Memorial Drive, and the Vietnam Veterans Memorial in Freeman Park. Councilmember Francis stated these three (3) locations are the crucial points that have the tradition. Director Alexander reviewed the City Buildings and the specific flags flown at these locations. Councilmember Radford recommended the POW/MIA flag continue to be flown at its current five (5) locations although the POW/MIA flag could be available to be flown at additional locations on specified days. Brief discussion followed regarding the original placement of the POW/MIA flag at the multiple locations. Mr. Fife stated the Council needs to decide, on behalf of the City, how to express First Amendment rights on flag poles. He suggested the Council be intentional on the locations to control the free speech forum. He stated the resolution could be adjusted as needed. Director Alexander noted Building Maintenance staff evaluates the condition and maintenance of all flags. Following additional discussion, there was consensus to fly the POW/MIA 24/7/365 at the following five (5) locations: City Hall, Idaho Falls Regional Airport, Idaho Falls Power, the War Veterans Memorial on Memorial Drive, and the Vietnam Veterans Memorial in Freeman Park. Mayor Casper stated passage of these resolutions would not allow the Fire Department to fly their department flag. Future discussion may need to occur. This item will be included on the November 8 Council Meeting agenda.

Community Support Grant Awards Discussion and Approval of Remaining Funds:

Ms. Briggs stated following discussion at the October 22 Work Session, the committee reviewed the applications for the Alturas Institute for \$2,000, and College of Eastern Idaho (CEI) for \$7,000. The committee's decision, after much discussion, was to grant Alturas Institute and CEI the original recommended funding. Ms. Briggs stated the Tautphaus Park Zoological Society (TPZS) has also received a matching grant (\$7,500) awarded from the Idaho Stem Action Center (a sub-committee of the Governor's Office). Councilmember Freeman believes, following the committee's recommendations, these entities deserve the grant funds. Councilmember Dingman stated she has visited with the administration at CEI, she will ensure other school district foundations are aware of the Community Support Grants Program. It was moved by Councilmember Dingman, seconded by Councilmember Francis, to approve the Community Support Grant Awards in the amount of \$2,000 for Alturas Institute and the amount of \$7,000 for College

of Eastern Idaho. Roll call as follows: Aye – Councilmembers Freeman, Radford, Smede, Francis, Dingman. Nay – none. Motion carried.

Community Housing Outreach and Activities Presentation:

Ms. Briggs introduced the following:

Karen Lansing, Habitat for Humanity Idaho Falls Area Executive Director

Brenda Price, Region 6 Housing Coalition Chair

Lisa Farris, Grants Administrator

Shane Seeley, Idaho Housing and Finance Association

Ms. Farris stated Community Development Block Grant (CDBG) funds information is gathered to identify the housing needs in the area. This information includes affordability, availability, and, low wait times. She briefly reviewed 2006-2018 CDBG funds (\$869,146.40) that were allocated to Housing Projects and Activities including Habitat for Humanity Idaho Falls Area (H4HIF); single-unit housing rehab LIFE, Inc.; single-unit housing rehab, EICAP and EICAP/Haven; and, rehab for emergency shelter or group homes. She also briefly reviewed 2006-2018 CDBG funded supportive housing activities (non-build rehab housing projects, \$283,084) including CLUB, Inc. and, Behavioral Health Crisis Center (BHCC) of East Idaho.

Ms. Price stated the housing coalition has expanded over the course of several years. She indicated the point-in-time occurs in January to determine the number of homeless individuals. This information is documented through the State. Ms. Price stated Region 6 also participates in the homeless stand down, which recently occurred. The stand down event provides medical assistance, free haircuts, dental exams, and many other services. Ms. Price reviewed housing policy considerations. She also reviewed and briefly explained housing continuum (shelters, transitional housing, housing first, permanent supportive housing, subsidized housing, and market rate housing). She stated funding comes down from the Federal level. Councilmember Radford suggested a point-in-time count could also occur at Barnes and Noble as he sees homeless individuals on a regular basis. Brief discussion followed regarding the elected officials sharing this information with the State legislature.

Mr. Seeley stated the Idaho Falls branch office of Idaho Housing and Finance Association (IHFA) administers Housing and Urban Development (HUD) rental subsidy programs for very low-income households. This branch serves 16 counties and is one (1) of four (4) IHFA branch offices around the State. Mr. Seeley reviewed the voucher waiting list stating demand always exceeds available funding, IHFA maintains an open waiting list, and, waiting list times vary depending on available funding and voucher turnover. The Idaho Falls branch wait list is currently 18-20 months. Mr. Seeley stated IHFA uses preferences to determine waiting list placement. He reviewed rental programs currently administered in Idaho Falls, total of 658. Mr. Seeley reviewed the voucher process - eligibility determination; attend briefing and receive voucher; client selects unit; client submits request for tenancy to IHFA; IHFA conducts inspection; determines rent reasonableness; landlord/tenant sign lease; landlord/IHFA sign rental assistance contract; IHFA begins paying rental assistance; IHFA conducts annual and interim recertifications; and, IHFA conducts annual and special inspections. Mr. Seeley reviewed the family self-sufficiency program, housing counseling; HOPES (Homeownership Opportunities Promote Economic Stability) Program; Low Rent Public Housing (LRPH) scattered-site disposition; and, Read, Set, Read program.

Habitat for Humanity – through homeownership Habitat for Humanity helps families build strength, stability and self-reliance. Ms. Lansing briefly reviewed completed projects as of November 2018; the community impact; living wage for a family of four (4) (wages have not kept pace with the rising cost of rental housing and homes); Habitat for Humanity home buyers; 2016 United Way ALICE (Asset Limited, Income Constrained, Employed) Report; Habitat for Humanity family selection (scored in three (3) areas); Habitat for Humanity's zero interest loans (home buyers are charged 30% of their monthly income for their monthly mortgage payment); and, Habitat for Humanity housing programs (new construction, home rehabilitation, A Brush with Kindness). Ms. Lansing stated Habitat for

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Humanity has been working in Highland Park since the late 1990's which includes nine (9) new construction homes, three (3) rehabilitated homes, and one (1) Brush with Kindness Project. She presented before/after pictures of several of these homes. Ms. Lansing expressed her appreciation to the Councilmembers for their continued support to Habitat for Humanity.

Ms. Briggs stated several conversations are occurring regarding connecting home builders with the community and business owners, she believes this dialogue is important. General comments followed.

There being no further business, the meeting adjourned at 7:00 p.m.

CITY CLERK

MAYOR

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The City Council of the City of Idaho Falls met in Regular City Council Meeting, Thursday, November 8, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue, Idaho Falls, Idaho at 7:30 p.m.

Call to Order:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally (by telephone until 8:52 p.m.)
Councilmember John Radford
Councilmember Jim Francis
Councilmember Michelle Ziel-Dingman
Councilmember Shelly Smede
Councilmember Jim Freeman

Also present:

All available department directors
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Pledge of Allegiance:

Mayor Casper requested Tom Hammond, retired U.S. Navy Veteran and Idaho 'Star' instructor, to lead those present in the Pledge of Allegiance.

Public Comment:

Mayor Casper requested any public comment not related to items currently listed on the agenda or not related to a pending matter.

Bruce Aaron, Idaho Falls, appeared. Mr. Aaron stated he represents the independent bikers/skin heads. He questioned the Idaho Falls Police Department (IFPD) personnel working at Eastern Idaho Regional Medical Center (EIRMC). He believes the personnel are working on their days off although they are being paid overtime. He also questioned the personnel wearing their uniforms and the use of the IFPD vehicles. Mr. Aaron stated there is no reason for this as EIRMC makes enough money to hire security guards. He believes patrol is needed on the City streets. Mr. Aaron also questioned the construction trucks driving in the fast lane on Sunnyside which is blocking traffic.

Jeremy Westwood, Idaho Falls, appeared. Mr. Westwood stated he owns Alta Project Services and is a member of Idaho Falls Skyline LLC., the two (2) companies doing development on Skyline, south of Broadway. He indicated he received an estimate from the Building Division for fees of \$221,312.00. At the time of payment of fees in October, 2018, the total fees were \$244,116.43, which made a difference of 22,804.40. Mr. Westwood requested time on a Council agenda for discussion and timeline of these fees. He indicated he has spoken to all directors of the department. Mayor Casper stated she will follow up with the directors.

Jim Jardine, Idaho Falls, appeared. Mr. Jardine stated it is commendable that the elected officials are potentially voting in favor of flying the Prisoner of War/Missing in Action (POW/MIA) flag. He questioned why the issue came up. Mayor Casper stated this item is included on agenda, the debate and discussion has already occurred. She indicated additional dialogue will need to occur following the meeting.

Consent Agenda:

Office of the Mayor requested new appointment of Christopher White to the Parks & Recreation Commission and to the Historic Preservation Commission; and, official Proclamations from preceding months.

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Municipal Services requested approval of the Treasurer's Report for the month of August, 2018; and, Bid IF-19-04, Purchase of Replacement Golf Carts for Sage Lakes Golf Course.

The City Clerk requested approval of minutes from the September 24, 2018 Council Work Session; September 27, 2018 Idaho Falls Power Board Meeting; September 27, 2018 Council Meeting; October 9, 2018 Council Work Session; October 11, 2018 Council Meeting; October 17, 2018 Executive Session; October 17, 2018 Area of Impact Meeting; and, October 22, 2018 Council Work Session; and, license applications, including Beer to be Consumed licenses for Tailwind IDA LLC, and, The DEC – Downtown Event Center LLC, all carrying the required approvals.

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

Regular Agenda:

Public Works

Subject: Easement Vacation – Linden Trails Addition, Division 2, Lot 17, Block 3, Storm Sewer Easement

For consideration are documents to vacate a public storm sewer easement on Linden Trails Addition, Division 2, Lot 17, Block 3 owned by New Earth Development, Inc. The owner has deed to the City a new easement wherein the storm sewer is located.

Councilmember Freeman stated the easement line is being moved ten (10) feet for complete inclusion in the property. This will facilitate the builder and the owner.

It was moved by Councilmember Freeman, seconded by Councilmember Francis, to approve the Ordinance providing for the easement vacation on Linden Trails Addition, Division 2, Lot 17, Block 3, 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 Hally, Smede, Dingman, Freeman, Francis, Radford. Nay – none. Motion carried.

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

ORDINANCE NO. 3226

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE VACATIONS OF EASEMENTS LOCATED WITHIN THE CITY OF IDAHO FALLS AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED EASEMENTS 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.

Municipal Services

Subject: Sole Source Purchase of Opticom Preemption System Upgrade for Idaho Falls Power and Public Works

Municipal Services, Idaho Falls Power, and Public Works Departments request authorization to advertise the City's intent to make a sole source procurement per I.C. § 67-2808, and then to issue a purchase order to Advanced Traffic Products of Everett, Washington for a total amount of \$346,907.50. This purchase will upgrade the emergency Opticom preemption system originally installed in mid-1990 that will become obsolete.

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Councilmember Radford stated this is a specific piece of equipment.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to advertise the City's intent to make a sole source procurement, per I.C. § 67-2808, and then to issue a purchase order to purchase Opticom preemption system upgrade from Advanced Traffic Products of Everett, Washington, for a total amount of \$346,907.50. Roll call as follows: Aye – Councilmembers Smede, Hally, Radford, Dingman, Freeman, Francis. Nay – none. Motion carried.

Subject: Ordinance – Amending Title 2, Chapter 9, Committee Member Terms for the Idaho Falls Civic Center for the Performing Arts

Municipal Services requests authorization to amend Title 2, Chapter 9, Section 2. The purpose of this amendment is to allow for the staggering of Idaho Falls Civic Center for the Performing Arts committee appointment and reappointment terms.

Councilmember Radford stated the staggered terms will not lose the education and historical data of the committee. Councilmember Freeman questioned the odd number of committee members. Municipal Services Director Pamela Alexander stated three (3) members will serve two-year terms and two (2) members will serve one-year terms.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to approve the Ordinance amending Title 2, Chapter 9, 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, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

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

ORDINANCE NO. 3227

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 2, CHAPTER 9 STAGGERING IDAHO FALLS CIVIC CENTER FOR THE PERFORMING ARTS COMMITTEE MEMBER TERMS; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Subject: City Resolution to Adopt the Idaho Falls Flag Policy

Municipal Services respectfully requests the Mayor and City Council approve the adoption of the Idaho Falls flag policy to allow for standardization for the display of flags at all City locations.

Councilmember Radford stated Idaho Falls did not previously have a policy, this policy will also direct the City maintenance workers. This item has been discussed at length at Council Work Sessions.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to approve the Resolution adopting the Idaho Falls Flag Policy, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

RESOLUTION NO. 2018-29

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING THE IDAHO FALLS FLAG POLICY; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE.

Subject: City Resolution to Adopt the Official City of Idaho Falls Flag

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Municipal Services respectfully requests the Mayor and City Council approve the adoption of the City of Idaho Falls flag, the City Seal Portion of the flag, to allow for standardization for the display of flags at all City locations.

Councilmember Radford stated the City may continue working toward an official City flag. Mayor Casper stated this resolution will designate the official City flag as the blue background with the City seal in the middle. She also stated the current design may be less than optimal.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to approve the Resolution adopting the official City of Idaho Falls Flag, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

RESOLUTION NO. 2018-30

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING THE OFFICIAL CITY OF IDAHO FALLS FLAG; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE.

Subject: City Resolution to Adopt the Schedule for Flying the Prisoner of War/Missing in Action (POW/MIA) Flag

Municipal Services respectfully requests the Mayor and City Council approve the adoption of the schedule for flying the POW/MIA flag to allow for standardization for the display of flags at all City locations.

Councilmember Radford stated the elected officials have appreciated the conversations and public input that has occurred regarding this flag. He believes government is only as good as its citizenry, this bodes well for the leaders. He also believes the Veterans have led the way which has also been influenced by young people. Councilmember Freeman stated he is proud to support this resolution, he expressed his appreciation to those who expressed their feelings.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to approve the Resolution establishing a schedule for flying the POW/MIA Flag, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

RESOLUTION NO. 2018-31

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, REAFFIRMING THE CITY'S SUPPORT OF THE ARMED SERVICES AND VETERANS AND ESTABLISHING A SCHEDULE FOR FLYING THE POW/MIA FLAG; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE AND INSTALLATION OF APPROPRIATE SIGNAGE.

Human Resources

Subject: Amend the City Personnel Manual

Pursuant to discussion held during the November 5, 2018 City Council Work Session, the Human Resources (HR) Department respectfully requests that the Council consider and vote on a resolution to amend the City Personnel Manual.

Mayor Casper commended Councilmember Francis for his hard work on this manual. Councilmember Francis stated this revised City manual incorporates several key changes, a lot of thought, and much effort from the HR Department. This item was discussed at the November 5, 2018 Council Work Session. Councilmember Francis

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stated the manual includes a progressive improvement of performance relative to the committed supervisor leadership training sessions. The manual also includes a revised step by step grievance procedure. Councilmember Francis noted, following conversation with Human Resources Director Ryan Tew regarding the salary schedule, 'adequate' has been changed to 'satisfactory'. He also noted there was additional change regarding the Electrical Department exempt positions. Councilmember Dingman believes the Council may fail to recognize the City is a major employer. She expressed her appreciation to Councilmember Francis for his skills and his work to benefit the employees. She believes this manual clarifies important procedures. Councilmember Radford questioned the step and grade options within the Electrical Department. Councilmember Francis stated the Electrical Department is striving for cohesive compensation that would allow market salary structure. Director Tew stated for several years the Electrical Department has been looking at ways to merge several groups of employees under one (1) system that would be driven by a market structure. This includes grades but no step and grades and would be in-line with traditional business pay structure. Councilmember Hally believes the establishment of the HR Department has allowed the opportunity to improve the policy, which is a benefit to the City, the managers, and the numerous employees.

It was moved by Councilmember Francis, seconded by Councilmember Freeman, to approve the Resolution amending the City Personnel Manual, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Francis, Dingman, Smede, Freeman. Nay – none. Abstain – Councilmember Radford. Motion carried.

RESOLUTION NO. 2018-32

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING CITY OF IDAHO FALLS PERSONNEL POLICY REGARDING NEPOTISM, EMPLOYEES' COMMENT PERIOD ON PERSONNEL POLICY CHANGES, PROMOTIONS, SICK LEAVE PAYOUT, LEAVE WITHOUT PAY, PROGRESSIVE DISCIPLINE, TERMINATION, DRUG USE, AND GRIEVANCE PROCEDURES; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Subject: Adopt the Police Personnel Manual

Pursuant to discussion held during the November 5, 2018 City Council Work Session, the Police Department respectfully requests that the Council consider and vote on a resolution to adopt the proposed Police Personnel Manual.

Councilmember Francis read the preamble of the policy. He believes collaboration means the concept for people to reasonably discuss ideas and come to an agreement. He stated this manual clarifies the overtime policy, creates grievance procedures, and increases communication. Councilmember Freeman congratulated Councilmember Francis for his hard work on this policy.

It was moved by Councilmember Francis, seconded by Councilmember Freeman, to approve the Resolution adopting the Police Personnel Manual, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

RESOLUTION NO. 2018-33

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING AN IDAHO FALLS POLICE DEPARTMENT PERSONNEL MANUAL; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Airport

Subject: Approval of Concession Lease Agreement with Tailwind IDA

For consideration is a lease agreement with Tailwinds IDA. This is a 5-year lease agreement to provide concessions/restaurant services.

Councilmember Dingman recognized the economic benefits of the Airport. She stated the City accepted proposals for a concessionaire, the current concessionaire did not apply. She commended Airport Director Rick Cloutier for his efficiencies of the Airport. Director Cloutier believes Tailwind IDA will bring a great service to the community and Airport passengers. He also believes the concessionaire will increase revenue and will decrease costs to the Airport. Director Cloutier stated Tailwind IDA will spend approximately \$150,000 in improvements for a full-service restaurant. There will be two (2) full-service restaurants, one (1) on each floor of the Airport to accommodate non-flying individuals.

It was moved by Councilmember Dingman, seconded by Councilmember Smede, to approve the lease agreement with Tailwind IDA, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

Community Development Services

Subject: Public Hearing – Rezoning from I&M (Industrial & Manufacturing) to P (Parks and Open Space), Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B 4.6 Acres, N ½ Section 35, T 2N, R 37E

For consideration is the application for Rezoning from I&M to P, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B 4.6 Acres, N ½ Section 35, T 2N, R 37E. The Planning and Zoning (P&Z) Commission considered this item at its October 2, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

Mayor Casper stated the applicant is the City. Mayor Casper opened the public hearing and ordered all items presented be entered into the record.

Community Development Services (CDS) Director Brad Cramer stated the field adjacent to the Waste Water Treatment Plant was annexed earlier in the year, the future pathway for greenbelt expansion was not included. He presented the following:

- Slide 1 – Property under consideration in current zoning
- Slide 2 – Comprehensive Plan Future Land Use Map
- Slide 3 – Aerial photo of property under consideration
- Slide 4 – Additional aerial photo of property under consideration

Mayor Casper requested any public comment. No one appeared. Mayor Casper closed the public hearing.

Councilmember Smede reiterated this rezone will allow for protection of the property for extension of greenbelt. Councilmember Radford values the space next to the Snake River as he believes the parks lands enhances lives. Councilmember Francis is in favor of protecting land along the banks of the Snake River.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Ordinance rezoning M&B 4.6 Acres, N ½ Section 35, T 2N, R 37E, 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, Radford, Francis, Smede, Hally, Freeman. Nay – none. Motion carried.

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

ORDINANCE NO. 3228

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF M&B: APPROXIMATELY 4.6 ACRES, N 1/2 SECTION 35, T 2N, R 37E AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM I&M ZONE TO P ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for rezoning M&B 4.6 Acres, N ½ Section 35, T 2N, R 37E, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

Subject: Public Hearing – Rezoning from R1 (Residence) with a PT (Planned Transition) overlay to R3A (Residence), Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Fremont Avenue Subdivision

For consideration is the application for Rezoning from R1 with a Planned Transition (PT) overlay to R3A, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Fremont Avenue Subdivision. The Planning and Zoning Commission considered this item at its October 2, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record.

Director Cramer stated the rezone will remove the PT overlay, the rezone will also change the underlying zone. He presented the following:

Slide 1 – Property under consideration in current zoning

Director Cramer stated the PT was a zoning tool used in the late 1980's to transition from single-family uses to new commercial and office uses. He stated at that time this site was vacant.

Slide 2 – Aerial photo of property under consideration

Slide 3 – Additional aerial photo of property under consideration

Director Cramer stated the current zone with the PT overlay allows multi-family housing and professional office uses. Uses not included in PT would be considered 'nuisance'. R3A zone would allow single-family home, apartment complex, or professional business. Director Cramer stated the PT was instituted at a time when the zoning ordinance had very little development standards. Those items have now migrated to other zones. He stated there was a problematic issue with height requirement restrictions, the minimal parcel size was restrictive, and restriction on hours of operations would be eliminated. This would limit the uses to business and residential.

Slide 4 – Comprehensive Plan Future Land Use Map

Slide 5 – Photos looking north from the center of the property and looking south from the center of the property

Slide 6 – Photos looking south across Fremont Avenue from the center of the property and looking north across Fremont Avenue from the center of the property

Councilmember Francis questioned the P&Z notes referring to the R3A being more restrictive. He also requested clarification of the houses facing toward the park. Director Cramer stated the restriction refers to the land uses, he also confirmed the houses in proximity face toward the park.

Mayor Casper requested public comment from the applicant.

Brett Manwaring, Idaho Falls, appeared. Mr. Manwaring represents the owner of the parcel. He stated the original parcel included several lots. The owners originally purchased the majority of the property, they now own the entire block. Mr. Manwaring stated several years ago the owner attempted to re-plot the area into four (4) lots, although the problem was the overlay zone which required a 30,000 square foot lot. He noted, per discussion with CDS staff,

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it was confirmed the overlay could be removed. Mr. Manwaring stated the alley would be turned into a driveway which would make the property more desirable.

Mayor Casper requested additional public comment. No one appeared. Mayor Casper closed the public hearing.

Councilmember Smede stated Highland Park was annexed and platted in 1891. The area was rezoned in 1987 to add the PT overlay to maintain land use compatibility. In 2015 this area was re-platted. Councilmember Smede reiterated the 30,000 square foot lot requirement, which has discouraged development of property in this area.

Councilmember Francis stated he is hesitant to change the zoning. Councilmember Smede believes this rezone would be a good transition between the homes and the street. Councilmember Radford believes businesses need to be cost effective. He also believes this is prime real estate for the technical corridor and allows several options for the property. Councilmember Dingman believes the zoning needs to be functional. Due to the size of the property and layout, it makes sense to remove the overlay. She also believes the current zoning is preventing the property from being developed.

It was moved by Councilmember Smede, seconded by Councilmember Freeman, to approve the Ordinance rezoning Fremont Avenue 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 Hally, Smede, Dingman, Freeman, Francis, Radford. Nay – none. Motion carried.

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

ORDINANCE NO. 3229

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF THE FREMONT AVENUE SUBDIVISION AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM R1 ZONE WITH A PT OVERLAY ZONE TO R3A ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for rezoning Fremont Avenue Subdivision, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smede, Hally, Radford, Dingman, Freeman, Francis. Nay – none. Motion carried.

Executive Session

It was moved by Councilmember Radford, seconded by Councilmember Smede, to move into Executive Session in the Annex Conference Room. The Executive Session 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. At the conclusion of the Executive Session the Council will reconvene into regular Council Meeting. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

The City Council of the City of Idaho Falls met in Special Meeting (Executive Session), Thursday, November 8, 2018, in the City Annex Conference Room in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 8:42 p.m.

There were present:

Mayor Rebecca L. Noah Casper

Councilmember Michelle Ziel-Dingman

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Councilmember John B. Radford
Councilmember Jim Francis
Councilmember Jim Freeman
Councilmember Shelly Smede

Also present:

Pamela Alexander, Municipal Services Director
Randy Fife, City Attorney

The Executive Session was 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.

There being no further business, the Executive Session adjourned at 9:04 p.m.

Municipal Services

Subject: Idaho Falls Civic Center for the Performing Arts Center (Bid IF-18-16)

Municipal Services requests City Council authorization to negotiate a settlement for Bid IF-18-16.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to execute a settlement for Bid IF-18-16 and authorize the Mayor to sign the necessary documents. Roll call as follows: Aye – Councilmembers Smede, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

Announcements and Adjournment:

Mayor Casper briefly reviewed several forthcoming Veterans Day events.

There being no further business, the meeting adjourned at 9:07 p.m.

CITY CLERK

MAYOR

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The City Council of the City of Idaho Falls met in Special Meeting (Idaho Falls Power Board), Thursday, November 8, 2018, at Idaho Falls Power Conference Room, 140 S. Capital, Idaho Falls, Idaho at 7:00 a.m.

Call to Order, Roll Call, and Announcements:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Jim Francis
Councilmember Michelle Ziel-Dingman
Councilmember Jim Freeman
Councilmember John Radford (departed at 8:45 a.m.)
Councilmember Shelly Smede

Absent:

Councilmember Thomas Hally

Also present:

Bear Prairie, Idaho Falls Power General Manager
Stephen Boorman, Idaho Falls Power Assistant General Manager
Brad Cramer, Community Development Services Director
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 7:02 a.m. with the following items:

Calendar, Announcements, and Events Update:

Mayor Casper requested Council register for Utah Associated Municipal Power Systems (UAMPS) and Idaho Consumer Owned Utilities Association (ICUA) as soon as possible to allow adequate travel arrangements. Mayor Casper stated there may be concern for possible mismanagement of clean-up projects. Additional information will be forthcoming. She also stated there could be changes to the Small Modular Reactor (SMR) project due to a change of Chair in the State legislature. Director Prairie stated a representative from National Oceanic and Atmospheric Administration (NOAA) Fisheries will be present in January for an east Idaho discussion. Mayor Casper stated the Idaho Regional Optical Network (IRON) will be making a presentation in January.

Updates from Board Members:

There were no updates.

