



## CITY COUNCIL MEETING

Thursday, June 13, 2019

7:30 p.m.

### 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](http://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 city 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 Idaho Falls Power:**

- 1) Power Trade Confirmation Agreement

**B. Items from Municipal Services:**

- 1) Treasurer's Report for April 2019
- 2) Bid IF 19-16, Approval to Purchase Street Light Poles for Idaho Falls Power
- 3) Bid IF 19-23, Approval to Purchase Electrical Conductors for Idaho Falls Power
- 4) Bid 19-L, Approval to Purchase Ammunition for Police Department
- 5) Bid 19-M, Approval to Purchase One Replacement Bucket Truck for Idaho Falls Power
- 6) Quote 19-025, Approval to Purchase Power Inventory for Idaho Falls Power
- 7) Quote 19-026, Approval to Purchase Gravel for Public Works

**C. Items from the City Clerk:**

- 1) Minutes from the May 16, 2019 Idaho Falls Power Board Meeting; May 20, 2019 Council Work Session; May 23, 2019 Council Meeting; and, June 3, 2019 Area of Impact Council Discussion.
- 2) License Applications, 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. Idaho Falls Power**

### **1) Director's Report: Emergency Bank Repair to the Lower Power Plant**

RECOMMENDED ACTION: No action required.

## **B. Fire Department**

**1) Adoption of the 2015 International Fire Code with amendments to current Ordinance:** The Fire Department recommends adoption (by ordinance) of the 2015 International Fire Code (IFC) and amendment of the current City ordinance to align with the new adoption. This will coordinate the use of this code with the State Fire Marshal's Office and Idaho Falls Community Development Services. Amendments will eliminate redundancy and conflict while providing a clear, concise and consistent approach to public fire safety.

RECOMMENDED ACTIONS (in sequential order)

- a. To approve the Ordinance adopting the 2015 International Fire Code under the suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary.
- b. To approve the Ordinance amending Title 5, Chapter 13; Title 6, Chapter 3; and, Title 9, Chapter 4 to align with the 2015 International Fire Code under the suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary.

## **C. Community Development Services**

**1) Annexation and Initial Zoning, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, Approximately 119.027 acres, Section 31, Township 3 North, Range 38 East:** For consideration is a request for annexation with initial zoning of R1, R2, and R3A with the Airport Overlay, annexation and zoning ordinances, and Reasoned Statements of Relevant Criteria and Standards, for approximately 119.027 acres in Section 31, Township 3 North, Range 38 East. The Planning and Zoning Commission considered this item at its May 7, 2019 and recommended approval by unanimous vote.

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Ordinance annexing M&B: Approximately 119.027 acres, Section 31, Township 3 North, Range 38 East, under the suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary.
- b. To approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of M&B: Approximately 119.027 acres, Section 31, Township 3 North, Range 38 East, and give authorization for the Mayor to execute the necessary documents.
- c. To assign a Comprehensive Plan Designation of Low Density Residential and Higher Density Residential and to approve the ordinance establishing the initial zoning for M&B: Approximately 119.027 acres, Section 31, Township 3 North, Range 38 East, under the

suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning Office.

- d. To approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning for M&B: Approximately 119.027 acres, Section 31, Township 3 North, Range 38 East, and give authorization for the Mayor to execute the necessary documents.

**2) Public Hearing – Rezone from R3A to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Lots 42-48 Less the West 900.34 square feet, Block 6, Highland Park:** For consideration is a request to rezone property from R3A to LC, the accompanying zoning ordinance, and Reasoned Statement of Relevant Criteria and Standards for Lots 42-48 less the west 900.34 square feet, Block 6, Highland Park. The Planning and Zoning Commission considered this item at its May 7, 2019 meeting and recommended approval by a 5-1 vote.

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Ordinance rezoning Lots 42-48 less the west 900.34 square feet, Block 6, Highland Park, under the suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary.
- b. To approve the Reasoned Statement of Relevant Criteria and Standards for the rezoning of Lots 42-48 less the west 900.34 square feet, Block 6, Highland Park, and give authorization for the Mayor to execute the necessary documents.

**3) Public Hearing – Ordinance Vacating a Portion of the Plat for Nauvoo Village Division No. 1:** For consideration is a request to vacate a portion of the plat for Nauvoo Village Division No. 1. The plat was recorded in 2002 for development of apartments with easements for utilities and private roads. Nothing on the property has ever developed and the parcel remains vacant. The applicant's request is to vacate the entire plat with the exception of a utility easement on the south side of the property as requested by Idaho Falls Power.

RECOMMENDED ACTION: To approve the Ordinance vacating a portion of the plat for Nauvoo Village Division No. 1, under the suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary.

6. **Announcements and Adjournment.**


**CONSENT**

**AGENDA:**





# MEMORANDUM

**FROM:** Bear Prairie, General Manager   
**DATE:** Friday, June 7, 2019  
**RE:** Consent Agenda –Approve Power Trade Confirmation Agreement

## Item Description

Idaho Falls Power requests that this power trade Confirmation Agreement with Shell Energy North America (US), LP to sell 10-MWh at \$22.50 per hour for the month of June 2019 be placed on the consent agenda.

## Purpose

This action supports PBB results of good governance and strong, stable, and healthy economic growth and vibrancy. It also supports the financial element of the IFP Strategic Plan.

## Fiscal Impact / Financial Review

This is an energy sale, so there is no cost to the IFP Budget. The negotiate sale price is inline with the projected budget amount, thereby having negligible impact on the budget balance sheet.

## Legal Review

n/a

## Interdepartmental Review

n/a

## Recommended Action

To ratify the attached trade confirmation agreement (or take other action deemed appropriate).



☐ Economic



☒ Governance



☒ Growth



☐ Learning



☐ Livable



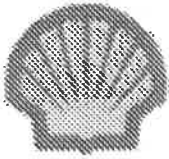
☐ Safety



☒ Sustainability



☐ Transportation



Shell Energy North America (US), L.P.

1000 MAIN ST LEVEL 12

HOUSTON, TX 77002

877-504-2491

May 21, 2019

Deal No.

3513324

CITY OF IDAHO FALLS

140 S CAPITOL AVENUE,

IDAHO FALLS, ID 83405

Fax: 1(208)612-8435

### CONFIRMATION AGREEMENT

This confirmation agreement (this "Confirmation" or "Agreement") shall confirm the agreement reached on May 20, 2019, between Shell Energy North America (US), L.P. ("Shell Energy") and CITY OF IDAHO FALLS ("CounterParty") (herein sometimes referred to as a "Party" and collectively as the "Parties") regarding the sale of electric capacity and/or electric energy under the terms and conditions set forth below.

BUYER: Shell Energy North America (US), L.P.

SELLER: CITY OF IDAHO FALLS

PRODUCT/FIRMNESS: FIRM, WITH LIQUIDATED DAMAGES

PERIOD OF DELIVERY 06/01/2019 through 06/30/2019

QUANTITY: 10 Mws of energy per hour

PRICE: \$ 22.50/Mwhr Fixed

DELIVERY POINT(S): MID-C

SCHEDULING: Monday thru Saturday, Hours ending 0700 thru 2200 Excluding NERC Holidays

TIME ZONE: PPT

TOTAL MWH: 4,000

SPECIAL CONDITIONS: Seller and Buyer agree to notify each other as soon as practically possible of any interruption or curtailment affecting this transaction. Seller should notify Coral at 1-(800) 267-2562.

SUBJECT TO MASTER AGREEMENT DATED: WSPP as amended 02/01/2000

No Challenges; Defense of Agreement. Neither Party will exercise any of its respective rights under Section 205 or Section 206 of the Federal Power Acts to challenge or seek to modify any of the rates or other terms and conditions of this Agreement.

Mobile-Sierra.

(a) Absent the agreement of all parties to the proposed change, the standard of review for changes to any portion of this Agreement or any Transaction entered into hereunder proposed by a Party, a non-party, or the Federal Energy Regulatory Commission acting sua sponte, shall be the "public interest" standard of review set forth in United Gas Pipe Line Co. v. Mobile Gas Service Corp., 350 U.S. 332 (1956) and Federal Power Commission v. Sierra Pacific Power Co., 350 U.S. 348 (1956) (the "Mobile-Sierra" doctrine).

(b) The Parties agree that, if and to the extent that FERC adopts a final Mobile-Sierra policy statement in Docket No. PL02-7-000 ("Final Policy Statement"), which requires that, in order to exclude application of the "just and reasonable" standard under Sections 205 and 206 of the Federal Power Act, the Parties must agree to language which varies from that set forth in clause (a) immediately above, then, without further action of either Party, such Section shall be deemed amended to incorporate the specific language in the Final Policy Statement that requires the "public interest" standard of review.

FAKED 5/30/19

This Confirmation sets forth the terms of the transaction into which the Parties have entered into and shall constitute the entire agreement between the Parties relating to the contemplated purchase and sale of electric energy and/or electric capacity please have this confirmation executed by an authorized representative or officer of your company and return via facsimile to (713) 767 5414. If no facsimile objection to this Confirmation has been received by Shell Energy by facsimile transmission by 5:00 p.m., Houston, Texas time, five (5) business days after delivery of this Confirmation to the other Party by facsimile, then this Confirmation (i) shall be binding and enforceable against Counterparty and Shell Energy and (ii) shall be the final expression of all the terms hereof, regardless whether executed by the other Party.

CITY OF IDAHO FALLS

Shell Energy North America (US), L.P.

By:



Name:

Bear Prairie

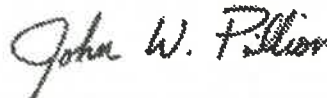
Title:

GM

Date:

5-24-19

By:



Name:

John W. Pillion

Title:

Confirmations Team Lead

Date:

05/21/2019



# MEMORANDUM

**FROM:** Municipal Services

**DATE:** Friday, May 24, 2019

**RE:** Consent Agenda, Treasurer's Report for April 2019

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## Item Description

Attached please find the Treasurer's Report for the month-ending April, 2019.

## Purpose

A monthly Treasurer's Report is required pursuant to Resolution 2018-06 for City Council review and approval.

## Fiscal Impact / Financial Review

For the month-ending April, 2019, total cash and investments sum to \$127.3M. As reported in the attached investment report the total investments reconciled to the April bank statements were reported at 102.6M. Total receipts received and reconciled to the general ledger were reported at \$15M, which includes revenues of \$12.3M and interdepartmental transfers of \$2.7M. Total disbursements reconciled to the general ledger were reported at \$13.7M, which includes salary and benefits of \$5.4M, operating costs of \$4.3M, capital costs of \$1.3M and interdepartmental transfers of \$2.7M.

## Legal Review

Not applicable.

## Interdepartmental Review

Not applicable.

## Recommended Action

We encourage the Council to approve and accept the Treasurer's Report for the month-ending April, 2019 on the consent agenda (or take other action deemed appropriate).



☐ Economic



☒ Governance



☐ Growth



☐ Learning



☐ Livable



☐ Safety



☐ Sustainability



☐ Transportation



# CITY OF IDAHO FALLS MONTHLY TREASURER'S REPORT

April, 2019

FUND	BEGINNING CASH & INVESTMENTS	TOTAL RECEIPTS	TOTAL DISBURSEMENTS	ENDING BALANCE CASH & INVESTMENTS
GENERAL	\$9,819,060.30	\$3,180,387.04	\$4,938,172.84	\$8,061,274.50
STREET	\$2,247,485.71	\$945,910.94	\$342,497.22	\$2,850,899.43
RECREATION	(\$157,173.39)	\$126,720.14	\$125,435.88	(\$155,889.13)
LIBRARY	\$3,114,104.95	\$45,341.76	\$152,652.19	\$3,006,794.52
AIRPORT PFC FUND	\$0.00	\$42,021.69	\$42,021.69	\$0.00
MUNICIPAL EQUIP. REPLCMT.	\$15,184,749.95	\$282,867.83	\$357,076.91	\$15,110,540.87
EL. LT. WEATHERIZATION FD	\$2,958,397.65	\$16,187.65	\$17,462.00	\$2,957,123.30
BUSINESS IMPRV. DISTRICT	\$105,567.64	\$1,851.81	\$0.00	\$107,419.45
GOLF	(\$859,452.77)	\$415,777.06	\$293,792.07	(\$737,467.78)
GOLF CAPITAL IMPROVEMENT	\$428,876.72	\$20,361.38	\$0.00	\$449,238.10
SELF-INSURANCE FD.	\$3,047,412.22	\$114,354.36	\$46,892.78	\$3,114,873.80
HEALTH & ACCIDENT INSUR.	\$4,531,607.99	\$9,633.14	\$13,500.00	\$4,527,741.13
SANITARY SEWER CAP IMP.	\$2,212,507.93	\$66,193.13	\$0.00	\$2,278,701.06
MUNICIPAL CAPITAL IMP.	\$1,430,699.11	\$12,008.43	\$107,097.45	\$1,335,610.09
STREET CAPITAL IMPROVEMENT	\$834,894.57	\$1,780.09	\$0.00	\$836,674.66
BRIDGE & ARTERIAL STREET	\$689,011.67	\$23,096.70	\$0.00	\$712,108.37
WATER CAPITAL IMPROVEMENT	\$4,141,563.41	\$133,233.31	\$1,980.46	\$4,272,816.26
SURFACE DRAINAGE	\$156,026.54	\$3,683.72	\$0.00	\$159,710.26
TRAFFIC LIGHT CAPITAL IMPRV.	\$978,737.57	\$33,189.25	\$100,447.50	\$911,479.32
PARKS CAPITAL IMPROVEMENT	\$152,795.51	\$224.41	\$47,543.00	\$105,476.92
FIRE CAPITAL IMPROVEMENT	(\$3,022,046.47)	\$4,781.18	\$0.00	(\$3,017,265.29)
ZOO CAPITAL IMPROVEMENT	(\$144,556.78)	\$0.00	\$2,793.00	(\$147,349.78)
CIVIC AUDITORIUM CAPITAL IMP.	\$301,157.80	\$591.72	\$23,631.50	\$278,118.02
AIRPORT	\$1,662,543.97	\$278,165.58	\$353,953.70	\$1,586,755.85
WATER	\$7,487,277.85	\$1,081,890.86	\$589,091.34	\$7,980,077.37
SANITATION	\$2,673,345.55	\$440,975.62	\$292,503.17	\$2,821,818.00
AMBULANCE	(\$141,700.39)	\$754,614.59	\$852,322.05	(\$239,407.85)
IDAHO FALLS POWER	\$10,221,092.14	\$6,855,756.10	\$4,115,529.36	\$12,961,318.88
IFP RATE STABILIZATION FD	\$23,987,004.97	(\$572,341.27)	\$0.00	\$23,414,663.70
IFP CAPITAL IMPROVEMENT	\$12,387,677.24	(\$323,576.58)	\$0.00	\$12,064,100.66
FIBER	\$1,339,932.47	\$82,420.88	\$81,101.67	\$1,341,251.68
WASTEWATER	\$18,270,506.32	\$935,270.56	\$802,891.02	\$18,402,885.86
<b>TOTAL ALL FUNDS</b>	<b>\$126,039,107.95</b>	<b>\$15,013,373.08</b>	<b>\$13,700,388.80</b>	<b>\$127,352,092.23</b>

CITY OF IDAHO FALLS  
INVESTMENT RECONCILIATION  
Apr-19

	<u>BOND</u>	<u>AGENCY</u>	<u>TREASURY</u>	<u>COMMERCIAL PAPER</u>	<u>CERTIFICATES</u>	<u>MONEY MARKET</u>	<u>CASH/EQUIVALENT</u>	<u>TOTAL</u>
LPL					\$1,980,024.62		\$65,480.25	\$2,045,504.87
WELLS FARGO	\$41,790,000.00	\$10,500,000.00	\$6,500,000.00	\$5,000,000.00		\$15,070,381.11		\$78,860,381.11
DA DAVIDSON	\$500,005.35	\$500,000.00			\$1,750,000.00		\$339.91	\$2,750,345.26
WASHINGTON FEDERAL					\$250,000.00			\$250,000.00
ISU					\$250,000.00		\$25.00	\$250,025.00
KEY BANK	\$1,486,867.31	\$3,244,959.73	\$642,477.33				\$113,225.17	\$5,487,529.54
IDAHO CENTRAL					\$4,000,000.00		\$25.00	\$4,000,025.00
BANK OF IDAHO						\$7,012,669.39		\$7,012,669.39
BANK OF COMMERCE					\$2,000,000.00			\$2,000,000.00
	<u>\$43,776,872.66</u>	<u>\$14,244,959.73</u>	<u>\$7,142,477.33</u>	<u>\$5,000,000.00</u>	<u>\$10,230,024.62</u>	<u>\$22,083,050.50</u>	<u>\$179,095.33</u>	<u>\$102,656,480.17</u>
							<b>TOTAL INVESTMENTS (MINUS CASH)</b>	\$102,477,384.84





## MEMORANDUM

**FROM:** Municipal Services Department

**DATE:** Monday, June 3, 2019

**RE:** Consent Agenda, Bid IF 19-16, Approval to Purchase Street Light Poles for Idaho Falls Power

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### Item Description

It is the recommendation of Municipal Services and Idaho Falls Power to approve on the consent agenda, the purchase of 200 street light poles from D&S Electrical of Idaho Falls, Idaho to replenish Idaho Falls Power street light pole inventory for a total of \$179,800.

### Purpose

The purchase of the street light poles will support the growth and livable community oriented results by providing street light poles for new construction.

### Fiscal Impact / Financial Review

Funds to purchase the street light poles are within the 2018/19 Idaho Falls Power operating budget.

### Legal Review

Not applicable.

### Interdepartmental Review

Idaho Falls Power concurs with the bid award through centralized purchasing.

### Recommended Action

It is the recommendation of Municipal Services and Idaho Falls Power to accept and approve the purchase of street light poles from the lowest responsive and responsible bid from D&S Electrical for a total of \$179,800 and give the authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).



☐ Economic



☐ Governance



☒ Growth



☐ Learning





☒ Livable



☐ Safety



☐ Sustainability



☐ Transportation

BID IF-19-26 Street Light Poles  
TABULATION

				VENDOR #1			VENDOR #2			VENDOR #3			VENDOR #4		
Vendor				Continental Pole and Lighting			D&S Electrical			Mountain West Electric Inc			Bell Electrical Supply Co INC		
City				Portland, OR			Idaho Falls, ID			Blackfoot, ID			Woodside, NY		
Addendum Included (Y/N)				N/A			N/A			N/A			N/A		
SECTION I	UOM	QUANTITY		PPU	ITEM TOTAL		PPU	ITEM TOTAL		PPU	ITEM TOTAL		PPU	ITEM TOTAL	
1	EA	200.00		\$ 978.000	\$ 195,600.00		\$ 899.000	\$ 179,800.00		\$ 1,679.000	\$ 335,800.00		\$ 1,805.210	\$ 361,042.00	
				Continental Pole			Valmont			Valmont			None Specified		
				8-10 Weeks			14-16 Weeks			22-24 Weeks			30 Days		
TOTAL					\$ 195,600.00			\$ 179,800.00			\$ 335,800.00			\$ 361,042.00	



# MEMORANDUM

**FROM:** Municipal Services Department

**DATE:** Monday, June 3, 2019

**RE:** Consent Agenda, Bid IF 19-23, Approval to Purchase Electrical Conductors for Idaho Falls Power

## Item Description

It is the recommendation of Municipal Services and Idaho Falls Power to accept and approve on consent agenda, the purchase of electrical conductors from the lowest responsive and responsible bids received from American Wire Group for \$7,020 and Codale Electric Supply for \$173,580 for a total of \$180,600.

## Purpose

The purchase of the electrical conductors will support the growth and livable community oriented results for new construction.

## Fiscal Impact / Financial Review

Funds to purchase the electrical conductors is within the 2018/19 Idaho Falls Power operating budget.

## Legal Review

Not applicable.

## Interdepartmental Review

Idaho Falls Power concurs with the bid award through centralized purchasing.

## Recommended Action

It is the recommendation of Municipal Services and Idaho Falls Power to accept and approve the purchase of electrical conductors from the lowest responsive and responsible bids received from American Wire Group and Codale Electric Supply for a total of \$180,600 and give the authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).



☐ Economic

☐ Governance

☒ Growth

☐ Learning



☒ Livable



☐ Safety



☐ Sustainability



☐ Transportation

## TABULATION

Yellow is Low Line Bid



# MEMORANDUM

**FROM:** Municipal Services Department

**DATE:** Monday, June 3, 2019

**RE:** Consent Agenda, Bid 19-L, Approval to Purchase Ammunition for Police Department

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## Item Description

It is the recommendation of Municipal Services and the Police Department to accept and approve on the consent agenda, the use of the State of Utah cooperative contract #PD137 to purchase law enforcement ammunition from Salt Lake Wholesale Sports of Salt Lake City, Utah for a total of \$54,008.16.

## Purpose

This purchase request is relevant to the safety community oriented result by providing an inventory of law enforcement ammunition for the Police Department.

## Fiscal Impact / Financial Review

Funds to purchase the ammunition is within the 2018/19 Police Department operating budget.

## Legal Review

Not applicable.

## Interdepartmental Review

The Police Department concurs with the recommendation to purchase the ammunition from the State of Utah cooperative contract #PD137.

## Recommended Action

It is the recommendation of Municipal Services and the Idaho Falls Police Departments to purchase law enforcement ammunition from Salt Lake Wholesale Sports of Salt Lake City, Utah for a total of \$54,008.16 and give the authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).



☐ Economic

☐ Governance

☐ Growth

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☐ Livable

☒ Safety

☐ Sustainability

☐ Transportation





# STATE OF UTAH

## CONTRACT AMENDMENT

AMENDMENT # 1 To CONTRACT # PD137

TO BE ATTACHED TO AND MADE A PART OF the above numbered contract by and between the State of Utah, Division of Purchasing referred to as State Entity and, Salt Lake Wholesale Sports, referred to as Contractor.

### THE PARTIES AGREE TO AMEND THE CONTRACT AS FOLLOWS:

1. Contract period:

1/24/2018 (original starting date)

1/23/2023 (current ending date)

NA new ending date

2. Contract amount:

NA (current contract amount)

NA (amendment amount)

NA new contract amount  
add current amount to amendment amount

3. Other changes: (attach other sheets if necessary):

Updated pricing sheet, removed discontinued items, allowed for marginal price increases in accordance with terms of contract.

4. Effective Date of Amendment: 3/18/2019

All other conditions and terms in the original contract and previous amendments remain the same.

IN WITNESS WHEREOF, the parties sign and cause the amendment to be executed.

CONTRACTOR

STATE

[Signature] 3/18/2019  
Contractor's signature Date

N/A  
Agency's signature Date

Jordan Mitchell, Treasurer/Creator  
Type or Print Name and Title Owner

[Signature]  
Chris Whittles (Mar 18, 2019)

Director, Division of Purchasing Date

Mar 18, 2019

Kraig Brinkerhoff  
Agency Contact Person

801-538-3205  
Telephone Number

Fax Number

kbrinkerhoff@utah.gov  
Email



# SALT LAKE WHOLESALE SPORTS - UTAH STATE CONTRACT PRICING

PART #	CALIBER	DESCRIPTION	BOX/ CASE	RND/ BOX	RND/ CASE	MFG. LIST (LE FLOOR) PRICE	CONTRACT PRICE PER CASE	CONTRACT PRICE PER 1000	DISCOUNT OFF LIST
<b>HST PREMIUM PISTOL</b>									
P380HST1	380 AUTO	99 GR HST HP	20	50	1000	\$ 522.25	\$ 459.02	\$ 459.02	12.11%
P9HST1	9MM LUGER (9X19MM)	124 GR. HST HP	20	50	1000	\$ 375.00	\$ 285.65	\$ 285.65	23.83%
P9HST2	9MM LUGER (9X19MM)	147 GR. HST HP	20	50	1000	\$ 375.00	\$ 285.65	\$ 285.65	23.83%
P9HST3	9MM LUGER +P	124 GR. HST HP	20	50	1000	\$ 375.00	\$ 285.65	\$ 285.65	23.83%
P9HST4	9MM LUGER +P	147 GR. HST HP - DISCONTINUED	20	50	1000				
P357SHST1	357 SIG	125 GR. HST HP	20	50	1000	\$ 468.75	\$ 398.21	\$ 398.21	15.05%
P40HST3	40 S&W	165 GR. HST HP	20	50	1000	\$ 437.50	\$ 337.42	\$ 337.42	22.88%
P40HST1	40 S&W	180 GR. HST HP	20	50	1000	\$ 437.50	\$ 337.42	\$ 337.42	22.88%
P45HST2	45 AUTO	230 GR. HST HP	20	50	1000	\$ 500.00	\$ 379.90	\$ 379.90	24.02%
P45HST1	45 AUTO +P	230 GR. HST HP	20	50	1000	\$ 500.00	\$ 379.90	\$ 379.90	24.02%
<b>HST MICRO PREMIUM PISTOL</b>									
P38HST1S	38 SPECIAL +P	130 GR HST HP	10	20	200	\$ 226.63	\$ 199.19	\$ 995.93	12.11%
P9HST5S	9MM LUGER (9X19MM)	150GR. HST HP	10	20	200	\$ 236.63	\$ 207.98	\$ 1,039.88	12.11%
<b>HYDRA-SHOK PREMIUM PISTOL &amp; REVOLVER</b>									
P38HS1G	38 SPECIAL +P	129 GR. HSHP HV +P	20	50	1000	\$ 536.00	\$ 471.11	\$ 471.11	12.11%
P380HS1G	380 AUTO (9X17mm SHORT)	90 GR. HSHP	20	50	1000	\$ 585.75	\$ 514.83	\$ 514.83	12.11%
P9HS1G1	9MM LUGER (9X19MM)	124 GR. HSHP	20	50	1000	\$ 465.50	\$ 409.14	\$ 409.14	12.11%
P9HS2G1	9MM LUGER (9X19MM)	147 GR. HSHP	20	50	1000	\$ 465.50	\$ 409.14	\$ 409.14	12.11%
P40HS3G	40 S&W	165 GR. HSHP	20	50	1000	\$ 511.75	\$ 449.79	\$ 449.79	12.11%
P40HS1G	40 S&W	180 GR. HSHP	20	50	1000	\$ 511.75	\$ 449.79	\$ 449.79	12.11%
P45HS1G	45 AUTO	230 GR. HSHP	20	50	1000	\$ 524.00	\$ 460.56	\$ 460.56	12.11%
<b>LEAD FREE PRIMED TRAINING LOADS</b>									
AE9N1	9MM LUGER	124 GR TOTAL METAL JACKET	20	50	1000	\$ 301.25	\$ 264.78	\$ 264.78	12.11%
AE9N2	9MM LUGER	147 GR TOTAL METAL JACKET	20	50	1000	\$ 301.25	\$ 264.78	\$ 264.78	12.11%
AE40N1	40 S & W	180 GR TOTAL METAL JACKET	20	50	1000	\$ 377.00	\$ 331.36	\$ 331.36	12.11%
AE45N1	45 AUTO	230 GR TOTAL METAL JACKET	20	50	1000	\$ 447.50	\$ 393.32	\$ 393.32	12.11%
<b>BALLISTIC CLEAN PISTOL CENTERFIRE AMMUNITION</b>									
BC9NT3	9MM LUGER (9X19MM)	100 GR. CQT FRANGIBLE	20	50	1000	\$ 494.75	\$ 434.85	\$ 434.85	12.11%
BC40CT1	40 S&W	125 GR. RHT FRANGIBLE	20	50	1000	\$ 517.00	\$ 454.41	\$ 454.41	12.11%
BC10CT1	10MM AUTO	125 GR. RHT FRANGIBLE	20	50	1000	\$ 561.75	\$ 493.74	\$ 493.74	12.11%
BC45CT1	45 AUTO	155 GR. RHT FRANGIBLE	20	50	1000	\$ 656.25	\$ 576.80	\$ 576.80	12.11%
<b>CLASSIC PISTOL CENTERFIRE AMMUNITION</b>									
9BP	9MM LUGER (9X19MM)	115 GR. HI-JHP	20	50	1000	\$ 320.00	\$ 281.26	\$ 281.26	12.11%
9MS	9MM LUGER (9X19MM)	147 GR. HI-JHP	20	50	1000	\$ 320.00	\$ 281.26	\$ 281.26	12.11%
9BPLE	9MM LUGER +P (9X19MM)	115 GR. HI-JHP	20	50	1000	\$ 320.00	\$ 281.26	\$ 281.26	12.11%
38G	38 SPECIAL +P	158 GR. SWHP	20	50	1000	\$ 390.50	\$ 343.22	\$ 343.22	12.11%
40SWB	40 S&W	155 GR. HI-JHP	20	50	1000	\$ 398.00	\$ 349.81	\$ 349.81	12.11%
40SWA	40 S&W	180 GR. HI-JHP	20	50	1000	\$ 398.00	\$ 349.81	\$ 349.81	12.11%
45C	45 AUTO	185 GR. HI-JHP	20	50	1000	\$ 468.50	\$ 411.78	\$ 411.78	12.11%
45D	45 AUTO	230 GR. HI-JHP	20	50	1000	\$ 468.50	\$ 411.78	\$ 411.78	12.11%
<b>CENTERFIRE PISTOL AND REVOLVER</b>									
GM38A	38 SPECIAL	148 GR LEAD WADCUTTER MATCH	20	50	1000	\$ 529.00	\$ 464.95	\$ 464.95	12.11%
GM45B	45 AUTO	185 GR FMJ SEMI WADCUTTER MATCH	20	50	1000	\$ 783.50	\$ 688.64	\$ 688.64	12.11%
AE25AP	25 AUTO	50 GR TOTAL METAL JACKET	20	50	1000	\$ 376.25	\$ 330.70	\$ 330.70	12.11%
AE32AP	32 AUTO	71 GR FULL METAL JACKET	20	50	1000	\$ 426.75	\$ 375.08	\$ 375.08	12.11%
AE380AP	380 AUTO	95 GR FULL METAL JACKET	20	50	1000	\$ 338.00	\$ 236.43	\$ 236.43	30.05%
AE9SJ1	9MM LUGER	115 GR TOTAL SYNTHETIC JACKET (TSJ)	10	50	500	\$ 133.63	\$ 117.45	\$ 234.89	12.11%
AE9SJ2	9MM LUGER	124 GR TOTAL SYNTHETIC JACKET (TSJ)	10	50	500	\$ 133.63	\$ 117.45	\$ 234.89	12.11%
AE9DP	9MM LUGER	115 GR FULL METAL JACKET	20	50	1000	\$ 268.00	\$ 194.00	\$ 194.00	27.61%
AE9AP	9MM LUGER	124 GR FULL METAL JACKET	20	50	1000	\$ 268.00	\$ 194.00	\$ 194.00	27.61%
AE9FP	9MM LUGER	147 GR FULL METAL JACKET FLAT POINT	20	50	1000	\$ 268.00	\$ 194.00	\$ 194.00	27.61%
<b>CENTERFIRE PISTOL AND REVOLVER</b>									
AE38K	38 SPECIAL	130 GR FULL METAL JACKET	20	50	1000	\$ 405.75	\$ 356.62	\$ 356.62	12.11%
AE38B	38 SPECIAL	158 GR LEAD ROUND NOSE	20	50	1000	\$ 405.75	\$ 356.62	\$ 356.62	12.11%
AE357A	357 MAG	158 GR JACKETED SOFT POINT	20	50	1000	\$ 505.50	\$ 444.30	\$ 444.30	12.11%
AE357S2	357 SIG	125 GR FULL METAL JACKET	20	50	1000	\$ 429.50	\$ 298.00	\$ 298.00	30.62%
AE40SJ1	40 S & W	180 GR TOTAL SYNTHETIC JACKET (TSJ)	10	50	500	\$ 184.88	\$ 162.49	\$ 324.98	12.11%
AE40R3	40 S & W	165 GR FULL METAL JACKET	20	50	1000	\$ 357.75	\$ 265.30	\$ 265.30	25.84%
AE40R1	40 S & W	180 GR FULL METAL JACKET	20	50	1000	\$ 357.75	\$ 265.30	\$ 265.30	25.84%
AE10A	10MM AUTO	180 GR FULL METAL JACKET	20	50	1000	\$ 587.75	\$ 516.59	\$ 516.59	12.11%
AE45SJ1	45 AUTO	230 GR TOTAL SYNTHETIC JACKET (TSJ)	10	50	500	\$ 221.13	\$ 194.35	\$ 388.71	12.11%
AE45A	45 AUTO	230 GR FULL METAL JACKET	20	50	1000	\$ 429.50	\$ 314.00	\$ 314.00	26.89%
<b>TACTICAL RIFLE</b>									
LE223T1	223 REM. (5.56X45MM)	55 GR. BONDED SOFT POINT	10	20	200	\$ 318.75	\$ 236.39	\$ 1,181.94	25.84%
LE223T3	223 REM. (5.56X45MM)	62 GR. BONDED SOFT POINT	10	20	200	\$ 318.75	\$ 159.00	\$ 795.00	50.12%
T556TNB1	5.56 (5.56X45MM)	62 GR. BARRIER NON BONDED	25	20	500	\$ 448.75	\$ 294.00	\$ 588.00	34.48%
LE308T1	308 WIN	165 GR. BONDED SOFT POINT	10	20	200	\$ 382.50	\$ 302.57	\$ 1,512.85	20.90%
LE308TT2	308 WIN	168 GR. TACTICAL BONDED TIP	10	20	200	\$ 382.50	\$ 249.90	\$ 1,249.50	34.67%
T762TNB1	7.62 X 51	130 GR. BARRIER NON BONDED	25	20	500	\$ 645.94	\$ 567.73	\$ 1,135.46	12.11%
<b>TRU RIFLE - TACTICAL RIFLE URBAN</b>									