Metering:

Director Prairie stated the City-wide deployment of Advanced Metering Infrastructure (AMI) occurred in 2013. Elster Solutions LLC was awarded the contract as the meter manufacturer (it was noted Elster Solutions LLC was recently purchased by Honeywell). The bid specification included in the contract required communication notification. However, the outage management system failed to work properly due to the REX2 meters as these meters would falsely relay power outages. Director Prairie stated there was a dispute with Elster Solutions regarding the meters. An agreement was reached with Elster Solutions which enabled the purchase of REXU meters at reduced price. Approximately 500 REXU meters were purchased, installed, and tested with positive results. Additional meters were then purchased and installed. However, it was recently discovered 35 of these REXU meters stopped working on the same day within a 3-4 hour timeframe. The stoppage created an error log that the IFP side software system could not detect. Elster Solutions identified this same issue several months ago at another utility; the specific cause is unknown at this time. Idaho Falls Power (IFP) is continuing to work with Elster Solutions on this issue. IFP staff is also performing analysis and is working with utility billing regarding the billing report on billing cycles. The financial impact is being calculated, additional information will be forthcoming.

Bonneville Power Administration (BPA) Uplift Cost Billing:

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Director Prairie stated IFP continues to work with BPA staff as well as working on a joint letter to PacifiCorp. He will be attending a meeting with UAMPS and PacifiCorp and will also be meeting with BPA administrator to hopefully settle this issue. He stated once BPA signs the new transmission agreement with PacifiCorp, IFP will officially stop getting charged for bulb transmission through UAMPS from PacifiCorp. IFP is currently paying transmission costs to PacifiCorp in the amount of \$80-100k monthly as well as paying BPA. Director Prairie will be requesting reimbursement of funds paid to PacifiCorp. Future discussion will occur regarding Energy Imbalance Market (EIM) and associated costs (\$150-250k yearly), California Independent System Operator (ISO) expansion, and Regional Transmission Organization (RTO).

BPA Transmission Rate Case Settlement:

Director Prairie stated BPA transmission rate case is performed every two (2) years. He indicated BPA needed to make substantial changes, updates, and standardization to their transmission agreement, known as a tariff. The Federal Energy Regulatory Committee (FERC) regulates the tariff to eliminate utility discrimination of other entities. The FERC determined there would be one agreement with the own individual utility rules and, agreements need to be consistent across the system. Network Transmission (NT) rate is proposed to increase 2.5% with new tariff/agreement. The ancillary services is increasing \$7.65. If the settlement parties are in agreement, BPA will issue a Record of Decision for transmission in December but Power rates will be in July timeframe as normal. General discussion followed. The NT rate will vary by customer due to individual components, the NT rate will affect IFP rates effective October 1, 2019.

Idaho Consumer Owned Utilities Association (ICUA) Update and Preparation for January Meeting:

Director Prairie stated ICUA is a unique organization because it involves both the co-op and municipalities. The current ICUA was formed to bring the municipalities of Idaho into the organization. Assistant Director Boorman stated working with co-ops has huge value. Director Prairie stated ICUA wants to forward co-op centered issues at the 2019 legislative session including, Unclaimed Patronage Capital Bill (the unclaimed patronage capital funds could be utilized for the co-op for scholarships or low-income housing assistance for instance), and the Certified Propane Tank Fillers Bill (this would prohibit the customer from having their propane tanks filled by a leased or third-party supplier). Director Prairie stated ICUA is actively monitoring broadband (rural and municipal), small cell pole attachment (there appears to be no interest in this area from the legislature), and, the trespass bill that was passed last year (allows access onto private property to manage power lines). Director Prairie stated due to the newly-elected governor, ICUA positions could change with the Northwest Power and Conservation Council Board (needs to hold the entities accountable for fish and wildlife funds), Office of Energy and Mineral Resources Director (governor appointed, big influence on IFP), and, Energy Resource Authority & Public Utilities Commission (entity that allows lending for energy-related in state projects). Director Prairie stated he was appointed by the governor for the replacement of former IFP General Manager Jackie Flowers on the Idaho Energy Resource Authority board. He believes this appointment will be presented for senate confirmation in January during the 2019 session.

Fiber Pilot Project:

This item will be discussed at the December 2018 IFP Board Meeting.

Strategic Plan:

Director Prairie stated this plan sets the directives for IFP staff. Following review with staff, a few areas were identified that may need updated. Director Prairie reviewed the following areas needing possible changes with general discussion throughout:

- Introduction and Mission Statement
- Tag line - to be used on more frequent basis
- Strengths -
 - Customer
 - Financial - 'Limited customer class cross subsidization' and 'Low rates'
 - Workforce
 - Reliability
- Weaknesses

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- Growth - ‘Limited yard space’ and, future discussion regarding the water tower
 - Customer - ‘Inter-departmental inefficiencies and continuity’
 - Financial - ‘Sharing limited resources’ and, lack of backup for financial accountant
 - Workforce - ‘Board industry knowledge, stability and continuity, time availability’, move ‘Safety culture evolution’ to Strengths, ‘Silos’
 - Opportunities - add Fiber to Growth and/or Workforce
 - Growth
 - Workforce
 - Customer
 - Threats
 - Growth
 - Reliability
 - Workforce - ‘Governance turnover’, this refers to the current IFP Board, additional discussion will need to occur regarding continuation of the Council as the IFP Board, a board of ‘energy experts’ and/or a hybrid board
 - Customer - ‘Third party competition’
 - Financial
 - Customer
 - Financial - consider adding an app for map data
 - Growth - could include Fiber
 - Reliability - include ‘RP3’, carbon-free
 - Workforce - continue to work on Succession Planning, Board self-evaluation will be forthcoming
- Future discussion will occur regarding potential/requested changes.

Standing Reports:

Director Prairie briefly reviewed a NOAA Fisheries article related to Chinook Salmon.

Transmission and Distribution – continuing to work on the 161KV line with Rocky Mountain Power (RMP)

Engineering – working on a service policy manual

Energy Services/Customer Service – continuing to work through the potential buyouts for Happyville, although IFP is waiting to be approached from Happyville residents for this request. Director Cramer stated extending City services outside of City limits creates concerns for RMP customers. There is City policy not to extend water, sewer, and sanitation services. Director Prairie stated, per the Electric Supplier Stabilization Act (ESSA), all electric utilities are required to stay within their area (defined as City limits) to prevent poaching of other utilities. This area is regulated by State law. Some customers have been serviced due to previous projects. Mayor Casper stated customers can only be given the option to choose the power utility once they are annexed within City boundaries. Director Prairie clarified an individual customer cannot be served individually; a subdivision or group has to be all or nothing. Mayor Casper noted ESSA does not apply to fiber services. Director Prairie stated fiber has been noted as an extension of utility services. Director Cramer believes this is a key issue with the Area of Impact (AOI). He encourages a policy to stay within our area. Discussion followed regarding County standards versus City standards, the proposed boundaries of the AOI, and options for the County. Director Cramer believes the timing of discussion regarding extending City services is difficult due to the pending annexation of ~300 parcels. Mr. Fife stated the State will allow septic and well permits in close proximity to City sewer and water lines. This can create a health issue if the septic systems fail. There was consensus to schedule a future meeting regarding AOI prior to a joint meeting with the Bonneville County Commissioners.

There being no further business, the meeting adjourned at 10:21 a.m.

CITY CLERK

MAYOR

November 19, 2018 - Unapproved

The City Council of the City of Idaho Falls met in Special Meeting (Council Work Session), Monday, November 19, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 3:00 p.m.

Call to Order and Roll Call:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember Shelly Smede
Councilmember Jim Francis
Councilmember Jim Freeman
Councilmember Michelle Ziel-Dingman
Councilmember John Radford (arrived at 3:03 p.m.)

Also present:

Pamela Alexander, Municipal Services Director
Brad Cramer, Community Development Services Director
Michael Kirkham, Assistant City Attorney
Joel Tisdale, Police Lieutenant
Cherise Frei, Code Enforcement Supervisor
Steve Hunt, Police Captain
Irene Brown, Animal Control Supervisor
Chris Fredericksen, Public Works Director
Rob Harris, Holden Kidwell Hahn & Crapo, PLLC
David Richards, Water Superintendent
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:02 p.m. with the following:

Calendar, Announcements and Reports:

November 24, Downtown Christmas Tree Lighting ceremony
November 30, Association of Idaho Cities (AIC) Annual Legislative Meeting

Mayor Casper reminded the Councilmembers to be as economically fiscal as possible during City travel.

Liaison Reports and Concerns:

Councilmember Hally commented, per Mayor Casper's travel comments, only a number of government rates are available for lodging accommodations.

Councilmember Smede had no items to report.

Councilmember Freeman stated snow removal parking restrictions are in effect, and leaf removal is being finalized. He also stated the Idaho Falls Police Department (IFPD) DNA testing unit is up and running; Shop with a Cop will be held December 8; and, the IFPD five-year strategic plan is being developed. He noted Targhee Regional Public Transportation Authority (TRPTA) has recently changed their routes due to budget restraints.

Councilmember Francis stated Idaho Falls Fire Department (IFFD) software purchase is forthcoming.

Councilmember Radford stated the Golf Division is running in the black, new Golf Advisory Board committees are performing evaluations. He also stated the Civic Center for the Performing Arts facility renovations are completed. Director Alexander recognized the Civic Center team effort.

Councilmember Dingman stated Parks and Recreation (P&R) will be hosting a Santa village in the downtown area as well as Breakfast with Santa; the Aquatic Center has reopened followed some maintenance work; the golf courses will be holding a P&R Black Friday shopping; and, an Earth Cam has been installed at the penguin pond at the zoo.

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Acceptance and/or Receipt of Minutes:

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to receive recommendations from the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA). Roll call as follows: Aye – Councilmembers Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

Child Care Ordinance Revisions Discussion:

Mayor Casper stated the child care ordinance affects multiple departments within the City, which are affected by State law. She noted when the City ordinance was enacted, the State did not have broad child care legislation. She recognized former Councilmember Karen Cornwell for championing the ordinance for the safety of children. The City ordinance also focuses on those who provide child care, whereas, the State tends to focus on the facilities. Mayor Casper also reminded the Councilmembers that any policy needs to be enforced. Director Alexander briefly reviewed the licensing process, stating licenses are issued through the City Clerk's Office. She reminded the Councilmembers that temporary licenses are no longer allowed per an ordinance revision in September 2018. Mr. Kirkham stated the State allowed cities to adopt their own child care ordinance, provided any ordinance be more restrictive than the minimum State requirements. He reviewed the following differences between City and State licensing with general discussion throughout:

<u>City License</u>	<u>State License</u>
Definition of a child is less than 13	Definition of a child is less than 12
City license child care workers – requires background check prior to issuing license	State does not license child care workers – however, does require facility license holder to submit employees to background check prior to allowing worker to work
City licenses “family day cares”- five (5) or fewer children (in addition to Group and Center facilities)	State does not license “family daycares” – five (5) or fewer children
City requires outdoor play areas, with adequate shade	State does not require outdoor space
City requires eight (8) hours of training for CPR, First Aid, and child development for each renewed license (there has been suggestion to increase the training to sixteen (16) hours)	State requires four (4) hours every twelve (12) months
City prohibits certain drug offenders from receiving a license	State does not prohibit drug offenders

Mr. Kirkham reviewed changes in the proposed revised ordinance, including clarification of ambiguous language determining who is or is not eligible to receive a child care license along with a timeframe restriction on certain offenses. Councilmember Hally questioned the staff ratio. Mr. Kirkham indicated the City is more restrictive on the ratio and point system for staff and children. Mr. Fife believes, per previous public comments regarding child care licensing, there was a misunderstanding regarding the delay of child care licensing. He indicated the City has an approximate two-day turnaround on background checks. He stated if the Council could choose not to be in the child care business, all regulations would fall back to State Code. Brief comments followed regarding the zoning of in-home child care facilities. Director Cramer stated the previous zoning issues have been resolved. Lieutenant Tisdale reviewed the process of the fingerprint background clearance with the State. He stated the majority of background clearances are returned from the State within a 24-hour timeframe. The electronic record is then accessible by the IFPD Records personnel and is compared to City Code for approval or denial. Mr. Kirkham stated, per public comment received, there are no private background checks in the State for child care licensing. Councilmember Radford questioned the City's role in the child care business. Councilmember Hally reiterated former Councilmember Cornwell's passion for this ordinance. He also believes, at that time, there was discussion only on the State level. He indicated once the State took over the responsibility of regulations, there was potential that the City would only

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regulate Fire inspections. However, the State regulations did not include worker licensing. Councilmember Freeman questioned additional City licenses requiring a fingerprint background check. Ms. Hampton reviewed the additional City licenses, noting that temporary licenses are not allowed for any City license. Councilmember Freeman believes the City has the responsibility to protect the vulnerable individuals in the community. He does not believe the length of time to obtain a child care license is the issue. Ms. Hampton stated each applicant must also complete the State Child Protection Registry form, this form may take up to 14 days to be processed. Councilmember Francis strongly supports maintaining local support of the child care licensing. Following general comments, Mayor Casper requested the Councilmembers submit any proposed ordinance revisions and/or comments for future discussion of this item. She expressed her appreciation to the multiple departments involved with child care licensing.

Animal Control Licensing and Fees Discussion:

Captain Hunt stated the proposed revised ordinance will bring the ordinance into compliance with the recently approved fee resolution. He indicated the ordinance will include cat licensing, which is only required for an unaltered cat. Altered cats that have a current registered microchip will not be required to be licensed. Captain Hunt believes the license requirement will be a good incentive to get cats spayed or neutered and microchipped. The microchip records will verify if the cat has been altered. Captain Hunt stated, per previous fee discussion, fees are now closer in-line and costs are incurred by pet owners versus all taxpayers. Mayor Casper questioned the number of additional animal licenses that could be issued from the Clerk's Office. Ms. Hampton stated the majority of dog tags are currently obtained from other multiple locations, she does not anticipate additional workload in the Clerk's Office. Brief comments followed regarding an online process for animal tags, nuisance complaints, and cat euthanasia. Ms. Brown believes the Trap-Neuter-Return (TRN) program has been successful. She indicated the cat euthanasia rate has been reduced from 60% to 20%. Additional general brief comments followed. This item will be included on a future Council Meeting agenda.

Water Settlement Agreements Presentation/Discussion:

Mayor Casper stated this item has been discussed over the course of numerous years. Director Fredericksen stated final discussion will include the Settlement Agreement, the Internal City Agreement, and, the financial component. He recognized Mr. Richards' work on these agreements. Director Fredericksen noted previously requested changes by the Council have been included in the Internal City Agreement. Mr. Harris stated in Idaho there must be water rights to divert water. Water rights were allocated based on prior appropriation doctrine. As Idaho continued to grow, surface water was used until ground water pumping became available in the 1950's. The ground water rights became junior to the senior surface water rights that already existed. In the 1990's there was conflict between the Surface Water Coalition group (the Coalition), consisting of seven (7) large Magic Valley area irrigation entities. This conflict led to the Conjunctive Management Rules. In 2005, this same group filed a delivery call against all junior ground water pumpers for curtailment. This led to several years of litigation and eventually a major settlement agreement was established between the ground water pumpers and the Coalition. The cities were not involved in those discussions. Cities only pump approximately 3% on the Eastern Snake Plain Aquifer. Under the conjunctive management rules the delivery call is ongoing and will not be withdrawn. Each year the director estimates runoff, if the runoff does not supply the Coalition the full supply, the short fall will result in a shut off to ground water's users, which includes cities. Several years ago, the City of Idaho Falls filed a mitigation plan which was protested by the Coalition. Sixteen (16) cities then decided to join under an umbrella agreement, which has resulted in the proposed Settlement Agreement. The Settlement Agreement also allows additional cities to join in under the umbrella agreement. The agreement indicates a set amount of mitigation each year in which the Coalition agreed to. In the Idaho Ground Water Association (IGWA) Settlement Agreement, 19 wells were designated as barometers for the aquifer. This Settlement Agreement does not tie the cities to those wells. Mr. Harris believes this is a good policy decision as it will buy up to 35 years of water certainty. Mr. Harris stated a 40,000 acre foot growth factor was also built into the agreement. If this number is exceeded, the agreement is stopped and would need renegotiated. Brief discussion followed regarding the pumping method prior to the 1990's and the effects to the Snake River. Mr. Harris stated the Settlement Agreement states that cities will provide 7,650 acre feet of water annually to mitigate for

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pumping for aquifer enhancement activities, including ground water recharge. The cities will also get credit for ground water to surface water conversion. Mr. Harris reviewed changes in the mitigation obligation which would exclude municipal waste water being pumped directly into the Snake River. Director Fredericksen stated waste water would require additional treatment. Mr. Harris also stated recharge sites must be approved. He noted a City recharge site was recently approved at Sandy Downs, with additional recharge locations being reviewed. Director Fredericksen stated the City has the ability to re-pump surface water. Mr. Harris stated mitigation was based on an average of 3% growth rate. Director Fredericksen stated if the City dramatically reduces the consumption, this would be factored into the mitigation. There is benefit to reduce the actual usage, which would be re-determined every three (3) years. The agreement includes how to quantify mitigation obligation (how to enhance the aquifer). Mr. Harris indicated the Surface Water Coalition has already signed the Settlement Agreement. The Internal City Mitigation Allocation Agreement determines the allocation of individual cities. Half of the allocation is based on pumping and half of the allocation is based on the water right exercised on an average year. The City of Idaho Falls is one of the more senior cities. Based on this calculation, the City's total allocation is 3,634 acre feet per year. To the response of Councilmember Hally, Mr. Harris stated the City would reduce the annual pumping by 25-40% if the City were metered. Mayor Casper stated the City's cost would be reduced if more cities participated in the agreement. Mr. Harris stated an additional component to the Internal City Mitigation Allocation Agreement involves the resource of water. He indicated the City is a shareholder (1,180 shares) in a company that has a contract in Palisades Reservoir. Pocatello, as a spaceholder, is making their storage available to meet the cities mitigation obligation. In addition, a common rental pool has been built to protect irrigators, although Idaho Falls takes bottom priority from the common rental pool. This is not available in all years. Mr. Harris reviewed the pricing mechanism, it is estimated to cost approximately \$35 per acre foot or \$105,000 each year. Three (3) years (\$315,000) must be paid up front to avoid binding future City Councils. Mr. Harris reiterated the external options: use the Palisades Reservoir water (not guaranteed); rent from the common pool (Idaho Falls is in a 5th tier position); or, privately lease storage water (from Pocatello or other private spaceholders). He also reviewed internal options: ground water to surface water conversion (large green areas/parks); start a recharge project (lease from others); or, use wastewater. Director Fredericksen stated the Water Division is a \$10m annual utility. The Water Division has been building portfolio to meet mitigation needs with several alternatives. Director Fredericksen stated Idaho Falls Power (IFP) recently transferred funding, in the amount of \$345,000, due to over-billing of well meters. This amount could cover the three-year mitigation amount. He indicated there is flexibility built into the agreement to help cities strategize to meet obligations, which will be evaluated in the near future. General brief comments followed regarding the timeframe as well as minor potential revisions to the Internal City Mitigation Allocation Agreement. These agreements will be included on the November 20 Council Meeting agenda.

There being no further business, the meeting adjourned at 5:37 p.m.

CITY CLERK

MAYOR

November 20, 2018 - Unapproved

The City Council of the City of Idaho Falls met in Special Council Meeting, Tuesday, November 20, 2018, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

Call to Order:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Thomas Hally
Councilmember John Radford
Councilmember Jim Freeman
Councilmember Jim Francis
Councilmember Michelle Ziel-Dingman
Councilmember Shelly Smede

Also present:

All available department directors
Randy Fife, City Attorney
Kathy Hampton, City Clerk

Pledge of Allegiance:

Mayor Casper requested Ronald Jorde, Collections Systems Operator for the Wastewater Division, to lead those present in the Pledge of Allegiance.

Public Comment:

Mayor Casper requested any public comment not related to items currently listed on the agenda or not related to a pending matter. No one appeared.

Consent Agenda:

Municipal Services requested approval of the Treasurer's Report for the month of September, 2018; Bid IF-19-B, Replacement Ambulances for Idaho Falls Fire Department; Professional Services Agreement – Request for Proposal 18-0055, Specialty Vehicle Up-fit for Public Safety; Design Services for Idaho Falls Power Fiber Home Pilot Project; Contract Renewal for Line Location Services for Idaho Falls Power; and, Conductor Purchase for Idaho Falls Power.

The City Clerk requested approval of the Expenditure Summary for the month of October, 2018; minutes from the October 25, 2018 Idaho Falls Power Board Meeting; and, license applications, all carrying the required approvals.

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

Regular Agenda:

Fire Department

Subject: Imagetrend Contract

The Fire Department has evaluated a new Emergency Medical Services (EMS) Reporting Software to use that incorporates new federal requirements. After review, we selected Imagetrend. This contract has been reviewed by the City Attorney's office and was approved for purchase in the 2018-2019 budget.

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Councilmember Francis stated the City received a 5% discount (\$5,000) for the software purchase. Councilmember Radford questioned this item being placed on the Consent Agenda due to approval within the budget. Municipal Services Director Pamela Alexander stated this item was included on the Regular Agenda due to amount of the contract. Fire Chief Dave Hanneman indicated the majority of Idaho Falls Fire Department (IFFD) items are included on the Regular Agenda due to potential clarification. Mr. Fife believes per City policy, any large contract requiring signature of the Mayor is better to be directly approved by the Council. Councilmember Radford clarified he was not questioning the decision of this item being a Regular Agenda item, he was recognizing the practice for Council consideration.

It was moved by Councilmember Francis, seconded by Councilmember Freeman, to approve the Imagetrend Contract, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Smede, Dingman Freeman, Francis, Radford. Nay – none. Motion carried.

Public Works

Subject: Supplemental Professional Services Agreement with Six Mile Engineering for Design Services of the 17th Street and Woodruff Avenue Intersection Improvements

For consideration is a Supplemental Professional Services Agreement for Six Mile Engineering to provide services for the development of right-of-way and final design plans for the 17th Street and Woodruff Avenue Intersection Improvements. Under the agreement, Six Mile Engineering will provide engineering services as necessary for a not-to-exceed amount of \$99,400.00. The City will be responsible for \$7,295.96, which is 7.34% of this amount.

Councilmember Freeman stated this project will begin in 2022.

It was moved by Councilmember Radford, seconded by Councilmember Smede, to approve the Supplemental Professional Services Agreement for Six Mile Engineering for the 17th Street and Woodruff Avenue Intersection Improvements, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smede, Hally, Radford, Dingman, Freeman, Francis. Nay – none. Motion carried.

Subject: Settlement Agreement between Surface Water Coalition, the Idaho Ground Water Appropriators, and Signatory Cities

For consideration is an agreement with the Surface Water Coalition, participating members of the Idaho Ground Water Appropriators, Inc, and signatory cities (Settlement Agreement). The Settlement Agreement establishes a method for cities located within the Eastern Snake Plain Aquifer to mitigate their groundwater use; provides cities safe harbor from future water calls by the Surface Water Coalition for a period of 35 years; establishes methods for mitigation efforts required; and identifies reporting procedures for required mitigation efforts performed by cities. The Settlement Agreement is in conjunction with the Internal City Mitigation Allocation Agreement that identifies how mitigation obligations will be distributed between signatory and participating cities.

Councilmember Freeman stated this item has been discussed for a number of years, including an in-depth conversation at the November 19 Council Work Session. Councilmember Hally commended the amount of work by the Public Works Department, Rob Harris (Water Rights Attorney), and House Speaker Scott Bedke. This agreement will ensure water for several years, which is an important commodity. Councilmember Francis stated water is a limited resource, he also expressed his appreciation to all those involved.

It was moved by Councilmember Freeman, seconded by Councilmember Radford, to approve the Settlement Agreement, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Dingman, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

Subject: Internal City Mitigation Allocation Agreement

November 20, 2018 - Unapproved

For consideration is an Internal City Mitigation Allocation Agreement (Internal City Agreement) between the Signatory Cities of the Settlement Agreement between Surface Water Coalition, the Idaho Ground Water Appropriators, and Signatory Cities (Settlement Agreement). The Internal City Agreement identifies how mitigation obligations will be distributed among the signatory and participating cities as established in the Settlement Agreement.

Councilmember Freeman stated this agreement involves the responsibilities of the 17 cities currently included in the agreement. This agreement was also discussed in-depth at the November 19 Council Work Session.

It was moved by Councilmember Freeman, seconded by Councilmember Francis, to approve the Internal City Mitigation Allocation Agreement, subject to minor, non-substantive changes, and give authorization for the Mayor to sign the necessary documents. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

Subject: Idaho Transportation Department State/Local Agreement for the Idaho Unified Certification Program

For consideration is a State/Local Agreement with the Idaho Transportation Department Office of Civil Rights and accompanying Resolution with respect to the Idaho Unified Certification Program. This agreement requires the City to enter into a Unified Certification Program as part of each recipient's Disadvantaged Business Enterprise (DBE) program.

It was moved by Councilmember Freeman, seconded by Councilmember Francis, to approve the State/Local Agreement with the Idaho Transportation Department Office of Civil Rights, and the accompanying Resolution, for the Unified Certification Program, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

RESOLUTION NO. 2018-34

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, TO CREATE A UNIFIED CERTIFICATION PROGRAM; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE.

Subject: Idaho Transportation Department State/Local Agreement for the Signal Head Visibility Improvements Project

For consideration is a State/Local Agreement with the Idaho Transportation Department and accompanying Resolution with respect to the Signal Head Visibility Improvements project. This agreement requires the City to provide contract administration and inspection services as a credit toward our match rate of 7.34%. No match is required at this time.

Councilmember Freeman stated this agreement is a City-wide safety projects agreement which will assist with the hearing impaired. Public Works Director Chris Fredericksen stated this item will be considered a construction project to be completed during the summer months. This project will replace the backing plate of traffic signals.

It was moved by Councilmember Freeman, seconded by Councilmember Francis, to approve State/Local Agreement with the Idaho Transportation Department, and the accompanying Resolution, for the Signal Head Visibility Improvements project, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried.

RESOLUTION NO. 2018-35

November 20, 2018 - Unapproved

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING THE FEDERAL AID HIGHWAY SYSTEM PROJECT; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Subject: Grant Application Resolution for the Higbee Avenue Bridge

For consideration is a resolution for authorization to apply for a grant aiming to replace seriously deteriorated bridges within Idaho Falls city limits. The bridge on Higbee Avenue over the Butte Arm Canal has been the selected as the prime structure based on the poorest condition. This resolution reinforces the commitment of the City of Idaho Falls to match 7.34% of the total project cost. This amount is approximately \$84,000.00 of the estimated \$1,150,000.00.

Councilmember Freeman stated this bridge has a weight limit, therefore, school busses are unable to use the bridge at this time. This bridge is the top priority bridge replacement for the City. Director Fredericksen stated Federal Aid projects are a five-year program, this timeframe allows Public Works to identify funding. He indicated approximately \$350,000 is budgeted annually in the Arterial, Road and Bridge Fund to address this type of projects. Councilmember Radford noted contingency money was included in the budget for these situations.

It was moved by Councilmember Freeman, seconded by Councilmember Francis, to approve the Grant Application Resolution for the Higbee Avenue Bridge, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

RESOLUTION NO. 2018-36

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, GRANTING THE MAYOR SPECIFIC AUTHORITY TO APPROVE THE HIGBEE AVENUE BRIDGE GRANT APPLICATION; AND PROVIDING THAT THIS RESOLUTION BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Parks and Recreation

Subject: Donation of \$100,000.00 for Dog Park Improvements by the William J. and Shirley A. Maeck Family Foundation

For consideration is a Memorandum of Understanding (MOU) which outlines the terms and conditions of a \$100,000.00 donation from the Maeck Family Foundation for the purpose of constructing improvements to the Idaho Falls Dog Park.

Councilmember Dingman recognized the Maeck Family Foundation for their generosity to the City in multiple ways. She stated improvements at the dog park were recommended from the steering committee. Improvements include a shade structure, water feature, and a dog agility course. Additional improvements are pending per budget amounts. Parks and Recreation (P&R) Director Greg Weitzel expressed his appreciation to the Maeck Foundation for their generous contribution. He stated the steering committee consists of P&R staff, a member of the Snake River Animal Shelter, and a member appointed by the Maeck Foundation. Director Weitzel stated portions of the dog park are located in the Airport runway zone, therefore, all improvement would require Airport regulatory requirements. Mayor Casper questioned the timeframe of the steering committee. Director Weitzel stated he would be in favor of continuing the committee beyond the dog park improvements. He expressed his appreciation to the volunteers for their countless hours to the community. Councilmember Francis questioned the timeframe of the MOU. Director Weitzel stated the MOU indicates commencing within a year of the design approval.

November 20, 2018 - Unapproved

It was moved by Councilmember Dingman, seconded by Councilmember Radford, to approve the Memorandum of Understanding from the Maeck Family Foundation, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Francis, Radford, Dingman, Smede, Freeman. Nay – none. Motion carried.

Mayor Casper, on behalf of the Council, expressed her heartfelt appreciation to the Maeck Family Foundation.

Subject: Gift Deed of Property – Groberg Pocket Park

For consideration is a gift deed of property from Joseph and Jeanne Groberg to the City of Idaho Falls. The property is located on Lot 15, Block 15 of the Packer Addition, Division No. 3. The City of Idaho Falls was approached by the Groberg family offering a donation of property for the development of a pocket park for the citizens of Idaho Falls.

Councilmember Dingman briefly reviewed the stipulations with this pocket park, including any potential nuisances.

It was moved by Councilmember Dingman, seconded by Councilmember Radford, to approve the Gift Deed and accept the gift from Joseph and Jeanne Groberg. Roll call as follows: Aye – Councilmembers Dingman, Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

Announcements and Adjournment:

Mayor Casper stated the Downtown Tree Lighting will be held November 24.

There being no further business, the meeting adjourned at 8:07 p.m.

CITY CLERK

MAYOR

REGULAR

AGENDA:



MEMORANDUM

TO: Mayor and City Council

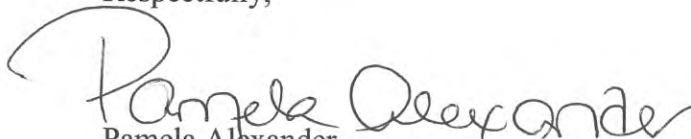
FROM: Municipal Services Department

DATE: December 5, 2018

RE: Bid IF-19-C, Addition to Fleet for Public Works

It is the recommendation of the Municipal Services Department to piggyback the State of Idaho Contract #SBPO18200325 with Smith Chevrolet to furnish one pickup with snowplow for a lump sum total of \$36,102.60. This purchase is an addition to the fleet as requested and approved in the Public Works 2018/2019 budget for a total of \$45,000.

Respectfully,


Pamela Alexander
Municipal Services Director



MEMORANDUM

TO: Mayor Rebecca Casper

FROM: Chief Bryce Johnson

DATE: December 7, 2018

RE: Animal Ordinance Revision

Idaho Falls Animal Services recommends that the City Ordinances dealing with licensing be amended per the attached draft. This ordinance was discussed at a previous Council work session.

The changes are summarized below:

1. Add a definition for "Altered" and use this term instead of "neutered" throughout.
2. Add a definition for "Cat"
3. Add "cat" to the licensing requirements
4. Change animal licenses from 3 year licenses to 1 year licenses
5. Add an exception for cats that are microchipped and altered to be exempt from licensing requirements
6. Change record keeping of licenses from the City Clerk to the Animal Services Manager.
7. Add a requirement to purchase a license for cats being reclaimed from the shelter.
8. Add a requirement for any cat impounded at the shelter more than 2 times in a year to be spayed/neutered prior to being reclaimed. (we already had this for dogs)

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER SIX OF TITLE FIVE OF THE IDAHO FALLS CITY CODE TO REQUIRE THE ANNUAL LICENSING OF DOGS AND CATS; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City Code currently allows the public to voluntarily license cats; and

WHEREAS, the City staff believes that that unaltered and unlicensed cats are contributing to the feral cat nuisance; and

WHEREAS, the City wishes to require that unaltered cats that are routinely impounded at the City's Animal Control Shelter be required to be spayed and neutered; and

WHEREAS, the City wishes to establish an annual dog and cat license.

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

SECTION 1: City Code Title 5, Section 6, is hereby amended as follows:

5-6-1: DEFINITIONS:

Certain terms used in this Chapter shall have the meaning ascribed below:

(A) ALTERED: Rendered permanently incapable of reproduction.

(B) ANIMAL CONTROL SHELTER: Any animal shelter, lot, premises or building maintained by the City for the confinement and care of animals.

(C) AT LARGE: A dog shall be deemed to be at large when off the property of the owner, and not under restraint or control.

(D) CAT: A cat of an age four (4) months or older that is kept as a household pet.

(E) DOG: A dog of an age four (4) months or older that is kept as a household pet.

(F) ENCLOSURE: A fence or structure suitable to prevent escape of the animal or the entry of young children.

(G) NEUTERED: Rendered permanently incapable of reproduction.

(H) NUISANCE ANIMAL: A nuisance animal, including a dog or cat, is one that:

1. Frequently runs at large;

2. Damages, soils, or defecates on private property other than property owned or controlled by the animal owner or on public property, including walks and recreation areas, unless such waste is immediately removed and properly disposed of by the animal owner or handler;
 3. Causes unsanitary or dangerous conditions;
 4. Causes a disturbance by excessive barking or other noise making
 5. Creates a general public nuisance; and/or
 6. Chases vehicles, or molests, attacks, or interferes with persons or other domestic animals on public property.
- (I) OWNER: A person having the right of property or custody of an animal or who keeps or harbors an animal or knowingly permits an animal to remain on or about any premises occupied, owned, or controlled by that person.
- (J) PERSON: Any individual, corporation, partnership, organization or institution commonly recognized by law as a unit.
- (K) RESTRAINT: A dog shall be considered under restraint if it is confined within a structure or fenced yard, is secured by a leash, lead or chain or is confined within a vehicle in a manner that prevents escape.
- (L) UNLICENSED DOG: A dog for which a license has not been issued for the current year, or to which the tag provided for in this Chapter is not attached.
- (M) VACCINATION: The inoculation of an animal against rabies in accordance with state law and the "Compendium of Animal Rabies Prevention and Control" published by the National Association of the State Public Health Veterinarians and published annually in the Journal of the American Veterinary Medical Association.

5-6-2 LICENSE REQUIRED.

- (A) It shall be unlawful for any person to keep or harbor any dog or cat within the City without paying a license fee as herein provided. Altered cats that have a current registered microchip need not be licensed. This Section shall not apply to any person owning or possessing a dog or cat currently licensed and bearing the license issued by another licensing authority, nor shall it apply to any dog which has strayed into the City but is duly licensed by, and wearing the tag of, another licensing authority.
- (B) All dogs and cats over the age of four (4) months must be vaccinated for rabies, and a copy of the vaccination certificate must be present with the license application.

5-6-3 LICENSE FEES.

(A) Each license for a cat or dog shall be issued for a term of one (1) year. It shall expire on December 31st of the year the license was issued. The annual fee for licensing all unaltered dogs or cats, and the annual fee for the licensing of all altered dogs and cats shall be in an amount set from time to time by Resolution of the Council, respectively. Each license shall be valid only for the dog or cat for which it was issued and shall not be transferred or used for any other animal. Upon payment of such fee, the Clerk or other authorized representative shall issue a license and a metal tag bearing the year of expiration and a number corresponding to the number on the license. The license shall state the date of issuance, the date of expiration, the amount paid, the name and address of the person to whom issued and the breed and sex of the dog or cat.

(B) License fees shall be waived for:

1. Any altered dog used primarily as a service animal when the owner or keeper establishes the service animal's function as an assistance animal under the Americans with Disabilities Act, 42 USC 12101 *et seq.*
2. Any altered dog in training as a service animal when the owner or keeper establishes the service animal's function as an assistance animal under the Americans with Disabilities Act, 42 USC 12101 *et seq.*
3. Any altered dog used by a public agency or a private organization under contract to a public agency as a police dog, tracking dog, search and rescue dog, arson or drug sniffing dog, or for any other job that furthers in the mission of the agency to protect and serve the public interest.

...

5-6-5 RECORD OF LICENSE.

The Animal Services Manager shall keep a record of the licenses issued under this Chapter, and shall record all of the facts required to be stated in the license.

...

5-6-11 CONTROL OF CATS:

- (A) Cat nuisances include but are not limited to excessive noise, soiling of public property and of private property not owned or rented by the pet owner, and noxious odors or unsanitary conditions caused by failure to clean the cat's resident property.
- (B) Cats must be prevented from causing a nuisance by howling in a habitual, consistent, or persistent manner that repeatedly disturbs the peace of the neighborhood.

- (C) Owners must take steps to prevent feces deposits by their cats on public property, public and private rights-of-way, and private property not owned or rented by the animal owner and prevent them from continually spraying or depositing urine on lawns and landscaping that causes damage to grasses, flowers, shrubs, etc.
- (D) Animal Services shall investigate each complaint and issue a warning letter to the cat owner on the first offense. A citation may be issued on subsequent offenses.
- (E) Impoundment of Unlicensed Cats. All impounded cats not licensed or not identified by tag or microchip, shall be retained in the Animal Services Shelter for a minimum of three (3) business days. At any time during this period, the owner or keeper of such cat may redeem it by procuring a microchip, applicable license, and by paying an impound fee plus a boarding fee as set forth in this Chapter. Any cat that is identified by a shelter personnel as "feral" or "wild" shall not be required to be held for the three (3) day period.
- (F) Impoundment of Licensed Cats. All impounded cats which are licensed or otherwise identified with a tag or microchip or whose owner is known shall be retained in the Animal Control Shelter for a minimum period of five (5) days after the owner is notified of the impoundment. As soon as reasonably possible following impoundment of such cat, the Animal Services Manager shall give notice of the impoundment to the owner of the cat, either in writing, by telephone or by personal notification. The Animal Services Manager shall keep a record of the date, time and manner of giving notice, with respect to each impounded cat. At any time during the said five (5) day period the owner may redeem the cat by procuring a microchip, applicable license, and paying an impound fee plus a boarding fee as set forth in this Chapter. The five (5) day period shall commence to run at noon on the day following the date notice is given.
- (G) Spaying and Neutering. Any cat adopted from the Animal Control Shelter shall be spayed or neutered by a licensed veterinarian either prior to adoption, or within thirty (30) days of adoption, or as soon after the cat is old enough to be spayed or neutered. If the cat is not already spayed or neutered, the adopter shall agree to provide evidence of spaying or neutering to the Animal Control Shelter within thirty (30) days. For cats determined by a licensed veterinarian to be too young to be spayed or neutered within thirty (30) days of adoption, proof of spaying or neutering shall be provided by the cat's owner within thirty (30) days of the age the cat became eligible for spaying or neutering, which date shall be designated on the adoption paperwork.
- (H) An unaltered cat that has been impounded at the Animal Control Shelter on two (2) previous occasions during the previous one (1) year period shall be required to be spayed or neutered prior to the owner redeeming the animal. The impound, and boarding fees, shall be applied toward the cost of the spay or neuter.
- (I) Unclaimed Cats. The ownership of any cat not redeemed within the periods of time herein stated shall be forfeited and the cat may be sold thereafter by the Animal Services Manager to any person.
- (J) No cat shall be released from the Animal Services Shelter unless the cat is microchipped under this Chapter.

(K) Disposal of Cats. If any cat is not redeemed or sold, the cat may be humanely destroyed and the carcass disposed of in any lawful manner.

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

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

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

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

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of September, 2018.

CITY OF IDAHO FALLS, IDAHO

Rebecca L. Noah Casper, Mayor

ATTEST:

Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO
HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance
entitled, "AN ORDINANCE AMENDING CHAPTER SIX OF TITLE FIVE OF
THE IDAHO FALLS CITY CODE TO REQUIRE THE ANNUAL LICENSING
OF DOGS AND CATS; PROVIDING SEVERABILITY, CODIFICATION,
PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

Kathy Hampton, City Clerk



MEMORANDUM

TO: Honorable Mayor and Council
FROM: Stephen Boorman, Assistant General Manager *SB*
DATE: 04 December 2018
RE: Approve Task Order 1 with HDR Engineering for Paine Substation Design

Idaho Falls Power, in accordance with Idaho State Statute 65-2320, solicited proposals for engineering services involving the design of the Paine Sub and Sugermill to Paine transmission line. HDR Engineering was selected as the most qualified firm for that work.

Therefore, the City has entered into a Multiple Services Agreement with HDR Engineering Inc. for professional services. The Multiple Services Agreement is a blanket agreement governing all work between Idaho Falls Power and HDR Engineering Inc. Attached Task Order 1 includes a scope of services and a not-to-exceed amount of \$200,000.

Idaho Falls Power respectfully requests City Council approval of Task Order 1, under the Multiple Services Agreement dated 11 July 2014, and authorization for the Mayor to execute the document.

Attachment

C: City Clerk
City Attorney
File sjb/005

MULTIPLE PROJECT AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is made as of this 11th day of July, 2014, between Idaho Falls Power, hereinafter referred to as "OWNER", and HDR Engineering, Inc., hereinafter referred to as "ENGINEER," for engineering services as described in this Agreement.

WHEREAS, OWNER desires to retain ENGINEER, a professional engineering firm, to provide professional engineering, consulting and related services ("Services") on one or more projects in which the OWNER is involved; and

WHEREAS, ENGINEER desires to provide such services on such projects as may be agreed, from time to time, by the parties;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

SECTION I. PROJECT TASK ORDER

- 1.1 This Agreement shall apply to as many projects as OWNER and ENGINEER agree will be performed under the terms and conditions of this Agreement. Each project ENGINEER performs for OWNER hereunder shall be designated by a "Task Order." A sample Task Order is attached to this Agreement and marked as Exhibit "A". No Task Order shall be binding or enforceable unless and until it has been properly executed by both OWNER and ENGINEER. Each properly executed Task Order shall become a separate supplemental agreement to this Agreement.
- 1.2 In resolving potential conflicts between this Agreement and the Task Order pertaining to a specific project, the terms of the Task Order shall control.
- 1.3 ENGINEER will provide the Scope of Services as set forth in Part 2 of each Task Order.

SECTION II. RESPONSIBILITIES OF OWNER

In addition to the responsibilities described in paragraph 6 of the attached "HDR Engineering, Inc. Terms and Conditions for Professional Services," OWNER shall have the responsibilities described in Part 3 of each Task Order.

SECTION III. COMPENSATION

Compensation for ENGINEER's Services shall be in accordance with Part 5 of each Task Order, and in accordance with paragraph 11 of the attached "HDR Engineering, Inc. Terms and Conditions for Professional Services."

SECTION IV. TERMS AND CONDITIONS OF ENGINEERING SERVICES

The "HDR Engineering, Inc. Terms and Conditions for Professional Services," which are attached hereto, are incorporated into this Agreement by this reference.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.



City of Idaho Falls
"OWNER"

BY:

NAME:

TITLE:

ADDRESS:

Rebecca L. Noah Casper
Mayor
P.O. Box 50220
Idaho Falls, Idaho 83405

HDR ENGINEERING, INC.
"ENGINEER"

BY:

NAME:

TITLE:

ADDRESS:

Scott Herskins
Sr. Vice President
2913 Millennium Circle
Billings, MT 59102

EXHIBIT A

TASK ORDER

This Task Order pertains to an Agreement by and between _____, ("OWNER"), and HDR Engineering, Inc. ("ENGINEER"), dated _____, 20____, ("the Agreement"). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER:
PROJECT NAME:

- PART 1.0 PROJECT DESCRIPTION:
- PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:
- PART 3.0 OWNER'S RESPONSIBILITIES:
- PART 4.0 PERIODS OF SERVICE:
- PART 5.0 PAYMENTS TO ENGINEER:
- PART 6.0 OTHER:

This Task Order is executed this _____ day of _____, 20____.

"OWNER"

HDR ENGINEERING, INC.
"ENGINEER"

BY: _____

BY: _____

NAME: _____

NAME: _____

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

HDR Engineering, Inc.

Terms and Conditions for Professional Services

1. STANDARD OF PERFORMANCE

The standard of care for all professional engineering, consulting and related services performed or furnished by ENGINEER and its employees under this Agreement will be the care and skill ordinarily used by members of ENGINEER's profession practicing under the same or similar circumstances at the same time and in the same locality. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER's services.

2. INSURANCE/INDEMNITY

ENGINEER agrees to procure and maintain, at its expense, Workers' Compensation Insurance as required by statute; Employer's Liability of \$250,000; Automobile Liability Insurance of \$1,000,000 combined single limit for bodily injury and property damage covering all vehicles, including hired vehicles, owned and non-owned vehicles; Commercial General Liability Insurance of \$1,000,000 combined single limit for personal injury and property damage; and Professional Liability Insurance of \$1,000,000 per claim for protection against claims arising out of the performance of services under this Agreement caused by negligent acts, errors, or omissions for which ENGINEER is legally liable. OWNER shall be made an additional insured on Commercial General and Automobile Liability Insurance policies and certificates of insurance will be furnished to the OWNER. ENGINEER agrees to indemnify OWNER for claims to the extent caused by ENGINEER's negligent acts, errors or omissions. However, neither Party to this Agreement shall be liable to the other Party for any special, incidental, indirect, or consequential damages (including but not limited to loss of profits or revenue; loss of use or opportunity; loss of good will; cost of substitute facilities, goods, or services; and/or cost of capital) arising out of, resulting from, or in any way related to the Project or the Agreement from any cause or causes, including but not limited to any such damages caused by the negligence, errors or omissions, strict liability or breach of contract.

3. OPINIONS OF PROBABLE COST (COST ESTIMATES)

Any opinions of probable project cost or probable construction cost provided by ENGINEER are made on the basis of information available to ENGINEER and on the basis of ENGINEER's experience and qualifications, and represents its judgment as an experienced and qualified professional engineer. However, since ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over the contractor(s)' methods of determining prices, or over competitive bidding or market conditions, ENGINEER does not guarantee that proposals, bids or actual project or construction cost will not vary from opinions of probable cost ENGINEER prepares.

4. CONSTRUCTION PROCEDURES

ENGINEER's observation or monitoring portions of the work performed under construction contracts shall not relieve the contractor from its responsibility for performing work in accordance with applicable contract documents. ENGINEER shall not control or have charge of, and shall not be responsible for, construction means, methods, techniques, sequences, procedures of construction, health or safety programs or precautions connected with the work and shall not manage, supervise, control or have charge of construction. ENGINEER shall not be responsible for the acts or omissions of the contractor or other parties on the project. ENGINEER shall be entitled to review all construction contract documents and to require that no provisions extend the duties or liabilities of ENGINEER beyond those set forth in this Agreement. OWNER agrees to include ENGINEER as an indemnified party in OWNER's construction contracts for the work, which shall protect ENGINEER to the same degree as OWNER. Further, OWNER agrees that ENGINEER shall be listed as an additional insured under the construction contractor's liability insurance policies.

5. CONTROLLING LAW

This Agreement is to be governed by the law of the state where ENGINEER's services are performed.

6. SERVICES AND INFORMATION

OWNER will provide all criteria and information pertaining to OWNER's requirements for the project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations. OWNER will also provide copies of any

OWNER-furnished Standard Details, Standard Specifications, or Standard Bidding Documents which are to be incorporated into the project.

OWNER will furnish the services of soils/geotechnical engineers or other consultants that include reports and appropriate professional recommendations when such services are deemed necessary by ENGINEER. The OWNER agrees to bear full responsibility for the technical accuracy and content of OWNER-furnished documents and services.

In performing professional engineering and related services hereunder, it is understood by OWNER that ENGINEER is not engaged in rendering any type of legal, insurance or accounting services, opinions or advice. Further, it is the OWNER's sole responsibility to obtain the advice of an attorney, insurance counselor or accountant to protect the OWNER's legal and financial interests. To that end, the OWNER agrees that OWNER or the OWNER's representative will examine all studies, reports, sketches, drawings, specifications, proposals and other documents, opinions or advice prepared or provided by ENGINEER, and will obtain the advice of an attorney, insurance counselor or other consultant as the OWNER deems necessary to protect the OWNER's interests before OWNER takes action or forebears to take action based upon or relying upon the services provided by ENGINEER.

7. SUCCESSORS AND ASSIGNS

OWNER and ENGINEER, respectively, bind themselves, their partners, successors, assigns, and legal representatives to the covenants of this Agreement. Neither OWNER nor ENGINEER will assign, sublet, or transfer any interest in this Agreement or claims arising therefrom without the written consent of the other.

8. RE-USE OF DOCUMENTS

All documents, including all reports, drawings, specifications, computer software or other items prepared or furnished by ENGINEER pursuant to this Agreement, are instruments of service with respect to the project. ENGINEER retains ownership of all such documents. OWNER may retain copies of the documents for its information and reference in connection with the project; however, none of the documents are intended or represented to be suitable for reuse by OWNER or others on extensions of the project or on any other project. Any reuse without written verification or adaptation by ENGINEER for the specific purpose intended will be at OWNER's sole risk and without liability or legal exposure to ENGINEER, and OWNER will defend, indemnify and hold harmless ENGINEER from all claims, damages, losses and expenses, including attorney's fees, arising or resulting therefrom. Any such verification or adaptation will entitle ENGINEER to further compensation at rates to be agreed upon by OWNER and ENGINEER.

9. TERMINATION OF AGREEMENT

OWNER or ENGINEER may terminate the Agreement, in whole or in part, by giving seven (7) days written notice to the other party. Where the method of payment is "lump sum," or cost reimbursement, the final invoice will include all services and expenses associated with the project up to the effective date of termination. An equitable adjustment shall also be made to provide for termination settlement costs ENGINEER incurs as a result of commitments that had become firm before termination, and for a reasonable profit for services performed.

10. SEVERABILITY

If any provision of this agreement is held invalid or unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provision, term or condition shall not be construed by the other party as a waiver of any subsequent breach of the same provision, term or condition.

11. INVOICES

ENGINEER will submit monthly invoices for services rendered and OWNER will make prompt payments in response to ENGINEER's invoices.

ENGINEER will retain receipts for reimbursable expenses in general accordance with Internal Revenue Service rules pertaining to the support of expenditures for income tax purposes. Receipts will be available for inspection by OWNER's auditors upon request.

If OWNER disputes any items in ENGINEER's invoice for any reason, including the lack of supporting documentation, OWNER may temporarily delete the disputed item and pay the remaining amount of the invoice. OWNER will promptly notify ENGINEER of the dispute and request clarification and/or correction. After any dispute has been settled, ENGINEER will include the disputed item on a subsequent, regularly scheduled invoice, or on a special invoice for the disputed item only.

OWNER recognizes that late payment of invoices results in extra expenses for ENGINEER. ENGINEER retains the right to assess OWNER interest at the rate of one percent (1%) per month, but not to exceed the maximum rate allowed by law, on invoices which are not paid within thirty (30) days from the date of the invoice. In the event undisputed portions of ENGINEER's invoices are not paid when due, ENGINEER also reserves the right, after seven (7) days prior written notice, to suspend the performance of its services under this Agreement until all past due amounts have been paid in full.

12. CHANGES

The parties agree that no change or modification to this Agreement, or any attachments hereto, shall have any force or effect unless the change is reduced to writing, dated, and made part of this Agreement. The execution of the change shall be authorized and signed in the same manner as this Agreement. Adjustments in the period of services and in compensation shall be in accordance with applicable paragraphs and sections of this Agreement. Any proposed fees by ENGINEER are estimates to perform the services required to complete the project as ENGINEER understands it to be defined. For those projects involving conceptual or process development services, activities often are not fully definable in the initial planning. In any event, as the project progresses, the facts developed may dictate a change in the services to be performed, which may alter the scope. ENGINEER will inform OWNER of such situations so that changes in scope and adjustments to the time of performance and compensation can be made as required. If such change, additional services, or suspension of services results in an increase or decrease in the cost of or time required for performance of the services, an equitable adjustment shall be made, and the Agreement modified accordingly.

13. CONTROLLING AGREEMENT

These Terms and Conditions shall take precedence over any inconsistent or contradictory provisions contained in any proposal, contract, purchase order, requisition, notice-to-proceed, or like document.

14. EQUAL EMPLOYMENT AND NONDISCRIMINATION

In connection with the services under this Agreement, ENGINEER agrees to comply with the applicable provisions of federal and state Equal Employment Opportunity for individuals based on color, religion, sex, or national origin, or disabled veteran, recently separated veteran, other protected veteran and armed forces service medal veteran status, disabilities under provisions of executive order 11246, and other employment, statutes and regulations, as stated in Title 41 Part 60 of the Code of Federal Regulations § 60-1.4 (a-f), § 60-300.5 (a-e), § 60-741 (a-e).