# SALT LAKE WHOLESALE SPORTS - UTAH STATE CONTRACT PRICING

T223E	223 REM. (5.56X45MM)	55 GR. HP	25	20	500	\$	370.00	\$	254.88	\$	509.76	31.11%
T223T	223 REM. (5.56X45MM)	55 GR NOSLER BALLISTIC TIP	25	20	500	\$	433.13	\$	279.99	\$	559.99	35.36%
T223A	223 REM. (5.56X45MM)	55 GR. SP	25	20	500	\$	346.88	\$	205.33	\$	410.66	40.81%
T223L	223 REM. (5.56X45MM)	64 GR. SP	25	20	500	\$	364.38	\$	320.26	\$	640.52	12.11%
T308T	308 WIN	168 Tactical MatchKing	25	20	500	\$	514.04	\$	451.79	\$	903.58	12.11%
BALLISTIC CLEAN RIFLE												
BC223NT5	223 REM. (5.56X45MM)	42 GR. CQT (FRANGIBLE)	25	20	500	\$	495.63	\$	435.62	\$	871.24	12.11%
BC223NT5A	223 REM. (5.56X45MM)	55 GR. CQT (FRANGIBLE)	25	20	500	\$	495.63	\$	299.00	\$	598.00	39.67%
CENTERFIRE RIFLE												
30CA	30 CARBINE	110 GR SP RN "POWER-SHOK"	10	20	200	\$	173.88	\$	152.82	\$	764.12	12.11%
AE223G	223 REM	50 GR JACKETED HOLLOW POINT	25	20	500	\$	245.31	\$	215.61	\$	431.22	12.11%
AE223	223 REM	55 GR FULL METAL JACKET	25	20	500	\$	250.55	\$	151.03	\$	302.05	39.72%
AE223N	223 REM	62 GR FULL METAL JACKET	25	20	500	\$	263.44	\$	179.90	\$	359.80	31.71%
AE223T75	223 REM	75 GR TOTAL METAL JACKET (TMJ)	25	20	500	\$	229.38	\$	201.60	\$	403.21	12.11%
P224VLKBT1	224 VALKYRIE	60 GR NOSLER BALLISTIC TIP	10	20	200	\$	224.88	\$	197.65	\$	988.24	12.11%
AE224VLK1	224 VALKYRIE	75 GR TOTAL METAL JACKET (TMJ)	10	20	200	\$	118.23	\$	103.91	\$	519.55	12.11%
F224VLKMSR1	224 VALKYRIE	90 GR FUSION	10	20	200	\$	216.75	\$	190.51	\$	952.54	12.11%
AE30CB	30 CARBINE	110 GR FULL METAL JACKET	10	50	500	\$	299.75	\$	263.46	\$	526.92	12.11%
A76239A	7.62X39 SOVIET	124 GR FULL METAL JACKET	25	20	500	\$	365.94	\$	321.63	\$	643.27	12.11%
AE308D	308 WIN	150 GR FULL METAL JACKET BOAT-TAIL	25	20	500	\$	393.28	\$	250.00	\$	500.00	36.432%
AE3006N	30-06 SPRINGFIELD	150 GR FULL METAL JACKET BOAT-TAIL	25	20	500	\$	465.31	\$	408.98	\$	817.95	12.11%
AE338L	338 LAPUA	250 GR SOFT POINT	10	20	200	\$	499.88	\$	439.35	\$	2,196.77	12.11%
GOLD MEDAL RIFLE												
GM223M	223 REM	223 REM 69GR SIERRA MK BTHP	10	20	200	\$	191.75	\$	168.53	\$	842.67	12.11%
GM223M500	223 REM	223 REM 69GR SIERRA MK BTHP 500 RND	25	20	500	\$	479.69	\$	319.00	\$	638.00	33.50%
GM223M3	223 REM	223 REM 77GR SIERRA MK BTHP	10	20	200	\$	191.75	\$	161.77	\$	808.83	15.64%
GM224VLK1	224 VALKYRIE	90 GR SIERRA MATCHKING BTHP	10	20	200	\$	235.00	\$	206.55	\$	1,032.74	12.11%
GM308M	308 WIN	308 WIN 168GR SIERRA MK BTHP	10	20	200	\$	205.75	\$	155.55	\$	777.74	24.40%
GM308M500	308 WIN	308 WIN 168GR SIERRA MK BTHP 500 RND	25	20	500	\$	499.06	\$	394.77	\$	789.54	20.90%
GM308M2	308 WIN	308 WIN 175GR SIERRA MK BTHP	10	20	200	\$	314.38	\$	162.00	\$	810.00	48.47%
GM3006M	30-06 SPRINGFIELD	3006 SPRG 168GR SIERRA MK BTHP	10	20	200	\$	314.38	\$	276.31	\$	1,381.56	12.11%
GM300WM	300 WIN MAG	300 WIN MAG 190GR SIERRA MK BTHP	10	20	200	\$	422.50	\$	371.35	\$	1,856.73	12.11%
GM762M2	7.62 X 51	GM MATCH 7.62MM X 51 175GR BTHP	25	20	500	\$	785.94	\$	690.78	\$	1,381.56	12.11%
GM338LM	338 LAPUA	250 GR SIERRA MK BTHP	10	20	200	\$	1,094.59	\$	962.06	\$	4,810.32	12.11%
GM338LM2	338 LAPUA	300 GR SIERRA MK BTHP	10	20	200	\$	1,094.59	\$	962.06	\$	4,810.32	12.11%
FEDERAL RIFLE												
AE223AF30	223 REM. (5.56X45MM)	55 GR. FMJ BOAT TAIL - CLIPPED	20	30	600	\$	247.50	\$	217.53	\$	362.56	12.11%
AE223BK	223 REM. (5.56X45MM)	55 GR. FMJ BOAT TAIL - BULK (105 CS/PALLET)	1	1000	1000	\$	384.88	\$	338.28	\$	338.28	12.11%
AE223J	223 REM. (5.56X45MM)	55 GR. FMJ BOAT TAIL	25	20	500	\$	199.27	\$	163.54	\$	327.09	17.93%
XM193	5.56X45MM	55 GR. FMJ BOAT TAIL	25	20	500	\$	199.27	\$	163.54	\$	327.09	17.93%
XM193AF30	5.56X45MM	55 GR. FMJ BOAT TAIL - CLIPPED	20	30	600	\$	247.50	\$	217.53	\$	362.56	12.11%
XM193AF90	5.56X45MM	.56 MM 55GR BALL M193 90 RD CLIPPED	5	90	450	\$	185.63	\$	163.15	\$	362.56	12.11%
XM193BK	5.56X45MM	55 GR. FMJ BOAT TAIL - BULK (105 CS/PALLET)	1	1000	1000	\$	384.88	\$	338.28	\$	338.28	12.11%
TACTICAL BUCKSHOT												
LE133 00	12 GA, 2-3/4" MAX.	8 PLTS - 00 BUCK	50	5	250	\$	162.50	\$	120.51	\$	482.05	25.84%
LE132 00	12 GA, 2-3/4" MAX.	9 PLTS - 00 BUCK	50	5	250	\$	162.50	\$	120.51	\$	482.05	25.84%
LE127 00	12 GA, 2-3/4" MAX.	9 PLTS - 00 BUCK	50	5	250	\$	162.50	\$	120.51	\$	482.05	25.84%
LE132 1B	12 GA, 2-3/4" MAX.	15 PLTS - 1 BUCK - DISCONTINUED	50	5	250							
SLUG AND BUCKSHOT												
F127 000	12 GA, 2-3/4" MAX.	12GA 2-3/4" MAX. 8 PELLETS-000 BUCK	50	5	250	\$	150.00	\$	111.24	\$	444.96	25.84%
F127 00	12 GA, 2-3/4" MAX.	12GA 2-3/4" MAX. 9 PELLETS-00 BUCK	50	5	250	\$	113.27	\$	69.00	\$	276.00	39.083%
F130 00	12 GA, 2-3/4" MAX.	12GA 2-3/4" MAG. 12 PELLETS-00 BUCK	50	5	250	\$	180.00	\$	158.21	\$	632.83	12.11%
F127 RS	12 GA, 2-3/4" MAX.	12GA 2-3/4" MAG. 1 OZ	50	5	250	\$	157.67	\$	100.22	\$	356.00	36.434%
F130 RS	12 GA, 2-3/4" MAX.	12GA 2-3/4" MAG. 1-1/4OZ HOLLOW POINT	50	5	250	\$	268.75	\$	236.21	\$	944.85	12.11%
H132 00	12 GA, 2-3/4" MAX.	12ga 2-3/4" 3DE 9 PELLETS-00 BUCK	50	5	250	\$	150.00	\$	131.84	\$	527.36	12.11%
TACTICAL RIFLED SLUGS												
LE127 RS	12 GA, 2-3/4" MAX.	1 OUNCE HYDRA-SHOK HP	50	5	250	\$	173.13	\$	128.39	\$	513.56	25.84%
LEB127 RS	12 GA, 2-3/4" MAX.	1 OUNCE BALL SLUG	50	5	250	\$	190.00	\$	131.51	\$	526.05	30.78%
LEB127 DPRS	12 GA, 2-3/4" MAX.	1 OUNCE TRUBALL DEEP PENETRATOR SLUG	50	5	250	\$	228.13	\$	169.18	\$	676.71	25.84%
LEB127 LRS	12 GA, 2-3/4" MAX.	1 OUNCE SLUG LOW RECOIL	50	5	250	\$	190.00	\$	131.51	\$	526.05	30.78%
LEF127 RS	12 GA, 2-3/4" MAX.	1 OUNCE SLUG	50	5	250	\$	183.75	\$	136.27	\$	545.07	25.84%
FIELD AND RANGE STEEL												
FRS12 7	12 GA, 2-3/4" MAX.	12GA 2-3/4" 7.5 SHOT STEEL	10	25	250	\$	92.81	\$	43.17	\$	172.68	53.485%
TOP GUN SHOTSHELLS												
GMT115 7.5	12GA 2 3/4"	2 3/4DE 1 1/8OZ 7.5 1,145 FPS	10	25	250	\$	85.38	\$	75.04	\$	300.15	12.11%
GMT115 8	12GA 2 3/4"	2 3/4DE 1 1/8OZ 8 1,145 FPS	10	25	250	\$	85.38	\$	75.04	\$	300.15	12.11%
GMT116 7.5	12GA 2 3/4"	3DE 1 1/8OZ 7.5 1,200 FPS	10	25	250	\$	85.38	\$	75.04	\$	300.15	12.11%
GMT116 8	12GA 2 3/4"	3DE 1 1/8OZ 8 1,200 FPS	10	25	250	\$	85.38	\$	75.04	\$	300.15	12.11%
TGL12 7.5	12GA 2-3/4"	2-3/4DE 1-1/8OZ 7.5	10	25	250	\$	61.13	\$	43.17	\$	172.68	29.38%
TGL12 8	12GA 2-3/4"	2-3/4DE 1-1/8OZ 8	10	25	250	\$	61.13	\$	53.72	\$	214.90	12.11%
TGL12 9	12GA 2-3/4"	2-3/4DE 1-1/8OZ 9	10	25	250	\$	61.13	\$	53.72	\$	214.90	12.11%
22 LONG RIFLE												
745	22 LR	HV 36 GR COPPER PLATED HP "CHAMPION"	10	525	5250	\$	214.88	\$	168.00	\$	32.00	21.82%
AE5022	22 LR HIGH VELOCITY	40 GR SOLID	100	50	5000	\$	248.55	\$	168.00	\$	33.60	32.41%



## SALT LAKE WHOLESALE SPORTS - UTAH STATE CONTRACT PRICING

SPEER GOLD DOT G2 HIGH-PERFORMANCE CENTERFIRE AMMUNITION											
54226	9MM LUGER	9MM LUGER 147 GR G2 AMMO	20	50	1000	\$	531.75	\$	410.11	\$	410.11 22.87%
53999	40 S&W	40 S&W 180 GR G2 AMMO	20	50	1000	\$	572.25	\$	441.35	\$	441.35 22.87%
54256	45 AUTO	45 AUTO 230 GR G2 AMMO	20	50	1000	\$	627.00	\$	483.58	\$	483.58 22.87%
SPEER GOLD DOT HIGH-PERFORMANCE CENTERFIRE AMMUNITION											
23602	25 AUTO	25 AUTO 35 GR GDHP AMMO	25	20	500	\$	341.88	\$	300.48	\$	600.97 12.11%
23604	32 AUTO	32 AUTO 60 GR GDHP AMMO	25	20	500	\$	351.25	\$	308.72	\$	617.45 12.11%
53606	380 AUTO	380 AUTO 90 GR GDHP AMMO	20	50	1000	\$	449.47	\$	250.00	\$	250.00 44.38%
53614	9MM LUGER	9MM 115 GR GDHP AMMO	20	50	1000	\$	483.50	\$	382.47	\$	382.47 20.90%
53618	9MM LUGER	9MM 124 GR GDHP AMMO	20	50	1000	\$	483.50	\$	359.64	\$	359.64 25.62%
53619	9MM LUGER	9MM LUGER 147 GR GDHP AMMO	20	50	1000	\$	483.50	\$	359.64	\$	359.64 25.62%
53612	9MM +P LUGER	9MM LUGER+P+ 115 GR GDHP	20	50	1000	\$	483.50	\$	382.47	\$	382.47 20.90%
53617	9MM +P LUGER	9MM LUG+P 124 GR GDHP AMMO	20	50	1000	\$	483.50	\$	359.64	\$	359.64 25.62%
53722	38 SPECIAL	38 SPL 125 GR GDHP AMMO	20	50	1000	\$	483.50	\$	424.96	\$	424.96 12.11%
53720	38 SPECIAL +P	38 SPL+P 125 GR GDHP AMMO	20	50	1000	\$	483.50	\$	385.76	\$	385.76 20.21%
53918	357 SIG	357 SIG 125 GR GDHP-LP AMMO	20	50	1000	\$	535.75	\$	470.89	\$	470.89 12.11%
54234	357 SIG	357 SIG 125 GR GDHP AMMO	20	50	1000	\$	535.75	\$	470.89	\$	470.89 12.11%
53920	357 MAGNUM	357 MAG 125 GR GDHP AMMO (CL)	20	50	1000	\$	721.75	\$	634.37	\$	634.37 12.11%
53960	357 MAGNUM	357 MAG 158 GR GDHP AMMO	20	50	1000	\$	721.75	\$	634.37	\$	634.37 12.11%
53970	40 S&W	40 S&W 165 GR GDHP AMMO	20	50	1000	\$	520.25	\$	398.21	\$	398.21 23.46%
53949	40 S&W	40 S&W 165 GDHP LEO	20	50	1000	\$	520.25	\$	411.54	\$	411.54 20.90%
53962	40 S&W	40 S&W 180 GR GDHP AMMO	20	50	1000	\$	520.25	\$	398.21	\$	398.21 23.46%
54000	10mm Auto	10 MM AUTO 200 GR GDHP	25	20	500	\$	639.06	\$	561.69	\$	1,123.38 12.11%
23980	44 SPECIAL	44 S&W SPL 200 GR GDHP	25	20	500	\$	645.63	\$	567.46	\$	1,134.92 12.11%
53969	45 AUTO	45 AUTO+P 200 GR GDHP AMMO	20	50	1000	\$	570.00	\$	447.99	\$	447.99 21.41%
53966	45 AUTO	45 AUTO 230 GR GDHP AMMO	20	50	1000	\$	570.00	\$	435.54	\$	435.54 23.59%
53978	45 GAP	45 G.A.P. 200 GR GDHP AMMO	20	50	1000	\$	570.00	\$	450.89	\$	450.89 20.90%
SPEER GOLD DOT HIGH-PERFORMANCE CENTERFIRE SHORT BARREL AMMUNITION											
954	22 Win Mag	22 WMR 40-GR GOLD DOT HP "SHORT BARREL"	40	50	2000	\$	589.50	\$	518.13	\$	259.06 12.11%
23611	9MM +P	9MM LUGER +P 124 GDHP SHORT BARREL	25	20	500	\$	464.06	\$	407.88	\$	815.75 12.11%
53921	38 SPECIAL +P	38 SPL+P 135 GR GDHP AMMO	20	50	1000	\$	483.50	\$	424.96	\$	424.96 12.11%
23917	357 MAGNUM	357 MAG 135 GDHP SHORT BARREL	25	20	500	\$	536.88	\$	471.87	\$	943.75 12.11%
23974	40 S&W	40 S&W 180 GDHP SHORT BARREL	25	20	500	\$	584.38	\$	513.62	\$	1,027.25 12.11%
23971	44 MAGNUM	44 MAG 200 GDHP SHORT BARREL	25	20	500	\$	650.63	\$	571.85	\$	1,143.70 12.11%
23975	45 AUTO	45 AUTO 230 SB GDHP AMMO	25	20	500	\$	597.50	\$	525.16	\$	1,050.32 12.11%
SPEER GOLD DOT HIGH-PERFORMANCE RIFLE AMMUNITION											
24446	223 REM	223 REM 55 GOLD DOT SP	25	20	500	\$	352.19	\$	279.90	\$	559.80 20.53%
24445SP	223 REM	223 REM 62 GR GOLD DOT	25	20	500	\$	355.63	\$	279.90	\$	559.80 21.29%
24475	223 REM	223 REM 75 GR GOLD DOT	25	20	500	\$	355.63	\$	279.90	\$	559.80 21.29%
24457	308 WIN (7.62X51MM)	308 WIN 150GR SPEER GDSP	25	20	500	\$	500.50	\$	371.17	\$	742.33 25.84%
24458	308 WIN (7.62X51MM)	308 WIN 168 SPEER GDSP	25	20	500	\$	500.50	\$	371.17	\$	742.33 25.84%
BLAZER CLEAN-FIRE CENTERFIRE AMMUNITION											
3460	9MM LUGER	9MM 124 TMJ CLNFIR BLZ (50 PK)	20	50	1000	\$	277.00	\$	243.46	\$	243.46 12.11%
3462	9MM LUGER	9MM 147 GR TMJ CLNFIR BLAZER	20	50	1000	\$	277.00	\$	243.46	\$	243.46 12.11%
3475	38 SPECIAL +P	38 SPL+P 158 TMJ CF BLZ (50PK)	20	50	1000	\$	303.00	\$	266.32	\$	266.32 12.11%
3477	40 S&W	40 S&W 180 TMJ CF BLAZER	20	50	1000	\$	327.50	\$	287.85	\$	287.85 12.11%
3480	45 AUTO	45 AUTO 230 TMJ CLNFIR BLAZER	20	50	1000	\$	419.50	\$	368.71	\$	368.71 12.11%
SPEER LAWMAN CLEAN-FIRE BRASS CASE CENTERFIRE AMMUNITION											
53824	9MM LUGER	9MM LUGER 124 GR TMJ CLNFIR LMN	20	50	1000	\$	301.25	\$	238.30	\$	238.30 20.90%
53826	9MM LUGER	9MM LUGER 147 GR TMJ CLNFIR LM	20	50	1000	\$	301.25	\$	238.30	\$	238.30 20.90%
53833	38 SPECIAL +P	38 SPL+P 158 TMJ CLNFIR LAWMAN	20	50	1000	\$	347.00	\$	274.49	\$	274.49 20.90%
54232	357 SIG	357 SIG 125 GR TMJ CLNFIR LMN	20	50	1000	\$	403.25	\$	318.98	\$	318.98 20.90%
53982	40 S&W	40 S&W 165 TMJ CF LAWMAN LEO	20	50	1000	\$	419.00	\$	331.45	\$	331.45 20.90%
53880	40 S&W	40 S&W 180 GR TMJ CLNFIR LAWMAN	20	50	1000	\$	406.75	\$	321.75	\$	321.75 20.90%
53885	45 AUTO	45 AUTO 230 GR TMJ CLNFIR LMN	20	50	1000	\$	474.50	\$	375.35	\$	375.35 20.90%
53985	45 GAP	45 G.A.P. 200 TMJ CF BRASS	20	50	1000	\$	474.50	\$	375.35	\$	375.35 20.90%
SPEER LAWMAN RHT CENTERFIRE AMMUNITION											
53365	9MM LUGER	9MM 100 GR RHT FRANGIBLE	20	50	1000	\$	509.50	\$	447.81	\$	447.81 12.11%
53368	357 SIG	357 SIG 100 FRANGIBLE AMMO	20	50	1000	\$	588.50	\$	517.25	\$	517.25 12.11%
53375	40 S&W	40 S&W 125 GR RHT FRANGIBLE	20	50	1000	\$	546.75	\$	480.55	\$	480.55 12.11%
53395	45 AUTO	45 AUTO 155 GR RHT FRANGIBLE	20	50	1000	\$	656.25	\$	576.80	\$	576.80 12.11%
53396	45 GAP	45 GAP 140 RHT CF FRANGIBLE LAWMAN	20	50	1000	\$	656.25	\$	576.80	\$	576.80 12.11%
BLAZER CENTERFIRE AMMUNITION											
3501	25 AUTO	25 AUTO 50 GR FMJ BLAZER	20	50	1000	\$	359.00	\$	315.54	\$	315.54 12.11%
3503	32 AUTO	32 AUTO 71 GR FMJ BLAZER	20	50	1000	\$	399.50	\$	351.13	\$	351.13 12.11%
3505	380 AUTO	380 AUTO 95 GR FMJ BLAZER	20	50	1000	\$	349.75	\$	307.40	\$	307.40 12.11%
3509	9MM LUGER	9MM 115 GR FMJ BLAZER (sub for 3510)	20	50	1000	\$	234.00	\$	205.67	\$	205.67 12.11%
3578	9MM LUGER	9MM 124 GR FMJ BLAZER	20	50	1000	\$	221.81	\$	150.00	\$	150.00 32.373%
3582	9MM LUGER	9MM 147 GR FMJ BLAZER	20	50	1000	\$	234.00	\$	205.67	\$	205.67 12.11%
3514	38 SPECIAL	38 SPECIAL 125 GR +P JHP	20	50	1000	\$	291.03	\$	178.00	\$	178.00 38.838%
3519	38 SPECIAL +P	38 SPL+P 158 GR FMJ BLAZER	20	50	1000	\$	438.00	\$	384.97	\$	384.97 12.11%
3542	357 MAG	357 MAG 158 GR JHP BLAZER	20	50	1000	\$	425.50	\$	373.98	\$	373.98 12.11%
3589	40 S&W	40 S&W 165 GR FMJ BLAZER	20	50	1000	\$	256.42	\$	163.00	\$	163.00 36.432%
3591	40 S&W	40 S&W 180 GR FMJ BLAZER (sub for 3592)	20	50	1000	\$	318.50	\$	279.94	\$	279.94 12.11%

## SALT LAKE WHOLESALE SPORTS - UTAH STATE CONTRACT PRICING

3597	10MM AUTO	10MM AUTO 200 FMJ BLAZER	20	50	1000	\$	585.50	\$	514.61	\$	514.61	12.11%
3556	44 SPECIAL	44 SPL 200 GR JHP BLAZER	20	50	1000	\$	790.75	\$	695.01	\$	695.01	12.11%
3570	45 AUTO	45 AUTO 230 GR FMJ BLAZER	20	50	1000	\$	284.74	\$	181.00	\$	181.00	36.432%
3584	45 COLT	45 COLT 200 GR JHP BLAZER	20	50	1000	\$	901.50	\$	792.35	\$	792.35	12.11%
BLAZER BRASS AMMUNITION												
5200	9MM LUGER - BRASS	9MM 115GR FMJ BLAZER BRASS	20	50	1000	\$	256.00	\$	179.90	\$	179.90	29.73%
5202	380 AUTO - BRASS	380 AUTO 95 FMJ BLAZER BRASS	20	50	1000	\$	381.50	\$	219.73	\$	219.73	42.40%
5210	40 S&W - BRASS	40 S&W 165 GR FMJ BLAZER BRASS	20	50	1000	\$	347.63	\$	263.68	\$	263.68	24.15%
5220	40 S&W - BRASS	40 S&W 180 GR FMJ BLAZER BRASS	20	50	1000	\$	347.63	\$	263.68	\$	263.68	24.15%
5230	45 AUTO - BRASS	45 AUTO 230-GR FMJ BLAZER BRASS	20	50	1000	\$	437.00	\$	318.61	\$	318.61	27.09%
SPEER LAWMAN BRASS CASE CENTERFIRE AMMUNITION												
53632	32 AUTO	32 AUTO 71 GR TMJ LAWMAN	20	50	1000	\$	442.75	\$	389.15	\$	389.15	12.11%
53608	380 AUTO	380 AUTO 95 GR TMJ LAWMAN	20	50	1000	\$	393.50	\$	345.86	\$	345.86	12.11%
53650	9MM LUGER	9MM LUGER 115 GR TMJ LAWMAN	20	50	1000	\$	268.00	\$	186.77	\$	186.77	30.31%
53651	9MM LUGER	9MM LUGER 124 GR TMJ LAWMAN	20	50	1000	\$	268.00	\$	186.77	\$	186.77	30.31%
53620	9MM LUGER	9MM LUGER 147 GR TMJ LAWMAN	20	50	1000	\$	268.00	\$	186.77	\$	186.77	30.31%
53733	38 SPECIAL	38 SPL 125GR TMJ LAWMAN	20	50	1000	\$	405.75	\$	356.62	\$	356.62	12.11%
53750	38 SPECIAL +P	38 SPL+P 158 TMJ LAWMAN	20	50	1000	\$	405.75	\$	356.62	\$	356.62	12.11%
53919	357 SIG	357 SIG 125 GR TMJ LAWMAN	20	50	1000	\$	429.75	\$	377.72	\$	377.72	12.11%
53955	40 S&W	40 S&W 165 TMJ LAWMAN	20	50	1000	\$	357.75	\$	236.21	\$	236.21	33.97%
53981	40 S&W	40 S&W 165 TMJ LAWMAN LEO	20	50	1000	\$	357.75	\$	247.62	\$	247.62	30.79%
53652	40 S&W	40 S&W 180 GR TMJ LAWMAN	20	50	1000	\$	357.75	\$	242.66	\$	242.66	32.17%
53655	45 AUTO	45 AUTO 200 GR TMJ LAWMAN	20	50	1000	\$	429.50	\$	297.29	\$	297.29	30.78%
53653	45 AUTO	45 AUTO 230 GR TMJ LAWMAN	20	50	1000	\$	429.50	\$	284.97	\$	284.97	33.65%
53658	45 AUTO	45 AUTO 230 GR FLAT NOSE TMJ LAWMAN	20	50	1000	\$	429.50	\$	297.29	\$	297.29	30.78%
53979	45 GAP	45 G.A.P. 185 GR TMJ LAWMAN	20	50	1000	\$	429.50	\$	377.50	\$	377.50	12.11%
53980	45 GAP	45 G.A.P. 200 GR TMJ LAWMAN	20	50	1000	\$	429.50	\$	377.50	\$	377.50	12.11%
CCI Rimfire												
35	.22 LR	22 LR STANDARD VELOCITY 40 GR LRN	100	50	5000	\$	240.00	\$	210.94	\$	42.19	12.11%
30	.22 LR	22 LR MINI MAG 40 GR CPRN	50	50	5000	\$	317.50	\$	279.06	\$	55.81	12.11%
31	.22 LR	22 LR MINI MAG 36 GR HP	50	100	5000	\$	328.75	\$	288.95	\$	57.79	12.11%



## MEMORANDUM

**FROM:** Municipal Services Department

**DATE:** Monday, June 3, 2019

**RE:** Consent Agenda, Bid 19-M, Approval to Purchase One Replacement Bucket Truck for Idaho Falls Power

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### Item Description

It is the recommendation of Municipal Services and Idaho Falls Power to approve on the consent agenda, the use of the General Services Administration (GSA) Contract # GS-30F-026GA to purchase one TA50 Articulating Telescopic Aerial Device with insulated material handling from Altec Industries, Inc. for a total of \$222,238.

### Purpose

This purchase request is relevant to the safety community oriented result by replacing unit #3004, a 2006 GMC 45' single bucket truck that has reached its useful life and is recommended for replacement.

### Fiscal Impact / Financial Review

A total of \$225,000 was budgeted in the 2018/19 Municipal Equipment Replacement Fund (MERF) to purchase the replacement for unit #3004.

### Legal Review

Not applicable.

### Interdepartmental Review

Idaho Falls Power concurs with purchase of the replacement unit through the Municipal Equipment Replacement Fund.

### Recommended Action

It is the recommendation of Municipal Services and Idaho Falls Power to approve the purchase of one TA50 Articulating Telescopic Aerial Device with insulated material handling from Altec Industries, Inc. for a total of \$222,238 and give the authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).



☐ Economic



☐ Governance



☐ Growth



☐ Learning



☐ Livable



☒ Safety



☐ Sustainability



☐ Transportation





Altec Industries, Inc.

Reference Solicitation Number:  
Opportunity Number:  
Quotation Number: 506167  
GSA Contract #: GS-30F-026GA  
Date: 5/20/2019

GSA Piggyback  
Quoted for: City of Idaho Falls  
Customer Contact:  
Phone: XXX-XXX-XXXX Fax: XXX-XXX-XXXX Email:

Quoted by: Elizabeth Martin  
Phone: 707-693-2575 Fax: Email: beth.martin@altec.com  
Altec Local Account Manager: Mike Mattson

**REFERENCE ALTEC MODEL**

TA50	Articulating Telescopic Aerial Device With Material Handling (Insulated)	\$ 180,678
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Per GSA Specifications in GSA Catalog plus Options below

**(A.) GSA OPTIONS ON CONTRACT (Unit)**

1	LR756-EDC1	Engine Start/Stop With Secondary Stowage System	\$2,628
2			

**(A1.) GSA OPTIONS ON CONTRACT (General)**

1	VRI	120 Volt GFCI Receptacle, Includes Weather-Resistant Enclosure	\$215
2	VRI	120 Volt GFCI Receptacle, Includes Weather-Resistant Enclosure	\$215
3	TBE	Electric Trailer Brake Controller	\$222
4	SPOT6	Remote Spot Light, LED, Permanent Mount, With Wireless Dash Mounted Controls And Programmable Wireless Remote	\$700
5	DSS2	Driver And Passenger Air Operated Suspension Seats	\$1,019
6	SPOT3	FOUR (4) POINT STROBE SYSTEM (LED)	\$519
7	SPOT2	Floodlight, LED, Installed	\$488
8	LED	LED COMPARTMENT LIGHTS in Body Compartments (Strip Style) (Per Compartment)	\$972
9	VES	Vertical Exhaust	\$229
10	GR	Grounding Reel with Cable and Clamp	\$1,095
11	RM6	MIRRORS-EXTERIOR SIDEVIEW HEATED AND REMOTE CONTROLLED	\$546
12	SPOT	Post Mounted Spotlight, LED, for use by driver	\$299
13	PSWI	PURE SINE WAVE INVERTER, 1800 Watts Continuous, GFCI Outlet At Rear.	\$2,300
14	D1	Driver Controlled Locking Differential	\$1,430
15	WRR	Wire Reel Rack	\$662
16	PW	Power Windows and Door Locks	\$960
17	DP	Plastics Pads and Pad Holder With Rope Handle (Pair)	\$668
18	VCAM	VIDEO BACK UP CAMERA	\$742
19	DLB	Directional Light Bar	\$1,399
20	EH	Engine Block Heater	\$96
21	RW	Rear Window Guard	\$250
22	CH	Cone Holder, Fold Over Post Style	\$256

GSA OPTIONS TOTAL: \$198,588

GSA Piggyback Surcharge: \$1,000

**(B.) OPEN MARKET ITEMS**

1	UNIT	Custom Unit Paint Color, Custom Jib Extension, Platform tilt	\$7,129
2	UNIT & HYDRAULIC ACC	24" Vertical Platform Lift	\$9,162
3	BODY & CHASSIS ACC	Custom Wire Rack/Reel ILO Standard Wire Rack, Custom Punched Metal Window Guard ILO of standard	\$2,400
4	ELECTRICAL	Custom Inverter ILO of standard body options, Custom grounding equipment ILO of Standard Grounding Cable/Clamp, Battery Charge Guard	\$3,959
5	DELIVERY		Included

OPEN MARKET ITEMS TOTAL: \$22,650

TOTAL FOR UNIT/BODY/CHASSIS: \$222,238

**(C.) ADDITIONAL ITEMS (items are not included in total above - ADD as required)**

1			
2			
3			
4			
5			

**\*\*Pricing valid for 45 days\*\***

**NOTES**

**PAINT COLOR:** White to match chassis, unless otherwise specified by solicitation.

**WARRANTY:** Standard Altec Warranty - One (1) year parts warranty One (1) year labor warranty Ninety (90) days warranty for travel charges (Mobile Service) Limited Lifetime Structural Warranty (May vary based on product quoted). Parts only warranty on mounted equipment for overseas customers. Chassis to include standard warranty, per the manufacturer. Chassis OEM to provide warranty support directly to customer. Extended warranty coverages available upon request.

**TO ORDER:** To order, please contact the Altec inside Sales Representative listed above.

**CHASSIS:** Per Altec Commercial Standard

**FET TAX:** If chassis over 33K lbs. GVWR, 12 % FET is applicable.

**DELIVERY:** No later than 390 days ARO, unless Expedited Delivery options have been discussed with your Altec Account Manager. FOB Customer Location, unless otherwise stated in Quote.

**TERMS:** Net 30 days

**STOCK UNIT OPTIONS:** Stock unit options are subject to prior sale. If interested, please notify your Altec Account Manager within 7-business days of this quote to secure.

**BEST VALUE:** Altec boasts the following "Best Value" features: Altec ISO Grip Controls on Insulated Aerials for Extra Protection, Limited Lifetime Warranty on Structural Components for Aerials and Diggers, Largest Service Network in Industry (Domestic and Overseas), Altec SENTRY® Safety Certification CBT, Dedicated Government Account Manager(s), On-Site Operator Orientation with every Awarded Contract. **TRADE-IN:** Equipment trades must be received in operational condition (as initial inspection) and DOT compliant at the time of pick-up. Failure to comply with these requirements, may result in customer bill-back repairs.

**FISCAL YEAR BUDGET ADJUSTMENT:** Government pricing is subject to occasional Economic Pricing Adjustment (EPA) to account model year and material cost changes. If this award occurs after the adjustment have been made, an estimated increase has been provided for your budgetary purposes.

**CONTRACTOR CODE CAGE:** 1CER8 - Corporate - Birmingham, AL

**BUILD LOCATION CAGE:** 000J8 - St Joseph, Missouri

**GENERAL CONTACT/INQUIRIES:**



## MEMORANDUM

**FROM:** Municipal Services Department

**DATE:** Wednesday, June 5, 2019

**RE:** Consent Agenda, Quote 19-025, Approval to Purchase Power Inventory for Idaho Falls Power

### Item Description

It is the recommendation of Municipal Services and Idaho Falls Power to accept and approve on consent agenda, the purchase of Power Inventory from the lowest of three quotes per line item received from Anixter, Inc. for \$53,035.60, Codale Electrical for \$32,262.50 and Border States Electrical Supply for \$2,183.30 for a combined total of \$87,481.40.

### Purpose

The purchase of the power inventory will support the growth and livable community oriented results.

### Fiscal Impact / Financial Review

Funds to purchase the power inventory is within the 2018/19 Idaho Falls Power operating budget.

### Legal Review

Not applicable.

### Interdepartmental Review

Idaho Falls Power concurs with the bid award through centralized purchasing.

### Recommended Action

It is the recommendation of Municipal Services and Idaho Falls Power to accept and approve the purchase of power inventory from the lowest quote per line item for a total of \$87,481.40 and give the authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).



☐ Economic



☐ Governance



☒ Growth



☐ Learning





☒ Livable



☐ Safety



☐ Sustainability



☐ Transportation

City of Idaho Falls  
Q19-025 Power Inventory

Vendor	Quantity	1) General Pacific Fairview, OR	2.) Amxier Salt Lake City, UT	3.) Electrical Wholesale Idaho Falls, ID	4.) Codale Salt Lake City, UT	5.) Graybar Boise, ID	6.) Border States Billings, MT
<b>ITEM 1 - Deadend: 3/8" Strandvise</b>							
Price Per Each	100	\$ 17.58	\$ 13.2500	\$ -	\$ 14.1000	\$ 15.9700	\$ 12.9500
TOTAL		\$ 1,758.00	\$ 1,325.00	\$ -	\$ 1,410.00	\$ 1,597.00	\$ 1,295.00
Delivery Time		2-3 Weeks	2-4 Weeks	NO QUOTE	4-5 Weeks	2 days	1 Week
<b>ITEM 2 - Crossarm - Fiverglass 8'</b>							
Price Per Each	20	\$ 333.86	\$ 302.2000	\$ -	\$ 332.2500	\$ -	\$ 334.1200
TOTAL		\$ 6,677.20	\$ 6,044.00	\$ -	\$ 6,645.00	\$ -	\$ 6,682.40
Delivery Time		4-8 Weeks	4-6 Weeks	NO QUOTE	4-6 Weeks	NO QUOTE	4 Weeks
<b>ITEM 3 - Fault Indicator: 3 phase</b>							
Price Per Each	400	\$ -	\$ 76.20	\$ -	\$ -	\$ -	\$ 83.5800
TOTAL		\$ -	\$ 30,480.00	\$ -	\$ -	\$ -	\$ 33,432.00
Delivery Time		NO QUOTE	Stock	NO QUOTE	NO QUOTE	NO QUOTE	6 Weeks
<b>ITEM 4 - Guy Guard: 8'</b>							
Price Per Each	100	\$ 8.0300	\$ 6.7500	\$ -	\$ 3.4000	\$ 8.06	\$ 3.9300
TOTAL		\$ 803.00	\$ 675.00	\$ -	\$ 340.00	\$ 806.00	\$ 393.00
Delivery Time		Stock - 12 Weeks	8 Weeks	NO QUOTE	Stock	8 Weeks	1 Week
<b>ITEM 5 - Stinger cover: 3/8"</b>							
Price Per Roll	10	\$ 239.8800	\$ 183.9500	\$ -	\$ 175.0000	\$ 215.7700	\$ 181.2800
TOTAL		\$ 2,398.80	\$ 1,839.50	\$ -	\$ 1,750.00	\$ 2,157.70	\$ 1,812.80
Delivery Time		6-9 Weeks	1 Week	NO QUOTE	1-2 Weeks	4 Weeks	2 Weeks
<b>ITEM 6 - Mount: Cluster wing Type</b>							
Price Per Each	10	\$ 310.0000	\$ 265.4500	\$ -	\$ 257.10	\$ 316.2300	\$ 340.0900
TOTAL		\$ 3,100.00	\$ 2,654.50	\$ -	\$ 2,571.00	\$ 3,162.30	\$ 3,400.90
Delivery Time		Stock	3-4 Weeks	NO QUOTE	2-3 Weeks	5 Weeks	3 Weeks
<b>ITEM 7 - Insulator: 15KV Polymer</b>							
Price Per Each	200	\$ -	\$ 43.5500	\$ -	\$ 41.3700	\$ 51.3700	\$ 48.2000
TOTAL		\$ -	\$ 8,710.00	\$ -	\$ 8,274.00	\$ 10,274.00	\$ 9,640.00
Delivery Time		NO QUOTE	12 Weeks	NO QUOTE	2-3 Weeks	12 Weeks	6-8 Weeks
<b>ITEM 8 - Insulator: 144"</b>							
Price Per Foot	20	\$ 38.5200	\$ 23.4500	\$ -	\$ 29.8800	\$ 36.38	\$ 33.3900
TOTAL		\$ 770.40	\$ 469.00	\$ -	\$ 597.60	\$ 727.60	\$ 667.80
Delivery Time		7-11 Weeks	4-6 Weeks	NO QUOTE	3-5 Weeks	2 Weeks	3 Weeks
<b>ITEM 9 - Fuse: FNM 20 AMP</b>							
Price Per Each	100	\$ 4.9500	\$ -	\$ 3.85	\$ 2.85	\$ 5.1800	\$ 4.0200
TOTAL		\$ 495.00	\$ -	\$ 385.00	\$ 285.00	\$ 518.00	\$ 402.00
Delivery Time		1-2 Weeks	No Quote	2-3 Weeks	2-3 Weeks	1 WEEK	4 Weeks

City of Idaho Falls  
Q19-025 Power Inventory

Vendor	1) General Pacific Fairview, OR	2 ) Anixter Salt Lake City, UT	3 ) Electrical Wholesale Idaho Falls, ID	4.) Codale Salt Lake City, UT	5.) Graybar Boise, ID	6.) Border States Billings, MT
<b>ITEM 10 - Bracket Arm: 2" x 8'</b>						
Price Per Each	\$ -	\$ 89,100	-	\$ 86,500	\$ 106,410	\$ -
TOTAL	\$ -	\$ 5,346.00	-	\$ 5,190.00	\$ 6,384.60	\$ -
Delivery Time	NO QUOTE	2 Weeks	NO QUOTE	1-2 Weeks	1 Week	NO QUOTE
<b>ITEM 11 - Anchor Rod: 1" x 7'</b>						
Price Per Each	\$ 36,250	\$ 33,950	-	\$ 31,150	\$ 31,830	\$ 29,610
TOTAL	\$ 1,087.50	\$ 1,018.50	-	\$ 934.50	\$ 954.90	\$ 888.30
Delivery Time	2-3 Weeks	3-4 Weeks	NO QUOTE	6-8 Weeks	6 Weeks	3 Weeks
<b>ITEM 12 - Fuselink: 12amp</b>						
Price Per Each	\$ -	\$ 3,490	-	\$ 3,15	\$ 4,12	\$ 5,810
TOTAL	\$ -	\$ 279.20	-	\$ 252.00	\$ 329.60	\$ 464.80
Delivery Time	NO QUOTE	3-4 Weeks	NO QUOTE	2-3 Weeks	5 Weeks	8 Weeks
<b>ITEM 13 - Fuselink: 15 amp</b>						
Price Per Each	\$ -	\$ 3,490	-	\$ 3,400	\$ 4,240	\$ 5,810
TOTAL	\$ -	\$ 174.50	-	\$ 170.00	\$ 212.00	\$ 290.50
Delivery Time	NO QUOTE	3-4 Weeks	NO QUOTE	Stock - 3 Weeks	5 Weeks	6-8 Weeks
<b>ITEM 14 -Fuselink: 65 amp</b>						
Price Per Each	\$ -	\$ 6,370	-	\$ 6,150	\$ 7,440	\$ 10,540
TOTAL	\$ -	\$ 445.90	-	\$ 430.50	\$ 520.80	\$ 737.80
Delivery Time	NO QUOTE	3-4 Weeks	NO QUOTE	2-3 Weeks	5 Weeks	6-8 Weeks
<b>ITEM 15 Ground sleeve: 3 phase</b>						
Price Per Each	\$ -	\$ 274,850	-	\$ 372.50	\$ -	\$ 447,350
TOTAL	\$ -	\$ 5,497.00	-	\$ 7,450.00	\$ -	\$ 8,947.00
Delivery Time	NO QUOTE	4-6 Weeks	NO QUOTE	4-5 Weeks	NO QUOTE	6 Weeks
<b>ITEM 16 - Sectionalizing terminal</b>						
Price Per Each	\$ -	\$ -	872.00	\$ 650,000	\$ 813.78	\$ 892,140
TOTAL	\$ -	\$ -	\$ 17,440.00	\$ 13,000.00	\$ 16,275.60	\$ 17,842.80
Delivery Time	NO QUOTE	No Quote	3 Weeks	6-7 Weeks	2 Weeks	2 Weeks
<b>ITEM 17 - Elbow: #4/0 str, 15kv</b>						
Price Per Each	\$ 24,720	\$ 23,500	-	\$ 25,580	\$ -	\$ 27,290
TOTAL	\$ 5,932.80	\$ 5,640.00	-	\$ 6,139.20	\$ -	\$ 6,549.60
Delivery Time	2-3 Weeks	Stock - 4 Weeks	NO QUOTE	Stock	NO QUOTE	3 Weeks
<b>ITEM 18 -Protective cap: 15kv</b>						
Price Per Each	\$ 19,200	\$ 17,320	-	\$ 19.02	\$ 27,360	\$ 22,180
TOTAL	\$ 4,608.00	\$ 4,156.80	-	\$ 4,564.80	\$ 6,566.40	\$ 5,323.20
Delivery Time	Stock	Stock	NO QUOTE	Stock - 3 Weeks	2 Weeks	3 Weeks

City of Idaho Falls  
Q19-Q25 Power Inventory

Vendor	1) General Pacific Fairview, OR	2.) Anixter Salt Lake City, UT	3.) Electrical Wholesale Idaho Falls, ID	4.) Codale Salt Lake City, UT	5.) Graybar Boise, ID	6.) Border States Billings, MT	
240	\$ 15,5000	\$ 3,1200	\$ 21.35	\$ 8,1100	\$ 24,2800	\$ 16,5100	
Price Per Each	\$ 3,720,00	\$ 748.80	\$ 5,124.00	\$ 1,946.40	\$ 5,827.20	\$ 3,962.40	
TOTAL	Stock	STOCK	1-2 Weeks	2-3 Weeks	1 Week	2 Weeks	
Delivery Time							
Total	\$ 31,350.7000	\$ 75,503.7000	\$ 22,949.0000	\$ 61,950.0000	\$ 56,313.7000	\$ 102,732.3000	
Total Awarded		\$ 53,035.6000	\$	\$ 32,262.5000	\$	\$ 2,183.3000	\$ 87,481.40

ITEM 19 -Elbow Jacket kit: cold



## MEMORANDUM

**FROM:** Municipal Services Department

**DATE:** Monday, June 3, 2019

**RE:** Consent Agenda, Quote 19-026, Approval to Purchase Gravel for Public Works

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### Item Description

It is the recommendation of Municipal Services and Public Works, Water Division to accept and approve on consent agenda, the purchase of gravel from the lowest of three quotes received from Rhodehouse Construction, Inc. of Rigby, Idaho for a total of \$68,305.00.

### Purpose

The purchase of gravel is relevant to the reliable public infrastructure and transportation community oriented result by provide material for water division projects.

### Fiscal Impact / Financial Review

Funds to purchase the gravel is within the 2018/19 Public Works, Water division operating budget.

### Legal Review

Not applicable.

### Interdepartmental Review

Public Works concurs with purchasing the gravel through centralized purchasing.

### Recommended Action

It is the recommendation of Municipal Services and Public Works Departments to accept the lowest quote from Rhodehouse Construction, Inc., of Rigby, Idaho to supply gravel for Water Division Projects for a lump sum amount of \$68,305.00 and give the authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).



☐ Economic



☐ Governance



☐ Growth



☐ Learning



☐ Livable



☐ Safety



☐ Sustainability



☒ Transportation

City of Idaho Falls -- Purchasing Department

\*\*\*\*\* REQUEST FOR QUOTATION \*\*\*\*\*

REQUEST NO.: 71071/19-026/water

VENDOR: Rhedehouse Construction, Inc.

QUOTED BY: Jeremy Wray 208-589-4045

DATE: 5-17-19 FREIGHT: F.O.B. IDAHO FALLS, ID

There may be additional instructions after last line item of this quotation.

Item No.	Quantity Requested/UOM	Quoted Unit Of Measure	Delivery Time	Quoted Unit Cost	Extended Cost
1	7,500.00	TN	<u>1 Ton 7/30/19</u>	<u>\$7.19 p/t</u>	<u>\$53,925<sup>00</sup></u>
DESCRIPTION: CRUSHED GRAVEL, 3/4", ROAD BASE PRICING INCLUDES DELIVERY TO 564 HEMMERT DRIVE					
2	2,000.00	TN	<u>1 Ton 7/30/19</u>	<u>\$7.19 p/t</u>	<u>\$14,380<sup>00</sup></u>
DESCRIPTION: CRUSHED GRAVEL, 3/4", ROAD BASE PRICING INCLUDES DELIVERY TO POWER SUBSTATION AT: 14TH AND HOLMES					

**May 16, 2019 - Unapproved**

The City Council of the City of Idaho Falls met in Special Meeting (Idaho Falls Power Board), Thursday, May 16, 2019, 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 (departed at 8:40 a.m.)

Board Member Thomas Hally

Board Member Jim Francis

Board Member Michelle Ziel-Dingman

Board Member Shelly Smede (departed at 8:40 a.m.)

Board Member Jim Freeman

Absent:

Board Member John Radford

Also present:

Bear Prairie, Idaho Falls Power (IFP) General Manager

Stephen Boorman, IFP Assistant General Manager

David M. Smith, City of Idaho Falls Accountant

Randy Fife, City Attorney

Linda Lundquist, IFP Executive Assistant

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

**Calendar, Announcements, and Events Update:**

Mayor Casper announced the Line Commission meetings that are ongoing and noted how gratifying it is to be making some traction with the State and also notices how Governor Little seems to be dialed in. The Energy Alliance passed a board motion on a joint signatory letter asking congress for pathways to waste disposal across the country. Mayor Casper asked that everyone read the letter before deciding to endorse it. Board Members Francis asked for some clarification on the logo and Hally asked if there needed to be a vote to sign the letter.

**Updates from Board Members:**

There were no updates.

**Mobile Substation Lease Discussion:**

Assistant General Manager (AGM) Boorman was contacted by a transformer company which stated that an energy coop in New Hampshire wanted to rent Idaho Falls Power's mobile substation for the purpose of feeding their system while they build out a new substation. He saw an opportunity to get some return on IFP's initial investment. General Manager (GM) Prairie gave some history on how the mobile substation was acquired over 15 years ago and explained why the mobile substation was originally purchased, due to not having the reliability from upgrades we have in place today. He looked into selling it a couple of years ago at an estimated value of \$200,000 to \$350,000 and decided not to sell it. Boorman added that not only would the rental agreement be good financially for IFP, it will also be good for the mechanical aspects of the substation to be commissioned. The rental contract with Power and Mountain West Transformer would be for three months at \$25,000 per month and will go down to \$20,000 per month for subsequent months if needed. The lessee will pay all of the freight and their insurance covers all loss or damage. Pending final



legal review, AGM Boorman recommends entering into the contract. Mayor Casper motioned that she is willing to sign the rental contract.

**Capital Project Review:**

AGM Boorman reviewed the proposed IFP capital projects for the next five years. GM Prairie explained the process in developing the Capital Plan and noted that the Capital Plan should line up with the Strategic Plan. He added that next year when purchases start coming through, that they will be tied to the Capital Plan. Board Members Freeman and Hally agreed that this was a primary board responsibility and emphasized its importance for rate setting. David M. Smith gave an example that if you are taking more depreciation per year than your asset reinvestment, then you are not reinvesting as much into your system as it is decaying, pending your depreciation rates are correct. He further stated that our depreciation rates are likely shorter than how long an asset will actually last. Board Member Hally asked about scheduled replacements under the Municipal Equipment Replacement Fund (MERF) and if IFP needed to abide by the replacement schedule if the item didn't need to be replaced. GM Prairie stated that he has been keeping running equipment past the MERF schedule and works with the purchasing department on items like line and bucket trucks that often need a 16-month lead time for ordering. He continued to say that MERF is put into the budget every year as an expense. Mayor Casper asked if there is enough money in the plan for emergencies and GM Prairie answered, "yes". There was a brief discussion on why the Federal Energy Regulatory Commission (FERC) license is in the Capital Plan. GM Prairie stated that the FERC license has a 30-40 year lifespan and is treated like an asset where the expense is spread out over multiple years.

AGM Boorman reviewed the Bulb line items. He stated that battery banks are essential. The Protective Relay and Protective System Engineering Analysis will be important in maintaining and keeping the system safe and free of debris. GM Prairie explained the importance of replacing the sand separators at the City plant because it cleans out the sand and debris before the cold river water enters the generators for cooling. The Gem State elevator needs to be replaced, as the parts are no longer available for purchase. Board Member Francis asked if each vehicle has its own section under MERF. GM Prairie answered, "yes", and gave an example of a truck scheduled for repair versus replacement. Under Transmission, he stated that half of the cost of the Sugarmill to Paine Transmission Line will be reimbursed by Rocky Mountain Power (RMP). The Paine Substation equipment has a long lead time and are in next year's budget also. GM Prairie explained that the Inverter Upgrade is what charges the batteries.

Under the Distribution line items, the Conduit Installation is an underground boring conduit project with Fiber, where Electric will piggy back and upgrade the electrical system at the same time as the new fiber is going in. The Distribution Automation System can alert the dispatcher of a fault where they can isolate about 200 customers and close the line at dispatch instead of sending a lineman out to close the line. This reduces the outage to minutes instead of hours in bringing the system back up. The Fiber system is what makes the Distribution Automation possible. Mayor Casper asked when the system will be up and running and AGM Boorman said in the next fiscal year and added that crucial switches still needed to be added to the system. GM Prairie explained that IFP didn't really have a dispatch center in the traditional utility sense, seven years ago and since then, the utility has invested time and money into the dispatch function. He continued that a utility requires a highly qualified and trained dispatch staff in order to make decisions about shutting down and cranking up 12,000 volts of electricity.

IFP has contracted out for some pole testing. About 1200 poles are scheduled for this year. There has been about a 10 percent failure rate on poles, mostly in the older neighborhoods which is normal and, in most cases, there will be a complete rebuild of the lines. The line extensions are based on customers that request to be changed over to Idaho Falls Power. GM Prairie stated that the budget is large enough to take advantage

of opportunities like working with Downtown Development on when they rehabilitate an alley. This is a perfect time to redo all the old lines. Board Member Hally asked if IFP had been reimbursed for the Broadway Lighting Project and AGM Boorman replied, “yes”. He said that the cost is expensive and that IFP always try to work with the developers on sharing costs when work is requested by a customer. The Sandy Downs feed cutover was purchased from RMP and IFP is working to have it ready before the rodeo.

GM Prairie stated that through the settlement with Elster, IFP is purchasing upgraded meters which helps do shut-offs more efficiently. It’s a great customer service tool and also sends good data back during outages. IFP will continue to invest in the project. The generator for building 2 is getting old and fatigued and we are analyzing to see if it needs to be replaced. IFP is working with Public Works and investing in battery backup systems for traffic lighting. There was a discussion about grant money and Federal matching. Under the Administration budget, the overhead bay doors need to be replaced. The heaters are over 30 years old and some do not work so they will be converted to more efficient and less cost gas heaters. The mezzanine will be remodeled, adding needed office space and will help to centralize work groups. Fiber conduit installation is contingent upon if the fiber plan moves forward. There will be more information available at the next meeting on the Fiber pilot.