15. HAZARDOUS MATERIALS

OWNER represents to ENGINEER that, to the best of its knowledge, no hazardous materials are present at the project site. However, in the event hazardous materials are known to be present, OWNER represents that to the best of its knowledge it has disclosed to ENGINEER the existence of all such hazardous materials, including but not limited to asbestos, PCB's, petroleum, hazardous waste, or radioactive material located at or near the project site, including type, quantity and location of such hazardous materials. It is acknowledged by both parties that ENGINEER's scope of services do not include services related in any way to hazardous materials. In the event ENGINEER or any other party encounters undisclosed hazardous materials, ENGINEER shall have the obligation to notify OWNER and, to the extent required by law or regulation, the appropriate governmental officials, and ENGINEER may, at its option and without liability for delay, consequential or any other damages to OWNER, suspend performance of services on that portion of the project affected by hazardous materials until OWNER: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the hazardous materials; and (ii) warrants that the project site is in full compliance with all applicable laws and regulations. OWNER acknowledges that ENGINEER is performing professional services for OWNER and that ENGINEER is not and shall not be required to become an "arranger," "operator,"

"generator," or "transporter" of hazardous materials, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1990 (CERCLA), which are or may be encountered at or near the project site in connection with ENGINEER's services under this Agreement. If ENGINEER's services hereunder cannot be performed because of the existence of hazardous materials, ENGINEER shall be entitled to terminate this Agreement for cause on 30 days written notice.

To the fullest extent permitted by law, OWNER shall indemnify and hold harmless ENGINEER, its officers, directors, partners, employees, and subconsultants from and against all costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals, and all court or arbitration or other dispute resolution costs) caused by, arising out of or resulting from hazardous materials, provided that (i) any such cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or injury to or destruction of tangible property (other than completed Work), including the loss of use resulting therefrom, and (ii) nothing in this paragraph shall obligate OWNER to indemnify any individual or entity from and against the consequences of that individual's or entity's sole negligence or willful misconduct.

16. EXECUTION

This Agreement, including the exhibits and schedules made part hereof, constitute the entire Agreement between ENGINEER and OWNER, supersedes and controls over all prior written or oral understandings. This Agreement may be amended, supplemented or modified only by a written instrument duly executed by the parties.

17. ALLOCATION OF RISK

OWNER AND ENGINEER HAVE EVALUATED THE RISKS AND REWARDS ASSOCIATED WITH THIS PROJECT, INCLUDING ENGINEER'S FEE RELATIVE TO THE RISKS ASSUMED, AND AGREE TO ALLOCATE CERTAIN OF THE RISKS, SO, TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL AGGREGATE LIABILITY OF ENGINEER (AND ITS RELATED CORPORATIONS, SUBCONSULTANTS AND EMPLOYEES) TO OWNER AND THIRD PARTIES GRANTED RELIANCE IS LIMITED TO THE ENGINEER'S VALID AND COLLECTIBLE LIABILITY INSURANCE LIMIT FOR ANY AND ALL INJURIES, DAMAGES, CLAIMS, LOSSES, OR EXPENSES (INCLUDING ATTORNEY AND EXPERT FEES) ARISING OUT OF ENGINEER'S SERVICES OR THIS AGREEMENT REGARDLESS OF CAUSE(S) OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY, OR OTHER RECOVERY. THIS LIMITATION SHALL NOT APPLY TO THE EXTENT THE DAMAGE IS PAID UNDER ENGINEER'S COMMERCIAL GENERAL LIABILITY INSURANCE POLICY.

18. LITIGATION SUPPORT

In the event ENGINEER is required to respond to a subpoena, government inquiry or other legal process related to the services in connection with a legal or dispute resolution proceeding to which ENGINEER is not a party, OWNER shall reimburse ENGINEER for reasonable costs in responding and compensate ENGINEER at its then standard rates for reasonable time incurred in gathering information and documents and attending depositions, hearings, and trial.

19. UTILITY LOCATION

If underground sampling/testing is to be performed, a local utility locating service shall be contacted to make arrangements for all utilities to determine the location of underground utilities. In addition, OWNER shall notify ENGINEER of the presence and location of any underground utilities located on the OWNER's property which are not the responsibility of private/public utilities. ENGINEER shall take reasonable precautions to avoid damaging underground utilities that are properly marked. The OWNER agrees to waive any claim against ENGINEER and will indemnify and hold ENGINEER harmless from any claim of liability, injury or loss caused by or allegedly caused by ENGINEER's damaging of underground utilities that are not properly marked or are not called to ENGINEER's attention prior to beginning the underground sampling/testing.

EXHIBIT A

TASK ORDER

This Task Order pertains to an Agreement by and between Idaho Falls Power, ("OWNER"), and HDR Engineering, Inc. ("ENGINEER"), dated December ___, 2018, ("the Agreement"). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 1

PROJECT NAME: **Idaho Falls Power Paine Substation**

PART 1.0 PROJECT DESCRIPTION: **See Paine Substation Proposal.**

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT: **See Paine Substation Proposal.**

PART 3.0 OWNER'S RESPONSIBILITIES: **See Paine Substation Proposal.**

PART 4.0 PERIODS OF SERVICE: **See Paine Substation Proposal.**

PART 5.0 ENGINEER'S FEE: **Time and expense not to exceed \$200,000.00**

PART 6.0 OTHER:

This Task Order is executed this _____ day of December , 2018.

IDAHO FALLS POWER

"OWNER"

BY: _____

NAME: _____

TITLE: _____

ADDRESS: _____

HDR ENGINEERING, INC.


"ENGINEER"

BY: _____

NAME: _____

TITLE: _____

ADDRESS: _____



Kate Eldridge

Vice President

412 E. Parkcenter Blvd.,
Suite 100
Boise, ID 83706

EXHIBIT B
TERMS AND CONDITIONS

HDR Engineering, Inc.

Terms and Conditions for Professional Services

1. STANDARD OF PERFORMANCE

The standard of care for all professional engineering, consulting and related services performed or furnished by ENGINEER and its employees under this Agreement will be the care and skill ordinarily used by members of ENGINEER's profession practicing under the same or similar circumstances at the same time and in the same locality. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER's services.

2. INSURANCE/INDEMNITY

ENGINEER agrees to procure and maintain, at its expense, Workers' Compensation insurance as required by statute; Employer's Liability of \$250,000; Automobile Liability insurance of \$1,000,000 combined single limit for bodily injury and property damage covering all vehicles, including hired vehicles, owned and non-owned vehicles; Commercial General Liability insurance of \$1,000,000 combined single limit for personal injury and property damage; and Professional Liability insurance of \$1,000,000 per claim for protection against claims arising out of the performance of services under this Agreement caused by negligent acts, errors, or omissions for which ENGINEER is legally liable. If flying an Unmanned Aerial System (UAS or drone), ENGINEER will procure and maintain aircraft unmanned aerial systems insurance of \$1,000,000 per occurrence. OWNER shall be made an additional insured on Commercial General and Automobile Liability insurance policies and certificates of insurance will be furnished to the OWNER. ENGINEER agrees to indemnify OWNER for third party personal injury and property damage claims to the extent caused by ENGINEER's negligent acts, errors or omissions. However, neither Party to this Agreement shall be liable to the other Party for any special, incidental, indirect, or consequential damages (including but not limited to loss of use or opportunity; loss of good will; cost of substitute facilities, goods, or services; cost of capital; and/or fines or penalties), loss of profits or revenue arising out of, resulting from, or in any way related to the Project or the Agreement from any cause or causes, including but not limited to any such damages caused by the negligence, errors or omissions, strict liability or breach of contract.

3. OPINIONS OF PROBABLE COST (COST ESTIMATES)

Any opinions of probable project cost or probable construction cost provided by ENGINEER are made on the basis of information available to ENGINEER and on the basis of ENGINEER's experience and qualifications, and represents its judgment as an experienced and qualified professional engineer. However, since ENGINEER has no control over the cost of labor, materials, equipment or services furnished by others, or over the contractor(s) methods of determining prices, or over competitive bidding or market conditions, ENGINEER does not guarantee that proposals, bids or actual project or construction cost will not vary from opinions of probable cost ENGINEER prepares.

4. CONSTRUCTION PROCEDURES

ENGINEER's observation or monitoring portions of the work performed under construction contracts shall not relieve the contractor from its responsibility for performing work in accordance with applicable contract documents. ENGINEER shall not control or have charge of, and shall not be responsible for, construction means, methods, techniques, sequences, procedures of construction, health or safety programs or precautions connected with the work and shall not manage, supervise, control or have charge of construction. ENGINEER shall not be responsible for the acts or omissions of the contractor or other parties on the project. ENGINEER shall be entitled to review all construction contract documents and to require that no provisions extend the duties or liabilities of ENGINEER beyond those set forth in this Agreement. OWNER agrees to include ENGINEER as an indemnified party in OWNER's construction contracts for the work, which shall protect ENGINEER to the same degree as OWNER. Further, OWNER agrees that ENGINEER shall be listed as an additional insured under the construction contractor's liability insurance policies.

5. CONTROLLING LAW

This Agreement is to be governed by the law of the state where ENGINEER's services are performed.

6. SERVICES AND INFORMATION

OWNER will provide all criteria and information pertaining to OWNER's requirements for the project, including design objectives and constraints, space, capacity and performance requirements, flexibility and expandability, and any budgetary limitations. OWNER will also provide copies of any OWNER-

furnished Standard Details, Standard Specifications, or Standard Bidding Documents which are to be incorporated into the project.

OWNER will furnish the services of soils/geotechnical engineers or other consultants that include reports and appropriate professional recommendations when such services are deemed necessary by ENGINEER. The OWNER agrees to bear full responsibility for the technical accuracy and content of OWNER-furnished documents and services.

In performing professional engineering and related services hereunder, it is understood by OWNER that ENGINEER is not engaged in rendering any type of legal, insurance or accounting services, opinions or advice. Further, it is the OWNER's sole responsibility to obtain the advice of an attorney, insurance counselor or accountant to protect the OWNER's legal and financial interests. To that end, the OWNER agrees that OWNER or the OWNER's representative will examine all studies, reports, sketches, drawings, specifications, proposals and other documents, opinions or advice prepared or provided by ENGINEER, and will obtain the advice of an attorney, insurance counselor or other consultant as the OWNER deems necessary to protect the OWNER's interests before OWNER takes action or forebears to take action based upon or relying upon the services provided by ENGINEER.

7. SUCCESSORS, ASSIGNS AND BENEFICIARIES

OWNER and ENGINEER, respectively, bind themselves, their partners, successors, assigns, and legal representatives to the covenants of this Agreement. Neither OWNER nor ENGINEER will assign, sublet, or transfer any interest in this Agreement or claims arising therefrom without the written consent of the other. No third party beneficiaries are intended under this Agreement.

8. RE-USE OF DOCUMENTS

All documents, including all reports, drawings, specifications, computer software or other items prepared or furnished by ENGINEER pursuant to this Agreement, are instruments of service with respect to the project. ENGINEER retains ownership of all such documents. OWNER may retain copies of the documents for its information and reference in connection with the project; however, none of the documents are intended or represented to be suitable for reuse by OWNER or others on extensions of the project or on any other project. Any reuse without written verification or adaptation by ENGINEER for the specific purpose intended will be at OWNER's sole risk and without liability or legal exposure to ENGINEER, and OWNER will defend, indemnify and hold harmless ENGINEER from all claims, damages, losses and expenses, including attorney's fees, arising or resulting therefrom. Any such verification or adaptation will entitle ENGINEER to further compensation at rates to be agreed upon by OWNER and ENGINEER. OWNER and ENGINEER agree that OWNER is subject to the requirements of Idaho Code Title 74, Chapter 1, commonly known as the Idaho Public Records Act (especially Idaho Code Section 74-107(1) that refers to "trade secrets") and any document associated with work contemplated between OWNER and ENGINEER may be required to be made public pursuant to Idaho Code. *KWC*

9. TERMINATION OF AGREEMENT

OWNER or ENGINEER may terminate the Agreement, in whole or in part, by giving seven (7) days written notice to the other party. Where the method of payment is "lump sum," or cost reimbursement, the final invoice will include all services and expenses associated with the project up to the effective date of termination. An equitable adjustment shall also be made to provide for termination settlement costs ENGINEER incurs as a result of commitments that had become firm before termination, and for a reasonable profit for services performed.

10. SEVERABILITY

If any provision of this agreement is held invalid or unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provision, term or condition shall not be construed by the other party as a waiver of any subsequent breach of the same provision, term or condition.

11. INVOICES

ENGINEER will submit monthly invoices for services rendered and OWNER will make payments to ENGINEER within thirty (30) days of OWNER's receipt of ENGINEER's invoice.

ENGINEER will retain receipts for reimbursable expenses in general accordance with Internal Revenue Service rules pertaining to the support of expenditures for income tax purposes. Receipts will be available for inspection by OWNER's auditors upon request.

If OWNER disputes any items in ENGINEER's invoice for any reason, including the lack of supporting documentation, OWNER may temporarily delete the disputed item and pay the remaining amount of the invoice. OWNER will promptly notify ENGINEER of the dispute and request clarification and/or correction. After any dispute has been settled, ENGINEER will include the disputed item on a subsequent, regularly scheduled invoice, or on a special invoice for the disputed item only.

OWNER recognizes that late payment of invoices results in extra expenses for ENGINEER. ENGINEER retains the right to assess OWNER interest at the rate of one percent (1%) per month, but not to exceed the maximum rate allowed by law, on invoices which are not paid within thirty (30) days from the date OWNER receives ENGINEER's invoice. In the event undisputed portions of ENGINEER's invoices are not paid when due, ENGINEER also reserves the right, after seven (7) days prior written notice, to suspend the performance of its services under this Agreement until all past due amounts have been paid in full.

12. CHANGES

The parties agree that no change or modification to this Agreement, or any attachments hereto, shall have any force or effect unless the change is reduced to writing, dated, and made part of this Agreement. The execution of the change shall be authorized and signed in the same manner as this Agreement. Adjustments in the period of services and in compensation shall be in accordance with applicable paragraphs and sections of this Agreement. Any proposed fees by ENGINEER are estimates to perform the services required to complete the project as ENGINEER understands it to be defined. For those projects involving conceptual or process development services, activities often are not fully definable in the initial planning. In any event, as the project progresses, the facts developed may dictate a change in the services to be performed, which may alter the scope. ENGINEER will inform OWNER of such situations so that changes in scope and adjustments to the time of performance and compensation can be made as required. If such change, additional services, or suspension of services results in an increase or decrease in the cost of or time required for performance of the services, an equitable adjustment shall be made, and the Agreement modified accordingly.

13. CONTROLLING AGREEMENT

These Terms and Conditions shall take precedence over any inconsistent or contradictory provisions contained in any proposal, contract, purchase order, requisition, notice-to-proceed, or like document.

14. EQUAL EMPLOYMENT AND NONDISCRIMINATION

In connection with the services under this Agreement, ENGINEER agrees to comply with the applicable provisions of federal and state Equal Employment Opportunity for individuals based on color, religion, sex, gender identity/expression and sexual orientation, or national origin, or disabled veteran, recently separated veteran, other protected veteran and armed forces service medal veteran status, disabilities under provisions of executive order 11246, and other employment, statutes and regulations, as stated in Title 41 Part 60 of the Code of Federal Regulations § 60-1.4 (a-f), § 60-300.5 (a-e), § 60-741 (a-e).

15. HAZARDOUS MATERIALS

OWNER represents to ENGINEER that, to the best of its knowledge, no hazardous materials are present at the project site. However, in the event hazardous materials are known to be present, OWNER represents that to the best of its knowledge it has disclosed to ENGINEER the existence of all such hazardous materials, including but not limited to asbestos, PCB's, petroleum, hazardous waste, or radioactive material located at or near the project site, including type, quantity and location of such hazardous materials. It is acknowledged by both parties that ENGINEER's scope of services do not include services related in any way to hazardous materials. In the event ENGINEER or any other party encounters undisclosed hazardous materials, ENGINEER shall have the obligation to notify OWNER and, to the extent required by law or regulation, the appropriate governmental officials, and ENGINEER may, at its option and without liability for delay, consequential or any other damages to OWNER, suspend performance of services on that portion of the project affected by hazardous materials until OWNER: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the hazardous materials; and (ii) warrants that the project site is in full

compliance with all applicable laws and regulations. OWNER acknowledges that ENGINEER is performing professional services for OWNER and that ENGINEER is not and shall not be required to become an "arranger," "operator," "generator," or "transporter" of hazardous materials, as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1990 (CERCLA), which are or may be encountered at or near the project site in connection with ENGINEER's services under this Agreement. If ENGINEER's services hereunder cannot be performed because of the existence of hazardous materials, ENGINEER shall be entitled to terminate this Agreement for cause on 30 days written notice. To the fullest extent permitted by law, OWNER shall indemnify and hold harmless ENGINEER, its officers, directors, partners, employees, and subconsultants from and against all costs, losses, and damages (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals, and all court or arbitration or other dispute resolution costs) caused by, arising out of or resulting from hazardous materials, provided that (i) any such cost, loss, or damage is attributable to bodily injury, sickness, disease, or death, or injury to or destruction of tangible property (other than completed Work), including the loss of use resulting therefrom; and (ii) nothing in this paragraph shall obligate OWNER to indemnify any individual or entity from and against the consequences of that individual's or entity's sole negligence or willful misconduct.

16. EXECUTION

This Agreement, including the exhibits and schedules made part hereof, constitute the entire Agreement between ENGINEER and OWNER, superseding and controls over all prior written or oral understandings. This Agreement may be amended, supplemented or modified only by a written instrument duly executed by the parties.

17. ALLOCATION OF RISK

OWNER AND ENGINEER HAVE EVALUATED THE RISKS AND REWARDS ASSOCIATED WITH THIS PROJECT, INCLUDING ENGINEER'S FEE RELATIVE TO THE RISKS ASSUMED, AND AGREE TO ALLOCATE CERTAIN OF THE RISKS, SO, TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL AGGREGATE LIABILITY OF ENGINEER (AND ITS RELATED CORPORATIONS, SUBCONSULTANTS AND EMPLOYEES) TO OWNER AND THIRD PARTIES GRANTED RELIANCE IS LIMITED TO THE LESSER OF \$1,000,000 OR ITS FEE, FOR ANY AND ALL INJURIES, DAMAGES, CLAIMS, LOSSES, OR EXPENSES (INCLUDING ATTORNEY AND EXPERT FEES) ARISING OUT OF ENGINEER'S SERVICES OR THIS AGREEMENT REGARDLESS OF CAUSE(S) OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY, OR OTHER RECOVERY.

18. LITIGATION SUPPORT

In the event ENGINEER is required to respond to a subpoena, government inquiry or other legal process related to the services in connection with a legal or dispute resolution proceeding to which ENGINEER is not a party, OWNER shall reimburse ENGINEER for reasonable costs in responding and compensate ENGINEER at its then standard rates for reasonable time incurred in gathering information and documents and attending depositions, hearings, and trial.

19. NO THIRD PARTY BENEFICIARIES

No third party beneficiaries are intended under this Agreement. In the event a reliance letter or certification is required under the scope of services, the parties agree to use a form that is mutually acceptable to both parties.

20. UTILITY LOCATION

If underground sampling/testing is to be performed, a local utility locating service shall be contacted to make arrangements for all utilities to determine the location of underground utilities. In addition, OWNER shall notify ENGINEER of the presence and location of any underground utilities located on the OWNER's property which are not the responsibility of private/public utilities. ENGINEER shall take reasonable precautions to avoid damaging underground utilities that are properly marked. The OWNER agrees to waive any claim against ENGINEER and will indemnify and hold ENGINEER harmless from any claim of liability, injury or loss caused by or allegedly caused by ENGINEER's damaging of underground utilities that are not properly marked or are not called to ENGINEER's attention prior to beginning the underground sampling/testing.

21. UNMANNED AERIAL SYSTEMS

If operating UAS, ENGINEER will obtain all permits or exemptions required by law to operate any UAS included in the services. ENGINEER's operators have completed the training, certifications and licensure as required by the applicable

jurisdiction in which the UAS will be operated. OWNER will obtain any necessary permissions for ENGINEER to operate over private property, and assist, as necessary, with all other necessary permissions for operations.



November 19, 2018

Mr. Richard Malloy
rmalloy@ifpower.org
Idaho Falls Power
140 South Capital Avenue
Idaho Falls, ID 83402

RE: Proposal for Engineering Services for the Idaho Falls Power Paine Substation

Dear Mr. Malloy:

Thank you for selecting HDR to be considered for Idaho Falls Power's (IFP) consultant for the Paine 161/46/12.5 kV Substation project. HDR will provide you with the ideal partner to complete the project on-time and on-budget. Our extensive 161/46/12.5 kV substation design experience, and comprehensive project management and controls approach will save time and money as this project progresses towards construction. A few advantages of partnering with HDR include:

- **Depth of resources:** We offer IFP the resources of more than 325 engineers, designers and technical resources specializing in power delivery design, including more than 200 substation engineers, predominantly in the Northwest. We're a low risk option for IFP and our professionals are the trusted partners you can count on to deliver a successful project.
- **We put your needs first:** We are committed to helping IFP maintain and build a reliable electric grid for your customers. We do this by listening to your unique needs and applying tailored solutions to fit your individual projects. We have experience that drives our proposed solutions, but we understand there is no such thing as a one-size fits all solution.
- **Consistency of staff:** We have customized an experienced team to leverage the knowledge and expertise of our technical resources to effectively meet your goals. Most of our team members have a long history with our organization, creating a stable core team to guide long-term strategies and daily operations. Once we begin a project and our project manager is assigned, we commit the availability of this team for the life of the project.

We have provided a proposal we trust fully demonstrates our interest and capabilities for completing the Paine 115/46/12.5 kV Substation project. Should you have any questions, please do not hesitate to contact Grant Gershmel at Grant.Gershmel@hdrinc.com or (406) 869-4944. We look forward to partnering with Idaho Falls Power on this important project.

Sincerely,
HDR, Inc.

Grant Gershmel, PE
Project Manager

Kate Eldridge
Idaho Area Manager

hdrinc.com

970 South 29th Street West, Billings, MT 59102
T (406) 656-8100 F (406) 652-2758

General Project Information

Idaho Falls Power (IFP) is preparing to build a new greenfield 161 kV breaker in/breaker out substation with a 161/46 kV, 60MVA transformer and a second 161/12.5 kV, 25MVA transformer. The substation will be comprised of (2) 161 kV line breakers separated by a vertical break switch. The substation will contain two transformers; the first being a 161/46 kV, 60MVA transformer and the second being a 161/12.5 kV, 25MVA transformer. The 161/46 kV transformer will feed a distribution structure with (3) feeders and the 161/12.5 kV transformer will feed a second distribution structure with (2) feeders. The two distribution structures will be designed so that they may be interconnected in the future if one of the transformers is replaced and the low side voltages are matched. Both distribution bays will be fed through a low side breaker.

The scope of the Project is defined to include the design for the site grading and approach road grading, permitting, substation fence and all equipment inside the substation fence including the transmission line dead-end structures. It is assumed that all items outside the substation fence are outside the scope of work for this Project.

Definitions

For the purposes of this proposal, the following definitions have been used:

Project shall be the Paine 115/46/12.5 kV Substation engineering and design.

Site shall be the location of the Paine Substation off of the intersection of W 49th Street North and North River Road in Idaho Falls, ID.

Client shall be Idaho Falls Power.

HDR shall be the firm proposing to conduct engineering and design services.

Contractor shall be the firm performing the construction of the Project.

Manufacturer shall be any company that is fabricating, manufacturing or supplying specific equipment for the Project.

Project Activities

General Administrative

The objective of this task is to provide a clear and agreed upon understanding of the procedures to be adhered to throughout the project. Detailed schedules, control and reporting methods, and quality control programs will be developed and reviewed by the project team. This task will begin at the project kickoff meeting and continue throughout the project.

Project Kickoff

The objective of this task is the collection of data and requirements to clearly define existing facilities, interfaces with outside infrastructure, and site conditions, which must be incorporated into the project design. This work will begin with the kickoff meeting where access to data and drawings will be requested, detailed design criteria for the project will be developed, and detailed standards to be used in design will be provided to HDR.

Kickoff Meeting

HDR will meet with IFP project staff in Idaho Falls, Idaho to confirm the project scope and schedule, establish communication protocol, and discuss preliminary siting considerations and constraints. HDR will develop the meeting agenda and meeting minutes. Prior to the meeting, contact information for key project team members will be developed and revised at the project kickoff meeting. This information will show key reporting relationships and communication contacts for the project phases.

Assumptions:

- HDR expects that two team members will attend the kickoff meeting.
- The kickoff meeting will be hosted in IFP's Office in Idaho Falls, Idaho.
- Preparation time is included in this task to draft schedule.

Deliverables:

- Meeting agenda
- Meeting minutes
- HDR team contact information list

Site Survey

HDR will provide a survey specification and a site location map for site and the Client will contract with a survey company to collect a survey of the substation site area. The survey will include all property boundaries, existing utilities, any right of ways on the site and the approach road area. The survey will also provide control for future site construction.

Assumptions

- The Client will procure a survey company to conduct a site survey of the substation area.

Deliverables

- Site survey specification and a site location map.

Grading Design

HDR will develop a preliminary site grading plan and approach road for the Project. Site grading material volumes will be balanced as much as possible to help lower site construction costs. The grading plan will incorporate a SWPP plan for construction permits. HDR will also address any flood plain requirements that may be required for the substation site. A rock surfacing design will be provided to encompass the new substation area.

Assumptions

- The Client will review and return the preliminary grading plan and approach road submittal with comments in a timely manner

Deliverables

- Complete preliminary Site Grading and General Arrangement drawings

Substation Permitting

HDR will work with the City of Idaho Falls to help acquire applicable permits needed from Bonneville County for construction, site access, building permits, conditional use permits, SWPP plan, SPCC plan and design permits required for the construction of the Paine Substation.

Assumptions

- The Client will submit and procure all permits required for the Paine Substation by Bonneville County, Idaho.

Deliverables

- Substation permitting information for submittals to Bonneville County, Idaho for permits.

Soil Borings

HDR will provide a geotechnical specification and a soil boring location map for site and the Client will contract with a geotechnical company to collect soil property and soil resistivity information for the substation site area. Soil borings will be taken by near the dead-end structures, the transformers, and the control house location to get an idea of all soil properties across the site. Soil resistivity tests will be taken across the site to get an idea of the soil resistivity at the site.

Assumptions

- The Client will contract with a geotechnical company to conduct the geotechnical investigation and soil resistivity tests in the substation area.