**Budget/Preliminary Cost of Service Discussion:**

GM Prairie led the discussion that the new 161 kV line was a large budget item. He added that traffic signals are driving up the budget but is working with Public Works on their state level matches, grants, etc. Mayor Casper mentioned that if traffic has more spending, that there will be less money in the transfer fund and that could put some pressure on the general fund. Bonneville Power Administration (BPA) is projecting a 2.8 percent rate increase, but it won’t be finalized until July. Meanwhile, GM Prairie will continue to manage rates and watch for the summer demand, but prefers to only move in little steps. Depending on how the Fiber project progresses, he may ask for two communication technicians. Transmission and Distribution downsized through retirements and will most likely need to add an apprentice lineman. GM Prairie stated that he prefers to send two apprentices, through training to save on costs and that it can be a five-year process. Additionally, three more linemen will most likely retire over the next three years and it’s desirable to maintain current staffing levels. GM Prairie said he would like to add one utility helper which is a union position and would also be a good position for Fiber and Electric and a great way to add an entry level position, which will be potential feedstock into an apprentice program.

GM Prairie stated that the costs for paper billing are expensive. The utility pays .70 to send a paper bill, not including the labor. Also, the utility pays about \$450,000 (3 percent) per year on credit card processing. There’s a proposal to charge a \$4 fee to customers who pay with credit cards and give a \$1 credit to customers who pay by automatic draft. The utility would like to get the messaging out over the summer and transition by October 1, 2019. There was a general nod of approval with Board Member Hally cautioning of privacy breaches.

Break from 8:36 – 8:51 a.m. with Mayor Casper, Board Members Smede and Radford absent for the remainder of the meeting. Mayor Pro Tem Hally restarted the session.

**Q2 Financial Update Review:**

Mr. Smith reviewed the second quarter financials, stating a 28 million dollar gross revenue with a difference of 1.9 million between last year and this. The money in the budget is reflective of fall spending and construction ramping up for the summer months. Mayor Pro Tem Hally asked if UAMPS returned the money to IFP and was answered with “Yes, the total was almost one million between UAMPS and BPA.” GM Prairie added that the fiber expansion will affect cash on hand.

GM Prairie reviewed the Q2 Power Supply report and stated that IFP is not incurring any more transmission costs on the Bulbs. The power supply revenue wasn't much for January and February because the water was low and we had a dry January with not much flow. He continued that in early March, sales went to \$1000 per MWh hour for a 5-day period due to a constrained gas line out of Canada, transmission constraints out of California and cold weather in the upper West Coast where spending was high for electric. The region is retiring coal resources and it's a good time to put long-term purchases on the books. Mayor Pro Tem Hally asked how far can you hedge out and if there is a fee? GM Prairie stated 3-5 years with three being decent and said there is no fee because it is a futures contract, just risk premiums. A futures contract is a good insurance policy and takes some risk off the books. He continued that the utility doesn't have to pay for the energy until used, but a good credit rating is needed. GM Prairie stated that the loads were higher in Q2 than were forecasted because it got cold, which equates to good electric sales. Generation was in line with what was projected. He added that a cool drawn out spring is good with not a lot of flooding and that the snow pack helps keep even stream flows so there will be water later on in August. The Upper Snake flow is at 102 percent of average and natural gas prices have been flat.

FY18 Audit Review:

Mr. Smith reviewed how Moss Adams ran the City audit. The adjustments shown for work in progress is actually moving work in progress to assets. He reported that the controller's office has been behind in processing because of Cayenta. Finance has worked hard to reconcile daily and close out the end of every month. He continued that Electric had a really clean audit. Moss Adams said they made some adjustments, but Mr. Smith felt that was to cover some other areas of adjustment that were already fixed by City staff. Board Member Francis asked if the Letter of Comments is made public and Mr. Smith replied, "no". He added that the UAMPS questionnaire statement needed to be filled out and that we're strong and in good shape in the UAMPS group.

Strategic Plan Review and Update:

GM Prairie reviewed the plan, updated some of the wording, deleted some goals and accomplishments, and added additional points and goals. Mr. Fife gave an update on the Railroad purchase and talked about the Rails and Trails project and how it is a good, low cost program to cities where the area can be used for public purposes. The rails would be removed but the rail beds would remain in case the railroad was ever revived.

Utility Reports:

*Operations Technology* – 5G is a huge investment in infrastructure with security concerns running that type of network.

*Generation* – Finished a successful dewater at the City plant with no issues. Dewaterers are typically every five years.

*Energy Services* – Cooperative Response Center, Inc. (CRC), a centralized call center, is on target for launch the second week of June. They are working on downloading data to CRC for a seamless customer interface. Mayor Pro Tem Hally asked the length of the contract and AGM Boorman replied that it is a month-to-month contract with no sunset.

*Fiber* – There is meeting next Tuesday with the boring contractor for the Stonebrook neighborhood. Five crews will be working there and should be getting underway later in the week. There are 105 customers signed up, which is almost 30 percent, and is on target with expected outcomes. CableOne front ran Fiber with a 1-year contract; not sure of the impact.

Organizational Membership Reports:

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*Northwest River Partners (NWRP)* – Congressman Simpson has stirred some provocative discussion over the salmon runs. There is a task force working on the salmon issue, which has spurred regional conversation.

*Utah Associated Municipal Power Systems UAMPS* – The Small Modular Reactor (SMR) conversation is scaling up with the Department of Energy (DOE) paying for the first reactor. The DOE does not want to be the long-term owner of the reactor and there will be an opportunity to take over and pay for the operation and management with capital costs to build it out paid by DOE. The utility has the ability to pick up 5 MWh, which would slip into the City's growth plan in 15 years.

*Bonneville Power Administration (BPA)* – The final rate decision will be in July and IFP's rates will adjust at that time.

*Idaho Consumer-Owned Utilities Association (ICUA)* – The tentative agenda is available for ICUA's Annual July meeting, golf tournament and auction in Boise, Idaho.

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

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Linda Lundquist, EXECUTIVE ASSISTANT

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Rebecca L. Noah Casper, MAYOR

## **May 20, 2019 - Unapproved**

The City Council of the City of Idaho Falls met in Special Meeting (Council Work Session), Monday, May 20, 2019, 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:**

There were present:

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

Also present:

Brad Cramer, Community Development Services Director  
Lisa Farris, Grants Administrator  
Pamela Alexander, Municipal Services Director  
Arthur Kull, Civic Center for the Performing Arts Committee Chair  
Carrie Scheid, Civic Center for the Performing Arts Committee Vice Chair  
Bonnee Taggart, Civic Center for the Performing Arts Committee Member  
Anne Staton Voilleque, Civic Center for the Performing Arts Committee Member  
Roxane Mitro, AKM Architecture  
Richard Dodge, Studio I  
Dana Briggs, Economic Development Coordinator  
Ryan Tew, Human Resources Director  
AJ Argyle, Insurance Broker  
Randy Fife, City Attorney  
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:01 p.m. with the following items:

### **Calendars, Announcements and Reports:**

May 21, Eastern Idaho Public Transit Policymakers Discussion  
May 24, Community Park Ribbon Cutting  
May 25-27, Field of Honor  
May 28, The Broadway Grand Opening  
May 29, Idaho Transportation Department (ITD) I-15/US 20 Results and Discussion; and, Bonneville Metropolitan Planning Organization (BMPO) Joint Policy Board/Technical Advisory Committee (TAC) Meeting  
June 3, Area of Impact Meeting  
June 6, City Club

### **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 Dingman, Radford, Francis, Smede, Hally, Freeman. Nay - none. Motion carried.

### **Mary Lund Library Board Reappointment:**

Mayor Casper stated Ms. Lund's term expired on April 30, 2019, the Library Board will be requiring an action item prior to the May 23, 2019 Council Meeting when reappointments are typically approved. Therefore, it was moved by Councilmember Smede, seconded by Councilmember Freeman, to approve the reappointment of Mary Lund to the Library Board. Roll call as follows: Aye – Councilmembers Smede, Hally, Radford, Dingman, Freeman, Francis. Nay - none. Motion carried.

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Mayor Casper distributed Arbor Day and Red Poppy Days proclamations as well as Executive Order No. 2019-02 issued by Governor Brad Little, regarding a Regional Government Efficiency Working Group.

### Liaison Reports and Concerns:

Councilmember Hally reminded the Council of upcoming Association of Idaho Cities (AIC) and Idaho Consumer Owned Utilities Association (ICUA) meetings.

Councilmember Smede stated the Library will be hosting two (2) upcoming conferences. She briefly reviewed upcoming Library events. She also stated the west side annexation will be included on the May 23 City Council Meeting agenda.

Councilmember Freeman stated the construction project map is active on the City website. He also reiterated the Community Park ribbon cutting. He commended the Idaho Falls Police Department for the recent arrest regarding the Angie Dodge case.

Councilmember Francis stated the Idaho Falls Fire Department is currently in negotiations with the Bonneville County Fire District. He also stated there is an election on May 21 regarding the Idaho Falls Auditorium District.

Councilmember Dingman stated a general aviation community update meeting occurred regarding a draft version of the Airport lease agreements. She believes Airport Director Rick Cloutier dispelled several rumors. She also believes there was consensus from those in attendance that the draft agreement is agreeable. Councilmember Dingman stated she will not be available for the May 21 Public Transit meeting. She indicated all Targhee Regional Public Transit Authority (TRPTA) employees have received their final paychecks. There has also been approval from the Federal Transit Authority (FTA) to receive match funds for the Paid Time Off (PTO) payout which will occur in the near future. The TRPTA Board of Directors are gathering information regarding outstanding debt. This will be discussed at a future TRPTA board meeting. Assets and sale of equipment will also be discussed.

Councilmember Radford had no items to report.

### Community Development Block Grant (CDBG): Grant Funding Allocation Discussion:

Ms. Farris distributed information regarding the five-year plan and priorities. She indicated this information is a big driver for the activities and projects recommendations. She stated \$399,774 will be received for Program Year (PY) 2019 for activities and projects, this is a slight increase from the previous year.

Formula to reach minimum/maximum allowable percentage of allocation:

\$399,774-\$79,954 (Administration) = \$319,820

\$319,820 (70% minimum to benefit Low/Moderate Income (LMI) directly) = \$223,874 (must meet)

\$95,946 is left for Public Service (maximum is \$47,973) and Slum/Blight (maximum is \$95,946)

Ms. Farris briefly reviewed amount requested and activity/project descriptions for Public Service (15% maximum of total allocation), Slum/Blight by Area (30% maximum of total allocation), LMI Projects (70% minimum required), and, Administration (20% maximum allowed). She recommended total amount for Public Service as \$33,000; total amount for Slum/Blight as \$50,000; total amount for LMI Projects as \$236,820; and, total amount for Administration as \$79,954. Councilmember Francis expressed his concern for the lack of funding for the roof replacement project at the Idaho Falls Sr. Citizen Community Center as this is a City-owned building. He also expressed concern for long-term issues due to the roof. Ms. Farris stated the project is a routine maintenance issue and at this time it was not considered a high-priority project. Director Alexander stated, per the current agreement, roof maintenance would be the responsibility of the Senior Center Organization. General discussion followed regarding the LMI projects. There was concern of the Council to protect the City asset of the Sr. Citizen Community Center. Following additional discussion, there was consensus to allocate:

Idaho Legal Aid Idaho Falls - \$10,000

CLUB, Inc. Crisis Intervention - \$5,000

Behavioral Health Crisis Center of E. Idaho - \$18,000

Idaho Falls Downtown Development Corporation (IFDDC) - \$40,000

Public Works Curb/Gutter/Sidewalk - \$104,000

Idaho Falls Sr. Citizen Community Center - \$38,400

Eastern Idaho Community Action Partnership (EICAP) - \$9,000

Idaho Falls YMCA - \$72,000

Habitat 4 Humanity Idaho Falls Location-Elmore Street - \$30,000



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Ms. Farris also recommended the remaining 2018 TRPTA CDBG funds request of \$35,000 (due to the intention of TRPTA being dissolved) be redirected to the Habitat 4 Humanity – Elmore Street as a portion of this project will not be covered by Public Works. This \$35,000 will support Public Works as well as the affordable housing project. Ms. Farris noted the TRPTA CDBG funds are less than the 10% allocation maximum, therefore public outreach is not required. This item will be included on the May 23 Council Meeting agenda.

### Idaho Falls Civic Center for the Performing Arts Presentation and Update:

Each Civic Center Committee member was introduced, Ms. Deidre Warden, who was absent, was also recognized. Mr. Kull stated the renovation of the Civic Center was divided into three (3) phases: Phase I – auditorium (this phase is anticipated to be completed by August 2019), Phase II – the back of the house, and, Phase III – the front of the house. He commended the Civic Center Committee members, City staff, Brandi Newton (Executive Director of the Idaho Falls Arts Council), and, the architects. Mr. Kull stated the Civic Center is the only performance venue in Idaho Falls with 1800+ seats and a large stage. The venue can accommodate large performances and touring shows. Ticket sales of \$1.5M per year, as well as cultural amenities, provide economic benefit to the City. The venue also supports many local organizations that bring performing arts to Idaho Falls. Mr. Kull briefly reviewed several of these local organizations. He indicated the Civic Center is an essential component of the quality of life for the citizens of Idaho Falls and the region. Therefore, the Civic Center Committee recommends the Council continue their commitment to invest in the renovation and in its continued ownership and operation by the City. Mr. Kull reviewed items completed in Phase I (2017-2019) Renovations. He stated Phase II and Phase III renovations for design and construction are proposed for 2020-2023. He reviewed the renovation items for each of the remaining phases with general comments throughout. Renovation funding, City = \$1,750,000 and Private/Public Donations = \$7,250,000. 2019-2020 Funding Needs: \$250,000 – City, \$250,000 – Private/Public Donations. Ms. Scheid indicated there is potential for large private donations, which cannot be thoroughly discussed at this time. Director Alexander believes there is potential for this beautiful facility. Mr. Dodge believes the Americans with Disabilities Act (ADA) accessibility need is a significant component.

### Economic Development – Community Partnership Grant Briefing:

Ms. Briggs reviewed the Community Partnership Grant FY2019-2020 Process timeline (end of May through November); the funding parameters as determined by the City Council (\$130,000 total City FY18/19 budget allocated with \$35,000 maximum funding per applicant); Committee members (Ellie Hampton, Buddy Hall, Eric Liester, Mike Richards, Sunny Katseanes, and, Angie Lee); and, the number of FY2018/2019 applications received (28) and amount requested (\$472,072.13). She also briefly reviewed the Community Partnership Grant application noting there were minor adjustments from the previous year, including addressing incomplete applications and grant report language. Councilmember Francis requested thorough review from the committee members within the grant parameters. Councilmember Dingman questioned funding of additional governmental State or Federal agencies (school districts, taxing districts). Mr. Fife indicated this is determined by policy. Ms. Briggs stated she will clarify the application.

### Economic Development – Semi-annual Report:

Ms. Briggs stated the Economic Development information on the City website has recently been updated. She also stated the current City website videos will be updated in the near future. She reviewed the updated Economic Profile including the recent purchase of mySidewalk software. She believes mySidewalk has been a helpful tool for City data. Ms. Briggs stated she recently attended a Site Selectors Guild Conference. She reviewed the following information from this conference with general discussion throughout:

#### Site Selectors Guild –

Founded in 2010, the only association of the world's foremost professional site selection consultants. Guild members provide location strategy to corporations across the globe for every industry, sector, and, function.

#### Best Practices: Amazon –

Regional approach; political support for incentives; and, Request for Information (RFI) response focused on talent pipeline now and ongoing.

#### Site Selection Transformation –

Insatiable desire for accurate data; risk assessments increasingly important; and, incentives are formulaic and performance based.

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Additional lessons –

State leadership is key (State Departments of Commerce are expected to be sophisticated and coordinated); legislature; and, communities often aren't looked at or considered if they are under 500,000 in population.

Distressed communities index – (Idaho index is Prosperous/Comfortable)

Economic opportunity is tied to location more than ever before.

So what/now what? –

Make ourselves special by making ourselves small; offer transparent, targeted, and thoughtful incentives; prepare for what we want in the future (infrastructure); mindset of recruiting people, not companies; leadership, competence, and succinctness is appreciated; Governor Brad Little's Economic Development priorities; Regional Economic Development for Eastern Idaho (REDI) leadership transition; and, we are fortunate to have opportunities and growth happening in Idaho Falls right now.

Mayor Casper stated Ms. Briggs is constantly working on attraction and attention for future businesses. She believes an Economic Development Coordinator is important for the City growth, quality of life, and, tax base issues. Ms. Briggs expressed her appreciation for the Council support.

### City Employee Wages and Benefits Discussion, Part 3:

Mayor Casper stated consensus will be needed for a proposed amount of Cost of Living Adjustment (COLA) and benefits. This amount will help identify additional City priorities in the upcoming fiscal year. Director Tew stated Mr. Argyle was able to negotiate the benefit increase for the upcoming fiscal year. This negotiation reduced the increase to 9%, which reduces the employer portion by approximately \$85,000.

Updated 2019/2020 Medical/Dental/Vision Insurance Increase –

City Share	\$698,345
Employees Share	\$130,423
Total	\$828,768

Director Tew stated three (3) scenarios have been compiled based on the previous May 6 Work Session discussion: Total City Cost Reduction with Different Scenarios –

<u>Scenarios</u>	<u>City Cost</u>	<u>Reduction</u>
Current Split; Current Plan Design; No Plan Design Changes	\$698,345	
1. PPO 89/11; HSA 95/5; Increase Co-Pay	\$546,225	(\$152,090)
2. PPO 89/11; HSA 95/5; Increase Co-Pay & Out of Pocket Max	\$453,391	(\$244,954)
3. PPO 88/12; HSA 94/6; Increase Co-Pay	\$437,042	(\$261,303)

Director Tew stated there was preference to increase the Preferred Provider Organization (PPO) and Health Savings Account (HSA) together to prevent employees from choosing one plan or the other and increasing PPO costs. He noted PPO has the largest loss ratio. Mayor Casper stated a COLA is to help offset increases, including medical benefits. Director Tew noted the proposed COLA increase is 2.5%. He also stated information has also been compiled with Councilmember Francis' request of the lower step and grade employees. Councilmember Francis believes there needs to be a balance of COLA and medical benefits increases. He is in favor of splitting the 2.5% for COLA and medical benefits. Director Alexander indicated, per the March 30 budget discussion, the medical benefit increase was anticipated at \$775,000. Councilmember Freeman questioned a 2.5% COLA and increase of benefits. Mayor Casper stated this would reduce projects and funding for departments from the General Fund. Director Alexander stated there is current pressure on the General Fund. Councilmember Francis believes health care costs are part of the inflationary pressure. He also believes the City needs to move to a different sharing between employees and the City. Councilmember Radford stated health care costs will continue to grow, the City needs to show discipline somewhere else. Mayor Casper believes the City has the most generous health care package and the taxpayers are bearing a lot of this burden. Director Tew does not believe the City will get behind in salaries with a 2.5% COLA due to the additional step increase. Councilmember Hally is in favor of 1.5% COLA and Scenario #2. Mr. Argyle noted Scenario #2 may only impact 10-12% of employees. Councilmember Dingman believes the health care package is a balanced plan. She is in favor of Scenario #2. Councilmember Freeman concurred. He is also in favor of at least a 2% COLA. Following additional discussion, there was consensus for Scenario #2 and 1.5% COLA, providing a floor amount of

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\$379,000 with one-tenth of a percent increases up to 2% COLA. Councilmember Smede believes it's important how this affects taxpayers and ratepayers as well as City employees. Councilmember Dingman concurred. Mayor Casper stated the Enterprise Fund Departments may need to review their rates to ensure any COLA and benefits increase will not impact those rates. Mr. Argyle expressed his concern for future health care cost increases. Mayor Casper stated self-insurance may need to be considered.

There being no further business, the meeting adjourned at 5:54 p.m.

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CITY CLERK

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MAYOR

## **May 23, 2019 - Unapproved**

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 23, 2019, 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 Jim Francis

Councilmember Jim Freeman

Councilmember Shelly Smede

Councilmember Thomas Hally (by telephone)

Councilmember John Radford (by telephone)

Councilmember Michelle Ziel-Dingman (by telephone)

*Note - due to cell phone reception Councilmember Dingman was available intermittently*

Also present:

All available Department Directors

Randy Fife, City Attorney

Kathy Hampton, City Clerk

### **Pledge of Allegiance:**

Mayor Casper requested Julia Rice, a 1st grade student at Woodland Hills Elementary, to lead those present in the Pledge of Allegiance.

### **Presentation – American Legion Auxiliary:**

Holly Rice, Poppy Chairman for the Idaho Falls Unit of the American Legion appeared. Ms. Rice stated Congress has designated the Friday before Memorial Day as national Poppy Day. The American Legion Auxiliary has been distributing poppies since 1924. The red poppy is a nationally-recognized symbol of sacrifice worn by Americans since WWI to honor those who served and died for our country in all of our wars. It's a reminder of the sacrifices made by our veterans by protecting our freedoms. After WWI the poppy flourished from the dirt and mud from the lime left by the war. The red poppy came to symbolize blood shed during battle. Ms. Rice read "In Flanders Fields", the war poem written during the First World War. Ms. Rice encouraged all community members and citizens to wear the red poppy in honor of the fallen. She stated the poppies being distributed are made by veterans. She also encouraged all individuals to remember the fallen and the sacrifices they gave to us so we can have our freedoms.

### **Public Comment:**

Bob Hoff, appeared. Mr. Hoff stated he was mostly comfortable with the recent airport lease although he expressed concern with some changes to the draft template. He believes the term "not unreasonably withheld" be withheld from the lease. He also addressed bringing buildings to all State and City code for renewal. He indicated as buildings age they may not qualify for renewal. Mr. Hoff believes all buildings should be in good repair and not unsafe but to comply to all current codes at renewal time may be an unreasonable requirement. Most of the hangar buildings are pre-engineered buildings and were built to code at the time of construction however, codes can change. Mr. Hoff suggested that structures up for renewal meet the standards at the time when built or remodeled. He believes the language is important and can make a difference between a constructive agreement or an unworkable one.

Steve Henderson, appeared. Mr. Henderson stated he viewed the report from the May 15<sup>th</sup> lease agreement meeting and believes a person's perspective is everything. He noted he recently purchased a legacy hangar. Mr. Henderson stated there are three (3) statements he disagrees with regarding the meeting: First – the problems people had were due to rumors. Mr. Henderson noted no one has stated which rumors are false and which are true. He believes blaming the problems on rumors is not correct. The problems arise from the document language. Damages to hangar values

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and sales that have fallen through are real and the losses are absorbed by hangar owners. The document contains contentious sections without any indication of changes. Second – the director dispelled rumors and solved the problems. Mr. Henderson stated this is barely true from the least contested issues and most problems remain. The director answered many questions with the response “everything is negotiable.” A document is needed that is fair from the beginning and can be depended on long term. Third – people praised the lease document. Mr. Henderson stated this is true but noted one person stood and stated it was 90% okay. The document was available to review for only a few minutes and there were significant changes that were not highlighted. In the previous meeting verbal sparring took place and turned the mood of the meeting to hostile. One positive comment made was an effort to de-escalate the situation. Mr. Henderson believes it is a stretch to say all parties were happy at the conclusion of the meeting. He requested the Council continue to listen as he believes hangar owners are beginning to have input. He stated the owners have been forced to think where they fit in the airport, what is needed and not needed, which has resulted in a sense of unity that did not exist before. Mr. Henderson suggested future meetings be captured on video.

Steve Christian, a resident of Idaho Falls and hanger owner of 11 years, appeared. Mr. Christian suggested forming a working committee to expedite resolving the current concerns. He discussed details of said committee. He also suggested an electronic version of the draft agreement be circulated ahead of meetings. He believes it is possible to find a resolution and that it’s not that far away.

### **Consent Agenda:**

Idaho Falls Power requested approval of the Old Lower Plant Powerhouse Structural Analysis.

Public Works requested approval of Bid Award – Water Line Replacements - 2019; and, Bid Award – Street Overlays - 2019.

Municipal Services requested approval of Moss Adams, LLC Comprehensive Financial Audit Services for Fiscal Year Ending September 30, 2019; Purchase Meter Inventory for Idaho Falls Power; Quote 19-023, Purchase Aluminum Bleacher Parts for Parks and Recreation; Quote 19-024, Arena Lighting for Parks and Recreation; Bid IF-19-25, Purchase New 30-Yard Refuse Containers for Public Works; and, Donation of Community Park Playground Equipment.

The City Clerk requested approval of the Expenditure Summary for the month of April, 2019; minutes from the May 6, 2019 Council Work Session and Executive Session; and, May 9, 2019 Council Meeting; and, license applications, all carrying the required approvals.

It was moved by Councilmember Francis, seconded by Councilmember Smede, to accept the Consent Agenda. Roll call as follows: Aye – Councilmembers Smede, Francis, Freeman, Hally, Radford. Nay – none. Motion carried.

### **Regular Agenda:**

#### **Public Works**

#### **Subject: Cooperative Agreement for Sewage Treatment with Golden Valley Natural, LLC**

For consideration is an agreement with Golden Valley Natural, LLC for the City to provide industrial sewage treatment for waste produced from their Shelley processing plant. Base rate monthly revenue was established at \$1,300 per month with charges based upon flow, biochemical oxygen demand, suspended solids, and other reasonable factors that affect the cost of providing treatment services.

Councilmember Freeman stated the Bingham County facility cannot handle the sewage. Public Works performed testing and analysis for several months. Councilmember Francis stated the City is very careful not to put the waste water system at risk. He stated there will be testing at the Shelley plant prior to this occurring. Councilmember



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Freeman noted this testing will be monitored and a tank is being built that will allow the waste to slowly enter the system. Mayor Casper stated sufficient capacity is available.

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

### **Subject: State/Local Construction Agreement with the Idaho Transportation Department for the replacement of the 12th Street Bridge over the Idaho Canal**

For consideration is a State/Local Construction Agreement with the Idaho Transportation Department and accompanying Resolution for the replacement of the 12th Street Bridge over the Idaho Canal. The total project cost is anticipated to be \$1,768,868.00. The City's match requirement for this project is \$65,204.00.

Councilmember Freeman stated this agreement is similar in nature to the previous bridge project. He stated the project will be completed by May of 2020. 12<sup>th</sup> Street will be closed during construction and a temporary pedestrian bridge will be put in place.

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

## **RESOLUTION NO. 2019-09**

WHEREAS, THE IDAHO TRANSPORTATION DEPARTMENT, HEREAFTER CALLED THE STATE, HAS SUBMITTED AN AGREEMENT OBLIGATIONS OF THE STATE AND THE CITY OF IDAHO FALLS, HEREAFTER CALLED THE CITY, FOR CONSTRUCTION OF 12<sup>TH</sup> STREET/IDAHO CANAL CULVERT.

### **Airport**

#### **Subject: Approval of Work Order 19-02 with T-O Engineers for Design and Bidding Services**

It is the recommendation of the airport to approve the work order for design and bidding services to relocate the Runway 17 end and connecting taxiway and to construct taxiway from Taxiway A to Taxiway B. This contract is for a total not to exceed \$305,535.31.

Councilmember Francis stated this is a safety project identified in the previous year as a hot spot by the Federal Aviation Administration (FAA). This is the first phase prior to bids, construction will occur at a later time.

It was moved by Councilmember Francis, seconded by Councilmember Freeman, to approve the Work Order with T-O Engineers and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Freeman, Radford, Smede, Francis, Hally. Nay – none. Motion carried.

### **Legal**

#### **Public Hearing – Resolution to Adopt Fees**

For consideration is the public hearing to create and update certain fiber optic, sanitation, and wastewater fees. The proposed fees were advertised on 9 May, 2019, and on 16 May, 2019, as required by Idaho Code.

Mayor Casper stated fees are typically established annually.

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

It was moved by Councilmember Freeman, seconded by Councilmember Smede, to approve the Resolution to add and 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 Hally, Radford, Francis, Dingman, Smede, Freeman. Nay – none. Motion carried.

### **RESOLUTION NO. 2019-10**

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.

#### **Community Development Services**

##### **Subject: Final Plat and Reasoned Statement of Relevant Criteria and Standards, Hotel Tango Estates, Division No. 1**

For consideration is the application for Final Plat and Reasoned Statement of Relevant Criteria and Standards, for Hotel Tango Estates Division No. 1. The Planning and Zoning Commission considered this item at its January 8, 2019, meeting and recommended approval by unanimous vote.

Councilmember Smede stated the vacant land appears to have once been homestead for stock animals. It is one (1) single lot with the street frontage onto North Boulevard. The majority of the land is vacant with the exception of the Bonneville County Tech Center.

It was moved by Councilmember Smede, seconded by Councilmember Freeman, to accept the Final Plat for Hotel Tango Estates Division No. 1, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Hotel Tango Estates Division No. 1, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

##### **Subject: Final Plat, Development Agreement and Reasoned Statement of Relevant Criteria and Standards, Sand Pointe Division No. 3**

For consideration is the application for Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, for Sand Pointe Division No. 3. The Planning and Zoning Commission considered this item at its April 2, 2019, meeting and recommended approval by unanimous vote.

Councilmember Smede stated the proposed lots exceed the minimum requirements for residential park zone. The plat is consistent with the approved preliminary plat with one (1) minor lot line adjustment and removal of one (1) lot. She stated the plat contains 38 single-dwelling unit lots and one (1) common lot. The common lot will become a storm pond in the center of the development. Councilmember Francis expressed his appreciation for forward looking of the storm pond on the plat.

It was moved by Councilmember Smede, seconded by Councilmember Francis, to approve the Development Agreement for Sand Pointe Division No. 3, and give authorization for the Mayor and City Clerk to execute the

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

It was moved by Councilmember Smede, seconded by Councilmember Francis, to accept the Final Plat for Sand Pointe Division No. 3, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows: Aye – Councilmembers Radford, Freeman, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

It was moved by Councilmember Smede, seconded by Councilmember Francis, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Sand Pointe Division No. 3, 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.

#### **Subject: Resolution Approving the Community Development Block Grant (CDBG) Program Year (PY) 2018 Consolidated Annual Performance and Evaluation Report (CAPER)**

For consideration is the resolution adopting the CDBG Program Year (PY) 2018 Consolidated Annual Performance and Evaluation Report (CAPER). This report is required by the Department of Housing and Urban Development (HUD) as part of the CDBG program. Following the public hearing on the report, staff did not receive any public comment during the comment period.

Councilmember Smede stated the CDBG goals are to provide an attractive, lean, livable, and family-oriented community; promote economic growth and vibrancy; and, provide effective transportation and mobility options. She stated CDBG also wants to ensure accountability for monies. Councilmember Francis stated the report was presented on April 25 and the Council has been well informed.

It was moved by Councilmember Smede, seconded by Councilmember Francis, to approve the Resolution adopting the CDBG Program Year 2018 Consolidated Annual Performance and Evaluation Report 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.

### RESOLUTION NO. 2019-11

RESOLUTION OF THE CITY OF IDAHO FALLS ADOPTING THE PROGRAM YEAR 2018 CDBG CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT.

#### **Subject: Resolution Approving the CDBG Program Year (PY) 2019 Annual Action Plan and Authorization to Reallocate \$35,000 of PY2018 Funds**

For consideration is a resolution adopting the CDBG PY 2019 Annual Action Plan. This plan determines how funding will be allocated and how the projects will meet the goals of the City's CDBG Five Year Consolidated Plan. Following the public hearing on the report, staff did not receive any public comment during the comment period. Also for consideration is authorization for the Grant Administrator to reallocate \$35,000 from PY2018 funds. As discussed in the May 20 Work Session, this \$35,000 was initially awarded to TRPTA. As they are no longer able to use the funds for their intended purpose, the funds need to be reallocated to another PY2018 project. Staff recommends reallocating the full amount to Habitat for Humanity for construction of curb, gutter, and sidewalk adjacent to their two new homes being constructed on Elmore.

Councilmember Francis noted were 30,000 uses at the Senior Center in the previous year.

It was moved by Councilmember Smede, seconded by Councilmember Francis, to approve the Resolution adopting the Community Development block Grant 2019 Annual Action Plan and give authorization for the Mayor and City

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Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

**RESOLUTION NO. 2019-12**

RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, PROGRAM YEAR 2019 CDBG ANNUAL ACTION PLAN.

It was moved by Councilmember Smede, seconded by Councilmember Francis, to authorize the Grant Administrator to reallocate \$35,000 of PY2018 funds from TRPTA to Habitat for Humanity. Roll call as follows: Aye – Councilmembers Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

**Public Hearing – Annexation and Initial Zoning, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, Approximately 67.31 acres, West Side of Idaho Falls**

For consideration is the application for Annexation and Initial Zoning of RE, RP, R1, R3, R3A, LC, and HC, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards for approximately 67.31 acres in Sections 23, 24, 26, and 27, Township 2 North, Range 37 East on the west side of Idaho Falls. The Planning and Zoning Commission considered this item at its December 4, 2018, meeting and recommended approval by a 4-3 vote. Since that time, three conditions have changed which affect the area. First, during the 2019 legislative session, the annexation law was amended to exclude land of "five acres or greater, actively devoted to agriculture as defined in Idaho Code, regardless of whether it is surrounded or bounded on all sides by lands within a city" from city-initiated annexations. Approximately 14 acres of land comprising various parcels fall under this regulation and have been dropped from the annexation proposal. Second, the City Council adopted a Statement of Annexation Principles. This document establishes general criteria by which it will consider lands to be included in annexations. Staff has reviewed the parcels in the annexation and recommends that one parcel be removed from the annexation request because it does not meet all of the criteria outlined in the Statement of Annexation Principles. Because the Planning and Zoning Commission recommended it be included and because there is no legal reason to remove it, it has been included on all maps and in versions of the ordinances as Exhibit H. However, because staff is recommending it be removed, ordinances and reasoned statements have also been included without Exhibit H. Finally, the City recently adopted an Airport Overlay Zone. Properties in this annexation are subject to the overlay under the Limited Development and Controlled Development zones. These have been included in the ordinance and exhibits.

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

Community Development Services Director Brad Cramer noted all slides being presented were previously emailed to the Councilmembers to allow participation by telephone. He stated due to the amended annexation law and the recent Council adoption of a Statement of Annexation Principles, staff is strongly recommending removal of three (3) parcels. He indicated these parcels are being shown in all slides due to P&Z recommendation. However, there are two (2) sets of proposed ordinances which includes and excludes these properties.

Slide 1 – Properties under consideration in zoning designations

Director Cramer stated these properties are primarily west of I-15 with a grouping east of I-15. There are a variety of zones, although they are predominantly R1 Zone.

Slide 2 – Aerial photo of properties under consideration

Slide 3 – Additional aerial photo of properties under consideration

Director Cramer stated portions of I-15 are included in the annexation to clean up the boundary of the City. He emphasized the Law states properties cannot be contiguous only by a right-of-way.

Slide 4 – Aerial photo of western edge of properties

Director Cramer stated these properties are predominantly residential uses.

Slide 5 – Future Land Use Map of the Comprehensive Plan

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Director Cramer stated the Estate Zone recognizes County development which could be annexed in the future. This zone is designed to accommodate larger county parcels. He also recognized Low Density residential and Green Belt Mixed Use.

Slide 6 – Proposed zoning for various areas

Director Cramer briefly reviewed each proposed zone.

Slide 7 – Airport Overlay Zone

Director Cramer noted this zone has been adopted since the P&Z considered the annexation. He stated the controlled development portion of this zone would require FAA approval for any structure 200' in height. He believes this should not have any effect on residential properties. The subdivision plat would have a note filed regarding the close proximity to the airport. This allows a protection of height for airport operations in the area. Director Cramer confirmed, per Legal staff discussion, the addition of this zone is allowed due to it being more restrictive than advertised or recommended.

Slide 8 – Aerial photo of M&B: Approximately 80 Acres, Section 23, 24, 26 & 27 as related to the Statement of Annexation Principles, Category B Annexation

Director Cramer reiterated three (3) parcels were excluded due to these principles. He noted properties that have water connection, sewer and water connection, associated with a current annexed property, and/or, annexation agreement with the utility connection. Director Cramer stated the entire group was processed as Category B annexation to allow more process for public hearing and comment and provides more documentation from the City.

Slide 9 – Aerial photo of M&B: Approximately 80 Acres, Section 23, 24, 26 & 27

Director Cramer stated most of these properties do not have any utility connection but are completely surrounded by City boundary. One (1) property contains a sewer connection and annexation agreement.

Slide 10 – Aerial photo of M&B: Approximately 80 Acres, Section 23, 24, 26 & 27, New Sweden property

Director Cramer stated there is a sewer connection and annexation agreement for the northern end of the property. The property on Grizzly Avenue also fits within State statute.

Slide 11 – Aerial photo of M&B: Approximately 80 Acres, Section 23, 24, 26 & 27, residential properties

Director Cramer stated these properties have sewer, water, and, an annexation agreement. He also recognized two (2) of the properties that were removed from this proposed annexation.

Slide 12 – Aerial photo of M&B: Approximately 80 Acres, Section 23, 24, 26 & 27, properties that have water service and an annexation agreement and, are currently annexed

Director Cramer recognized two (2) properties that staff is recommending to be removed as the properties do not fit within the Statement of Annexation Principles. He noted there are no structures on this property.

Slide 13 – Aerial photo of M&B: Approximately 80 Acres, Section 23, 24, 26 & 27, residential properties on east side of I-15

Director Cramer stated all properties have a sewer connection, three (3) properties have an annexation agreement, and/or is contiguous.

Slide 14 – Aerial photo of M&B: Approximately 80 Acres, Section 23, 24, 26 & 27, two (2) properties

Director Cramer stated one (1) of the properties does not have immediate access to utility. Staff is recommending this property not be considered. The additional property receives City power, however this property is excluded due to new State statute.

Slide 15 – Photo looking east across Pioneer Way

Slide 16 – Photo looking west along Stosich Lane

Slide 17 – Photo looking at corner of Saddle Lane and Grizzly Avenue

Slide 18 – Photo looking at home on south side of Saddle Lane

Slide 19 – Photo looking southwest across Stoddard Lane

Slide 20 – Photo looking east down W. 17<sup>th</sup> S.

Slide 21 – Additional photo looking east down W. 17<sup>th</sup> S.

Slide 22 – Photo looking south down Bellin Road

Slide 23 – Aerial photo of overview of properties

To the response of Councilmember Smede, Director Cramer and Mayor Casper stated it was an administrative and staff decision to postpone the annexation. To the response of Mayor Casper, Director Cramer confirmed the State statute was effective immediately. Councilmember Francis questioned portions of Stosich Lane. Director Cramer confirmed Stosich Lane is not a platted right-of-way, the County provides maintenance.



Mayor Casper requested any public comment.

Allan Rogers, 1333 S. Bellin Road, appeared. Mr. Rogers stated his property does not have any services and requested that his property not be annexed. He indicated the property was developed in the County approximately 25 years ago and his family has resided at the property for approximately 12 years. There is a septic system and irrigation from the ditch with a personally-owned pipe and pump system. The property is on Rocky Mountain Power. Mr. Rogers stated he has not requested services from the City. If annexed, the property still would not receive City utility services. He believes the island of surrounding properties is benefitted of being in the City. Mr. Rogers stated he maintains the City road. He has not cost the City any money although he will be paying additional money. He believes it is unfair and unwise for cities to force annexed land. He considers this to be a forced annex of land. Mr. Rogers stated the City has grown around his property which has caused his property to become enclaved and, per State statute, is allowed to be annexed. The statute also states the intent is to be reasonably necessary and equitably allocate cost. Enclaved properties are not exempt from the legislative intent. Mr. Rogers understands the utilities are fee based although they are not completely paid for by the fees. He will be paying for services not rendered while continuing to pay for existing services. He believes the double fees do not meet the legislative intent. Mr. Rogers compared this annexation to the Spring Meadows edition. He once again requested his property not to be annexed.

Mariann Hilton, 1848 Stosich Lane, appeared. Ms. Hilton expressed her appreciation to the Council and examining the annexation policy as she believes this is a good first step in the right direction. Ms. Hilton stated she does have City water although she is not the original homeowner. She indicated the original homeowner did not sign the agreement due to not agreeing with terms set forth. Ms. Hilton stated she met with City officials prior to the purchase of the home as annexation was a concern. She was told the City did not annex properties, it was an owner-initiated process. At that time there was no mention of a water contract, she was unaware a water contract existed. Ms. Hilton believes it's unreasonable to be held for a contract that was not made or signed with her/them. She stated the road will remain a County dirt road and will not get paved. She also stated her City water rate is double, which she believes is fair. She noted any County resident will pay more to use City facilities. She also believes this is fair and has no complaints. She also contributes to the economic commerce in the City. Ms. Hilton stated just because one can do something doesn't mean they should do something. She believes it's unreasonable and disorderly to proceed with the annexation. She requested her property be excluded. She does not believe the proper information was given per the statute.

Scott Johnson, County resident, appeared. Mr. Johnson concurred with Mr. Rogers and Ms. Hilton. He stated he is not currently within the annexation although he appreciates the changes. He is hopeful the new procedure will be dispensed and he expressed his appreciation for the delay of the annexation. Mr. Johnson believes there may be contractual issues although the rural setting should be considered even if not important in the law.

John Hollist, 17th South, appeared. Mr. Hollist stated there was no indication of the annexation process due to having City water. He also stated he allowed the City to install power lines on his side of 17<sup>th</sup> South to share with Rocky Mountain Power. Money was offered for overhead although that property had been previously sold to the City. Mr. Hollist believes an agreement should be attached with sale of the home. He does not want to see his County property go away.

Diane Hollist, 17<sup>th</sup> South, appeared. Ms. Hollist stated their property is not enclaved. They have a septic system, they take care of the surrounding land, and they have raised horses on this property. Ms. Hollist stated the house, built in 1964, is for sale as they will not live in the City. A buyer was lost due to being City property and the unreasonable actions. Ms. Hollist stated they were not told of the signed agreement although they were told of water. She is unhappy they are forced to sell. She believes the whole City area should be included, this is unfair.

Colleen Hammon, 1315 S. Skyline Drive, appeared. Ms. Hammon expressed her appreciation to the Council for changing the annexation policy. Due to this policy they have been given peace in their life and can again enjoy their irreplaceable property. Ms. Hammon stated there are 141 County properties inside City limits that have not been annexed. She questioned why the City does not annex these properties. She is hopeful this will be addressed in future

meetings. Ms. Hammon agrees with those individuals who have requested exemption. Living in the City is different than living in the County.

Rhonda Hobbs, appeared. Ms. Hobbs addressed potential future annexations of the Estate Zone. She requested the reason for the annexation of County property.

Director Cramer reappeared. Councilmember Smede questioned residential estates and the freedom to raise animals. Director Cramer stated anything legally that is currently operating on a property can continue unless the use is abandoned. However, the City zone does allow a certain number of animals. Councilmember Smede questioned Ms. Hobbs' 'reason for annexation'. Director Cramer stated there are a variety of reasons for annexation, including utilities and an efficient provision of tax-supported and fee-supported services. City tax-supported and fee-supported services surround these areas. Having islands in the middle create inefficiency of services by the County. Councilmember Smede questioned the 141 County properties inside City limits. Director Cramer believes this number may be significantly low since this number changes on a monthly basis. He stated staff is currently working on all residential properties that have a City utility and then all non-residential properties that have a City utility followed by Council direction to proceed with annexation or not. The focus is not the geographical areas. He also clarified the Estate Zone could be annexed in the future per Idaho statute Comprehensive Plan Map requirements. The planning process and guiding principles need to be considered in the event of annexation. This does not mean this is a future annexation map. Councilmember Freeman questioned other potential enclaved areas. Director Cramer stated enclaves, as per State statute, specifies a residential enclave, not a residential land use. He is unaware of enclaves not being considered although they may not have happened at this point. Councilmember Freeman questioned water, sewer, and power supported by fee-based services not tax-based services. Director Cramer confirmed. Councilmember Freeman questioned current uses on properties. Director Cramer reiterated these uses will not change. Councilmember Smede questioned the higher water rates and City amenities. Director Cramer stated the water rates and City amenities would be reduced. He also stated there is no requirement to change the current utility provider although there could be potential exceptions such as a septic system failure. Councilmember Radford questioned the responsibility of an agreement when purchasing a property. Director Cramer believes agreements, City wide, were not recorded as documents in the closing process. The law now addresses this issue. Prior to 2008 is considered consent to annexation. After 2008 a recorded agreement is required to be valid. Councilmember Francis questioned the fire district fees. Director Cramer confirmed fire district fees would be reduced. Councilmember Smede also noted the library district fee would be reduced.

Mayor Casper requested any additional public comments.

Scott Johnson reappeared. Mr. Johnson believes there was misleading fee information that was not disclosed. He believes at some point these fees will happen and will be compulsory. The front foot fees will be expensive. Mr. Johnson does not believe the reduced district fees will make up for these fees. He believes this is significant.

Councilmember Smede questioned the immediate investment as described by Mr. Johnson. Director Cramer was not aware of any immediate expenses unless a septic system failed. The failure could also happen if not annexed. He also stated curb, gutter, sidewalk, and, streets are only triggered by development. The developer would pay the front foot fees. Director Cramer stated this has been carefully reviewed. Councilmember Francis questioned the increase of property tax. Director Cramer confirmed the City does not perform property value assessment although the levy could increase. Mayor Casper expressed her concern with the adequacy of information given to residents with a proposed annexation. Director Cramer stated the P&Z notification includes a map of properties being considered, notification of the hearing, and, the City annexation plan. The City notification process is repeated with the exception of the annexation plan. Levy rates, sewer rates, and water rates are discussed in the annexation plan with no specific examples. It is difficult to give examples for individual properties. A neighborhood meeting is then held. Director Cramer stated staff spends numerous hours answering questions via email and telephone. The statute was also reviewed with legal and staff is confident the statutory requirements have been met. It was noted the neighborhood meeting was very well attended.

Mayor Casper closed public hearing.

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Councilmember Smede concurred with the individuals who indicated being a Councilmember is difficult as these issues are not thought of when running for an elected position. She also stated the Council wants to be fair, wants to follow the law, and, wants to be consistent. They also want to know things will be beneficial and important as the City develops. Councilmember Smede supports the removal of properties as described by Director Cramer. She stated the remaining properties do follow the law and were analyzed against the recently adopted annexation principles. She recognized the concerns expressed but she is confident the right thing is to develop orderly. More islands are challenging for public safety. Councilmember Smede stated she chose to live in Idaho Falls and believes there is huge value in being part of the City. She does not believe this should be put off for another Council. She is also reminded always to consider the citizens of Idaho Falls who are not present.

Councilmember Freeman stated by choosing to live close to the City they also choose to enjoy City amenities. By paying less than neighbors across the street is unequitable taxation. He stated this is not a land grab, he believes this is for the right reasons and in a thoughtful way.

Councilmember Francis believes all concerns have been addressed, including continued current usage. He also believes there is something special about living in the City.

Councilmember Radford appreciates the citizens' involvement and believes the City is gaining great citizens. He stated the Council has been working on annexations for three (3) years and is trying to be consistent, improving the process, and, being as transparent as possible. He also stated the City is not doing anyone favors with pockets in the middle of the City.

Councilmember Hally stated County residents have no guarantees they will not be part of the City as cities grow in the Area of Impact. Annexations occur to fill in blank areas that are surrounded by the City, therefore the annexation laws are in place, these are not forced annexation. He stated this process began some time ago. This is a significant change but it's important that the City not have open areas within the City as it encourages sprawl. Councilmember Hally expressed his appreciation to those who expressed concern. He believes valuation, growth, and, creation of jobs happen within the City.

It was moved by Councilmember Smede, seconded by Councilmember Freeman, to approve the Ordinance annexing M&B: Approximately 63.8 acres, Sections 23, 24, 26, and 27, Township 2 North, Range 37 East, with Exhibit D modified and Exhibit H excluded, under the suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. Director Cramer clarified the removal of the properties. He stated the exhibits are broken into legal description. Modified Exhibit D and Exhibit H removes certain properties as discussed and recommended by staff. Roll call as follows: Aye – Councilmembers Hally, Francis, Radford, Smede, Freeman. Nay – none. Motion carried.

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

### ORDINANCE NO. 3250

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 63.8 ACRES DESCRIBED IN SECTION 1 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 Freeman, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of M&B: Approximately 63.8 acres, Sections 23, 24, 26, and 27, Township 2 North, Range 37 East, with Exhibit D modified and Exhibit H excluded, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Freeman, Radford, Smede, Francis, Hally. Nay – none. Motion carried.

**May 23, 2019 - Unapproved**

It was moved by Councilmember Smede, seconded by Councilmember Freeman, to assign a Comprehensive Plan Designation of Low Density Residential, Higher Density Residential, Estate, Commercial, and Greenbelt Mixed Use and to approve the ordinance establishing the initial zoning for M&B: Approximately 63.8 acres, Sections 23, 24, 26, and 27, Township 2 North, Range 37 East, with Exhibit D modified and Exhibit H excluded, under the suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary, that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning Office. Roll call as follows: Aye – Councilmembers Hally, Radford, Francis, Smede, Freeman. Nay – none. Motion carried.

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

**ORDINANCE NO. 3251**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 63.8 ACRES DESCRIBED IN SECTION 1 AND EXHIBITS A-G OF THIS ORDINANCE AS RE, RP, R1, R3, R3A, LC AND HC ZONES WITH AN AIRPORT OVERLAY DESIGNATION; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Smede, seconded by Councilmember Freeman, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning for M&B: Approximately 63.8 acres, Sections 23, 24, 26, and 27, Township 2 North, Range 37 East, with Exhibit D modified and Exhibit H excluded, and give authorization for the Mayor to execute the necessary documents. Roll call as follows: Aye – Councilmembers Francis, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

**Announcements:**

Councilmember Freeman stated a ribbon cutting for the new playground at Community Park will be held on May 24. Mayor Casper stated the Field of Honor will be occurring at Freeman Park May 25-27. She noted City offices will be closed on May 27 for Memorial Day.

There being no further business, the meeting adjourned at 9:44 p.m.

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CITY CLERK

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MAYOR

## **June 3, 2019 - Unapproved**

The City Council of the City of Idaho Falls met in Special Meeting (Area of Impact Council Discussion), Monday, June 3, 2019, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls at 3:00 p.m.

### **Call to Order and Roll Call:**

There were present:

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

Absent:

Councilmember Thomas Hally  
Councilmember John Radford

Also Present:

Brad Cramer, Community Development Services Director  
Kerry Beutler, Assistant Community Development Services Director  
Chris Fredericksen, Public Works Director  
Commissioner Christensen, Bonneville County Commissioner  
Commissioner Reed, Bonneville County Commissioner  
Randy Fife, City Attorney  
Kathy Hampton, City Clerk

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

### **Discussion of Annexation within the Area of Impact:**

Director Cramer believes, per previous conversation, there was concern with City annexations regarding the Area of Impact (AOI) from what the Planning and Zoning (P&Z) Commission recommended. He indicated since that time the City has adopted a Statement of Annexation Principles by resolution at the May 9, 2019 Council Meeting. These annexation principles were applied to the recent west side annexation. Mayor Casper stated adoption of these annexation principles were delayed pending the legislative session. Commissioner Reed believes the west side annexation concerns were heard and addressed by the Council. He expressed his appreciation for the elimination of those properties that did not include City services. He commended Director Cramer. Mayor Casper believes the annexation principles addressed the reasonable considerations. Concurrence followed by those Councilmembers in attendance. Commissioner Christensen expressed his concern for partial annexation of roads and right-of-ways. He specifically addressed the announcement of Costco as the County recently updated the roundabout in the adjacent area. He also expressed his concern for Category B annexation in the urban sprawl. Director Fredericksen stated partial annexation of roadways include concerns with public safety, snow removal, and coordination of City utilities. It was noted the developer is required to pay the costs for the road. Director Cramer stated annexation generally occurs prior to development. He also stated an arterial road and bridge fee is charged per acreage of the development for the roadway even if the road is not annexed at that time. General discussion followed. Director Fredericksen stated funding is set aside for future roadways. Commissioner Reed believes it's important for the developer to build the road as the maintenance costs are somewhat insignificant compared to the construction of the road.

### **Discussion of Utility Extensions and Infrastructure Standards; Final Review of Area of Impact Agreement and Map; and, Review of Final Steps to Approve Area of Agreement:**

Director Cramer believes the utility extension pilot project is set up on the relationship and trust between the two (2) entities that certain standards will be followed and adhered to. He also believes the pilot project is based on the City's ability to annex properties later on. He believes, following the legislative session, he is not convinced the City will still have the ability to annex properties that have City utilities. He recommends the utility extension discussion occurs once the annexation issues settle down. Councilmember Freeman believes extending utility encourages urban sprawl.

**June 3, 2019 - Unapproved**

If the City is going to require the utilities to meet City standards then why not annex these properties. He expressed his discouragement. Commissioner Christensen believes the spirit of this was to make properties ready for annexation. Councilmember Freeman believes there is a burden on City taxpayers to extend the utilities although this broadens the base of ratepayers. Director Fredericksen questioned if the development inside the AOI is considered urban sprawl. He stated if the City standards policy had been in place there would not be issues with the previous County annexations. He believes this affects the AOI. Councilmember Francis questioned a developer in the AOI developing to City standards even though they may not be hooked up to the actual utility. Director Fredericksen stated other services along the main line in the County roadway would require approval by the pilot project or annexation. The County would need to enforce the standards. Commissioner Christensen stated the County builds to a similar standard. He believes there is a misconception of urban growth without municipal services. Mayor Casper questioned a list of urban trouble spots which would not affect the AOI discussion. Commissioner Christensen indicated he would be reluctant to do this as the type of service would affect the surrounding areas. He specifically addressed the southern and northern areas of the AOI. Director Cramer stated the AOI line has been proposed to allow 25 years of growth. He also stated, at this time, there are very few parcels eligible for a pilot project. The pilot project was meant to be protective of taxpayers, ratepayers, and, the urban sprawl. Director Cramer requested the preference of the AOI moving forward with the pilot project or to leave out utility extensions pending the legislative sessions in the future year(s). Councilmember Francis questioned the County reason/importance for wanting the utility extension. Commissioner Christensen stated there would be no reason to retrofit as the standards would already be built. Commissioner Reed concurred. Brief discussion followed regarding development and other service providers outside the AOI. To the response of Mayor Casper, Director Cramer stated the Local Land Use Planning Act (LLUPA) statute requires the adoption of two (2) ordinances - the boundary map and the Comprehensive Plan and development standards. He noted the P&Z recommended the document with the utility extensions. The Council recommended removing references to utility extensions. He indicated the pilot project would replace this section on a limited general/trial basis. Commissioner Reed believes the areas inside the current boundary line should be addressed. Director Cramer believes the boundary line is less important than comparable standards and philosophy of growth. He also believes there may have been a previous effort to get away from the City and the standards which has resulted in this conversation. Commissioner Christensen expressed his concern for utility services by other providers, excluding Rocky Mountain Power (RMP). It was noted it is City practice to allow the service to continue with said provider. Mr. Fife stated there is not a legal policy to address other service providers in annexed areas. He briefly reviewed eminent domain, annexation, and, franchising. Mayor Casper indicated a policy may reduce the ability to be adaptive and flexible. Commissioner Christensen suggested the AOI agreement be sent back to P&Z. Councilmember Freeman has no desire to send this back to the P&Z. Director Cramer stated the P&Z philosophies on utility extensions are different from the elected officials' philosophies as indicated by the different recommendations. He indicated the elected officials set policy for their jurisdiction while the P&Z looks at it from more of a best practice or "ideal world" standpoint. He expressed concern sending this back to P&Z. Director Fredericksen stated utilities will be served with every intent. He believes, not knowing the boundaries, is a disadvantage for investments. The planning document would give better guidance. Councilmember Francis believes the pilot project was an attempt to move the boundary. Commissioner Reed believes the statement of annexation principles is a well-received document. Mayor Casper stated the pilot project was proposed as a compromise for the red-lined area in the agreement. Commissioner Christensen would prefer the document stay as is. Commissioner Reed does not want development outside the urban area.

There being no further business, the meeting adjourned at 4:34 p.m.

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CITY CLERK

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MAYOR CASPER



**REGULAR**

**AGENDA:**



# **EMERGENCY BANK REPAIR AT LOWER POWER PLANT**

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June 13, 2019

# Overview – Location is Lower Plant





# Bank Erosion found on Tuesday, May 28<sup>th</sup> during routine plant checks

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# Additional Bank Erosion – looking upriver

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# Major Concern – Distance to Substation

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# Some Remaining Original Wall

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# Background

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- Wall was original to 1940 Dam (Old Lower Plant)
- Heavy rain built back pressure between wall and river over the Memorial weekend
- Continued Erosion would threaten substation and control building
- Immediately called contractors to look at site and give bids for bank armoring / “rip rap”
- 3 bids received – low bid was able to also start the soonest (HK Contractors)



# Removed old wall and placed rip rap

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# Completed Work



# Completed work

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- 300 cubic yards of rip rap
- 150 feet of shore line
- Total Cost - \$23,100 dollars
- Notified:
  - FERC, US Army Corps of Engineers, Idaho Department of Water Quality – No issues.
- While plant was offline we also completed:
  - New electrical panel in substation, battery charger, updated protection relays for substation



# MEMORANDUM

**FROM:** Fire Department

**DATE:** Friday, June 7, 2019

**RE:** Adoption of the 2015 International Fire Code with amendments to current Ordinance

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## Item Description

It is the recommendation of the Fire Department to approve the adoption of the 2015 International Fire Code (IFC) and make necessary amendments to City Ordinance. This adoption will coordinate the use of this code with the State Fire Marshal Office and Idaho Falls Community Development Services. Amendments will eliminate redundancy and conflict while providing a clear, concise and consistent approach to public fire safety.

## Purpose

The adoption of the 2015 IFC will support the safety of the community and allow for proper governance through the use of the most applicable code while performing inspections of existing buildings and evaluating new construction.

## Fiscal Impact / Financial Review

No financial impact.

## Legal Review

Legal has reviewed and assisted in the modification of necessary City Ordinance.

## Interdepartmental Review

Community Development Services concurs with the adoption of the 2015 IFC and Amendments to coordinate code compliance with all 2015 International Codes already adopted by Community Development Services.