Deliverables

- Geotechnical specification, soil boring locations, and a site location map

Equipment Layout Design

Based on the switching diagram for the substation provided by the Client, HDR will design and draft a preliminary equipment layout based on typical equipment sizes for the respective voltage class. Layout will be optimized to meet all bus clearances, equipment placement, working clearances and ease of operations. This preliminary layout will help determine the overall size and arrangement of the substation

and ensure that the layout will fit within the developed grading area. HDR will develop the final equipment layout after all manufacture equipment approval drawings have been received and approved by the Client.

Assumptions

- The Client will provide information on preferences for equipment orientations, such as breaker door locations, switch operator locations, etc.
- The Client will review and return the preliminary equipment layout submittal with comments in a timely manner.
- The Client will provide a final substation switching diagram showing all major equipment and electrical ratings at the Project start.

Deliverables

- Complete preliminary Equipment Layout and General Arrangement drawings.

Protection and Control Design

Based on the switching diagram for the substation provided by the Client, HDR will review the design, create a one-line, and make recommendations based on standard practices and designs. Once the one-line is finalized, HDR will create AC and DC schematics required for control design. This includes three-lines, control schematics, communication diagrams, connection diagrams for equipment, and wiring diagrams for relaying panels. HDR will develop the final schematics and connections diagrams after all necessary manufacture approval drawings have been received and approved by the client.

Assumptions

- The Client will provide information on preferences for relaying equipment, communication protocols, equipment manufactures, and other relevant design criteria.
- The Client will review and return the preliminary one-line with comments in a timely manner.

Deliverables

- Complete protection and control package.

Protective Relay Settings

HDR has extensive experience in relaying and protection. Our staff brings more than 120 years of cumulative relaying experience. Our team has been leading the way in helping our clients to better protection of their system. HDR has extensive industry experience working with municipals, utilities and cooperatives to verify that their systems will adequately protect when called upon to operate. Through our staff involvement in national committees, our staff brings the latest in system protection to the IFP.

Our relaying projects include everything from electromechanical relays to IEC 61850 control schemes. We are also well versed in PRC and CIP compliance and have conducted many PRC studies for our clients. Our staff brings an expert and diverse team of system protection engineers to your team.

HDR will provide protective relaying settings based on the system one line including coordination to adjacent substations. Any updates HDR makes to the system one line file will be transfer back to Idaho Falls. HDR will coordinate with adjacent relays and feeders as well as damage curves of the protected equipment.

Assumptions

- Idaho Falls will provide information on preferences for relaying philosophies.
- There will be no remedial action schemes or transfer tripping to remote terminals.
- Idaho Falls will provide a system one line diagram in electronic format (Aspen or similar).

Deliverables

- Protective relay settings in electronic format (.rdb). Relay setting worksheets in word document format will also be provided.
- System one line updates based on current condition of files.

Conduit System/Cable Trench/Control Cable Design

HDR will design and detail the conduit system, including wire sizing, and cable trench. The design will include a conduit and cable schedule, which will include control cable lengths, sizes and counts. The cable trench design will include drive-over sections where large trailers with equipment can cross.

Assumptions

- Direct bury PVC will be utilized below grade.
- Rigid conduits will be utilized for the elbows and above grade.
- Control cable will be sized by location of equipment and run length.
- The Client will provide preferred cable trench manufacturer or approve of HDR supplied manufacturer

Deliverables

- Complete Conduit Plan and Detail drawings with trench plan and conduit and cable schedules.
- Detail drawings will include conduit details and junction box terminations
- Cable sizing calculations, if requested.

Grounding System Design

HDR will design a grounding system per IEEE Std. 80 or the latest standard based on the soil resistivity and fault current information for the site. HDR will complete the necessary grounding system design calculations, Grounding Plan and Detail Drawings, which will include the necessary Bill of Material identification numbers and connection details. Design will include the use of the SES CDEGS grounding program. All fence, gate, and station grounds will be connected together.

Assumptions

- The soil resistivity testing results will be included in the Geotechnical Investigation Report.
- Fault current data of each transmission line connected to the substation will be provided by the Client.
- Below grade connections will be weld-type.
- Above grading connections will be bolted-type.
- If fault distribution splitting is requested by the Client, all transmission line design information will be provided.

Deliverables

- Grounding Plan and Detail drawings with Bill of Material identification numbers.

- Grounding design calculations and CDEGS output, if requested.

Equipment Elevations Design

HDR will design and draft the elevations and details for the new equipment and bus system which will include the controlling heights of equipment and bus. Designs will consider equipment replacement, working clearances and equipment access. Detailed drawings will show the equipment, bus system, bus connection fittings and a bill of material listing for each item. Controlling heights of equipment and bus will meet National Electric Safety Code (NESC) or latest standard requirements for 161 and 46 kV.

Deliverables

- Complete General Arrangement Plans, Elevations, and Detail drawings with Bill of Material listings for each item.

Bus System Design

HDR will design the rigid bus system for the 161, 46 and 12.5 kV voltages. Rigid bus will meet the NESC Code or latest standard requirements for minimal electrical clearances for the voltage class. The design will identify the bus strength, deflection, and expansion limits.

Assumptions

- The Client will provide preferred bus dampening method (external/internal).
- The Client will provide preferred bus connection type (bolted/welded) for each voltage class.

Deliverables

- Bus design will be incorporated into General Arrangement Plans, Elevations, and Detail drawings.
- Bus design calculations, if requested.

Lightning Shielding Protection

HDR will complete a lightning shielding protection plan for the new equipment and rigid bus system. Design method will be the rolling spheres method.

Deliverables

- Complete Lightning Protection Plan drawings.

Lighting Plan

HDR will complete a lighting plan and layout for substation site.

Assumptions

- The Client will provide input on field crew lighting preferences.
- The Client will provide input on field lighting equipment preferences.
- The Client will provide input on field lighting switching preferences.

Deliverables

- Light plan design will be incorporated into General Arrangement Plans, Elevations, and Detail drawings with Bill of Material callouts for each item.

Structural Steel Design

HDR will design the structural steel for steel structures and brackets required for the Project. This will include the necessary "design" drawings for the bus supports, instrument transformer supports, station service, and the disconnect switch stands. Designs will be based on ASCE 113.

Assumptions

- Examples will be provided if Client standards are to be used for rolled steel structures.
- Any static masts required will be tapered tubular structures.
- The Client will specify conductor type and the line tensions for the incoming lines for the deadend design.

Deliverables

- Steel Plan and Structure Detail drawings with steel schedule listings for each component.
- Complete Load and Design drawings for tapered tubular structures with minimum design requirements (deflection/size restrictions/etc.), if requested.

Steel Fabrication Drawings

After the Client approval of the structural steel drawings, HDR will produce fabrication drawings of each steel member showing all welds, holes, sizes and erection hardware. Fabrication drawing structures will have equipment mounting that matches final Manufacturer equipment approval drawings. HDR will review fabricator shop drawings and calculations to ensure conformity with Load and Design drawings and HDR fabrication drawings.

Assumptions

- Client will provide Manufacturer equipment approval drawings in a timely manner.

Deliverables

- Complete Steel Plan and Detail drawings with final equipment mounting and fabrication details.

Foundation Design

HDR will design and detail the foundations using equipment and steel support structure loading information. Designs will be based on the final geotechnical report. Foundation types will be dependent on structural loads, geotechnical recommendations and economies of construction. Oil containment will be incorporated in the design if required by the Client provided SPCC plan.

Assumptions

- The Client will provide transformer and circuit breaker Manufacturer drawings in a timely manner.
- Fabricator will provide tapered tubular structure foundation loading in a timely manner.
- The equipment enclosure foundation design will be provided by the equipment enclosure Manufacturer.

Deliverables

- Complete Foundation Plan and Detail drawings with material quantities.
- All foundation design models and all calculations, if requested.

Bill of Materials

HDR will provide a bill of materials for the bus, grounding and conduit material for the Project. A preliminary bill of material will be developed with the preliminary equipment layout drawings. A final bill of material will be developed after the final equipment layout and elevation drawings have been completed. This will include material descriptions, detailed quantities, and Manufacture catalog numbers.

Assumptions

- The Client will specify and procure all major equipment items.
- All non-major equipment items will be Contractor furnished and stated so in the bill of material.

Deliverables

- A Bill of Material List in Excel format for all applicable design components.
- A Bill of Material drawing with material descriptions, detailed quantities, and manufacturer catalog numbers.

AC Station Service

HDR will calculate and design the AC station service power for the substation based on the anticipated loads for the substation equipment. This design will include the station service voltage transformer, backup power source, transfer switches, fused disconnect switches, conduit and cable as required.

Assumptions

- The Client will provide all anticipated loads for the equipment enclosure for station service design.

Deliverables

- Station service design and details will be incorporated into the General Arrangement, Elevation, Conduit, Grounding Drawings.
- Station service design calculations, if requested

Control Building

HDR will assist the Client with the procurement of the pre-manufactured control building. After Client procurement, HDR will review the Manufacturer drawings and place stamps on drawings showing approval or rejection.

Assumptions

- The Manufacturer will provide detailed design drawings of the equipment enclosure and the systems inside the equipment enclosure.
- The Client will provide information on how and where the control and communications wiring will be entering the equipment enclosure. HDR will provide input.

Deliverables

- Control Building specification and drawings.

Project Management, Conference Call Meetings

HDR will provide project management and information processing services related to the design and engineering of the Project and setup a biweekly conference call during the design and conference calls as needed during the design of the Project. HDR will maintain close continuous contact with the Client and the Project team to provide informal, timely project status updates if required.

Assumptions

- HDR will provide and setup conference call services.

Deliverables

- Meeting or conference call summaries will be sent after each meeting or call.

Material Procurement Support

HDR will assist the Client and the construction Contractor for substation material procurement support related tasks that may arise during the course of the Project. HDR will review all major and minor equipment Manufacturer drawings and place stamps on drawings showing approval or rejection.

Assumptions

- The Manufacturer will provide detailed design drawings of the equipment.
- All reviewed drawings may be returned in electronic form.
- The Client will provide equipment manufacturer preferences.

Deliverables

- Major equipment specifications and drawings.
- Reviewed Manufacturer drawings with approval stamps.

Construction Specifications

HDR will provide a substation construction specification for all parts of the substation per the latest industry standards. This will be provided to the Client in a Word document format.

Assumptions

- Specifications may be in HDR format.
- All portions of the construction specification can be combined into one all-encompassing document.

Deliverables

- A construction specification in Word format.

Construction Bid Document

HDR will prepare a bid document using the construction specifications and creating a bid sheet in Excel format for all contractors to bid off of. HDR will work with the Client to provide bid evaluation and recommendations.

Assumptions

- The Client will provide the contract portion of the bid document.

Deliverables

- A Construction Bid Document.
- A Construction Specification bid sheet in Excel format.

Equipment Specifications

HDR will provide technical specifications for all minor substation equipment not specified by the Client. Items include but are not limited to: bus insulators, bus fittings, bus tubing, yard lighting, switches, structural HDR will work with the Client to provide Manufacturer drawing review and approval for all major substation equipment as necessary for the project.

Assumptions

- All approval drawings may be returned in electronic format.

Deliverables

- Disconnect Switch Specification in Word format.
- Structural Steel Specification in Word format.
- Metering Equipment Specification in Word format.
- Reviewed Manufacturer drawings of major substation equipment, specified and procured by the Client, with approval stamps.
- Reviewed Manufacturer drawings of minor substation equipment with approval stamps.

Other

HDR would be available to attend pre-bid meeting to assist the Client in answering any Contractor questions.

Construction Support

HDR will assist the Client with technical support during substation construction in answering questions, interpret technical provisions of plans and specifications when clarification is needed, evaluating alternative construction proposal, evaluating specification deviations and support related tasks that may arise during the construction and startup phase of the Project. Three site visits during the construction will be provided. During those visits, HDR will monitor the construction for compliance with plans, specification, and other contract requirements

Assumptions

- One of the site visits by HDR will be with the Client and the construction Contractor and will serve as the "Walkthrough" for the Contractor.

Deliverables

- Site visit summary and construction “Punch List” on the “Walkthrough” visit.

Record Drawings

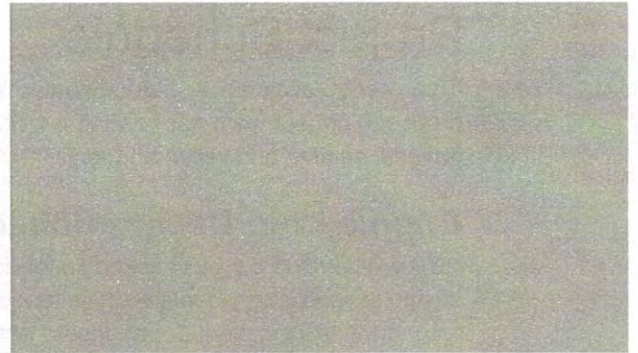
HDR will update all drawings generated by HDR at the end of the project to reflect changes and revisions based on field construction set of “red-line” drawings provided by the Client.

Assumptions

- The Client will provide “red-line” drawings from the Contractor in a timely manner after construction if complete.

Deliverables

- HDR will provide a final “Record” set of prints for the Project including (2) full size drawings, (3) half size drawings and an electronic set of the drawings.



02

Project Schedule



Project Schedule

Clear communication and documented decisions are integral to keeping a project on schedule. Our proposed project team has worked on many projects together, and as a result, we know how to complete projects on time and within budget.

Engineering Design Schedule

HDR will develop a project schedule for design activities. The schedule will include a detailed engineering design schedule with identified milestones and applicable milestone restraints. Scheduling will also include reconciliation of schedule variances, action plans to re-establish schedule, and impacts of accepting revised schedule. Microsoft Project will be the project scheduling software used by the project team.

Assumptions:

- Client will provide anticipated dates for equipment delivery, design completion, construction start, construction completion and substation energization.

Deliverables:

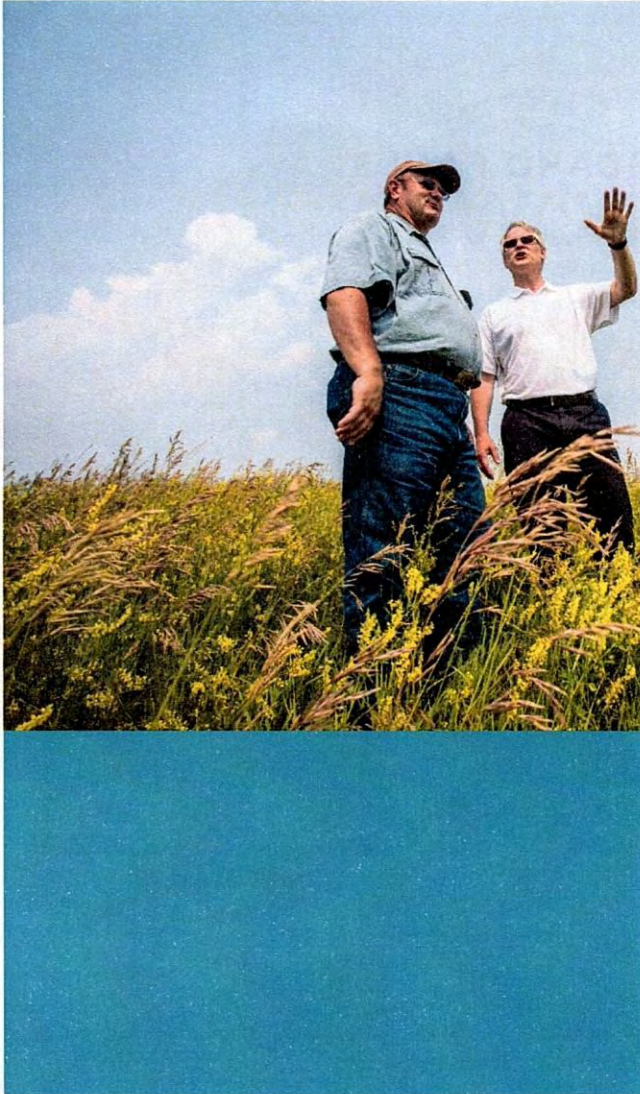
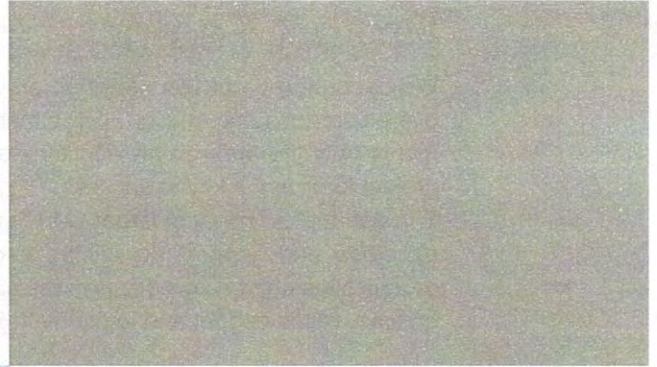
- Design and construction schedule in Microsoft Project including expected equipment delivery times.
- Monthly schedule updates
- Action plans (if required)

Substation Permitting Schedule

HDR will develop and maintain a project schedule for siting, permitting, survey, ROW and engineering design activities in collaboration with IFP and the project team. The schedule will include a detailed engineering design schedule with identified milestones and applicable milestone restraints. Scheduling will also include reconciliation of schedule variances, action plans to re-establish schedule, and impacts of accepting revised schedule. Microsoft Project will be the project scheduling software used by the project team.

Deliverables:

- Schedule in Microsoft Project
- Monthly schedule updates
- Action plans (if required)



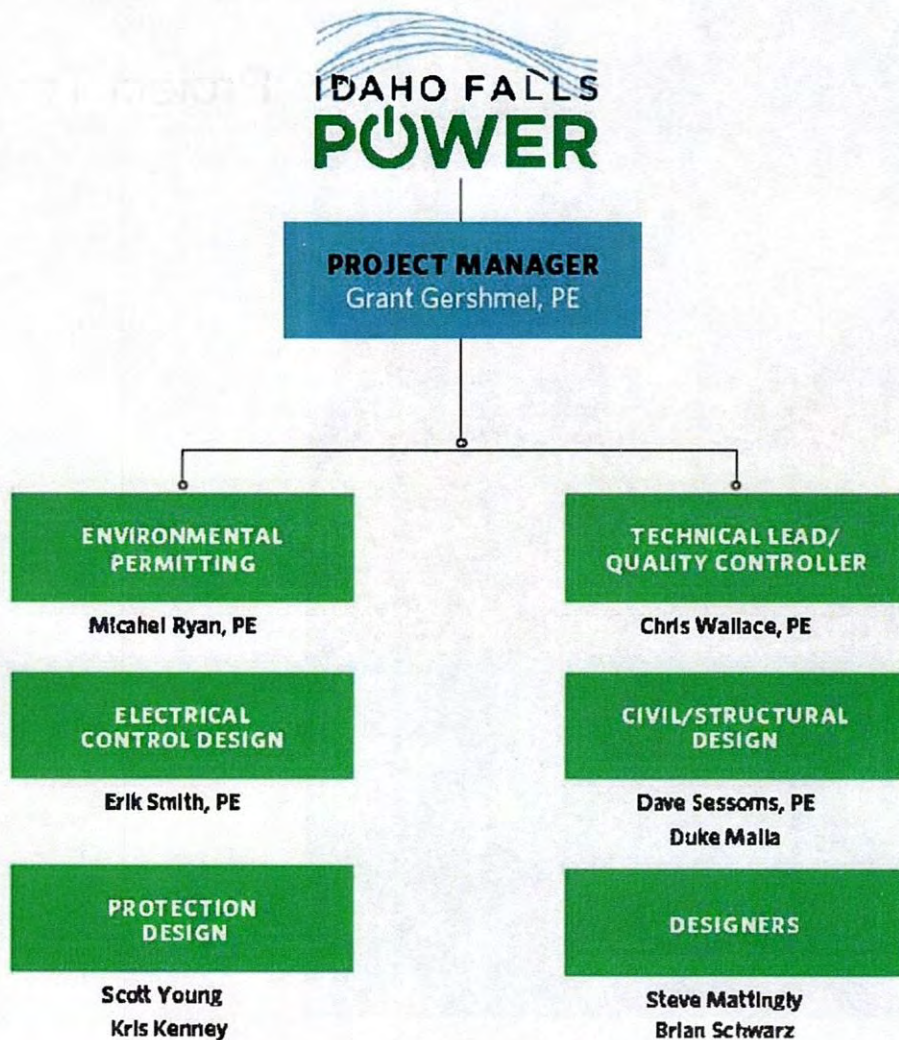
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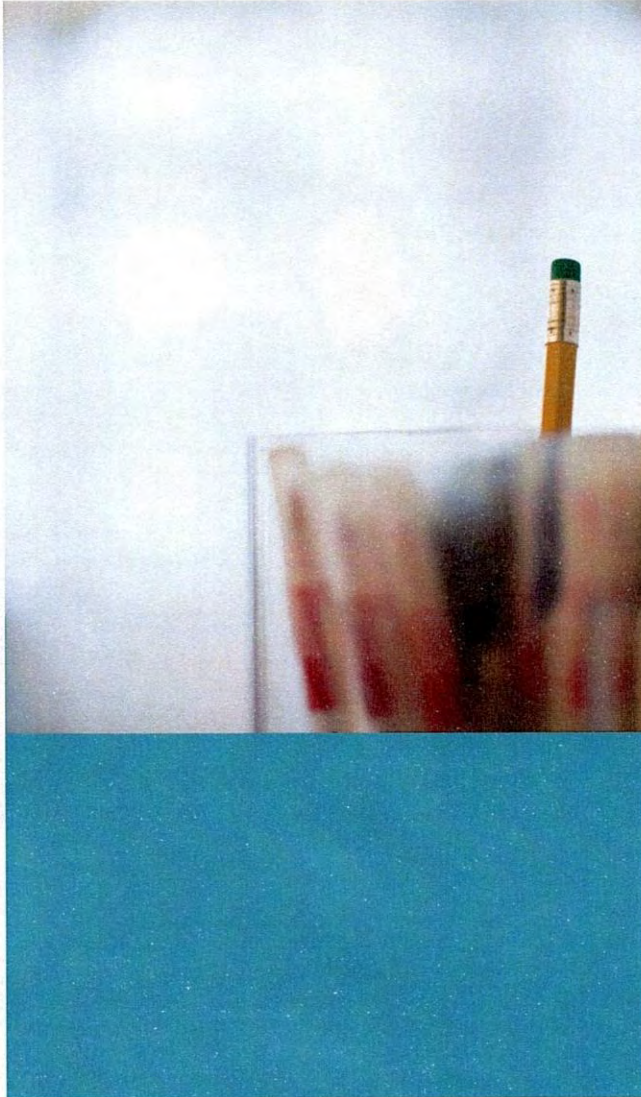
Project Team

Project Team

We hand-picked our team for their proven abilities to not only deliver projects, but for their dedication to overall success and quality. HDR's management has carefully designed this team structure and believes this is truly the team to provide the services IFP needs. As with any project, a strong, knowledgeable project team is the key to success.

Through the oversight of Grant Gershmel, the HDR team provides an excellent cross section of technical expertise and support disciplines needed to successfully manage and complete this project. The organization chart below displays the basic structure under which we plan to operate to deliver the project on time, within budget and to the highest quality standards.





05

Cost Proposal

Cost Proposal

We propose that our compensation be computed on an actual time and expense basis in accordance with our current hourly rate schedule. The estimated "Not to Exceed" amount for the project is \$200,000. The budget is based on HDR's understanding of the scope of the work as defined by IFP and is subject to IFP's review and approval.



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brad Cramer, Community Development Services Director

DATE: Friday, December 7, 2018

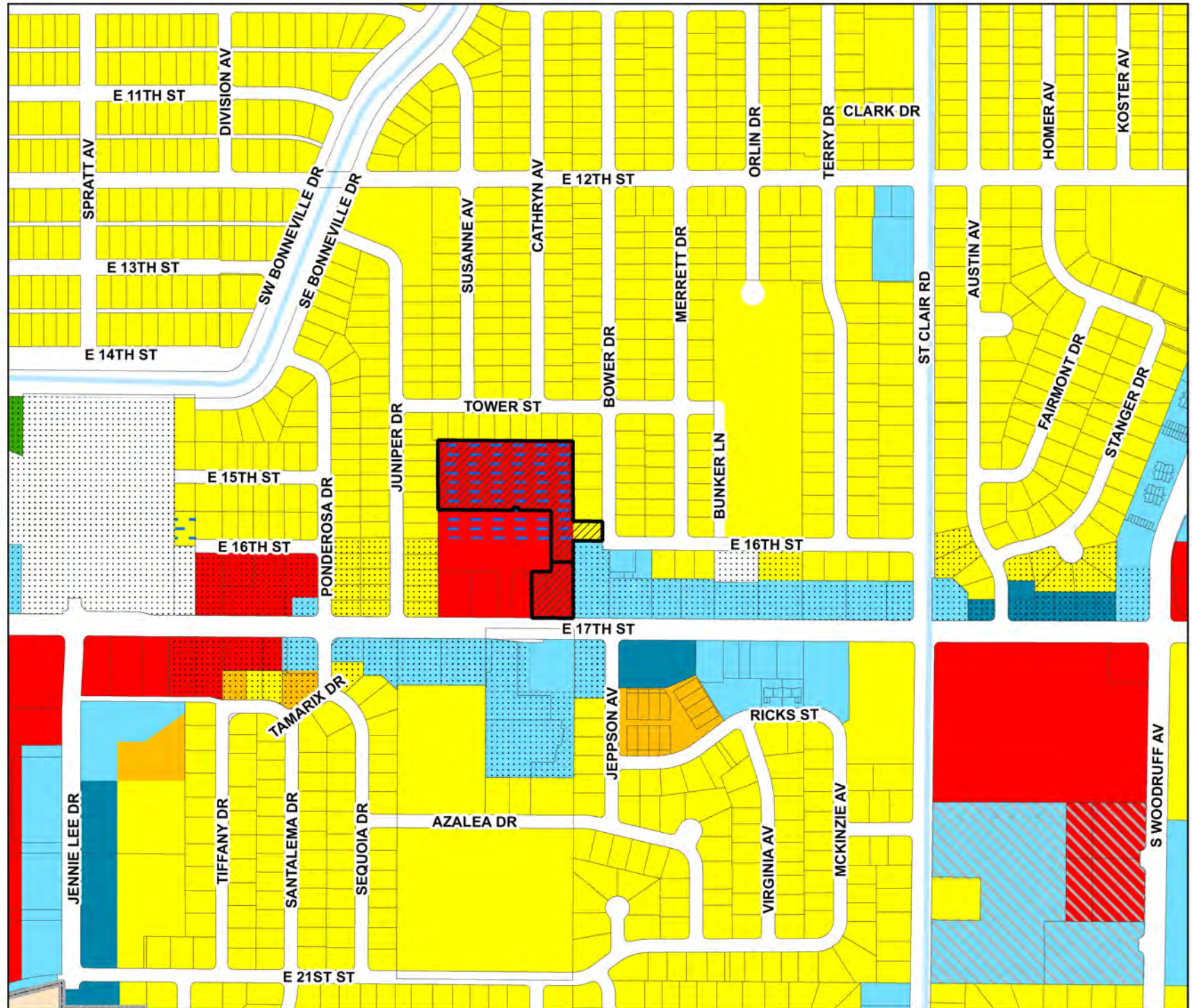
RE: Final Plat and Reasoned Statement of Relevant Criteria and Standards, Television Park Addition, 1st Amended

Attached is the application for the Final Plat and Reasoned Statement of Relevant Criteria and Standards for Television Park Addition, 1st Amended. The Planning and Zoning Commission first considered this item at its September 5, 2017 meeting and recommended approval by an 8-2 vote. Due to technical issues with the plat that took a significant amount of time to resolve, the plat was not ready to bring forward to the Mayor and Council until recently. Because of the length of time since the Planning and Zoning Commission recommendation, staff brought the plat to that commission again and December 4, 2018 and it was recommended for approval by unanimous vote. Staff concurs with this recommendation. This item is now being submitted to the Mayor and City Council for consideration.