## Recommended Action

It is the recommendation of the Fire Department to approve the adoption of the 2015 International Fire Code and adjustments to necessary City Ordinances.



☐ Economic

☒ Governance

☐ Growth

☐ Learning



☐ Livable



☒ Safety



☐ Sustainability



☐ Transportation



ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING SECTIONS 7-10-1 THROUGH 7-10-4 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL FIRE CODE, 2015 EDITION, AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, City wishes to adopt the most current edition of the International Fire Code to ensure application of the most current guidelines therein.

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

SECTION 1. Sections 7-10-1 through 7-10-4 of the City Code are hereby amended by the following language:

7-10-1: INTERNATIONAL FIRE CODE ADOPTED

(A) Fire Code Adopted: The International Fire Code, 201~~5~~<sup>2</sup> Edition, as published by the International Code Council, Inc., including all Appendices, are hereby adopted as an official fire code of the City, save and except such portions as are hereinafter deleted, modified or amended by the provisions of this Chapter.

(B) Code on File: One (1) copy of the International Fire Code, 201~~5~~<sup>2</sup> Edition, duly certified by the Clerk shall be retained by the City Clerk for use and examination by the public.

(C) Any reference in the City Code to the International Fire Code shall refer to the most recent version of the International Fire Code adopted by the City, as provided for in this Chapter.

7-10-2: DEFINITIONS: Whenever found in the International Code, the following words shall have the meanings ascribed to them herein:

Fire Code Official: The Fire Marshal

Corporate Counsel: The City Attorney for the City of Idaho Falls, Idaho

Jurisdiction: The City of Idaho Falls, Idaho

Life Safety System: Automatic fire extinguishing system, portable fire extinguishers, fire alarm and detection systems, fire pumps, and related equipment.

Life Safety License: Required license issued by the Fire Code Official intended to ensure that the licensee is qualified to install, modify, service, or maintain any automatic fire extinguishing system, portable fire extinguishers, fire alarm and detection system, or related equipment.

7-10-3: AMENDMENTS AND ADDITIONS TO THE INTERNATIONAL FIRE CODE:

(A). Subsection of 105.1.2 Types of permits shall be adopted as follows:

~~3.~~ Permit Fees:

~~105.1.2.1~~ Each operational permit fee shall be in an amount set from time to time by Resolution of the Council;

~~105.1.2.2~~ Each construction permit fee shall be in an amount set from time to time by Resolution of the Council; and,

~~1.3~~ The Fire Code Official is authorized to waive a permit fee for 501.3(C) non-profit organizations who do not charge an admission fee for permit required events.

~~————(B)—— Section 105.1.3 Where Multiple permits are required for the same location, the Fire Code Official may authorize to consolidate such permits into one permit. shall be amended by the addition of the following paragraph:~~

113.3 Failure to obtain any require fire code permit, prior to engaging in activities, operations, practices or functions, as set forth in the International Fire Code, shall constitute a violation of the code. The activity, operation, or practice will be issued a stop work order until a permit has been obtained and a double permit fee collected.

~~(C)~~ Subsection 105.7.1 Automatic fire-extinguishing systems shall be amended to read as follows:

A construction permit and Life Safety License is required for the installation of or modification to an automatic fire extinguishing system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

1. Contractors performing maintenance on automatic fire-extinguishing systems shall obtain a Life Safety License prior to commencing work and shall provide a copy of the maintenance report to the Fire Code Official at the completion of the work performed.
2. The Fire Code Official is authorized ~~to waive the permit to not~~ require a plan review fee for modifications to automatic fire-extinguishing systems where ten (10) or fewer sprinkler heads are affected in the scope of work. A Life Safety License and permit are required to be submitted to the Fire Code Official for review prior

to the start of the project and a record of completion shall be permitted to the Fire Code Official at the completion of the project.

(~~CD~~) Subsection 105.7.6 Fire alarm and detection systems and related equipment shall be amended to read as follows:

A construction permit and Life Safety License is required for installation of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

1. Contractors performing maintenance on fire alarm and detections systems shall obtain a Life Safety License prior to commencing work and shall provide a copy of the maintenance report to the Fire Code Official at the completion of the work performed.

(~~DE~~) Subsection 105.7.7 Fire pumps and related equipment shall be amended to read as follows:

A construction permit and Life Safety License is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers, and generators. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

1. Contractors performing maintenance on fire pumps and related equipment shall obtain a Life Safety License prior to commencing work and shall provide a copy of the maintenance report to the Fire Code Official at the completion of the work performed.

(~~EF~~) Subsection 109.4 Violation penalties shall be amended to read as follows:

Persons or entities who violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under the provisions of this code, as amended, shall be guilty of a misdemeanor. Each ~~day~~ twenty-four (24) hour period that a violation continues after due notice has been served shall be deemed a separate offense.

(~~FG~~) Subsection 111.4 Failure to comply shall be amended to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to pay a fine in an amount set from time to time by Resolution of the Council.

(~~GH~~) Subsection 113.6 Life Safety License required shall be adopted as follows:

Any person or entity shall obtain a Life Safety License from the Fire Code Official prior to performing any installation, modification, inspection, testing, or maintenance, ~~or servicing on a Life Safety Systems~~ in the City of Idaho Falls. Life Safety Licenses shall ~~expire one year from the date of issuance unless otherwise provided for on the license~~ be valid for the calendar year issued. The fee for a Life Safety License shall be in an amount set from time to time by Resolution of the Council. All Life Safety Licenses shall be non-transferrable.

(HJ) Subsection 113.7 Penalties for violation of license requirement shall be adopted as follows:

Any person or entity who violates any rules or regulations as written on the license application, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than three-hundred dollars (\$300). Each twenty-four (24) hour period ~~day~~ that a violation continues after due notice has been served shall be deemed a separate offense.

(IK) Subsection 113.8 Payment of permits, licenses and fees shall be adopted as follows:

All costs, fees, and payments associated with any permit or license provided for in the Fire Code shall be paid to the City of Idaho Falls ~~City Clerk's~~ Treasurer's Office or as otherwise specified by the ~~City~~ Fire Department.

(JL) Subsection 113.9 Fees shall be adopted as follows:

113.9.1 Structural plan review fees. Structural plan review fees will be charged at a rate in an amount set from time to time by Resolution of the Council. Upon request from the Fire Code Official, the City reserves the right to charge additional structural plan review fees for large or complex structural plan submissions.

113.9.2 Fire alarm plan review fees. Fire alarm plan review fees will be charged at a rate in an amount set from time to time by Resolution of the Council ~~per one hundred (100) devices~~. This fee includes plan review and ~~response and four (4)~~ one (1) acceptance test field inspections by fire prevention personnel. An additional fee, in an amount set from time to time by Resolution of Council, will be charged for inspection of fire alarm systems exceeding this amount.

113.9.3 Fire sprinkler system plan review fees. Fire sprinkler system fees will be charged at a flat rate in an amount set from time to time by Resolution of the Council. This fee includes plan review ~~and response for local or Authority Having Jurisdiction (AHJ) requirements~~, and ~~four (4)~~ one (1) acceptance field inspections. Field inspections are to include fire service underground, rough-in inspection ~~and hydro-test~~, hydro-test with all heads in place, and final acceptance test of system. An additional fee, in an amount set from time to time by Resolution of Council, will be charged for inspection of fire sprinkler systems exceeding this amount.

113.9.4 Fire pump review fees. Fire pump fees will be in an amount set from time to time by Resolution of the Council. This fee includes plan review and response and acceptance testing of the fire pump.

113.9.5 Alarm response fee. The Fire Code Official is authorized to charge a maximum fee in an amount set from time to time by Resolution of the Council per occurrence for fire apparatus response to Life Safety System activation where the service contractor fails to contact the Fire Code Official and/or Fire Dispatch Center when servicing such systems or excessive responses to the same location. The fee does not apply to a false alarm which is defined as the willful and knowing initiation or transmission of a signal, message or other notification of an even of fire when no such danger exists. The fee, subject to review by the Fire Code Official will apply to nuisance alarms exceeding four (4) responses to the same location within a thirty (30) day period. Nuisance alarms are defined as any alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or any alarm activated by a cause that cannot be determined. The fee will be charged to the business owner and/or service contractor after review by the Fire Code Official

~~(M) Section 907.2 Where required new buildings and structures shall be amended as follows:~~

~~An approved addressable fire alarm system in accordance with the provisions of this code, and NFPA 72 (2010 Edition), shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 inclusive, and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code. Where automatic sprinkler protection is installed, in accordance with Section 903.3.1.1 or 903.3.1.2, and connected to the building fire alarm system, automatic heat detection required by this Section shall not be required.~~

~~The automatic fire detectors shall be smoke detectors. Where ambient conditions prohibit installation automatic smoke detection, other automatic fire detection shall be allowed.~~

~~Addressable fire alarm systems shall be monitored by an Underwriter Laboratory (UL) listed or other testing agency approved by the Fire Code Official for monitoring fire protection systems.~~

~~(N) Section 1103.7 Fire alarm systems shall be amended as follows:~~

~~An approved addressable fire alarm system, in accordance with the provisions of this code and NFPA 72 (2010 Edition), shall be provided in existing buildings and structures in accordance with Sections 1103.7 through 1103.7.7. Where automatic sprinkler protection is installed, in accordance with Section 1103.5 or 1103.5.2, and connected to the building fire alarm system, automatic heat detection required by this Section shall not be required.~~

~~An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72 (2010 Edition). Devices, combinations of devices,~~

~~appliances, and equipment shall be approved. The automatic fire detection shall be smoke detectors, except an approved alternate type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.~~

~~Addressable fire alarm systems shall be monitored by an Underwriter Laboratory (UL) listed or other testing agency approved by the Fire Code Official for monitoring fire protection systems.~~

Exceptions:

- ~~1. Buildings with eight or less initiating devices may be zoned systems provided only one device is used per zone. Each device shall have a plain English liquid crystal display (LCD).~~
- ~~2. A zone map shall be provided by the alarm contractor and the map shall be located on the exterior of the Fire Alarm Control Panel (FACP).~~

(KΘ) Subsection 5604.1.1 Prohibited storage shall be adopted to read as follows:

The storage of explosives and blasting agents is prohibited within the Corporate Limits of the City of Idaho Falls.

Exception: The Fire Code Official may issue a permit, pursuant to Section 105, to allow the use of explosives and blasting agents within the Corporate Limits of the City of Idaho Falls. Such permit shall prescribe conditions and restrictions for the use of explosives and blasting agents, consistent with this chapter.

(LP) Subsection 5704.2.9.6.1 Locations where above-ground tanks are prohibited shall be amended to read as follows:

The storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited within the Corporate Limits of the City of Idaho Falls.

Exceptions:

1. The Fire Code Official, with approval of the Fire Chief, may allow protected above-ground tanks at motor vehicle fuel dispensing stations. Protected above-ground tanks may be allowed where underground rock formations or water levels make it extremely difficult or impossible to install underground tanks or underground install is cost prohibitive for limited use fuel dispensing stations. Such tanks shall meet the UL 2085 listing and comply with Sections 2306.2, 3104.17.2, 5704.2.7.3.5, 5704.2.9, and 5704.2.13.2. Each approved tank shall not exceed twelve thousand (12,000) gallons in individual capacity and no more than forty-eight thousand (48,000) gallons in aggregate capacity may be stored in this manner on any one property within the City.

2. The Fire Code Official, with approval of the Fire Chief, may allow the use of temporary above-ground storage tanks at construction sites, earth moving projects or gravel pits. Such tanks shall comply with Sections 3104.17.2, 5704.2.9, and Section 5706 in its entirety.

- 2.1 The storage of flammable or combustible liquids in above-ground tanks, and the dispensing of combustible liquids into vehicles from above-ground tanks, shall not be permitted in the following zones as defined by the City Zoning Ordinance and located within the current Official Zoning Map: RP, RP-A, R-1, R-2, R-2A, R-3, R-3A, P-B, and RMH.

(~~MQ~~) Subsection 5706.2.4.4 Locations where above-ground tanks are prohibited shall be amended to read as follows:

The limits in which new bulk plants in accordance with Section 5706.2.4.4, where flammable or combustible liquids are received by tank vessels, pipelines, tank cars, or tank vehicles, and are stored in blended in bulk for the purpose of distributing such liquids by tank vessels, pipelines, tank cars, tank vehicles, or containers are prohibited within the Corporate Limits of the City of Idaho Falls.

(~~NR~~) Section 5806.2 Limitations shall be amended to read as follows:

Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the Corporate Limits of the City of Idaho Falls.

(~~OS~~) Section 6104.2.1 Restricted zones shall be adopted as follows:

Storage of liquefied petroleum gas is restricted within all zones in the City, as defined by the City Zoning Ordinance and located within the current City's Official Zoning Map.

Exception: Storage of liquefied petroleum gas is permitted, consistent with this chapter, within the Industrial and Manufacturing Zones I&M-1 and I&M-2, as defined by the City Zoning Ordinance and located within the current City's Official Zoning Map.

#### 7-10-4: PENDING LEGAL ACTIONS:

That nothing in this Chapter or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Chapter; nor shall any just or legal right or remedy or any character be lost, impaired or affected by this Chapter.



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. The remaining Sections of Title 5, Chapter 6, shall be in full force and effect.

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 \_\_\_\_\_, 2019.

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,  
AMENDING SECTIONS 7-10-1 THROUGH 7-10-4 OF THE CITY CODE OF  
THE CITY OF IDAHO FALLS, TO PROVIDE FOR THE ADOPTION OF THE  
INTERNATIONAL FIRE CODE, 2015 EDITION, AND PROVIDING  
SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND  
ESTABLISHING EFFECTIVE DATE.”

---

Kathy Hampton  
City Clerk

(SEAL)

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING CHAPTER 13, OF TITLE 5, CHAPTER 3, OF TITLE 6, AND CHAPTER 4, OF TITLE 9 TO ALIGN THE CITY CODE WITH THE 2015 INTERNATIONAL FIRE CODE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City has adopted the 2015 edition of the International Fire Code; and

WHEREAS, certain sections of the City Code overlap and are redundant or conflict with the provisions of the 2015 International Fire Code; and

WHEREAS, the Council desires a clear, concise, and consistent approach to public fire safety regulation.

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

**SECTION 1.** Chapter 2, of Title 3 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

**3-2-5: ESTABLISHMENT OF ~~DEPARTMENT OF~~ FIRE PREVENTION DIVISION**

(A)The Chief of the Fire and Public Safety ~~Division~~ Department shall appoint a Fire Code Official for the purpose of administering and enforcing the Fire Code.

...

**SECTION 2.** Chapter 13, of Title 5 of the City Code of the City of Idaho Falls, Idaho, is hereby amended and renumbered as follows:

**5-13-1: ABANDONED REFRIGERATORS:** It shall be unlawful for any person to abandon or permit to remain in an abandoned state on any premises owned or over which he or she has control, any ice box, refrigerator, deep freeze or any appliance or air tight container which fastens automatically and which cannot be opened from the inside, without having first removed the lock or hinges from the door thereof.

~~**5-13-2: FALSE FIRE ALARMS:** It shall be unlawful for any person to knowingly and willfully give or make a false fire alarm in any manner (whether by telephone, use of a mechanical or electronic fire alarm, or otherwise).~~

~~5-13-3: TAMPERING WITH FIRE ALARM: It shall be unlawful for any person to willfully damage, tamper with or otherwise alter any fire alarm for the purpose of preventing the normal operation thereof.~~

~~5-13-4: FIRE HYDRANTS: It shall be unlawful for any person to obstruct the approach to a fire hydrant, or to place or allow to be placed, any obstruction(s) within a distance of three feet (3') from a fire hydrant.~~

5-13-~~2~~5: DAMAGING FIRE HYDRANTS: It shall be unlawful for any person to willfully or carelessly drive or run any vehicle against any fire hydrant ~~or to park any vehicle within fifteen feet (15') of any fire hydrant.~~ Any person who shall injure or damage any fire hydrant by accident, or by carelessness or otherwise, shall immediately report such injury or damage to the Water Division and such person so injuring or damaging said hydrant shall be liable for any damage caused thereby.

~~5-13-6: UNLAWFUL USE OF FIRE HYDRANTS: It shall be unlawful for any person to draw or attempt to draw water from any fire hydrant unless he or she is an employee of the Police Department, Fire Department, Public Works Department or has received written permission to do so from a Director of such Departments. In the event such permission is given, the City may assess an equitable charge for the use of such fire hydrant and consumption of water therefrom.~~

5-13-~~3~~7: ABUSE OF LASER POINTING DEVICES: It shall be unlawful for any person to focus, point or shine a laser beam directly or indirectly on another person or animal in such a manner as to harass, annoy or injure such person or animal. Any person violating this subsection shall be guilty of an infraction.

**SECTION 3.** Chapter 3, of Title 6 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

6-3-2: DEFINITIONS: For the purposes of this Chapter, certain words and phrases are defined as follows:

...

(U) Fire Marshall: The Fire Marshall of the City of Idaho Falls, or his or her nominee.

...

6-3-3: CHILD CARE FACILITY LICENSE: No person or entity shall own, operate or permit to be operated within the City any Child Care Facility without first having obtained an appropriate license under this Chapter.

(A) Type 1: Child Care Center. Any person or operator applying for a Type 1 license shall deliver the following documents to the City Clerk at the time the application is made.

...

(6) A certificate issued by the Fire Marshall certifying that the Child Care Facility has been inspected and meets the requirements of the International Fire Code, as adopted by the City, as well as Idaho Code Section 39-1109, and Idaho Administrative Code Section 18.01.55. An applicant must have the following fire safety items:

...

(B) Type 2: Group Child Care. Any person or operator applying for a Type 2 license shall possess the following qualifications before a license may be issued for that facility.

...

(6) A certificate issued by the Fire Marshall certifying that the Child Care Facility has been inspected and meets the requirements of the International Fire Code, as adopted by the City, as well as Idaho Code Section 39-1109, and Idaho Administrative Code Section 18.01.55. An applicant must have the following fire safety items:

...

(C) Type 3: Family Child Care. Any person or operator applying for a Type 3 license shall possess the following qualifications before a license will be issued for that facility.

...

(6) A certificate issued by the Fire Marshall certifying that the Child Care Facility has been inspected and meets the requirements of the International Fire Code, as adopted by the City, as well as Idaho Code Section 39-1109, and Idaho Administrative Code Section 18.01.55.

...

**SECTION 4.** Chapter 4, of Title 9 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

9-4-1: GENERAL PARKING RESTRICTIONS: Any person who parks a vehicle, except when necessary to allow movement of other vehicular traffic or pursuant to the direction of a peace officer or traffic control device, in any of the following designated places, shall be guilty of an infraction, to-wit:

...

(O) In any fire apparatus access road as defined in the ~~Uniform~~ International Fire Code.

9-4-24: NOTICE OF PARKING VIOLATIONS:

(A) A notice of a violation of the parking regulations of this Chapter may be issued by any police officer or by any person duly authorized by the Chief of Police. The notice of violation shall be

issued by placing it on the windshield of an illegally parked vehicle, in a secure manner, or in a prominent place upon the vehicle.

**SECTION 5.** 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 6.** 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 7.** 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 8.** 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 \_\_\_\_, 2019.

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, AMENDING CHAPTER 13, OF TITLE 5, CHAPTER 3, OF TITLE 6, AND CHAPTER 4, OF TITLE 9 TO ALIGN THE CITY CODE WITH THE 2015 INTERNATIONAL FIRE CODE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

(SEAL)

---

KATHY HAMPTON, CITY CLERK





# MEMORANDUM

**FROM:** Brad Cramer, Community Development Services Director

**DATE:** Friday, June 7, 2019

**RE:** Annexation and Initial Zoning, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, Approximately 119.027 acres, Section 31, Township 3 North, Range 38 East

---

## Item Description

For consideration at the June 13, 2019 regular Council Meeting is a request for annexation with initial zoning of R1, R2, and R3A with the Airport Overlay, annexation and zoning ordinances, and reasoned statements of relevant criteria and standards, for approximately 119.027 acres in Section 31, Township 3 North, Range 38 East. The Planning and Zoning Commission considered this item at its May 7, 2019 and recommended approval by unanimous vote.

## Purpose

Annexation and initial zoning is related to the City's goals for good governance and managed, well-planned growth and development.

## Fiscal Impact / Financial Review

NA

## Legal Review

NA

## Interdepartmental Review

NA

## Recommended Action

Staff recommends approval of the following actions:

1. To approve the Ordinance annexation M&B: Approximately 119.027 acres, Section 31, Township 3 North, Range 38 East, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary.
2. To approve the Reasoned Statement of Relevant Criteria and Standards for the annexation of M&B: Approximately 119.027 acres, Section 31, Township 3 North, Range 38 East, and give authorization for the Mayor to execute the necessary documents.

3. To assign a Comprehensive Plan Designation of Low Density Residential and Higher Density Residential and to approve the ordinance establishing the initial zoning for M&B: Approximately 119.027 acres, Section 31, Township 3 North, Range 38 East, 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.
4. To approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning for M&B: Approximately 119.027 acres, Section 31, Township 3 North, Range 38 East, and give authorization for the Mayor to execute the necessary documents.



☐ Economic



☒ Governance



☒ Growth



☐ Learning



☐ Livable



☐ Safety



☐ Sustainability



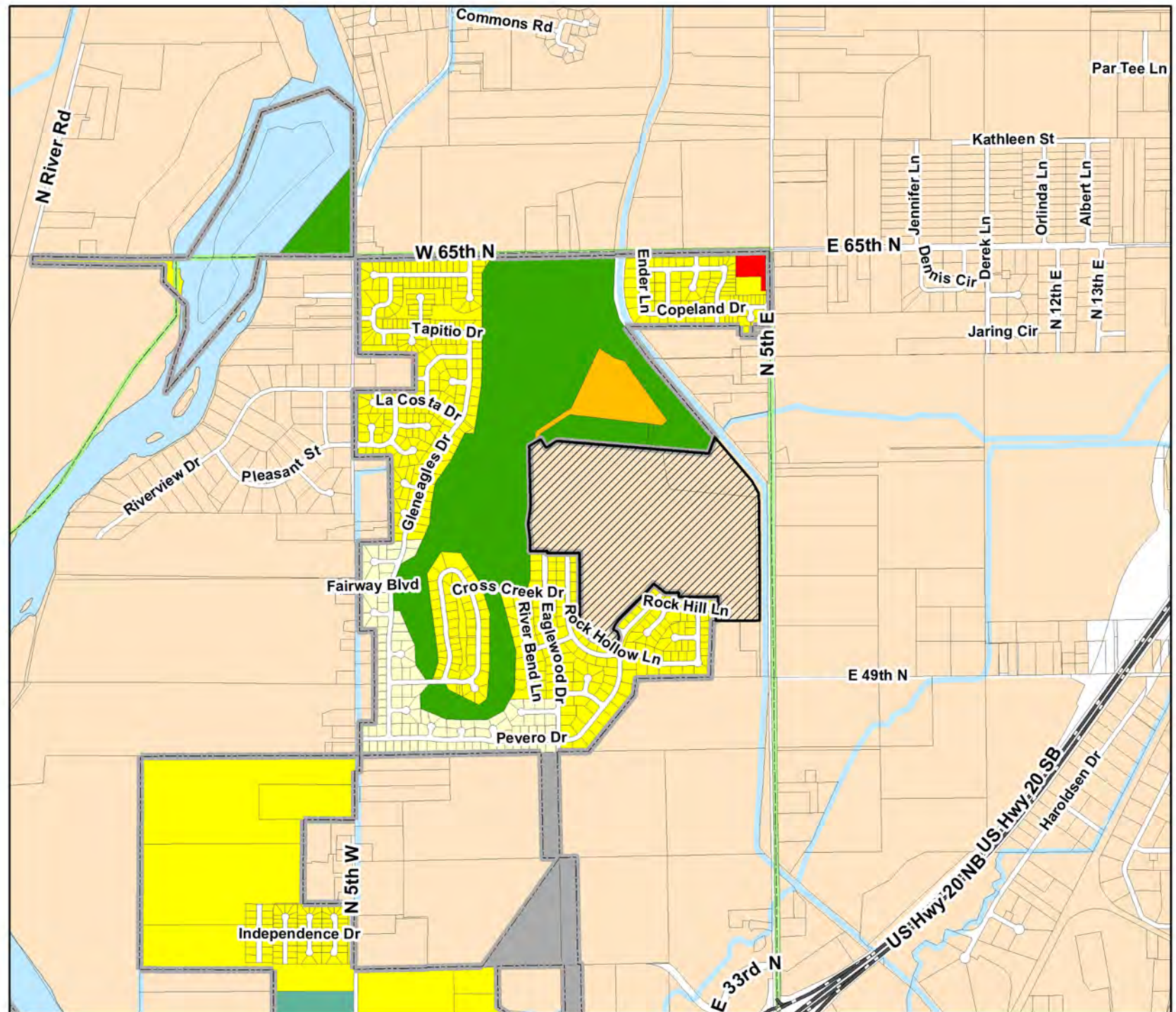
☒ Transportation

## 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

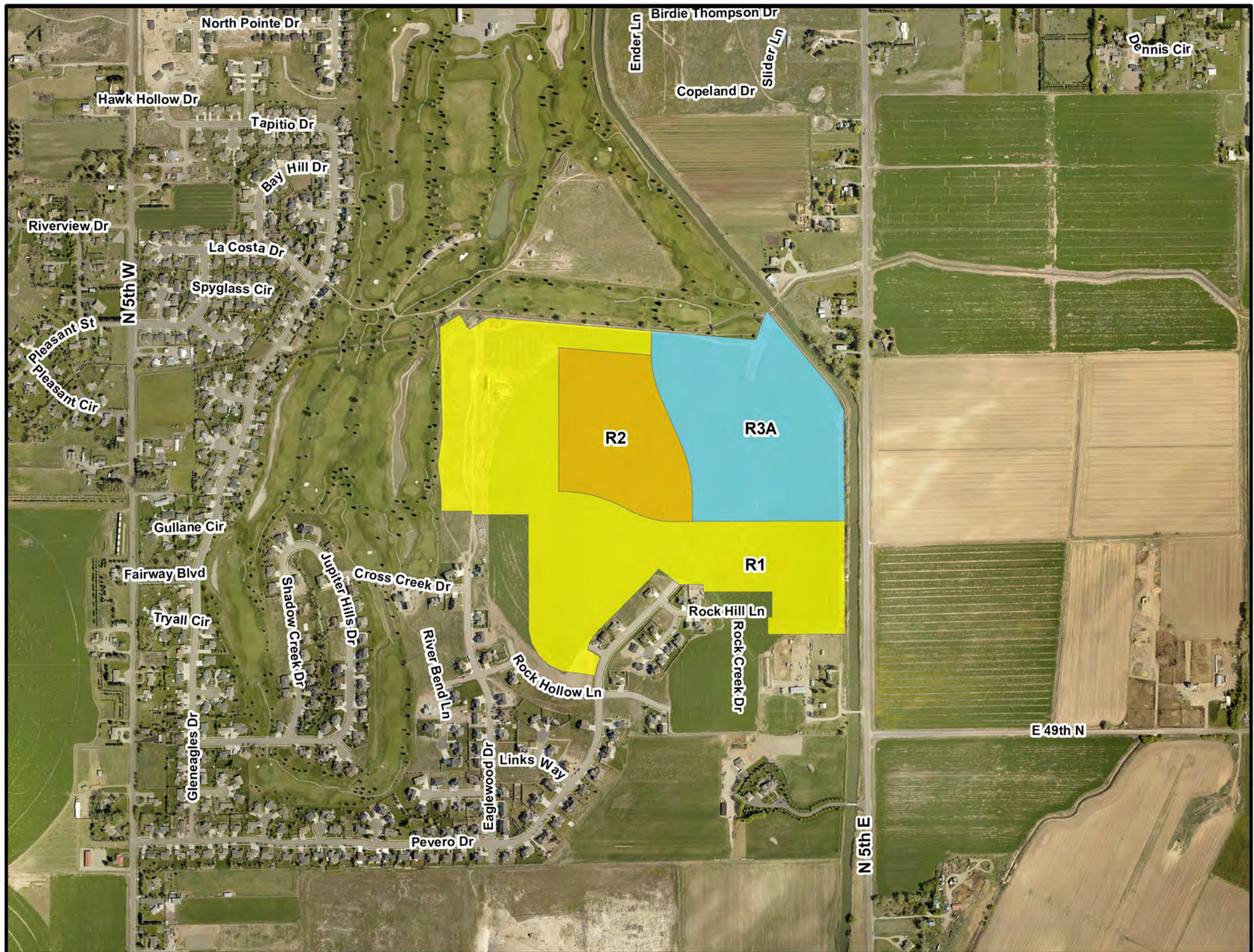
Planning Division  
 City Annex Building  
 680 Park Ave.  
 Idaho Falls, ID 83402  
 (208) 612-8276