Attachments: Vicinity Map
Aerial Photo
Final Plat
Staff Report
P&Z Minutes September 5, 2017 (December 4, 2018 minutes not available)
Reasoned Statement of Relevant Criteria and Standards

Legend

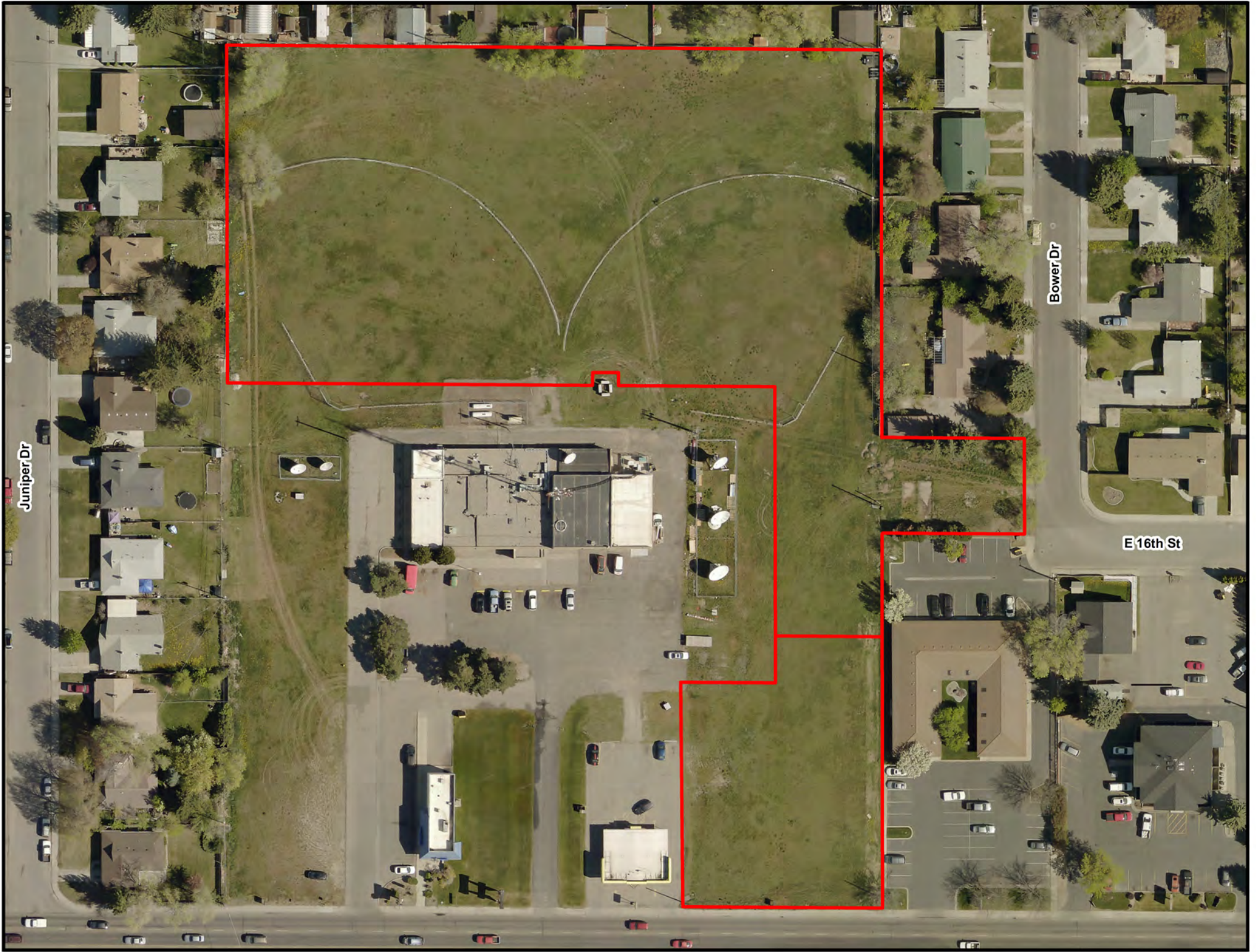
-  Site
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P
- Overlays**
-  PT
-  PT & T-1
-  PUD
-  T-1
-  T-2
-  City Limits
-  Area of Impact

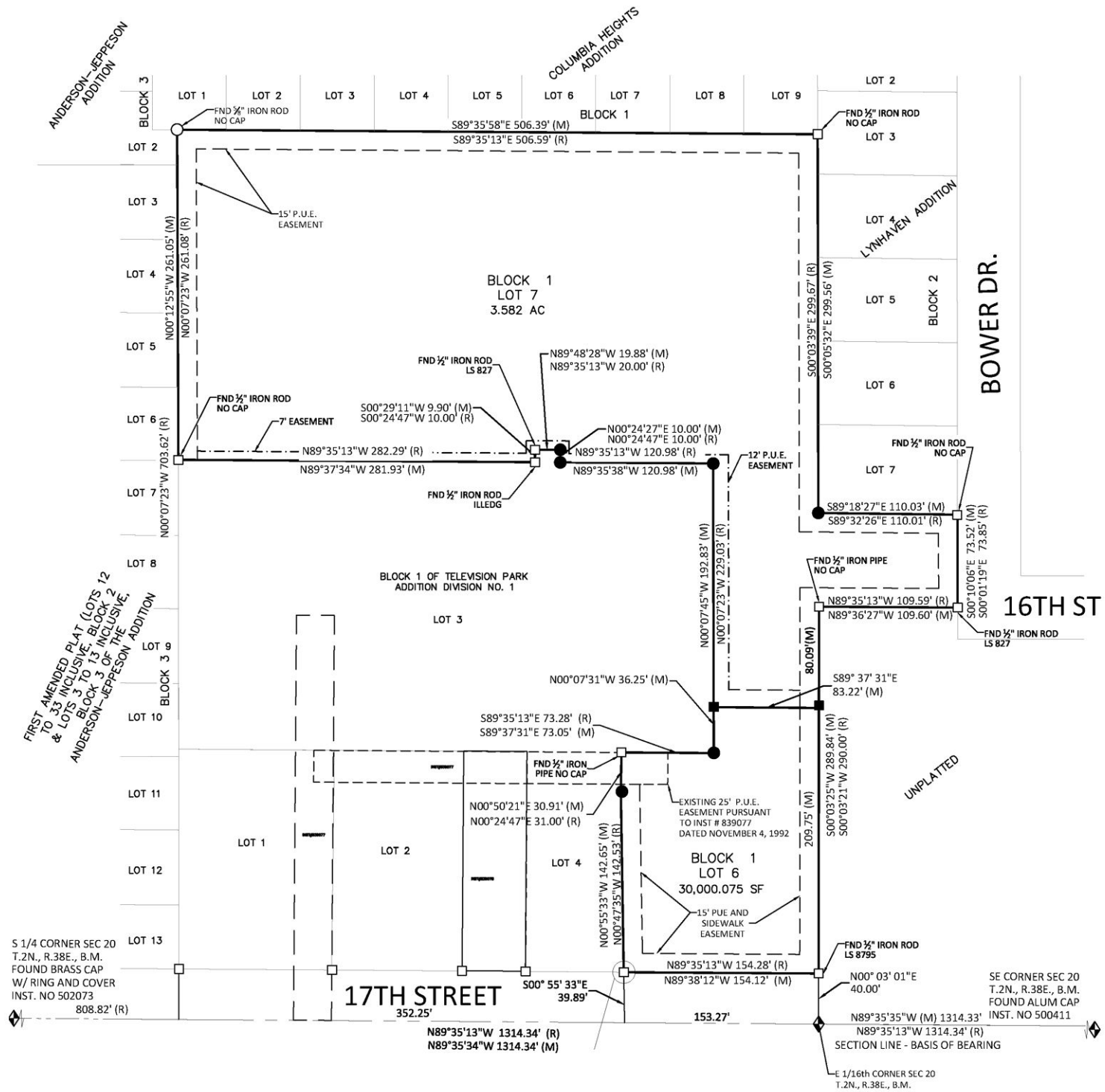


IDAHO FALLS

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







IDAHO FALLS PLANNING AND ZONING COMMISSION
STAFF REPORT
FINAL PLAT
Television Park Addition, First Amended
September 5, 2017



Community
Development
Services

Applicant: Eagle Rock

Location: Generally south of E 12th St., west of St. Clair Rd., north of E 17th St., and east of S Holmes Ave

Size: 4.27 acres

Lots: Two (2)

Existing Zoning:

Site: C-1 R-1

Overlay: PT-2, T-1

North: R-1

South: C-1, R-3A

East: R1, R-3A

West: R1, C-1

Existing Land Uses:

Site: Undeveloped

North: Single-family

South: Commercial

East: Single-family/
Commercial

West: Single-family/
Commercial

Future Land Use Map:

Planned Transition

Attachments:

1. Zoning map
2. Aerial photos
3. Plat
4. Photos

Requested Action: To **recommend** to the Mayor and City Council approval of the final plat for Television Park Addition, First Amended.

Staff Comments: This area was annexed into the City in 1956 and platted in 1988 as Television Park Addition with an initial zoning of C-1.

In 1988 the area was platted into the Television Park Addition containing five lots being rezoned to C-1 with a portion zoned R-1 adjacent to Bower Dr.

The currently proposed re-plat is in association with a possible future residential development located on the larger parcel being created. The larger parcel consisting of 4.27 acres north and east of KID. The southern parcel is currently planned to remain undeveloped. Both parcels are completely overlaid by the Tower 1 (T-1) overlay. A small southern portion of the larger 4.27 acre parcel has Planned Transition Zone (PT-2) overlay. The smaller parcel to the south is fully covered by PT-2 overlay.

Access for future development is planned to connect to Bower Dr.

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
<ul style="list-style-type: none"> 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.	X
Adequate provisions shall be made for soil preservation, drainage patterns, and debris and waste disposal and collection.	NA
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.	NA
All major streets in subdivision must conform to the major street plan of the City, as set forth in Comprehensive Plan.	NA
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.	NA

Planning Director to classify street on basis of zoning, traffic volume, function, growth, vehicular & pedestrian safety, and population density.	NA
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Comprehensive Plan Policies:

- **Planned transition** Arterial street areas where land uses are changing. (p.63)
- **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)
- **Encourage development in areas served by public utilities or where extensions of facilities are least costly.** Not only is a compact city convenient but the provision of public facilities is less expensive. Growth does not always occur at the fringe of a community. Vacant lands or underutilized parcels may redevelop to more intensive uses which use existing utilities. (p.67)
- **Higher density housing should be located closer to service areas and those streets designed to move traffic, such as arterial streets and collectors, with access only to the collector street.** Apartments and townhouses are located adjacent to arterial and collector streets for two reasons. Larger lots necessary for higher density housing offer opportunities for building layout, setbacks, and buffering with berms and fences to minimize the impact of street noise. If apartments and townhouses are located close to arterial streets, traffic from apartments will not move through neighborhoods. However, higher density housing should still be clustered: it should not be used to line arterial streets. (p.43)

Zoning Ordinance:

10-3-17 – C-1 LIMITED BUSINESS ZONE

(A) General Objectives and Characteristics.

The C-1 Limited Business Zone has been established as a district in which the primary use of the land is for retail stores and service establishments of a kind which sell the types of goods and services needed to fill the daily household and personal service requirements of the people living in the surrounding area. This Zone is usually located at specific locations along major streets and is characterized by buildings having a wide variety of architectural forms and shapes.

The objectives in establishing this Zone are to:

- (1) Encourage the development and continued use of the land within the zone for business purposes.
- (2) To promote the development of serviceable and convenient retail and service facilities.
- (3) To provide appropriate areas for the development of business uses within the City and to prevent the scattering of business uses into surrounding Zones.
- (4) To prohibit industrial uses within the Zone and to discourage any other use which tends to thwart or militate against the continued use and development of the land within the Zone for its primary purposes.

In order to accomplish the objectives and purposes of this Zoning Code, the following regulations shall apply in the C-1 Limited Business Zone.

(B) Use Requirements.

The following uses shall be permitted in the C-1 Zone:

(7) Dwellings and Home Occupations.

(C) Area Requirements.

There shall be no lot area requirements for commercial buildings and structures constructed in accordance with adopted building codes of Idaho Falls, except as may be required for off-street parking, yards and the requirements of the Effect of Street Plan subsection of this Zoning Code. Dwellings shall comply with the R-3A Residence Zone's area requirements and width requirements.

(D) Width Requirements.

There shall be no lot width requirements for commercial buildings and structures constructed in accordance with the Building Code of Idaho Falls. For dwellings, the minimum width of lots shall be fifty feet (50').

(E) Location of Buildings and Structures.

(1) Setback. All buildings shall be set back a minimum of thirty feet (30') from any public street, except as herein provided and required under the provisions of this Zoning Code.

(2) Side Yards. There shall be no side yards required for any commercial buildings or structures. For dwellings, there shall be a side yard at least six feet (6').

(3) Rear Yards. There shall be no rear yards required for any commercial buildings or structures. For dwellings, there shall be a rear yard of at least twenty-five feet (25') for all main residential buildings. For accessory residential buildings, no rear yard shall be required except where an alley is located at the rear of the lot, in which case a three foot (3') rear yard is required.

(F) Special Provisions.

(1) Off-street parking shall be provided as required in this Zoning Code and shall be hard-surfaced.

(2) All merchandise, equipment, and other materials, except seasonal merchandise such as nursery stock, fruits and vegetables, and vehicles in running order shall be stored within an enclosed building.

(3) No dust, odor, smoke, vibration or intermittent light, glare or noise shall be emitted which is discernible beyond the premises, except for normal movement of automobile traffic.

(4) Residential developments shall comply with Location of Parking Facilities subsection of this Zoning Code and the Lot Coverage and Landscaping requirements of the R-3A Residence Zone.

(5) When a development in the C-1 Zone adjoins land zoned RP, RP-A, R-1, or RMH or unincorporated land designated for single-family residential use in the Idaho Falls Comprehensive Plan, either a minimum ten foot (10') foot landscape buffer with trees spaced at twenty foot (20') intervals or a six foot (6') opaque fence shall be provided.

(6) A landscaped strip of lawn, ground cover, shrubbery, and trees at forty foot (40') centers at least fifteen feet (15') in width shall be provided and maintained along the entire length of any street bordering a development except for permitted driveways.

(G) See Supplementary Regulations to Zones.

10-3-25 – PT-(x) PLANNED TRANSITION ZONE

Purpose of Zone. The Planned Transition Zone (hereinafter referred to as the "PT Zone") is designed to maintain land use compatibility and enhance the functioning of arterial streets by requiring conformity to the performance standards set forth herein with respect to land use changes in areas experiencing transition. Such transitional areas have been identified in the Comprehensive Plan.

(C) Permitted Uses.

The following uses shall be permitted in the PT Zone:

(2) PT-2 All commercial uses, high density residential uses and any accessory buildings and public utilities used in conjunction therewith.

10-3-33 - WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS

(E) Permitted Uses.

The purpose of the T-2 Overlay Zone is to permit towers on commercially or industrially zoned properties near major highways. These Zones are buffered from residential areas by natural or manmade features such as rivers and railroads or physical distance.

September 5, 2017

7:00 p.m.

Planning Department

Council Chambers

MEMBERS PRESENT: Commissioners, Brent Dixon, George Morrison, Arnold Cantu, George Swaney, Gene Hicks, Joanne Denney, Lindsey Romankiw, Darren Josephson, Margaret Wimborne, Natalie Black, Julie Foster.

MEMBERS ABSENT: None.

ALSO PRESENT: Planning Director, Brad Cramer, Assistant Planning Director, Kerry Beutler, Brent McLane, Brian Stevens and interested citizens.

CALL TO ORDER: Dixon called the meeting to order at 7:00 p.m. and reviewed the public hearing procedure.

2. PLAT 17-016: FINAL PLAT. Television Park Addition, 1st Amended. Stevens presented the staff report, a part of the record. Dixon asked if the tower overlay zone is compatible with R-1. Stevens stated that it can have residential right up to the tower. Swaney asked if there is only one access being provided to Lot 7 (residential area) off Bower Drive, and no cross-access agreement with the other property owners to provide additional access. Swaney stated that is a concern when dealing with emergency response and property access. Stevens stated that there is only one access being proposed and that is allowed depending on the number of units being proposed in the area, and if they come in with a greater than allowed density they would need to create the secondary access for fire and emergency vehicles, that was shown. Stevens showed the location of a secondary access if a high density residential development would be developed in the area, and that second access would be gated. Dixon stated that a C-1 zone that would only have frontage onto a single public road in a residential area with no cross access to the other parts of the plat is concerning. Stevens stated that the BMPO shows limited access. Stevens stated that the PT Overlay limited the access onto 17th Street and they would need to generate a cross access agreement, which has been difficult. Stevens stated that to be consistent with the Comprehensive Plan this is a great infill property. Dixon asked and Stevens clarified that this is different ownership than the other part of the parcel. Dixon stated that platting is the time to get cross access established. Stevens stated that the applicant has been unwilling to move forward with the cross access. Swaney asked what the limit of residential units that can be serviced by one access off Bower. Stevens indicated that it is 30 units.

No Applicant appeared.

Morrison stated that if they recommend this they will create an island in the residential areas and doesn't believe it is a good idea. Morrison stated that one access for 30 homes that must be accessed through Bower is a bad idea.

Wimborne stated that infill properties they must be innovative in how they allowed to develop so they can move forward. Wimborne stated there are obstacles and that is why the piece hasn't been developed. Wimborne stated that she is concerned about the one access off Bower and is concerned that the applicant hasn't been willing to pursue cross access agreement.

Swaney agreed with Wimborne. Swaney stated that the suggested emergency limited access is something that the Commission has been opposed to in the past. Swaney stated that they

typically require a primary and secondary access to residential developments as a concern for public safety.

Black asked and Stevens agreed that right now it is zoned commercial and the only section that is zoned residential is where the access is. Cramer stated that it is zoned commercial and that is a mixed-use zone that allows dwellings that are built to the same standards as an R3-A Zone. Cramer stated that in the past they would have suggested a requirement that the development agreement include a provision for cross access, but there is no development agreement with the infill lots. Cramer stated that it does comply with the subdivision ordinance. Cramer stated that it is already platted and this is only a replat. Dixon clarified and Stevens agreed that the smaller lot cannot have an access onto 17th Street, so it will need to access through the larger lot to Bower. Dixon asked why they created a landlocked parcel with no access in the past. Beutler stated that at the time the property was platted in 1988 they did not have the restrictions from the access management plan that are currently in place. Dixon asked what do they do when changes in the ordinances have removed access to a piece of land. Black stated that it would be nice to hear from the applicant to see what their plan is. Wimborne asked why the applicant has not been willing to explore cross access. Stevens stated that there are two different firms pursuing the different components, with one doing the platting and that must go forward before the second firm can take action. Stevens stated that staff acknowledges there are significant challenges in the area.

Morrison asked if the emergency services have any comments regarding the one access. Stevens stated that the fire department has indicated there must be a secondary access if there are more than 30 units, and there is a proposed location if it is needed.

Josephson asked if they develop townhomes would it be considered one unit or two units. Dixon stated that the number of residences is the number of units. Stevens indicated that it is likely being proposed at a higher density.

Morrison indicated approving this application will continue the mistake that was made prior. Morrison indicated he is not sure what the answer is for the property.

Black stated that this is an odd piece of property and if they want to see some development they need to trust the fire department and the City Planning that they will ensure when something is developed it is done correctly.

Swaney stated that final plats in the past have required cross access agreements. Swaney stated that this final plat with only one access and no assurance of any emergency access or cross access, should be denied, and the applicant should come back with a final plat that meets the expectations and requirements of the Idaho Falls Planning Commission.

Foster stated that it is a cart before the horse issue as the other firm cannot move forward with the cross-access agreement until this plat is approved.

Beutler stated that a lot of times the cross-access agreement is with one property owner. Beutler stated that this property is a different ownership.

Dixon stated that the concern is a commercial lot that doesn't have access to a minor arterial and they must develop an R-1 lot in order to develop a street and access through an R-1 area.

Beutler stated that the amount of people willing to develop this parcel is limited due to the limited access.

Dixon suggested that the motion should include the reasoning.

Black moved to recommend to the Mayor and City Council approval of the Final Plat for Television Park Addition, First Amended (Black added that: “This is a difficult property and access is an issue.”), Wimborne seconded the motion and it passed 8-2.

Morrison and Swaney opposed the motion.

Morrison indicated that this application needs more thought and he is surprised the applicant did not show up to discuss it. Morrison stated that he would like to see the property develop, but this is not the answer.

Swaney agreed with Morrison that he would like to see the property develop, but the desperation to develop doesn’t need to result in disaster. Swaney stated that he would not like to be responsible for a mess off 17th Street.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FINAL PLAT OF TELEVISION PARK ADDITION, 1ST AMENDED 1 LOCATED GENERALLY SOUTH OF E 12TH ST., WEST OF ST. CLAIR RD., NORTH OF E 17TH ST., AND EAST OF S HOLMES AVE.

WHEREAS, the applicant filed an application for a final plat on July 10, 2017; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public meeting on September 5, 2017; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission again during a duly noticed public meeting on December 4, 2018; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public meeting on December 13, 2018 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 4.27 acre parcel located generally south of E 12th St., west of St. Clair Rd., north of E 17th St., and east of S Holmes Ave.
3. The proposed plat includes creation of 2 parcels from 1 parcel.
4. The plat complies with all requirements of the Subdivision Ordinance and Zoning Ordinance for the LC and R1 Zone.
5. The proposed development is consistent with 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 Television Park Addition, 1st Amended.

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2018

Rebecca L. Noah Casper, Mayor



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brad Cramer, Community Development Services Director

DATE: Friday, December 7, 2018

RE: Street name change, University Boulevard to MK Simpson Boulevard

Attached is an ordinance to change the name of University Boulevard to MK Simpson Boulevard. The request for this change was made by the Idaho National Laboratory. Notices were sent to property owners along University Boulevard and staff has not received any comments or concerns. This item is now being submitted to the Mayor and City Council for consideration.

Attachments: Ordinance

ORDINANCE NO.

AN ORDINANCE CHANGING THE NAME OF UNIVERSITY BOULEVARD, A STREET LOCATED WITHIN THE CITY OF IDAHO FALLS, TO MK SIMPSON BOULEVARD; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Idaho Falls desires to maintain an efficient and logical roadway system; and

WHEREAS, the Idaho National Laboratory has made requested the street name change to pay tribute to Mike and Kathy Simpson; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public meeting and passed a motion to approve the name change on December 13, 2018.

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

Section 1. Naming of MK Simpson Boulevard. University Boulevard is changed to MK Simpson Boulevard.

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

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

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

Section 5. Effective Date: This Ordinance shall become effective upon its passage, execution, and publication in the manner provided by law.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this _____ day of December, _____.

Rebecca L. Noah Casper
Mayor

ATTEST:

Kathy Hampton
City Clerk
(SEAL)

STATE OF IDAHO)

: ss.

County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

AN ORDINANCE CHANGING THE NAME OF UNIVERSITY BOULEVARD, A STREET LOCATED WITHIN THE CITY OF IDAHO FALLS, TO MK SIMPSON BOULEVARD; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING AN EFFECTIVE DATE.

Kathy Hampton
City Clerk
(SEAL)



PO Box 51564
Idaho Falls, Idaho 83405
208 522 2014

PHYSICAL ADDRESS

901 Pier View Drive, Suite 204
Idaho Falls, Idaho 83405

WWW.EASTERNIDAHO.ORG

INFO@EASTERNIDAHO.ORG

December 10, 2018

Mayor Rebecca Casper
308 Constitution Way
Idaho Falls, ID 83405

Dear Mayor Casper:

I am aware that the City of Idaho Falls may be considering an effort to rename University Boulevard after Congressman Mike Simpson. On behalf of Regional Economic Development Eastern Idaho (REDI), I want to lend my enthusiastic support to this effort and believe it is a richly deserved honor for a true public servant.

Mike has dedicated decades of his life to serving Eastern Idaho and our entire state. From his time on the Blackfoot City Council, to his Speakership in the Idaho Legislature, and onto his current work in Congress, Mike has always put Idaho first and been a champion for our way of life.

His work on behalf of INL stands as one of many testaments to his significant contributions on behalf of our region and state. I will spare you the litany of his accomplishments because they are impossible to state in one letter and well known to you and the Idaho Falls City Council.

Suffice it to say that I can think of no one more deserving of having University Boulevard renamed in his or her honor and commend you for moving forward to make this idea a reality.