North Pointe Dr

Birdie Thompson Dr

Dennis Cir

Hawk Hollow Dr

Copeland Dr

Tapatio Dr

Bay Hill Dr

Riverview Dr

La Costa Dr

Spyglass Cir

N 5th W

Pleasant St

Pleasant Cir

Gullane Cir

Fairway Blvd

Tryall Cir

Glencagles Dr

Shadow Creek Dr

Jupiter Hills Dr

Cross Creek Dr

River Bend Ln

Pevero Dr

Eaglewood Dr

Links Way

Rock Hollow Ln

Rock Hill Ln

Rock Creek Dr

R2

R3A

R1

E 49th N

N 5th E

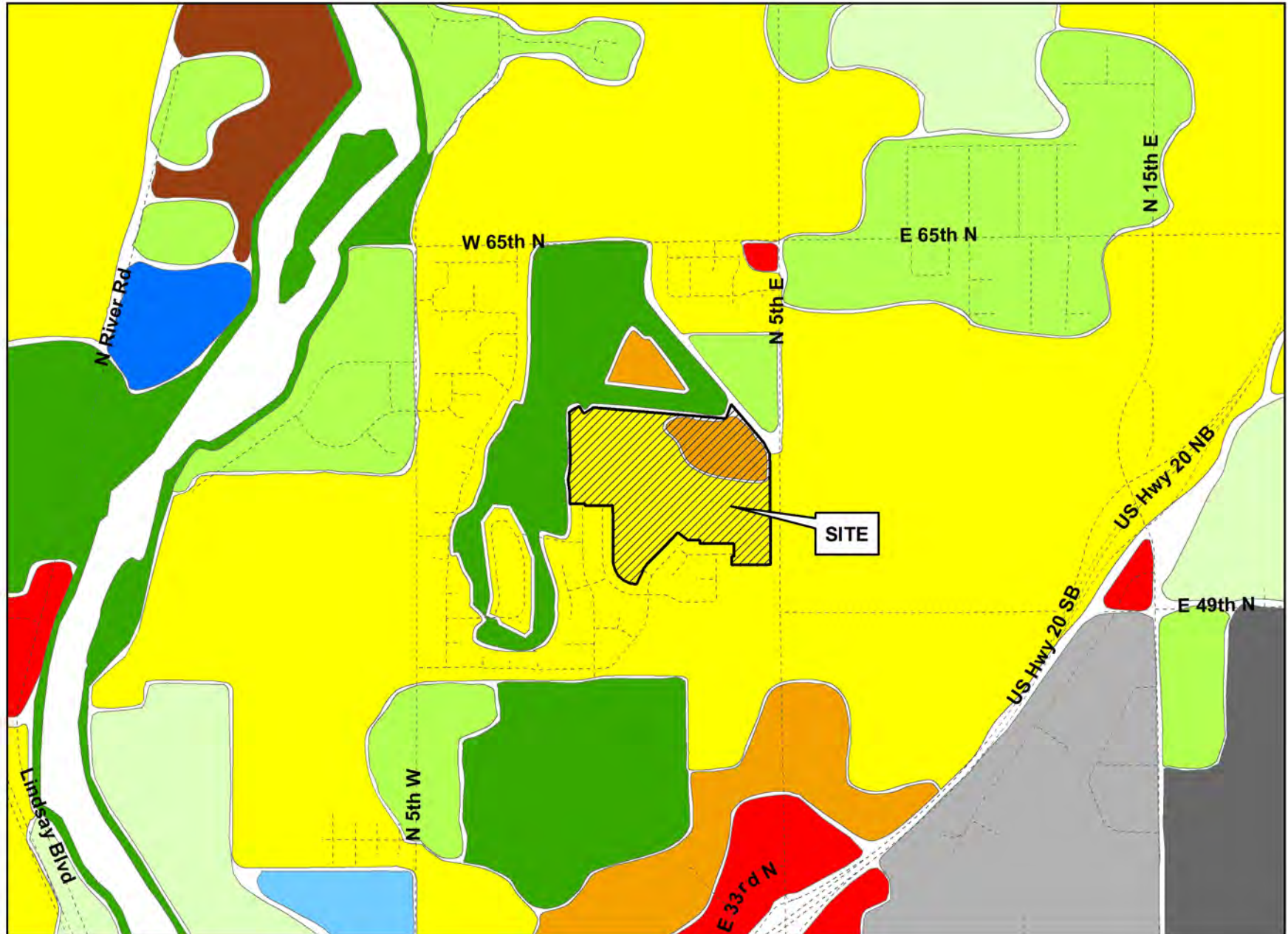


# Annexation & Initial Zoning

M&B: Approximately 119.027 Acres, Section 31, T 3N, 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

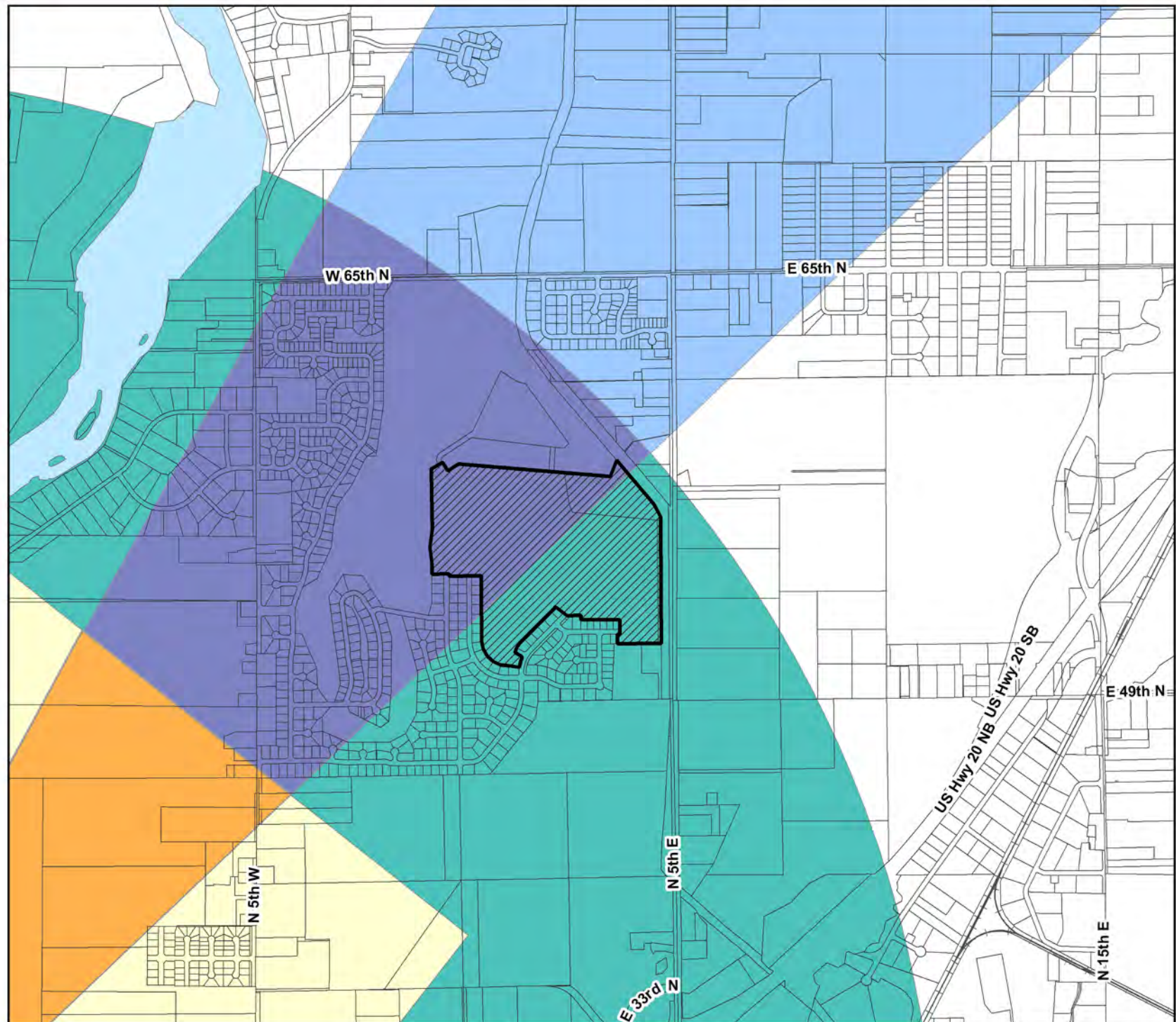
Planning Division  
City Annex Building  
680 Park Ave.  
Idaho Falls, ID 83402  
(208) 612-8276





**Legend**

Site

**Airport Overlay Zone**No  
DevelopmentLimited  
DevelopmentLimited  
Development  
Approach  
SurfaceControlled  
DevelopmentControlled  
Development  
Approach  
SurfaceApproach  
Surface  
**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 R1, R2, R3A, AIRPORT  
OVERLAY

M&B: Approximately 119.027 Acres Section 31, T 3N, R 38E  
May 7, 2019



Community  
Development  
Services

**Applicant:** HLE

**Location:** Generally south of  
65th N, west of N 5th E, north  
of 49th N and east of N 5th W

**Size:** Approx. 119.027 acres

**Existing Zoning:** County A-1  
North: P  
South: R1/County A-1  
East: County A-1  
West: P, R1

**Proposed Zoning:** R1,R2,  
R3A, Airport Overlay

**Existing Land Uses:**  
Site: Vacant/ Agricultural  
North: Golf Course  
South: Residential/  
Agricultural  
East: Agricultural  
West: Golf Course/  
Residential

**Future Land Use Map:** Low  
Density Residential, Higher  
Density Residential

**Attachments:**

1. Zoning Information
2. Maps and Aerial Photos

**Requested Action:** To **recommend** approval of annexation and initial zoning of R1, R2, R3A, and Airport Overlay to the Mayor and City Council for M&B: Approximately 119.027 Acres Section 31, T 3N, R 38E.

**Staff Comments:** The property is the remaining portion of the Fairway Estates Subdivision. The original preliminary plat of this area was approved in 2005 with a small modification in 2017. The approved preliminary included portions of land dedicated to low density residential, medium density residential, professional office, and commercial spaces. This preliminary plat will be required to be modified but the current planning elements and policies encourage this mixed type of development with proper transitions and buffering established in the Code. This property also will fall under the proposed Airport Overlay Zone and, if approved by City Council, the overlay zone will need to be included with the initial zoning.

**Annexation:** This is a Category "A" annexation as it is requested by the property owner. The parcel is contiguous to the city. Annexation of the property is consistent with the city's Comprehensive Plan.

**Initial Zoning:** The proposed initial zonings of R1, R2, R3A, and Airport Overlay are consistent with the surrounding zoning and land uses. The proposed zoning is also compatible with the Comprehensive Plan's designations.

**Staff Recommendation:** Staff recommends approval of the annexation and initial zoning of R1, R2, R3A, and Airport Overlay.

## **Comprehensive Plan Policies:**

**Create a node of higher density housing and mixed uses to provide a ready market and to add interest to our arterial streets. (p.34)**

**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. (p.67)**

**Limited neighborhood services shall be provided at the intersection of arterial streets and collector streets. Access to such services shall only be from collectors.** Convenience stores, dry cleaners, and other small retail stores designed to serve the immediate neighborhood should be located at an entrance of the neighborhood to be served by such development. (p. 41)

## Zoning:

### 11-3-3: PURPOSE OF RESIDENTIAL ZONES

(B) 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.

### 11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

Table 11-3-1: Standards for Residential Zones

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

(Ord. 3218, 9-13-18)

### 11-2-3: ALLOWED USES IN RESIDENTIAL ZONES.

**Table 11-2-1: Allowed Uses in Residential Zones**

P = permitted use. C1 = administrative conditional use. C2 = Planning Commission conditional use. C3 = City Council conditional use. A blank denotes a use that is not allowed in that zone.								
*Indicates uses that are subject to specific land use provisions set forth in the Standards for Allowed Land Uses Section of this Chapter.								
	Low Density Residential			Medium Density Residential			High Density Residential	
Proposed Land Use Classification	RE	RP	R1	R2	TN	RMH	R3	R3A
Accessory use	P	P	P	P	P	P	P	P
Agriculture*	P							
Animal Care Clinic					P*			P
Artist Studio					P*			
Bed and Breakfast*								P
Boarding /Rooming House							P	P
Day Care, Center*			C <sub>2</sub>	P	P		P	P
Day Care, Group*	C <sub>1</sub>		C <sub>1</sub>	P	P	C <sub>1</sub>	P	P
Day Care, Home	C <sub>1</sub>		C <sub>1</sub>	P	P	C <sub>1</sub>	P	P
Dwelling, accessory unit*	P			P	P		P	P
Dwelling, multi-unit*				P*	P		P	P
Dwelling, single unit attached*			P	P	P	P	P	P
Dwelling, single unit detached	P	P	P	P	P	P	P	P
Dwelling, two unit				P	P		P	P
Eating establishment, limited					P*			P
Financial Institutions					P*			
Food Processing, small scale					P*			
Food Store					P*			
Fuel Station					P*			
Health Care and Social Services					P*			P
Home Occupation*	C <sub>1</sub>		C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	C <sub>1</sub>	C <sub>3</sub>
Information Technology								P
Laundry and Dry Cleaning					P*			P
Live-Work*					C <sub>1</sub>			P
Manufactured Home*	P	P	P	P	P	P	P	P
Mobile Home Park*						C <sub>2</sub>		C <sub>2</sub>
Mortuary								P
Park and Recreation Facility*	P	P	P	P	P	P	P	P
Parking Facility								P
Personal Service					P*			P
Planned Unit Development*	C <sub>3</sub>	C <sub>1</sub>	C <sub>3</sub>	C <sub>3</sub>		C <sub>1</sub>	C <sub>3</sub>	C <sub>3</sub>
Professional Service								P
Public Service Facility*	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>
Public Service Facility, Limited	P	P	P	P	P	P	P	P
Public Service Use								P
Recreational Vehicle Park*						C <sub>2</sub>		

<b>Proposed Land Use Classification</b>	<b>RE</b>	<b>RP</b>	<b>R1</b>	<b>R2</b>	<b>TN</b>	<b>RMH</b>	<b>R3</b>	<b>R3A</b>
Religious Institution*	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>
Residential Care Facility							P	P
Retail					P*			C <sub>2</sub>
School*	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>	C <sub>2</sub>
Short Term Rental*	P	P	P	P	P	P	P	P
Transite Station								P

(Ord. 3218, 9-13-18)

May 7, 2019

7:00 p.m.

Planning Department

Council Chambers

**MEMBERS PRESENT:** Commissioners Margaret Wimborne, Natalie Black, Gene Hicks, George Swaney, Joanne Denney, Brent Dixon, George Morrison. (7 present 6 votes).

**MEMBERS ABSENT:** Arnold Cantu, Lindsey Romankiw

**ALSO PRESENT:** Assistant Planning Directors Kerry Beutler, Brent McLane; Michael Kirkham City Attorney, and interested citizens.

**CALL TO ORDER:** Margaret Wimborne called the meeting to order at 7:00 p.m.

**CHANGES TO AGENDA:** None.

**MINUTES:** Black moved to approve the April 2, 2019 minutes, Morrison seconded the motion and it passed unanimously.

**Public Hearing:**

**2. ANNEX 19-003: ANNEXATION/INITIAL ZONING OF R3A, R2 AND R1 Including Airport Overlay Zones. Fairway Estates 23 Annexation.** McLane presented the staff report, a part of the record. Dixon asked what is restricted. McLane stated that it is not very restrictive, and it mostly pertains to height, and industrial type things that would create smoke and visual impacts. Dixon stated that the higher density development can only be accessed from Pevaro Drive and go all the way out to N. 5<sup>th</sup> West and that would go against some planning principles of putting higher density in the interior. Dixon stated that if there isn't access to the property from N. 5<sup>th</sup> East then the applicant should know that there will be resistance to development. McLane stated that there is a previously approved preliminary plat and it has a bridge that crosses to 5<sup>th</sup> East and that would be a requirement to make the connection to the east to allow for immediate access onto the arterial. McLane confirmed that staff would require a connection to the east.

**Applicant: Kevin Alcott, 101 Park Ave., Idaho Falls, Idaho.** Alcott is the developer for Fairway Estates. Alcott stated that they requested the zoning of R1, R2 and R3A, but did not request an airport overlay as there is currently no airport overlay as it has not been approved by City Council, and it is not part of the zoning ordinance.

Beutler stated that Alcott is accurate and the Airport Overlay Zone is not in place but City Council will be acting on that item on May 9, but if something is in place, then as new properties come into the City and are annexed in the zone, they will also need to have the airport overlay zones attached. Beutler stated that they have done it in advance because the applicant wanted to move on with their annexation to Council. Beutler stated that there should be a recommendation from the Commission regarding the zone and the initial zoning at the time this application goes to City Council there will potentially have to address the Airport Overlay Zone. Wimborne clarified that if the Commission recommended approval of annexation and initial zoning with the 3 zones and if the City Council has approved the Airport Overlay, and that way if it is not approved than that piece is mute. Dixon doesn't believe that that is necessary as they can recommend adding the overlay, and if City Council doesn't go with the recommendation on the



overlay they can decide to not go with this recommendation as well and can be handled at the City Council level. Swaney indicated that if the applicant did not apply for the airport overlay then this is not the application of the applicant, and asked if this application was posted, and notified correctly. Beutler stated that staff has included the airport overlay because it is staff's recommendation to add the overlay zone. Beutler stated that there is no problem with the notification.

Alcott stated that he doesn't believe you can overlay an ordinance and put a requirement on there that doesn't exist, and City Council could add it on.

Beutler stated that if the applicant has concerns with staff's recommendation regarding the overlay then staff can modify the recommendation and the recommendation would be to postpone the annexation until Council has acted on the overlay zone.

Black asked the applicant what his objection is to the overlay. Alcott indicated that the overlay is not part of the ordinance and doesn't exist, and he doesn't believe that condition can be placed on the property if it doesn't exist. Alcott stated that he was told that annexation was not subject to the moratorium. Alcott stated that he was told annexation is a way to move forward during the moratorium. Wimborne explained that staff included the overlay zone in their recommendation as an effort to move things forward and not wait until City Council approves the overlay.

Beutler stated that if the Commission has a question or a concern with the overlay than the appropriate action would be to wait until the decision has been made, and it is scheduled for May 9.

Wimborne recapped the three options of the Commission, including: vote to delay the application until the City takes action on the overlay; recommend that the annexation be approved with initial zoning to not include the overlay; or recommend as staff has recommended and add a caveat that if the City doesn't approve the overlay than that piece is mute.

Swaney believes they should approve the annexation and initial zoning of R1, R2, R3A as presented in the staff report with the exception of the overlay zone which does not exist.

Morrison agrees with Swaney.

Dixon asked staff when the Mayor and City Council act on the recommendation, if they vote to approve the new overlay zone, how will that be implemented, will it be automatically implemented onto the currently annexed property within the area. Dixon asked and Beutler agreed, that if this property is annexed before Council acts on the overlay zone, then when they act on the overlay zone, this property will be covered automatically, but if they act on the overlay before they annex this property then it would be in the in-between stage.

Wimborne asked if they go with the motion of moving forward with the annexation and initial zoning with the 3 zones and the City takes action later, when this goes before City Council the overlay will automatically be applied or not. Beutler stated that staff would recommend that it would be applied and then it would be up to City Council to do it

**Dixon moved to recommend to the Mayor and City Council approval of the annexation and initial zoning of R1, R2, R3A for the subject property, with consideration of any additional zoning changes that may have occurred between this recommendation and the Council**

**taking action on the recommendation, Morrison 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 119.027 ACRES DESCRIBED IN SECTION 1 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 Section 1 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 is reasonably necessary to assure the orderly development of the City in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services; to enable the orderly development of private lands which benefit from a cost-effective availability of City services in urbanizing areas; and to equitably allocate the costs of City/public services in management of development on the City's urban fringe; and

WHEREAS, the City has authority to annex lands into the City upon compliance with procedures required in Idaho Code Section 50-222, as amended; 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 Section 1 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 “Low Density Residential” and “Higher Density Residential; 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 below are hereby annexed to the City of Idaho Falls, Idaho.

M&B: APPROXIMATELY 119.027 ACRES SECTION 31, T 3N, R 38E as described in the attached exhibit

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

ANNEXATION ORDINANCE – M&B: APPROXIMATELY 119.027 ACRES Section 31, T 3N, R 38E

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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
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 6.147 ACRES DESCRIBED IN SECTION 1 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)

## **REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS**

**ANNEXATION OF M&B: APPROXIMATELY 119.027 ACRES SECTION 31, T 3N, R 38E LOCATED GENERALLY SOUTH OF 65TH N, WEST OF N 5TH E, NORTH OF 49TH N AND EAST OF N 5TH W.**

**WHEREAS**, the applicant filed an application for annexation on March 20, 2019; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public meeting on May 7, 2019; and

**WHEREAS**, this matter came before the Idaho Falls City council during a duly noticed public meeting on June 13, 2019; 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 area is approximate 119.027 acres located generally south of 65th N, west of N 5th E, north of 49th N and east of N 5th W.
3. This is a Category "A" annexation requested by the applicant.
4. The parcel is currently undeveloped land.
5. The Comprehensive Plan designates this area as Low Density Residential and High Density Residential.
6. The proposed Annexation is consistent with the principles of 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 \_\_\_\_\_, 2019

---

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 119.027 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS R1, R2, AND R3A ZONES WITH THE AIRPORT OVERLAY ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed initial zoning districts of lands described in Exhibit A are R1, R2, and R3A Zones with the Airport Overlay Zone for such annexed lands such zoning is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation “Low Density” and “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 May 7, 2019, and recommended approval of zoning the subject property to R1, R2, and R3A Zones with the Airport Overlay Zone; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on June 13, 2019.

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 Exhibit A are hereby zoned as R1, R2, and R3A Zones with the Airport Overlay Zone.

**SECTION 2.** Zoning. That the property described in Section 1 of this Ordinance be and the same hereby is zoned “R1, R2, and R3A, Zones with the Airport Overlay Zone” 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 \_\_\_\_\_, 2019.

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 119.027 ACRES DESCRIBED IN EXHIBIT A OF THIS ORDINANCE AS R1, R2, AND R3A ZONES WITH THE AIRPORT OVERLAY ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

---

Kathy Hampton, City Clerk

## **REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS**

**INITIAL ZONING OF R1, R2, AND R3A OF M&B: APPROXIMATELY 119.027 ACRES SECTION 31, T 3N, R 38E LOCATED GENERALLY SOUTH OF 65TH N, WEST OF N 5TH E, NORTH OF 49TH N AND EAST OF N 5TH W.**

**WHEREAS**, the applicant filed an application for annexation on March 20, 2019; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public meeting on May 7, 2019; and

**WHEREAS**, this matter came before the Idaho Falls City council during a duly noticed public meeting on June 13, 2019; 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 area is approximate 119.027 acres located generally south of 65th N, west of N 5th E, north of 49th N and east of N 5th W.
3. The proposed zoning of R1, R2, and R3A is consistent with the current land uses and existing zoning in the area. It is also consistent with the zones shown on the preliminary plat.
4. The Comprehensive Plan designates this area as Low Density Residential and High Density Residential.
5. The proposed initial zoning is consistent with the principles of the Comprehensive Plan of the City of Idaho Falls.

### **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 \_\_\_\_\_, 2019

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Rebecca Casper - Mayor



# MEMORANDUM

**FROM:** Brad Cramer, Community Development Services Director

**DATE:** Friday, June 7, 2019

**RE:** Rezone from R3A to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Lots 42-48 Less the West 900.34 square feet, Block 6, Highland Park

## Item Description

For consideration at the June 13, 2019 regular Council Meeting is a request to rezone property from R3A to LC, the accompanying zoning ordinance, and reasoned statement of relevant criteria and standards for Lots 42-48 less the west 900.34 square feet, Block 6, Highland Park. The Planning and Zoning Commission considered this item at its May 7, 2019 meeting and recommended approval by a 5-1 vote.

## Purpose

Per the Idaho Falls Zoning Ordinance, rezone requests shall be subject to the following findings:

1. The Zoning is consistent with the principles of the City's adopted Comprehensive Plan, as required by Idaho Code.
2. The Potential effects on the following:
  - a. Traffic congestion as a result of development or changing land use in the area and the need that may be created for wider streets, additional turning lanes and signals, and other transportation improvements
  - b. Exceeding the capacity of existing public services, including, but not limited to: schools, public safety services, emergency medical services, solid waste collection and disposal, water and sewer services, other public utilities, and parks and recreational services.
  - c. Nuisances or health and safety hazards that could have an adverse effect on adjoining properties.
  - d. Recent changes in land use on adjoining parcels or in the neighborhood of the proposed Zoning Map amendment

## Fiscal Impact / Financial Review

NA

## Legal Review

NA

## Interdepartmental Review

NA

### Recommended Action

Staff recommends approval of the following actions:

1. To approve the Ordinance rezoning Lots 42-48 less the west 900.34 square feet, Block 6, Highland Park, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary.
2. To approve the Reasoned Statement of Relevant Criteria and Standards for the rezoning of Lots 42-48 less the west 900.34 square feet, Block 6, Highland Park, and give authorization for the Mayor to execute the necessary documents.



☐ Economic



☒ Governance



☒ Growth



☐ Learning



☒ Livable



☐ Safety




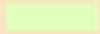
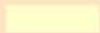