Most Respectfully,

Dana Kirkham
Chief Executive Officer, REDI



MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Brad Cramer, Community Development Services Director

DATE: Friday, December 7, 2018

RE: Annexation and Initial Zoning of RP, R1, R2, and LC, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B Approximately 1.64 Acres SW1/4 Section 28, T 2N R 38E and 2.46 Acres NW1/4 Section 29, T 2N R 38E

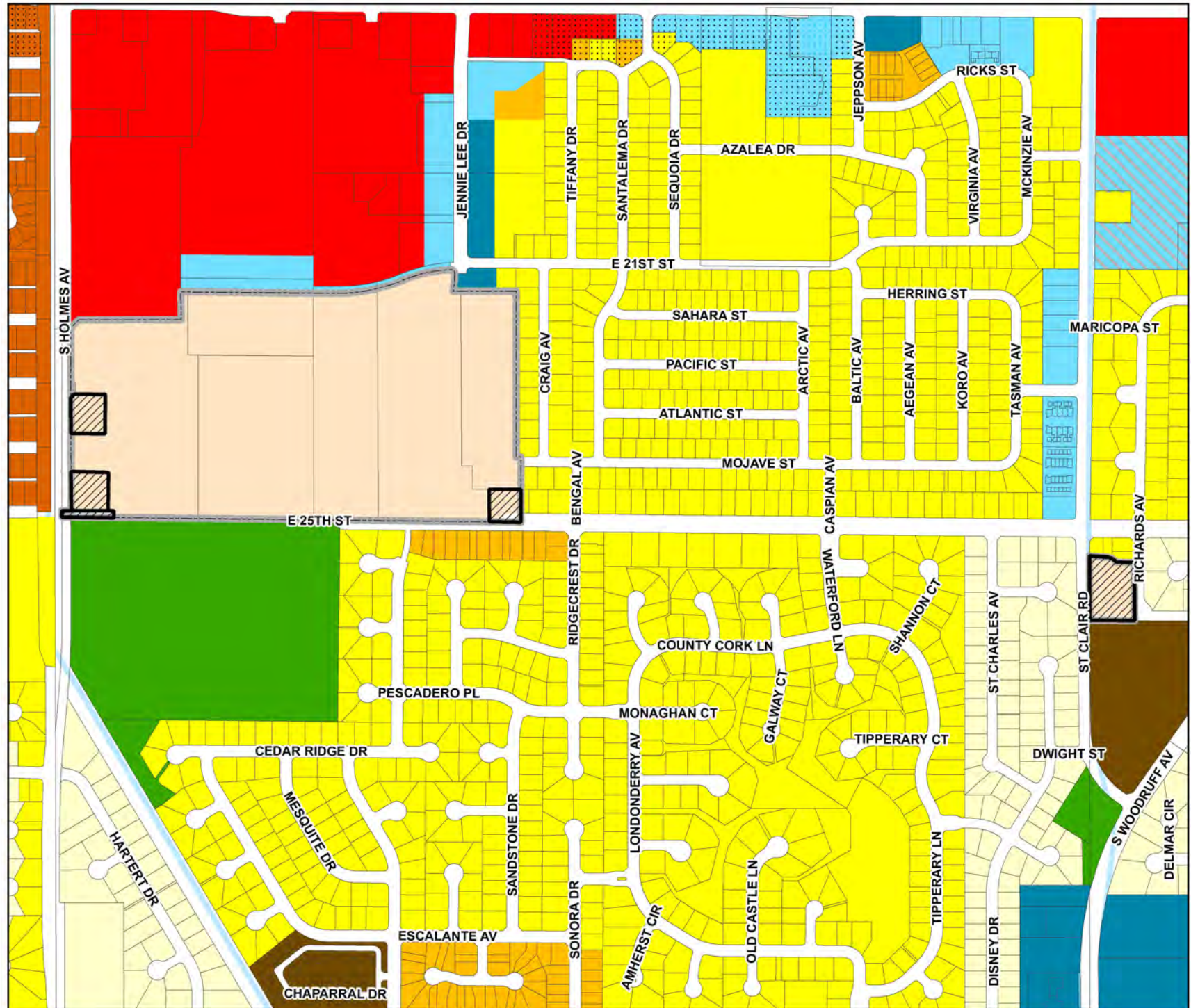
Attached is the application for Annexation and Initial Zoning of RP, R1, R2, and LC, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B Approximately 1.64 Acres SW1/4 Section 28, T 2N R 38E and 2.46 Acres NW1/4 Section 29, T 2N R 38E. This is a City-initiated annexation. The Planning and Zoning Commission considered this item at its October 2, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation. This item is now being submitted to the Mayor and City Council for consideration.

Attachments: Vicinity Map
 Aerial Photo
 Staff Report, October 2, 2018
 P&Z Minutes, October 2, 2018
 Annexation Ordinance
 Zoning Ordinance
 Reasoned Statement of Relevant Criteria and Standards

Annexation & Initial Zoning M&B: Approx 1.64 Acres SW1/4 Sec. 28, T 2N R 38E & 2.46 Acres NW1/4 Sec. 29 T 2N R 38E

Legend

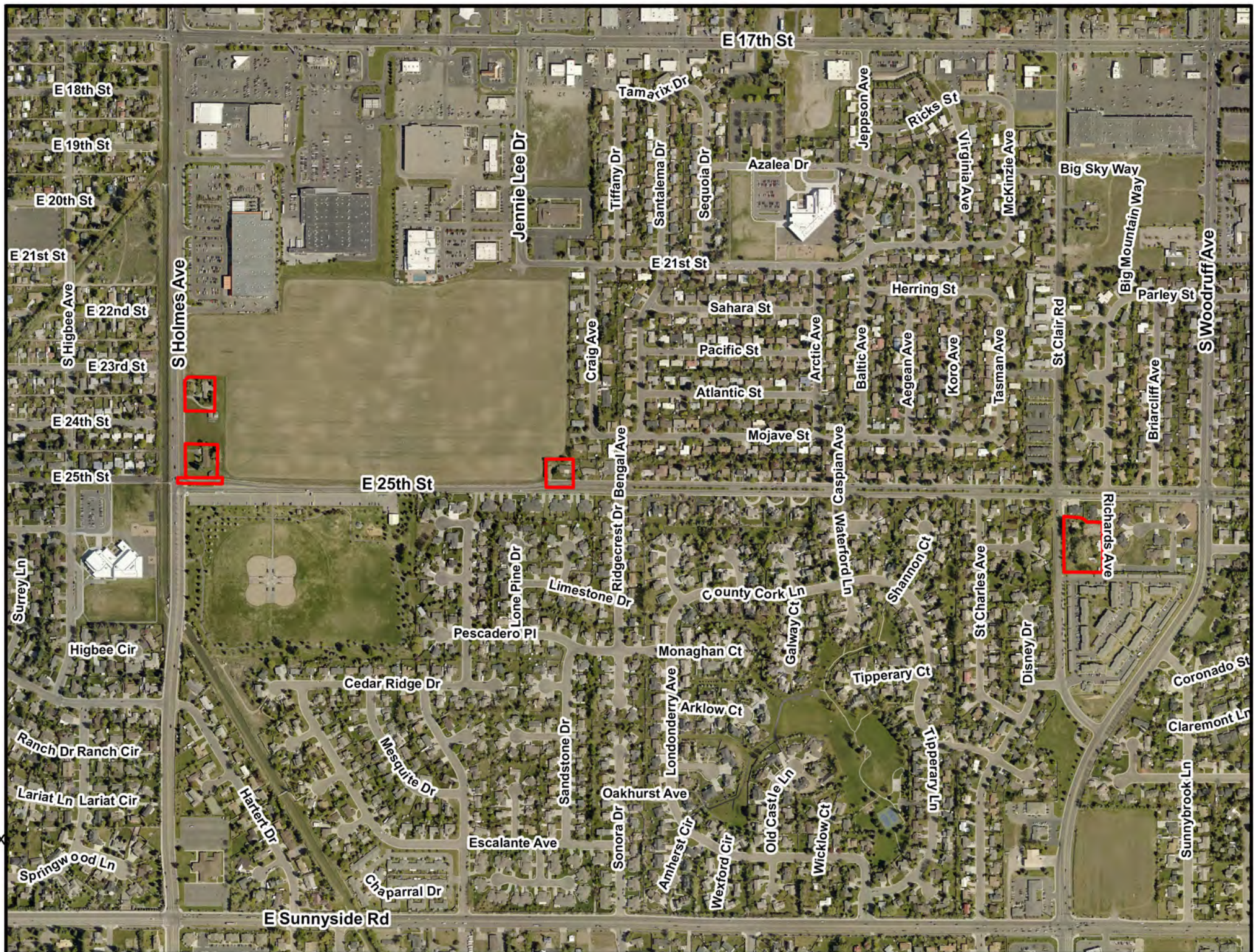
-  Site
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P
- Overlays**
-  PT
-  PT&T-1
-  PUD
-  T-1
-  T-2
-  City Limits
-  Area of Impact

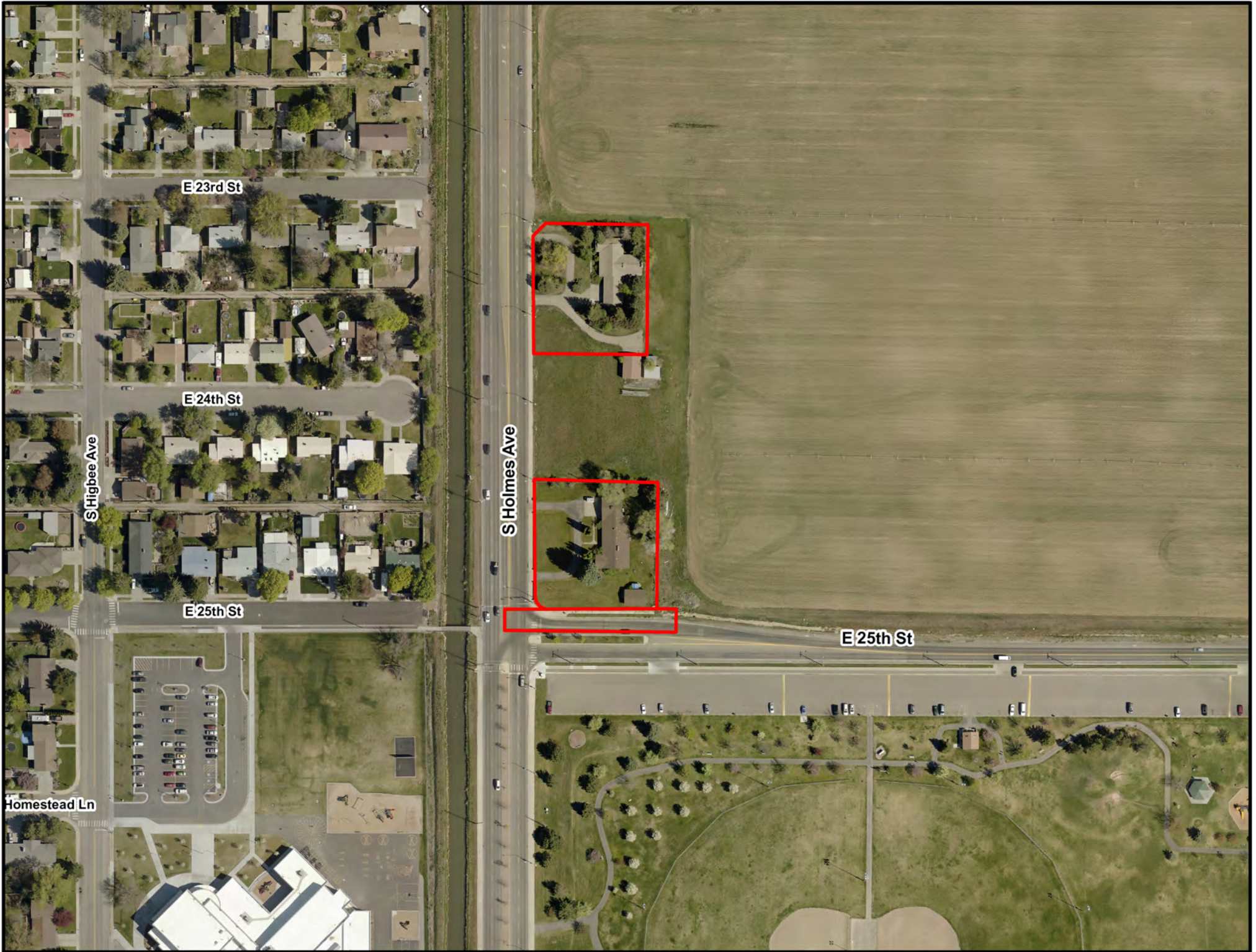


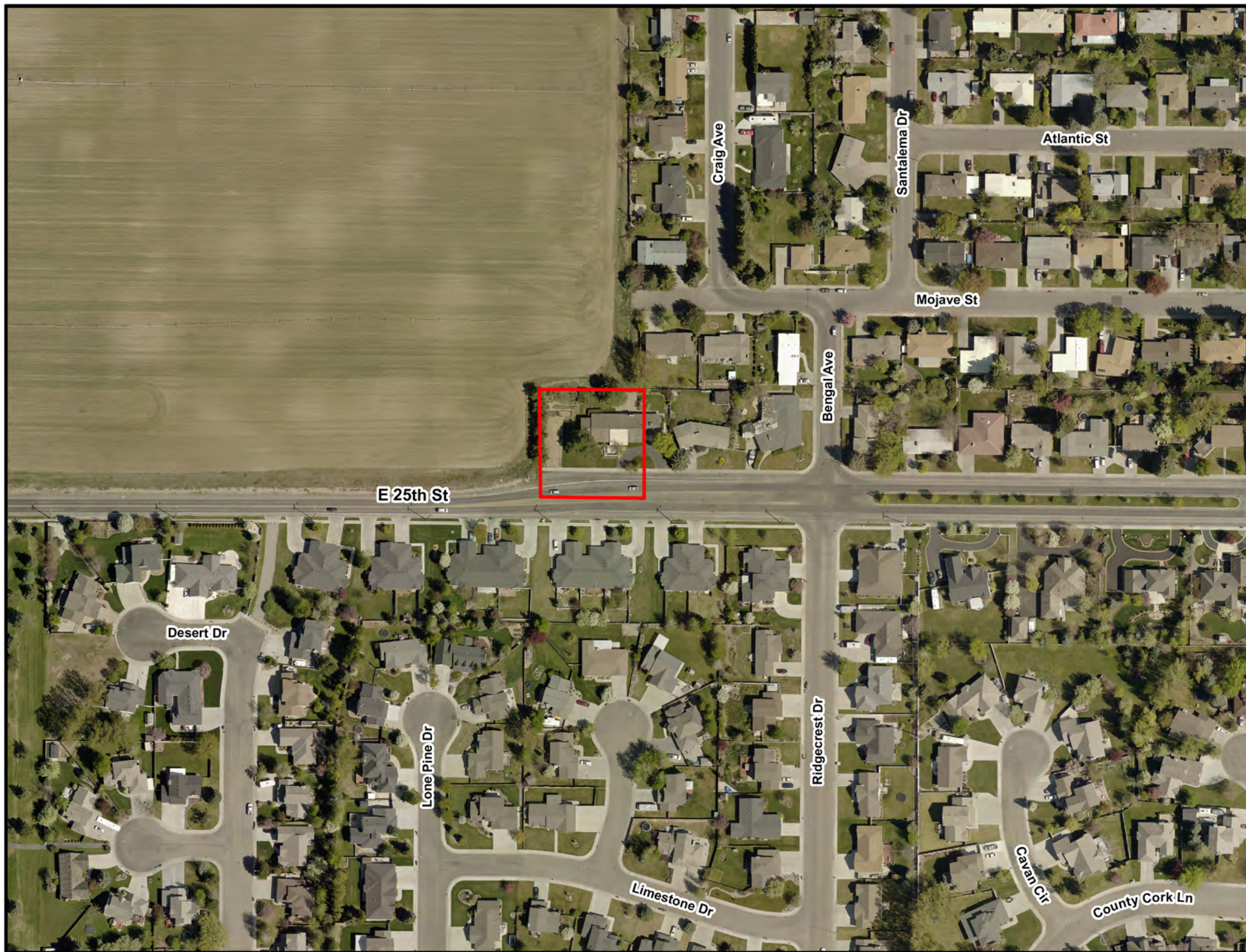
IDAHO FALLS

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









E 25th St

Desert Dr

Lone Pine Dr

Limestone Dr

Ridgecrest Dr

Cavan Cir

County Cork Ln

Mojave St

Atlantic St

Santaalema Dr

Craig Ave

Bengal Ave



Briarcliff Ave

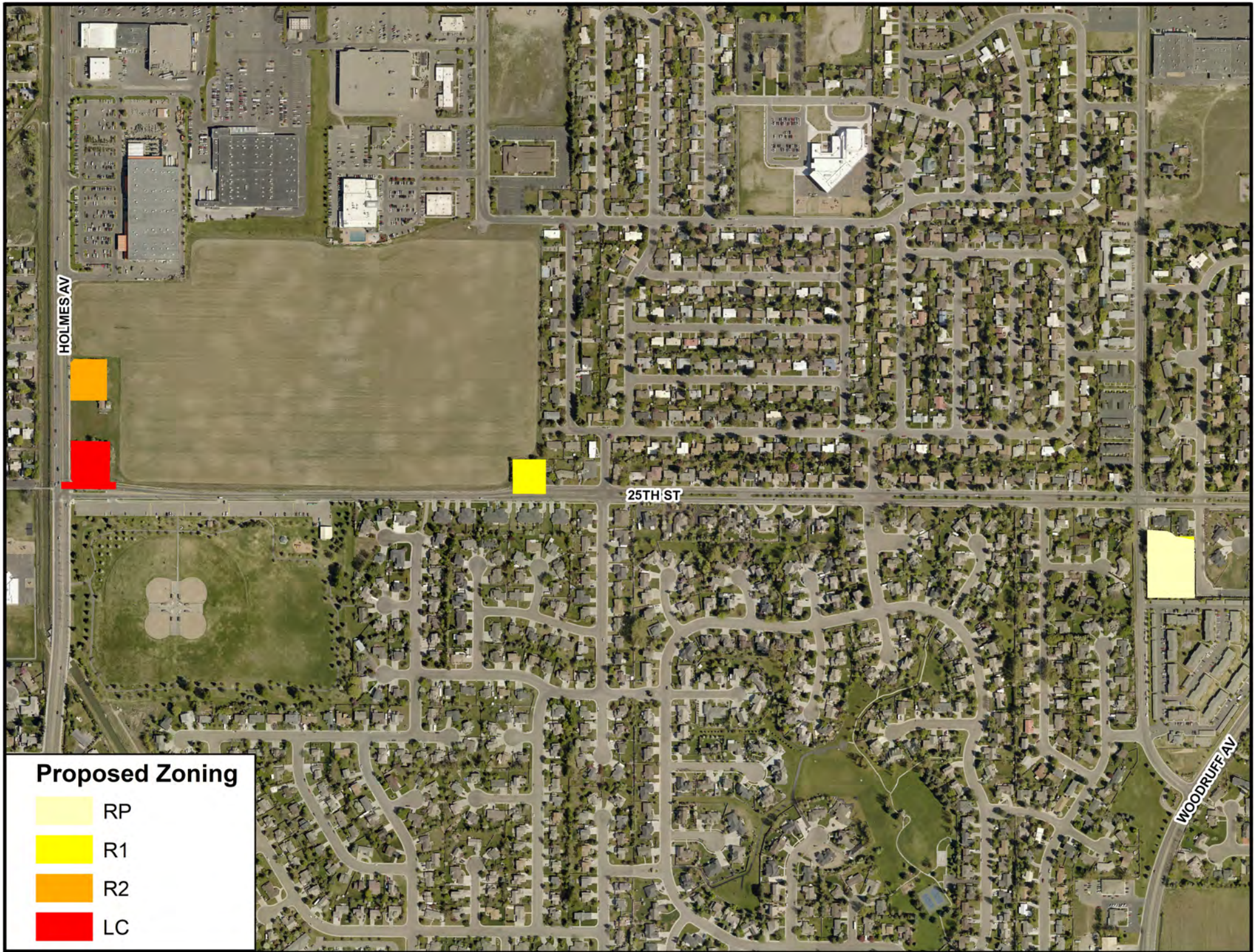
E 25th St

Richards Ave

St Charles Cir

St Clair Rd

Legends Cir



Proposed Zoning

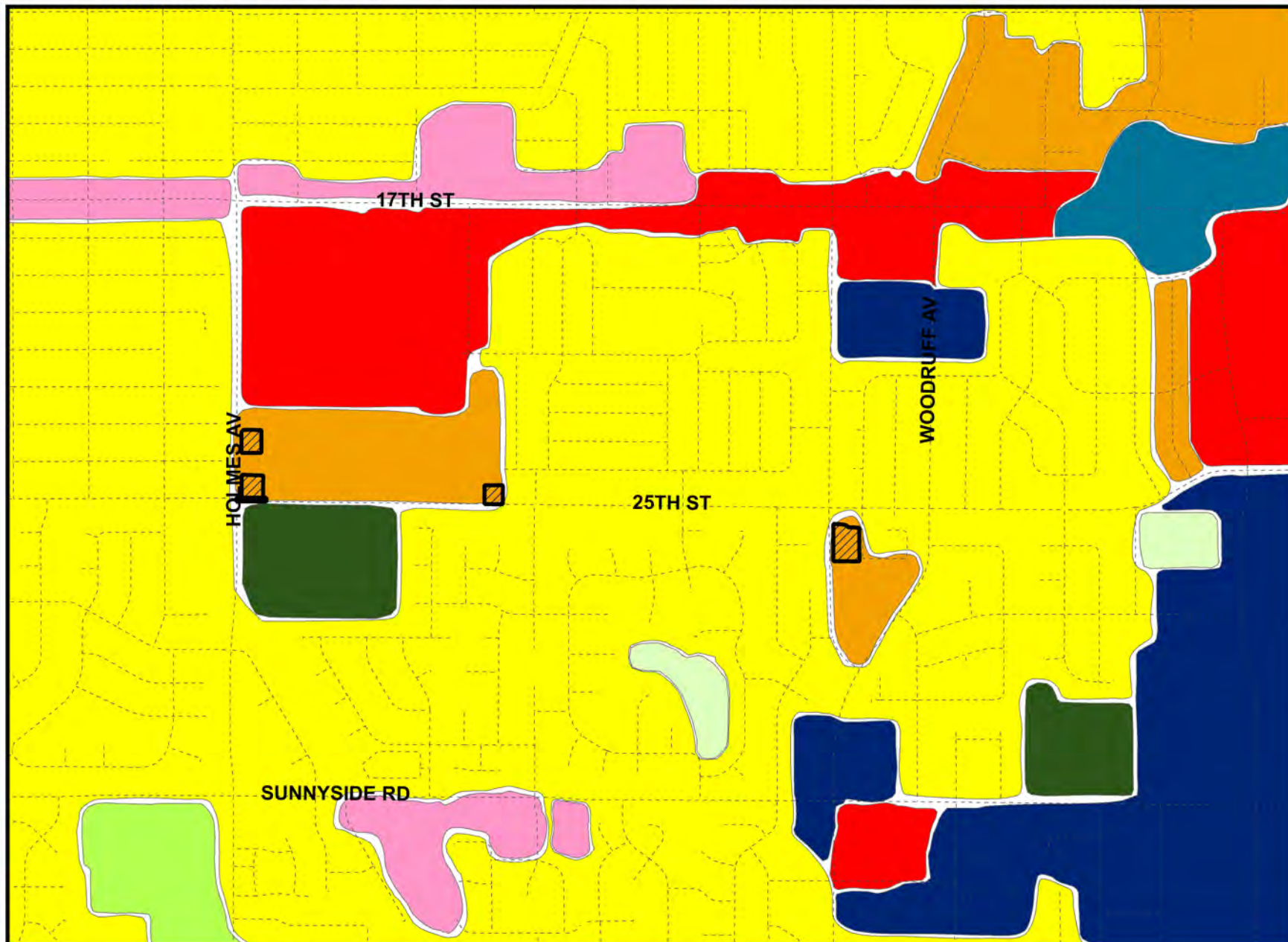
- RP
- R1
- R2
- LC

Annexation & Initial Zoning

M&B: Approx 1.64 Acres SW1/4 Sec. 28, T 2N R 38E & 2.46 Acres NW1/4 Sec. 29 T 2N R 38E

 Estate	 Greenbelt Mixed Uses	 Commercial	 Higher Education Centers	 Railroad-related industrial
 Low Density	 Parks, Recreation	 Employment Centers	 Planned Transition	
 Higher Density	 Public Facilities, Open Spaces	 Medical Services Center	 Highway-related industrial	

Comprehensive Plan



IDAHO FALLS

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



IDAHO FALLS PLANNING AND ZONING COMMISSION
STAFF REPORT

Annexation and Initial Zoning of RP, R1, R2

M&B: Approximately 1.64 Acres SW1/4 Section 28, T 2N R 38E & 2.46 Acres NW1/4 Section 29, T 2N R 38E ~ October 2, 2018



Community
Development
Services

Applicant: City of Idaho Falls

Location: Generally south of E 17th St, west of S Woodruff Ave., north of E Sunnyside Rd. and east of S Holmes Ave.

Size: Approx. 4.1 acres
Parcels: 6

Existing Zoning:

Site: County R-2, A-1
North: County R-2 & City R1
South: P, R2, R3
East:
West: RP, County R-2, TN

Proposed Zoning:

Mixed Residential, R2
Single Dwelling Residential, R1
Residential Park, RP

Existing Land Uses:

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

Future Land Use Map:

Higher Density Residential

Attachments:

1. Maps
2. Aerial photos

Requested Action: To **recommend** to the Mayor and City Council approval of the annexation and initial zoning of RP, R1 and R2.

History: In 2014 staff was directed to study the effects of the city's past policy to extend utilities outside city limits. Staff found that approx. 300 properties receive city services outside city limits. The City Council adopted a policy and directed staff to begin annexation proceeding for eligible properties receiving services. The city has since been systematically processing annexations for these parcels.

Staff Comments: These parcels are being considered for annexation because they are part of the approximate 300 properties that were initially identified as contiguous, enclaved and eligible for annexation. The annexation includes two homes along S Holmes Ave. and one on E 25th Street. These homes currently receive electric, water and sewer utilities. Street improvement, including curb, gutter sidewalk have also been made in front of these homes. Also included in the annexation is an approx. 1.63 acre parcel between St. Clair Rd. and Richards Avenue. The parcel currently includes two homes that don't receive any services from the city and a remnant parcel on the north end. This appears to have been a boundary adjustment between the property to the north, already in the city, and the county parcel. Richards Avenue has been developed with curb and gutter only on the west side. If this property were to redevelop sidewalk improvements would be required along Richards Avenue.

Annexation: This is a Category "A" annexation. These parcels are residential enclaves, completely surrounded by the city. Annexation of the property is consistent with the city's Comprehensive Plan.

Initial Zoning: The Comprehensive Plan identifies a Higher Density Residential designation for these properties. Staff is recommending RP, R1 and R2 Zones for these parcels. The RP and R1 Zones are consistent with the current use of the property and surrounding zoning designations. The R2 Zone is consistent with existing zoning in the County, the Comprehensive Plan and the potential for redevelopment of the properties along S. Holmes. The R2 Zones also allows for the single-unit residential uses to continue.

Staff Recommendation: Staff recommends approval of the annexation and initial zoning of RP, R1 and R2.

Neighborhood Meeting:

Because of the small number of parcels and property owners staff did not conduct a neighborhood meeting. Staff sent individual letters to each property owner inviting them to schedule a meeting with staff to discuss any concerns. At the time of this report staff had been contacted by two of the property owners.

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. Page 40

Arterial corners shall support higher density housing, quasi-public services, or community/neighborhood commercial services. Lots at the corners shall be of sufficient size to assure any access to the arterial, if permitted, shall be in accordance with the guidelines of 2012 Updated Access Management Plan prepared by the Bonneville Metropolitan Planning Organization. Page 41

Higher density housing should be located closer to service areas and those streets designed to move traffic, such as arterial streets and collectors, with access only to the collector street.

Apartments and townhouses are located adjacent to arterial and collector streets for two reasons. Larger lots necessary for higher density housing offer opportunities for building layout, setbacks, and buffering with berms and fences to minimize the impact of street noise. If apartments and townhouses are located close to arterial streets, traffic from apartments will not move through neighborhoods. However, higher density housing should still be clustered: it should not be used to line arterial streets. Page 42

Encourage development in areas served by public utilities or where extensions of facilities are least costly. Not only is a compact city convenient but the provision of public facilities is less expensive. Growth does not always occur at the fringe of a community. Vacant lands or underutilized parcels may redevelop to more intensive uses which use existing utilities. In the Broadway-Utah Avenue area between I-15 and Snake River Parkway, 42 properties redeveloped in the period from 1989 to 2013, over 1,800 jobs were created, and assessed valuations increased by \$141 million. The City should continue programs which use private/public partnerships to redevelop the land inside the City's boundaries. Page 67

Zoning:

RP Residential Park Zone. This zone provides a residential zone which is representative of an automobile-oriented, suburban development pattern and characterized by large lots. The principal use permitted in this Zone shall be single unit dwellings.

R1 Single Dwelling Residential Zone. This zone provides a residential zone which is representative of a less automobile-oriented, more walkable development pattern, characterized by somewhat smaller lot widths; and a somewhat denser residential environment than is characteristic of the RP Residential Park Zone. The principal uses in the R1 Residential Zone shall be single detached and attached dwelling units. This zone is also generally located near limited commercial services that provide daily household needs.

R2 Mixed Residential Zone. This zone provides a residential zone characterized by smaller lots and dwellings, more compact and denser residential development; and higher volumes of vehicular and pedestrian traffic than are characteristic of the RE, RP and R1 Zones. The principal uses permitted in the R2 Zone shall be one (1), two (2), three (3), and four (4) dwelling units. This zone is also generally located near limited commercial services that provide daily household needs.

11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

Table 11-3-1: Standards for Residential Zones

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

(Ord. 3210, 8-23-18)

(A) Minimum and Maximum Lot Area.

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

October 2, 2018

7:00 p.m.

Planning Department
Council Chambers

MEMBERS PRESENT: Commissioners George Morrison, George Swaney, Gene Hicks, Joanne Denney, Natalie Black, Arnold Cantu. (6 present 5 votes).

MEMBERS ABSENT: Julie Foster, Margaret Wimborne, Lindsey Romankiw, Brent Dixon, Darren Josephson.

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

CALL TO ORDER: George Morrison called the meeting to order at 7:00 p.m. and reviewed the public hearing procedure.

CHANGES TO AGENDA: None.

MINUTES: September minutes were not available for approval.

Public Hearings:

4. ANNEX 18-015: ANNEXATION/INITIAL ZONING. Holmes, E 25th, Richards Ave., Initial Zoning of R2, R1, RP. McLane presented the staff report, a part of the record. McLane indicated that they are only dealing with developed properties and in the future, they will address undeveloped property. Black clarified, and McLane agreed that the City has been responsible for snow removal/maintenance on Holmes and 25th. Swaney indicated that he doesn't understand the rationale for the properties along Holmes and feels they should wait until the entire area is annexed. McLane indicated that the properties are legally considered enclaved because it is surrounded by the City.

Morrison opened the public hearing.

Applicant: City of Idaho Falls.

Michael Baird, 885 Syringa, Idaho Falls, Idaho. Baird owns property at 2461 South Holmes. Baird indicated that in 1989 Holmes was enlarged and 40' off the front of the property was taken to widen Holmes and at that time City services were put in and cash payment was made to cover the property taken for Holmes. Baird stated that 4 years ago he went to Planning and Zoning and wanted to rezone to commercial and were told they had to wait until the property is developed and the city wants to annex the property, and no access would be granted to the property from Holmes or 25th. Baird stated that they would like to annex into the City, but they do not want the R2 zoning as proposed. Baird stated that the taxes will increase on the property \$1,945.00/year. Baird stated that it was rumored that the City wanted to buy the large agricultural parcel for the new high school, but that the City didn't want to pay the price. Baird stated that the R2 zoning would be a restriction and is unfair. Swaney asked Baird what zoning he would like. Baird indicated that he would like a commercial zoning so that a business could buy the property and tear the house down. Swaney clarified that if the zone was changed to LC then Baird would have no opposition to the annexation.

Nathan Saunders, Richards Ave., Idaho Falls, Idaho. Saunders stated that there is one habitable home on the property and the mobile home is being demolished and the other home

had a horse living in it and it started on fire. Saunders stated that his concern is the cost to hook to City sewer and water. Saunders stated that they sold the land for the private houses in the gated community and when the ground was ripped up during construction they were ready to connect at that time and were told no. Saunders stated that now the cost will be more to dig up the ground to connect.

Morrison closed the public hearing.

Swaney indicated that the only strong opposition was pertaining to the proposed zoning. Swaney stated that if they amend the annexation to include LC for the property on the corner of Holmes and 25th then it would be palatable to everyone involved. Swaney stated that there is a problem that the people approached the City to attach to City services when it was most economical due to current construction, and the request was denied. Swaney stated that as they proceed to annex more property they need to reach out to the property owners to try and amicably satisfy the property owners needs along with the needs of the City.

Black stated that the property on Richards should get some consideration on his hook up fees as he tried to hook up when it was more economical. Black stated that the property on Richards and 25th Street make sense to annex with he proposed zoning, and the properties on Holmes should be left out of the annexation until the entire area is annexed.

Hicks asked what the rush is on the properties on Holmes.

Cramer stated that there is an aggressive schedule to annex all the properties that have a City service. Cramer stated the larger neighborhoods take a lot of time to prepare and they cannot do a large area annexation every month, so they are trying to fill in other months with smaller annexations, so they don't lose the momentum and stay on track. Cramer stated that they only brought the residential pieces due to the frustration voiced by the Commission when staff brought commercial and residential at the same time. Swaney asked if they changed the proposed zoning on the one property on 25th and Holmes to LC, then if someone bought the large agricultural parcel and the small piece on the corner they could rezone the property if they desired. Cramer stated that the challenge with the access on the property is to meet the Access Management Plan the property isn't big enough to meet the commercial standards, so it didn't make sense to zone it commercial when it isn't large enough to develop per the City standards. Cramer indicated that generally the City doesn't tell a property no they cannot connect, it is typically a no to connecting, unless they annex.

Morrison stated that he has no problem with the corner property being zoned commercial.

Morrison re-opened the public hearing.

Len Nelson, 2540 Richards, Idaho Falls, Idaho. Nelson is the owner of the small sliver (driveway) of property that is proposed to rezone to R1. Nelson stated that it was his understanding that the former owner (Mr. Prestwich) gave property to the City for right of way down Richards Ave, to Legends Circle. Nelson stated that Prestwich gave property to the City of Idaho Falls in exchange for them hooking up water, sewer, and laying natural gas line. Nelson indicated that the water and sewer are stubbed out of the street, so there is no need to charge hook up fees. Nelson indicated that he has no objection to the annexation of his property.

Morrison closed the public hearing.

Swaney moved to recommend to the Mayor and City Council approval of the Annexation and Initial Zoning as presented, with the exception of the property on the corner of Holmes and 25th and that will be zoned LC instead of the proposed R2, Denney seconded the motion and it passed unanimously.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 1.64 ACRES AND 2.46 ACRES DESCRIBED IN EXHIBITS A, B, C, AND D OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the lands described in Exhibits A, B, C, and D of this Ordinance are contiguous and adjacent to the City limits of the City of Idaho Falls, Idaho; and

WHEREAS, such lands described herein are subject to annexation to the City pursuant to the provisions of Idaho Code Section 50-222, and other laws, as amended; and

WHEREAS, the annexation of the lands described in Exhibits A, B, C and D are reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services; to enable the orderly development of private lands which benefit from a cost-effective availability of City services in urbanizing areas; and to equitably allocate the costs of City/public services in management of development on the City's urban fringe; and

WHEREAS, the City has authority to annex lands into the City upon compliance with procedures required in Idaho Code Section 50-222, as amended; and

WHEREAS, any portion of a highway lying wholly or partially within the lands to be annexed are included in the lands annexed by this Ordinance; and

WHEREAS, the lands annexed by this Ordinance are not connected to the City only by a "shoestring" or a strip of land which comprises a railroad or right-of-way; and

WHEREAS, all private landowners have consented to annexation of such lands where necessary; and

WHEREAS, the lands to be annexed are contiguous to the City and the City of Idaho Falls Comprehensive Plan includes the area of annexation; and

WHEREAS, after considering the written and oral comments of property owners whose lands would be annexed and other affected persons, City Council specifically makes the following findings:

- 1) That the lands annexed meet the applicable requirements of Idaho Code Section 50-222 and does not fall within exceptions or conditional exceptions contained in Idaho Code Section 50-222;
- 2) The annexation is consistent with public purposes addressed in annexation and related plans prepared by the City; and
- 3) Annexation of the lands described in Section 1 are reasonably necessary for the orderly development of the City; and

WHEREAS, it appears to the City Council that the lands described hereinbelow in Exhibits A, B, C and D of this Ordinance should be annexed to and become a part of the City of Idaho Falls, Idaho; and

WHEREAS, the City wishes to exercise jurisdiction over the annexed lands in a way that promotes the orderly development of such lands; and

WHEREAS, the City of Idaho Falls Comprehensive Plan sets out policies and strategies designed to promote and sustain future growth within the City; and

WHEREAS, for consistency with the Comprehensive Plan, the Council desires to designate the lands within the area of annexation as “Higher Density”; and

WHEREAS, such designation is consistent with policies and principles contained within the City of Idaho Falls Comprehensive Plan; and

WHEREAS, the City desires the City of Idaho Falls Comprehensive Plan Map to be amended to reflect the designation contained in this Ordinance.

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

SECTION 1. Annexation of Property. The lands described in Exhibits A, B, C and D are hereby annexed to the City of Idaho Falls, Idaho.

SECTION 2. Amended Map and Legal Description. The City Clerk shall file a certified copy of this Ordinance with the Bonneville County Auditor, Treasurer, and Assessor, within ten (10) days after the effective date hereof. The City Engineer shall, within ten (10) days after such effective date, file an amended legal description and map of the City, with the Bonneville County Recorder and Assessor and the Idaho State Tax Commission, all in accordance with Idaho Code Section 63-2215.

SECTION 3. Findings. That the findings contained in the recitals of this Ordinance be, and the same are hereby, adopted as the official City Council findings for this Ordinance, and that any further findings relative to this Ordinance shall be contained in the officially adopted Council minutes of the meeting in which this Ordinance was passed.

SECTION 4. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 5. Publication. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this _____ day of _____, 2018.

Rebecca L. Noah Casper, Mayor

ATTEST:

Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
 : ss.
County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled: "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO;

PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 1.64 ACRES AND 2.46 ACRES DESCRIBED IN EXHIBITS A, B, C, AND D OF THIS ORDINANCE, AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.”

Kathy Hampton, City Clerk

(SEAL)

"EXHIBIT A"

2461 S HOLMES

BEGINNING AT A POINT THAT IS N.0°06'57" W. 230.79 FEET ALONG THE SECTION LINE AND S.88°24'17"E. 80.04 FEET FROM THE WEST QUARTER CORNER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 38 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO; RUNNING THENCE S.88°24'17"E. 190.23 FEET; THENCE S.0°56'27"W. 193.92 FEET; THENCE N.89°41'57" W. 166.72 FEET TO A POINT OF CURVE WITH A RADIUS OF 20.00 FEET; THENCE TO THE RIGHT ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°35', A DISTANCE OF 31.27 FEET; THENCE N.0°06'57" W. 178.36 FEET TO THE POINT OF BEGINNING.

ALSO:

Beginning at a point that is S89°22'20"E along the Quarter Section line 38.14 feet from the West one-quarter corner of Section 29, T2N, R38E, B.M., Bonneville County, Idaho; running thence N0°02'57"W 30.99 feet; thence S89°41'57"E 263.74 feet along the north right-of-way boundary of 25th Street; thence S0°37'40"W 32.49 feet to the said Quarter Section line; thence N89°22'20"W 263.37 feet along said Quarter Section line to the Point of Beginning. Containing 0.19 acres, more or less.

“EXHIBIT B”

961 E 25th STREET

Beginning at the Northwest Corner of Lot 6, Block 16, West Jennie Lee Addition Division No. 11 to the City of Idaho Falls, Idaho and running thence South 166.31 feet; thence N.89°22'22"W. 160.00 feet; thence North 165.88 feet; thence S89°31'38"E 160 feet to the point of beginning.

"EXHIBIT C"

2560 RICHARDS AVE

Beginning at point that is S.89°32'50"E. 257.50 feet and S.00°13'56"E. 45.00 feet from the West Quarter Corner of Section 28, Township 2 North Range 38 East of the Boise Meridian, and running thence S.00°13'56"E. 422.19 feet; thence N.89°32'50"W. 259.02 feet to a point on the West line of Section 28; thence N.00°02'47"W. 402.00 feet; thence N.45°12'12"E. 28.41 feet; thence S.89°32'50"E. 237.47 feet to point of beginning, containing 2.499 acres.

LESS and EXCEPTING:

That portion previously annexed by City of Idaho Falls Ordinance No. 2303 and recorded as instrument No. 1357379 Prestwich Country Estates, Division No. 2, described as follows:

Beginning at a point that is S.00°02'47"E. along the Section Line 45.00 feet from the Monumented West Quarter Corner of Section 28, Township 2 North, Range 38 East of the Boise Meridian; running thence S.0°02'47"E. 94.03 feet; thence S.85°53'34"E. 95.36 feet; thence S.69°48'37"E. 21.67 feet; thence S.50°10'27"E. 27.71 feet; thence S.88°54'15"E. 90.45 feet; thence N.00°25'06"W. 105.43 feet; thence N.44°58'58"W. 29.35 feet; thence N.89°32'50"W. 205.73 feet to the POINT OF BEGINNING.

CONTAINING: 0.57 acres.

ALSO LESS and EXCEPTING:

That portion previously annexed by City of Idaho Falls Ordinance No. 2288 and recorded as instrument No. 1357371 Legends, Division No. 1, described as follows:

Beginning at a point that is S.89°32'50"E. 206.12 feet along the East-West Center Section Line from the West Quarter Corner of Section 28, Township 2 North, Range 38 East of the Boise Meridian; running thence S.89°32'50"E. 51.38 feet along said Center Section Line; thence S.0°13'56"E. 467.19 feet; thence N.89°32'50"W. 29.94 feet; thence N.0°25'06"W. 401.61 feet; thence N.44°58'58"W. 29.35 feet; thence N.0°27'10"E. 45.00 feet to the POINT OF BEGINNING.

CONTAINING: 0.36 acres.

"EXHIBIT D"

2323 S HOLMES

Starting at a point in the Easterly right-of-way of South Holmes Avenue, formerly the Odd Fellows Road, which lies 38.6 feet East and 1992.0 feet South of the Northwest corner of Section Twenty-nine (29), Township Two (2) North, Range Thirty-eight (38), East of the Boise Meridian, thence South 89°35' East 217.8 feet, thence South 0°04' West 200.0 feet, thence North 89°35' West, 217.8 feet to the said right-of-way, thence North 0°04' East 200.0 feet, along said right-of-way to the point of beginning, containing 1.0 acre.

LESS AND EXCEPTING:

Beginning at a point on the East Right-of-Way of South Holmes Avenue which bears S00°06'57"E 1992.0 feet along the section line and S89°35'E 38.6 feet from the Northwest corner of Section 29, Township 2 North, Range 38 East, B.M., Bonneville County, Idaho; Running thence S00°04'27"E 200.00 feet along said Right-of-Way; thence S89°35'E 41.55 feet; thence N00°06'57"W 200.00 feet; thence N89°35'W 41.40 feet to the point of beginning. Containing 8296.47 square feet, more or less.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

ANNEXATION OF PROPERTY M&B: APPROX.1.64 ACRES SW1/4 SECTION 28, T 2N R 38E & 2.46 ACRES NW1/4 SECTION 29, T 2N R 38E AND GENERALLY SOUTH OF E 17TH ST, WEST OF S WOODRUFF AVE., NORTH OF E SUNNYSIDE RD. AND EAST OF S HOLMES AVE.

WHEREAS, the applicant filed an application for annexation on September 4, 2018; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on October 2, 2018; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public hearing on December 13, 2018; and

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

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to City of Idaho Falls Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 1.64 acres SW1/4 Section 28, T2N R38E and 2.46 acres NW1/4 Section 29, T2N R38E and generally south of E 17th St., west of S Woodruff Ave., north of E Sunnyside Rd. and east of S Holmes Ave.
3. These properties are within the City's area of impact.
4. The Comprehensive Plan designates this area as Higher Density.
5. This is a Category "A" annexation. The parcels are residential enclaves, completely surrounded by the City.
6. The proposed Annexation is consistent with the principles set forth within the Comprehensive Plan of the City of Idaho Falls.
7. Annexation of the area will allow for the orderly development and efficient, equitable and economical delivery of municipal services within the urbanizing area.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the annexation as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2018

Rebecca Casper - Mayor

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 1.64 ACRES AND 2.46 ACRES DESCRIBED IN EXHIBITS A, B, C AND D OF THIS ORDINANCE AS RP, R1, R2 AND LC ZONES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed initial zoning district of lands described in Exhibits A, B, C and D are RP, R1, R2 and LC Zones for such annexed lands such zoning is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation "Higher Density"; and

WHEREAS, the proposed zoning district is consistent and compatible with the existing and surrounding zoning districts and is consistent with the City of Idaho Falls Comprehensive Plan; and

WHEREAS, Idaho Falls Planning and Zoning Commission held a duly noticed public hearing on October 2, 2018, and recommended approval of zoning the subject properties to RP, R1, R2 and LC Zones; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on December 13, 2018.

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

SECTION 1: Legal Description. The lands described in Exhibits A, B, C and D are hereby zoned as RP, R1, R2, and LC Zones.

SECTION 2. Zoning. That the property described in Section 1 of this Ordinance be and the same hereby is zoned "RP, R1, R2 and LC Zones" and the City Planner is hereby ordered to make the necessary amendments to the official maps of the City of Idaho Falls which are on file at the City Planning Department Offices, 680 Park Avenue.

SECTION 3. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

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

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

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this _____ day of _____, 2018.

CITY OF IDAHO FALLS, IDAHO

Rebecca L. Noah Casper, Mayor

ATTEST:

Kathy Hampton, City Clerk

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, KATHY HAMPTON, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO
HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, "AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 1.64 ACRES AND 2.46 ACRES DESCRIBED IN SECTION 1 OF THIS ORDINANCE AS R P, R 1, R 2 AND LC ZONES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

Kathy Hampton, City Clerk

"EXHIBIT A"

2461 S HOLMES

BEGINNING AT A POINT THAT IS N.0°06'57" W. 230.79 FEET ALONG THE SECTION LINE AND S.88°24'17"E. 80.04 FEET FROM THE WEST QUARTER CORNER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 38 EAST OF THE BOISE MERIDIAN, BONNEVILLE COUNTY, IDAHO; RUNNING THENCE S.88°24'17"E. 190.23 FEET; THENCE S.0°56'27"W. 193.92 FEET; THENCE N.89°41'57" W. 166.72 FEET TO A POINT OF CURVE WITH A RADIUS OF 20.00 FEET; THENCE TO THE RIGHT ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°35', A DISTANCE OF 31.27 FEET; THENCE N.0°06'57" W. 178.36 FEET TO THE POINT OF BEGINNING.

ALSO:

Beginning at a point that is S89°22'20"E along the Quarter Section line 38.14 feet from the West one-quarter corner of Section 29, T2N, R38E, B.M., Bonneville County, Idaho; running thence N0°02'57"W 30.99 feet; thence S89°41'57"E 263.74 feet along the north right-of-way boundary of 25th Street; thence S0°37'40"W 32.49 feet to the said Quarter Section line; thence N89°22'20"W 263.37 feet along said Quarter Section line to the Point of Beginning. Containing 0.19 acres, more or less.

“EXHIBIT B”

961 E 25th STREET

Beginning at the Northwest Corner of Lot 6, Block 16, West Jennie Lee Addition Division No. 11 to the City of Idaho Falls, Idaho and running thence South 166.31 feet; thence N.89°22'22"W. 160.00 feet; thence North 165.88 feet; thence S89°31'38"E 160 feet to the point of beginning.

"EXHIBIT C"

2560 RICHARDS AVE

Beginning at point that is S.89°32'50"E. 257.50 feet and S.00°13'56"E. 45.00 feet from the West Quarter Corner of Section 28, Township 2 North Range 38 East of the Boise Meridian, and running thence S.00°13'56"E. 422.19 feet; thence N.89°32'50"W. 259.02 feet to a point on the West line of Section 28; thence N.00°02'47"W. 402.00 feet; thence N.45°12'12"E. 28.41 feet; thence S.89°32'50"E. 237.47 feet to point of beginning, containing 2.499 acres.

LESS and EXCEPTING:

That portion previously annexed by City of Idaho Falls Ordinance No. 2303 and recorded as instrument No. 1357379 Prestwich Country Estates, Division No. 2, described as follows:

Beginning at a point that is S.00°02'47"E. along the Section Line 45.00 feet from the Monumented West Quarter Corner of Section 28, Township 2 North, Range 38 East of the Boise Meridian; running thence S.0°02'47"E. 94.03 feet; thence S.85°53'34"E. 95.36 feet; thence S.69°48'37"E. 21.67 feet; thence S.50°10'27"E. 27.71 feet; thence S.88°54'15"E. 90.45 feet; thence N.00°25'06"W. 105.43 feet; thence N.44°58'58"W. 29.35 feet; thence N.89°32'50"W. 205.73 feet to the POINT OF BEGINNING.

CONTAINING: 0.57 acres.

ALSO LESS and EXCEPTING:

That portion previously annexed by City of Idaho Falls Ordinance No. 2288 and recorded as instrument No. 1357371 Legends, Division No. 1, described as follows:

Beginning at a point that is S.89°32'50"E. 206.12 feet along the East-West Center Section Line from the West Quarter Corner of Section 28, Township 2 North, Range 38 East of the Boise Meridian; running thence S.89°32'50"E. 51.38 feet along said Center Section Line; thence S.0°13'56"E. 467.19 feet; thence N.89°32'50"W. 29.94 feet; thence N.0°25'06"W. 401.61 feet; thence N.44°58'58"W. 29.35 feet; thence N.0°27'10"E. 45.00 feet to the POINT OF BEGINNING.

CONTAINING: 0.36 acres.

"EXHIBIT D"

2323 S HOLMES

Starting at a point in the Easterly right-of-way of South Holmes Avenue, formerly the Odd Fellows Road, which lies 38.6 feet East and 1992.0 feet South of the Northwest corner of Section Twenty-nine (29), Township Two (2) North, Range Thirty-eight (38), East of the Boise Meridian, thence South 89°35' East 217.8 feet, thence South 0°04' West 200.0 feet, thence North 89°35' West, 217.8 feet to the said right-of-way, thence North 0°04' East 200.0 feet, along said right-of-way to the point of beginning, containing 1.0 acre.

LESS AND EXCEPTING:

Beginning at a point on the East Right-of-Way of South Holmes Avenue which bears S00°06'57"E 1992.0 feet along the section line and S89°35'E 38.6 feet from the Northwest corner of Section 29, Township 2 North, Range 38 East, B.M., Bonneville County, Idaho; Running thence S00°04'27"E 200.00 feet along said Right-of-Way; thence S89°35'E 41.55 feet; thence N00°06'57"W 200.00 feet; thence N89°35'W 41.40 feet to the point of beginning. Containing 8296.47 square feet, more or less.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

INITIAL ZONING OF RP, R1, R2 AND LC PROPERTY M&B: APPROX.1.64 ACRES SW1/4 SECTION 28, T 2N R 38E & 2.46 ACRES NW1/4 SECTION 29, T 2N R 38E AND GENERALLY SOUTH OF E 17TH ST, WEST OF S WOODRUFF AVE., NORTH OF E SUNNYSIDE RD. AND EAST OF S HOLMES AVE.

WHEREAS, the applicant filed an application for annexation on September 4, 2018; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on October 2, 2018; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public hearing on December 13, 2018; and

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

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to City of Idaho Falls Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is approximately 1.64 acres SW1/4 Section 28, T2N R38E and 2.46 acres NW1/4 Section 29, T2N R38E and generally south of E 17th St., west of S Woodruff Ave., north of E Sunnyside Rd. and east of S Holmes Ave.
3. These properties are within the City's area of impact.
4. The Comprehensive Plan designates this area as Higher Density.
5. The RP and R1 Zones are consistent with the current use of the property and surrounding zoning designations. The R2 Zone is consistent with existing zoning in the County, the Comprehensive Plan and the potential for redevelopment of the properties along S. Holmes.
6. The Planning and Zoning Commission recommended approval of the annexation and initial zoning of R2, R1, and RP. The Commission also recommended the initial zoning of the property at the corner of Holmes Avenue and 25th Street as LC.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the initial zoning as presented.

PASSED BY CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2018

Rebecca Casper - Mayor