☒ Sustainability



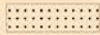






☒ Transportation

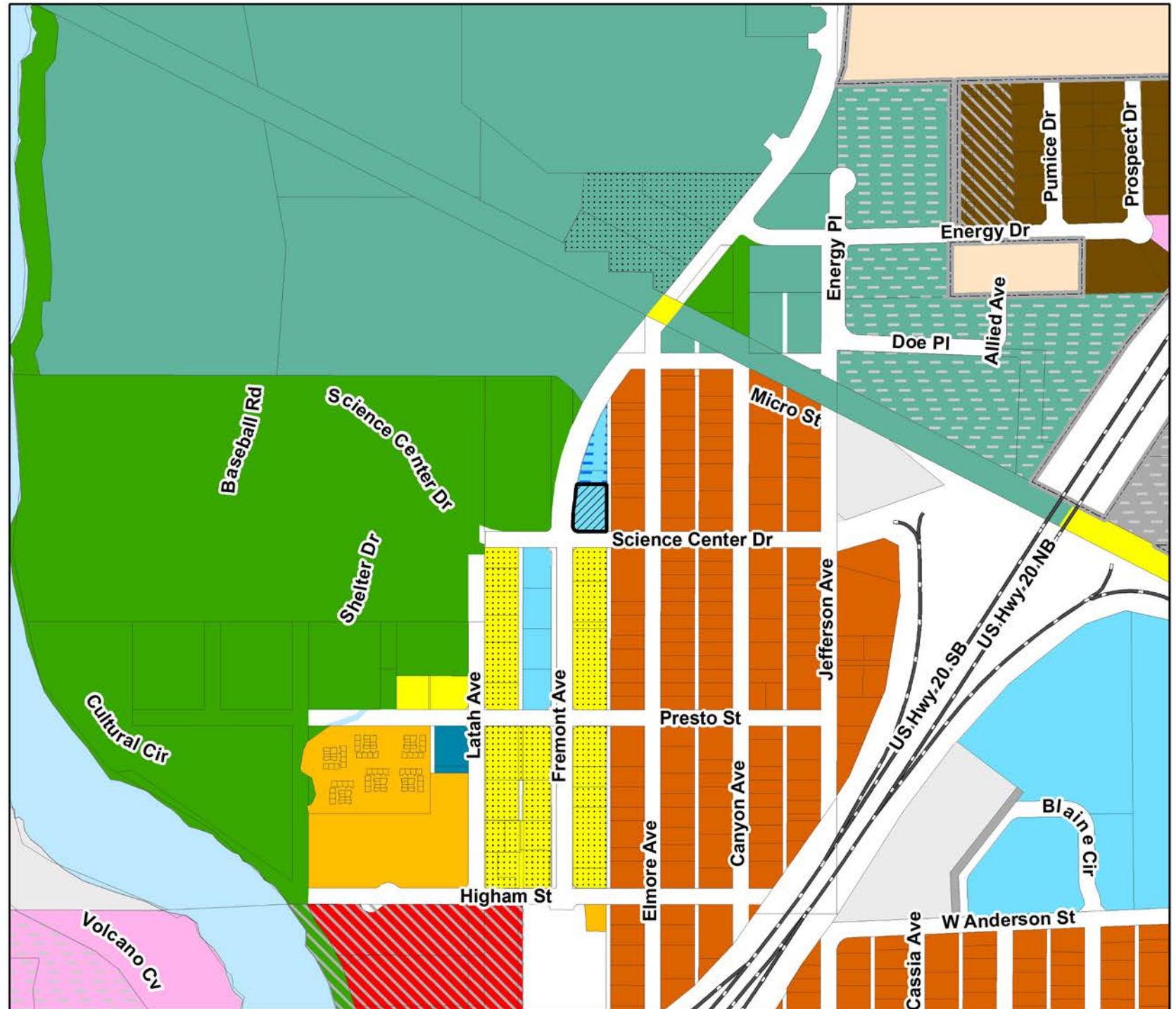


**Legend**

-  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

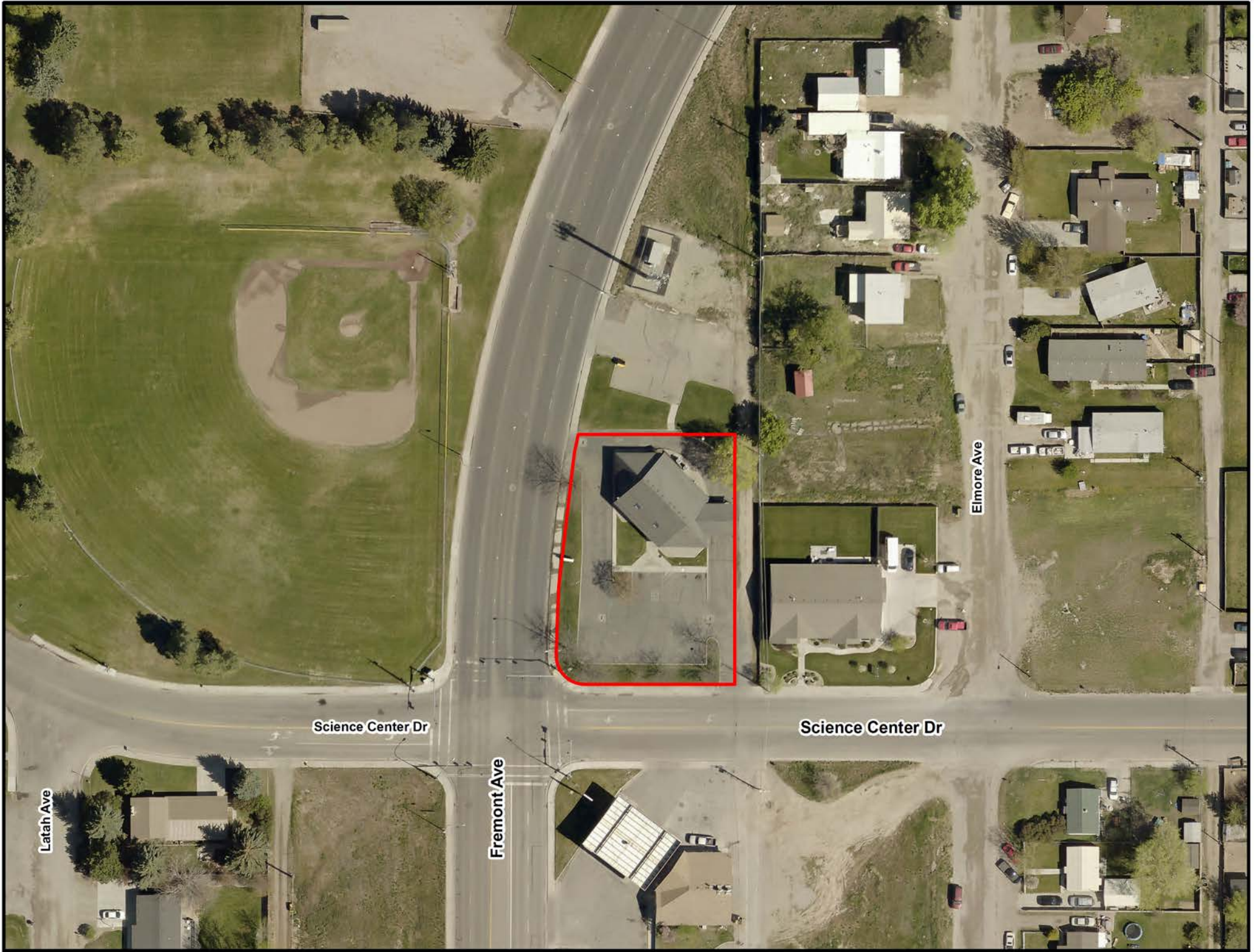


IDAHO FALLS

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







Latah Ave

Science Center Dr

Fremont Ave

Science Center Dr

Elmore Ave



# Rezone

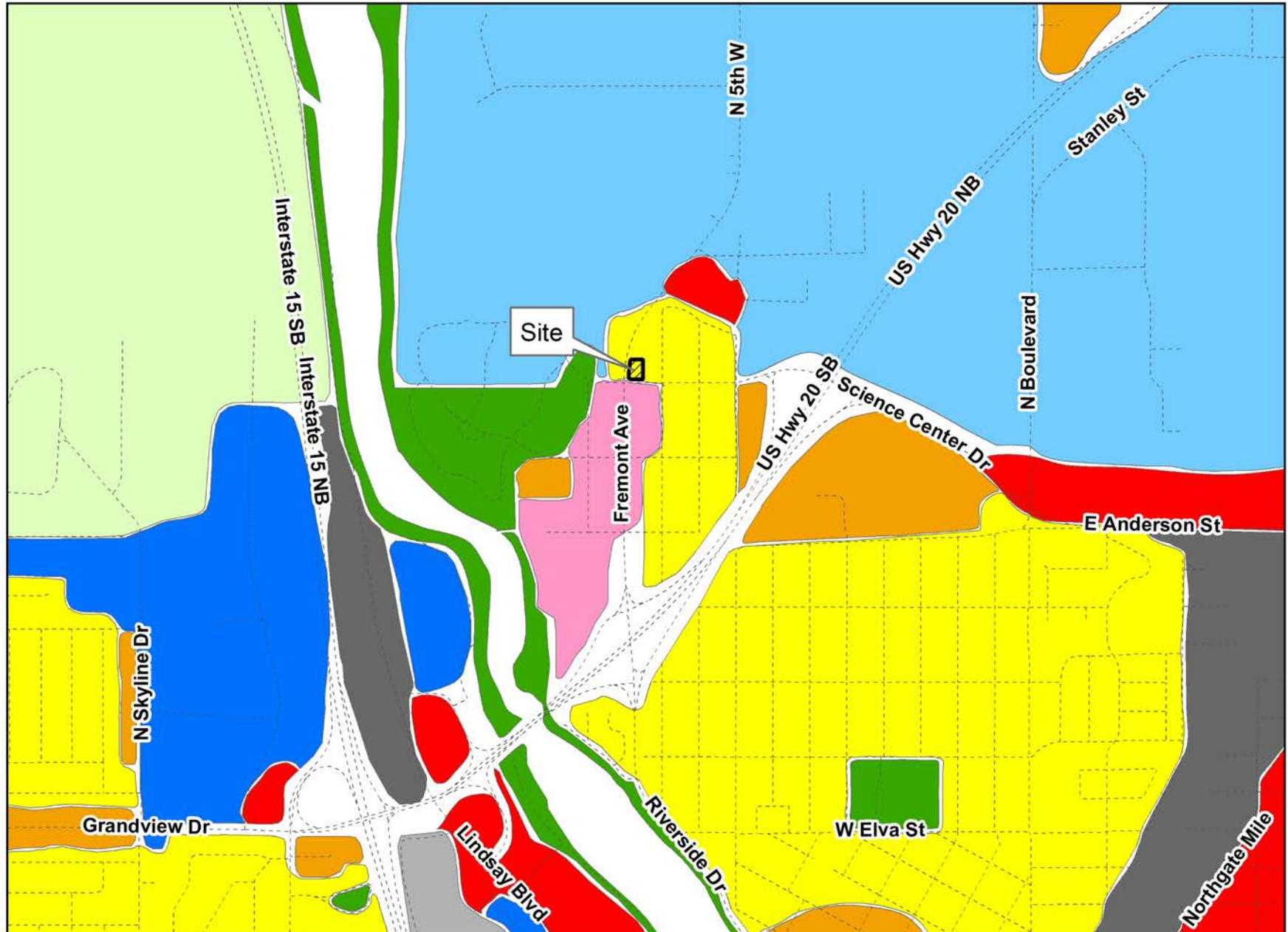
Lots 42-48 Less W 900.34 Sq Ft, Block 6, Highland Park

- |   |  |   |  |   |
|---|--|---|--|---|
|  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

**REZONE FROM R3A TO LC (East Idaho Credit Union)**

**Lots 42-48 Less W 900.34 Sq Ft, Block 6, Highland Park**

**May 7, 2019**



Community  
Development  
Services

**Applicant:** YESCO  
LLC

**Location:** Generally  
south and east of  
Fremont Ave., west of  
Elmore Ave., & north  
of Science Center Dr.

**Size:** 900.34 Sq Ft

**Existing Zoning:**

Site: R3A

North: R3A

South: R1/PT

Overlay

East: TN

West: P

**Existing Land Uses:**

Site: Financial

Institution

North: Cell Tower

South: Convenience

Store/ Gas Station

East: Residential

Care Facility

West: Freeman Park

**Future Land Use**

**Map:** Lower Density

Residential and

Planned Transition

**Attachments:**

1. Zoning Ordinance  
Information
2. Maps and aerial  
photos

**Requested Action:** To **recommend** approval of the rezone from R3A to LC to the Mayor and City Council.

**History:** This property was rezoned from R1 to RSC-1, Residential Shopping Center Zone in 1986 after a request to C-1(today's LC) was denied at the Planning Commission level. The meeting minutes from the 1986 decision allude to concerns that the C-1 Zone lack restriction. Previously, the RSC-1 Zone, required Council approval of any site plan associated with development of a property. In April of 2018, in conjunction with the adoption of a new zoning ordinance, the city rezoned the property to R3A because the RSC-1 Zoning designation was eliminated. Zoning the property R3A made the use nonconforming because financial institutions aren't a permitted use within the R3A Zone. Making the use nonconforming was unintended and should be rectified.

**Staff Comments:** The property is currently zoned R3A and has an existing financial institution use (East Idaho Credit Union). The R3A Zone does not allow for electronic message center signs at this location. The applicant is seeking a rezone to LC to allow for an electronic message center to be placed on the property. No changes are planned on the property.

The purpose of the LC Zone is to provide for retail and service uses which supply the daily household needs of the City's residents. This Zone is usually located on major streets contiguous to residential uses. This zone is characterized by smaller scale commercial uses which are easily accessible by pedestrians and non-motorized vehicles from the surrounding residential neighborhoods, although larger scale developments such as big-box stores may still serve as anchors.

Other commercial uses are present on adjacent properties. Parcels, immediately south are zoned R1, but include the PT overlay which allows for commercial development. Changes to the zoning ordinance overtime have made the existing convenience store and gas station a non-conforming use. The LC Zone would be the most limited commercial zone that allows for a fuel station. A rezone to LC on this parcel would make the bank a conforming use.

The Comprehensive Plan identifies that arterial corners shall support community/neighborhood commercial services. Fremont Ave. and Science Center Drive is the intersection of two arterials and would support the LC designation.

**Staff Recommendation:** To recommend to the Mayor and City Council approval of the rezone from R3A to LC.

## Comprehensive Plan Policies:

**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. (p. 41)

**Planned transition.** Arterial street areas where land uses are changing. (p.63)

## Rezoning

**Considerations:** Because the comprehensive plan provides only general guidance for zoning decisions, the Planning Commission shall also take the following considerations into account:

	<b>Applicant Response</b>
Explain how the proposed change is in accordance with the City's Comprehensive Plan.	A zone change from R3A to LC will not compromise the city's comprehensive plan since there are properties on the same street, just two blocks south that are currently zoned LC. As the traffic continues to increase on Fremont Street, it will likely become an artery that will have more properties being reassigned to commercial zones.
What Changes have occurred in the area to justify the request for a rezone?	EICU relies on Electronic Message Centers (EMC's) at their various locations to communicate to local traffic their latest products and services. For many years their long term plan has included adding such a sign to their Science Center Branch. Within the last four years their zone of RSC-1 that allowed EMC's, was discontinued by the city and replaced with the R3A Zone, which does not allow EMC's on Science Center. EICU now has the budget, and has ordered the EMC, and feels strongly that changing the zone to allow for their new EMC sign would be the right decision.
Are there existing land uses in the area similar to the proposed use?	Yes
Is the site large enough to accommodate required access, Parking, landscaping, etc. for the proposed use?	Yes
<b>Criteria for Rezoning Section 11-6-5(I) of Ordinance</b>	<b>Staff Comment</b>
The Zoning is consistent with the principles of City's adopted Comprehensive Plan, as required by Idaho Code.	The Comprehensive Plan shows this area between Lower Density residential and Planned Transition. The LC Zone could be consistent with the Planned Transition designation. Planned transition area include those arterial street areas where land uses are changing.
The potential for traffic congestion as a result of development or changing land use in the area and need that may be created for wider streets, additional turning lanes and signals, and other transportation improvements.	This property is located at the intersection of two arterials. Uses are existing so a modification in zoning won't contribute to any congestion issues.



The potential for exceeding the capacity of existing public services, including, but not limited to: schools, public safety services, emergency medical services, solid waste collection and disposal, water and sewer services, other public utilities, and parks and recreational services.	Staff would anticipate little to no impact to the capacity of existing public services as a result of the zone change
The potential for nuisances or health and safety hazards that could have an adverse effect on adjoining properties.	There could be a possibility of a nuisance from the installation of the electronic message center. However, the minimum standards set out in the sign code were intended to mitigate potential nuisances from this sign type.
Recent changes in land use on adjoining parcels or in the neighborhood of the proposed zoning map amendment.	Parcels to the southwest were recently rezoned to R3A and approved for 28 dwelling units. Properties, immediately south are zoned R1, but include the PT overlay which allows for commercial development. Changes to the zoning ordinance overtime have made the existing convenience store and gas station non-conforming uses.

## **Zoning Ordinance:**

### **11-3-3: PURPOSES OF RESIDENTIAL ZONES.**

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

### **11-3-5: PURPOSE OF COMMERCIAL ZONES.**

(C) LC Limited Commercial Zone. This zone provides a commercial zone for retail and service uses which supply the daily household needs of the City's residents. This Zone is usually located on major streets contiguous to residential uses. This zone is characterized by smaller scale commercial uses which are easily accessible by pedestrians and non-motorized vehicles from the surrounding residential neighborhoods, although larger scale developments such as big-box stores may still serve as anchors. Connectivity is provided with walkways that provide access to and through the development site. Parking for vehicles is understated by the use of landscaping, location, and provision of pedestrian walkways to the businesses.

#### 11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

**Table 11-3-1: Standards for Residential Zones**

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

(Ord. 3218, 9-13-18)

**Table 11-3-5: Dimensional Standards for Commercial Zones**

	CC	PB	LC	HC
Site width at front setback - Minimum in ft.		50	50	50
<b>Setbacks – Minimum in ft.</b>				
Front		20	20*	20
Side				
Rear				
Landscape buffer contiguous to street* in ft.		15	20*	20*
Landscape buffer contiguous to a residential Zones* in ft.	10	10	20/10	30/10
Building height – Maximum in ft.		*	*	
Lot Coverage- Maximum in %		80	80	
*See explanations, exceptions and qualifications that follow in Section 11-3-6A (1-3) of this Zoning Code.				

- (1) In the LC Zone, structures may encroach into the twenty foot (20') setback up to ten feet (10') when designed with a pedestrian walkway a minimum of five feet (5') in width connecting the public sidewalk to the structure's entrance. Parking is not permitted to encroach into the twenty foot (20') setback.
- (2) In the HC Zone, display space may encroach into the landscape buffer contiguous to the street. Such encroachments may not exceed twenty five percent (25%) of the linear frontage contiguous to the street.
- (3) In all commercial zones, when a development adjoins a residential zone or unincorporated land designated for residential land use in the City's Comprehensive Plan and the height of the building is over twenty-four feet (24'), the building shall set back thirty feet (30') from the property line contiguous to such Zones or land designated for residential land uses.
- (4) For commercial uses, lot coverage shall include all areas under roofs and paved surfaces including driveways, walks, and parking areas. The remaining lot area shall be landscaped as required by this Code.

May 7, 2019

7:00 p.m.

Planning Department

Council Chambers

**MEMBERS PRESENT:** Commissioners Margaret Wimborne, Natalie Black, Gene Hicks, George Swaney, Joanne Denney, Brent Dixon, George Morrison. (7 present 6 votes).

**MEMBERS ABSENT:** Arnold Cantu, Lindsey Romankiw

**ALSO PRESENT:** Assistant Planning Directors Kerry Beutler, Brent McLane; Michael Kirkham City Attorney, and interested citizens.

**CALL TO ORDER:** Margaret Wimborne called the meeting to order at 7:00 p.m.

**CHANGES TO AGENDA:** None.

**MINUTES:** Black moved to approve the April 2, 2019 minutes, Morrison seconded the motion and it passed unanimously.

**Public Hearing:**

**1. RZON 19-005: REZONE. Rezone from R3A to LC for the East Idaho Credit Union.**

Beutler presented the staff report, a part of the record. Swaney stated that after the revision of the Ordinance this is the first occurrence of the City creating a non-conforming use. Swaney added that this will likely not be the last occurrence where the change to the Ordinance created a non-conforming use and a need to rezone to an appropriate zone. Beutler agreed with Swaney and indicated that they did try to do a detailed analysis of the properties being rezoned by the change in the Ordinance, but some are going to be missed. Wimborne asked if an electric message sign would have been allowed in RSC1 Zone. Beutler agreed that the RSC1 Zone could have an electronic message center sign and they had planned to have one, and due to the rezone by the change to the Ordinance it was no longer an option to do an electronic sign. Dixon asked if the lot to the South with the gas station is now non-conforming should they look at a broader rezone. Dixon asked about the lot to the north with the dumpster and no structure and does the property to the north need to be rezoned with this parcel. Beutler deferred to the applicant.

Wimborne opened the public hearing.

**Applicant: Marci Barker, 3931 Barosa Dr., Idaho Falls, Idaho.** Barker is employed by East Idaho Credit Union and is present on their behalf. Barker indicated that the property to the north is an overflow lot, that is owned by the City and the Credit Union rents it from the City for employee parking. Barker is unsure if the dumpster on the property is for the Credit Union. Barker stated that the purpose for the rezone is for the electronic messaging sign.

**Support:**

**1. Justin Steadman, 171 Colonial Way, Idaho Falls, Idaho.** Steadman works for YESCO Custom Electric Signs and applied for the application representing East Idaho Credit Union. Steadman indicated that he agrees with the staff report. Steadman stated that the Credit Union has been planning the sign and budgeted the sign for many years. Steadman showed a picture of what the sign would likely look like (12' tall x 7.5" wide).

Wimborne reminded the Commission that this is a rezone, and not solely based on the sign.

No one appeared in opposition to the application.

Wimborne closed the public hearing.

Dixon asked if there is a way to expand the rezone so that when it goes to the Mayor and City Council it can include the gas station parcel to rectify that now non-conforming use, and not appear to be spot zoning.

Beutler indicated that they would have to discuss it with the property owners, but they wouldn't want to hold up this application, and if they expand the area, they would have to expand the notification range. Beutler stated that down the road they could address other parcels, but at this time they need to process YESCO's application in a timely manner.

Morrison indicated that this is a residential neighborhood with limited commercial and he doesn't think an electronic message sign would be a good fit for the neighborhood and will vote against this application.

Black asked if the Credit Union were to make any kind of change would they be required to do additional landscaping requirements to meet. Beutler stated that if they made an adjustment to the use and the change of use required a building modification or parking lot adjustment, then the new landscaping requirements would have to be met.

Swaney again refocused the Commission to the rezone because regardless of the application talking about a sign or the plans to put a sign in can always falls through and the property could be sold, and the new owner can build anything that is allowed in LC Zone. Swaney indicated that the LC does make sense on the two arterials.

Dixon indicated that the block between Hyam Street and Presto and between Laytah and Fremont is zoned R-1 with PT Overlay and has developed into credit unions, restaurants, and other businesses that are similar to an LC Zone. Dixon stated that the other side of Fremont Ave, that only has half block of PT-1 has no development, and north of Presto to Science Center has some residential properties that face the park, and then there is a group of lots that are R3A with no development. Dixon stated that the only development on the same side of the street as the Credit Union is the gas station across the street, and a restaurant next to the gas station. Dixon stated that along the road it was identified many years ago for transition and the things that have developed in the past years have been commercial, and not residential.

**Dixon moved to recommend to the Mayor and City Council approval of the Rezone from R3A to LC for Lots 42-48 Less W 900.34 Ft. Block 6, Highland Park (East Idaho Credit union), Morrison seconded the motion and it passed 5-1. Morrison opposed the motion for the reasons previously stated relating to the area being residential.**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF LOTS 42-48 LESS W 900.34 FT, BLOCK 6, HIGHLAND PARK AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM R3A ZONE TO LC ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the proposed zoning district of lands described in Section 1 is LC Zone for such annexed lands and such zoning is consistent with the current City of Idaho Falls Comprehensive Plan Land use designation "Planned Transition"; 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 May 7, 2019, and recommended approval of zoning the subject property to LC Zone; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve this zoning on June 13, 2019.

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

**SECTION 1: LEGAL DESCRIPTION:**

This ordinance shall apply to the following described lands in Idaho Falls, Idaho, Bonneville County, to-wit:

Lots 42-48 Less W 900.34 Sq Ft, Block 6, Highland Park

**SECTION 2.** Zoning. That the property described in Section 1 of this Ordinance be and the same hereby is zoned "LC, Zone" 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 \_\_\_\_\_, 2019.

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 REZONING OF LOTS 42-48 LESS W 900.34 SQ FT, BLOCK 6, HIGHLAND PARK AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM R3A ZONE TO LC ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE."

\_\_\_\_\_  
Kathy Hampton, City Clerk

## **REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS**

### **REZONING OF LOTS 42-48 LESS W 900.34 FT, BLOCK 6, HIGHLAND PARK FROM R3A ZONE TO LC ZONE LOCATED GENERALLY SOUTH AND EAST OF FREMONT AVE., WEST OF ELMORE AVE., & NORTH OF SCIENCE CENTER DRIVE.**

**WHEREAS**, the applicant filed an application for a rezone on April 5, 2019; and

**WHEREAS**, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on May 7, 2019; and

**WHEREAS**, this matter came before the Idaho Falls City Council during a duly noticed public hearing on June 13, 2019; and

**WHEREAS**, having reviewed the proposal, 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 Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate parcel located generally south and east of Fremont Ave., west of Elmore Ave., & north of Science Center Drive.
3. The Comprehensive Plan designates this area as Planned Transition.
4. In April of 2018, in conjunction with the adoption of a new zoning ordinance, the city rezoned the property to R3A because the existing RSC-1 Zoning designation was eliminated. Zoning the property R3A made the use nonconforming because financial institutions aren't a permitted use within the R3A Zone. Making the use nonconforming was unintended and a rezone to LC would make the property conforming.
5. The purpose of the LC Zone is to provide for retail and service uses which supply the daily household needs of the City's residents. This Zone is usually located on major streets contiguous to residential uses.
6. The Comprehensive Plan identifies that arterial corners shall support community/neighborhood commercial services. Fremont Ave. and Science Center Drive is the intersection of two arterials and would support the LC designation.
7. The Idaho Falls Planning and Zoning Commission recommended approval of the rezone at its April 2, 2019 meeting.

#### **II. DECISION**

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the rezone as presented.

**PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO**

**FALLS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019**

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Rebecca L. Noah Casper, Mayor



## MEMORANDUM

**FROM:** Brad Cramer, Community Development Services Director

**DATE:** Friday, June 7, 2019

**RE:** Ordinance Vacating a Portion of the Plat for Nauvoo Village Division No. 1

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### Item Description

For consideration at the June 13, 2019 regular Council Meeting is a request to vacate a portion of the plat for Nauvoo Village Division No. 1. The plat was recorded in 2002 for development of apartments with easements for utilities and private roads. Nothing on the property has ever developed and the parcel remains vacant. The applicant's request is to vacate the entire plat with the exception of a utility easement on the south side of the property as requested by Idaho Falls Power.

### Purpose

To consider the vacation of the area shown on the aerial photo.

### Fiscal Impact / Financial Review

NA

### Legal Review

Legal has reviewed the vacation request and ordinance.

### Interdepartmental Review

All applicable Departments have reviewed the application.

### Recommended Action

Staff recommends approval of the following actions:

1. To approve the Vacation of Plat Ordinance for Nauvoo Village Division No. 1, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary.



☐ Economic



☒ Governance



☒ Growth



☐ Learning



☐ Livable



☐ Safety



☐ Sustainability



☐ Transportation







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A-20

[illegible]

## **DIFFICULTY**

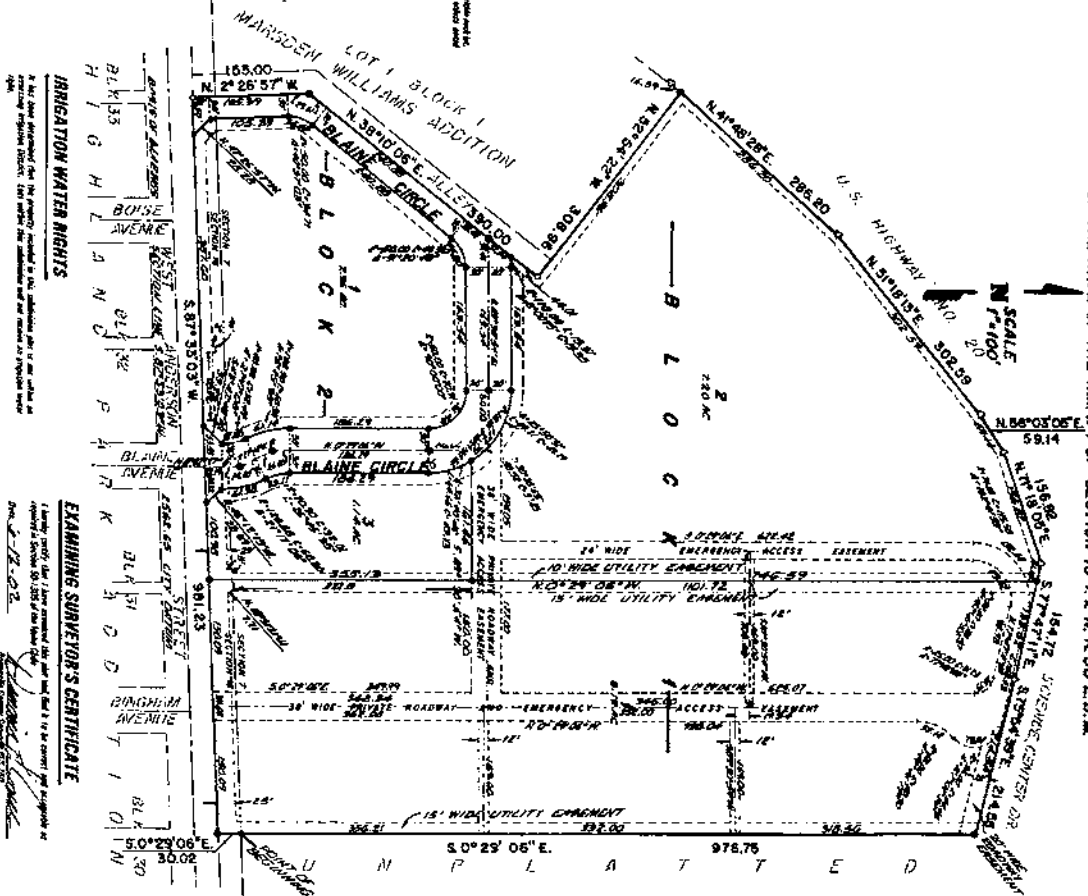
DATE: 7-16-03  
 BY: [Signature]  
 TITLE: [Signature]

- [illegible]

The foregoing has not been accepted by the City of New York, which by  
 resolution adopted on the 20th day of July  
 1872.  
 James McKim  
 Secretary of the Board  
 Daniel A. Dickinson  
 Daniel B. Pratt  
 City Engineer  
 City Surveyor

I hereby certify that the foregoing instrument, part of EXHIBIT 1, as  
 submitted to the City of Atlanta, Georgia, by James H. Hester, a  
 resident of the City of Atlanta, Georgia, County of Fulton, is the  
 original of the instrument of Deed, dated on the 20th day of April, 1983,  
 in Book 11 of Page 20, of the Fulton County Records.  
 Witness my hand and official seal this 20th day of April, 1983.  
 \_\_\_\_\_  
 Deed Clerk  
 Fulton County Records

AN ADDITION TO THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO  
BEING PART OF THE S. 1/2 OF THE S.W. 1/4 OF SECTION 7 AND PART  
OF THE N. 1/2 OF THE NW. 1/4 OF SECTION 19 T. 2 N. R. 38 E. 1. M.



**FOR ALL INFO:** THESE PHOTOGRAPHS ARE THE PRIVATE PROPERTY OF THE CITY OF NEW ORLEANS, and the Recording Office does not intend to make copies of them available to the public. Any and all persons who wish to be added to the list of those who are to be notified of the sale of the property, should also send a letter to the Recorder of the City of New Orleans, Louisiana, 150 Poydras Street, New Orleans, Louisiana 70112.

On this 17th day of July, 2003 before me, the undersigned, a Notary Public in and for the State of New York, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and she acknowledged to me that she executed the same for the purposes and consideration therein expressed. I have read the contents of the foregoing instrument, and I certify that the execution of the same is voluntary and legal.

Notary Public in and for the State of New York

My Comm. Expires on \_\_\_\_\_

Notary Public \_\_\_\_\_

My Comm. Expires on \_\_\_\_\_

ALAN E. CANNARA  
NOTARY

[illegible]

Witness my hand, signed and my Seal, at a Notary Public Land Office, this 14th day of May, 1970, at the County of Madison, State of Wisconsin.

Notary Public in and for the State of Wisconsin

WITNESSES:

My Comm. Expires 12/31/72

WITNESSES:

My Comm. Expires 12/31/72



**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; VACATING A PORTION OF THE NAUVOO VILLAGE DIVISION NO. 1 SUBDIVISION, DESCRIBED HEREIN, WITHIN THE CITY OF IDAHO FALLS, IDAHO; PROVIDING FOR SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, the City of Idaho Falls received a petition to vacate the existing plat described in Section 1 of this Ordinance; and

WHEREAS, the petition includes vacation of certain easements and the City of Idaho Falls has notified all affected easement holders pursuant to Idaho Code Section 50-1306A(5); and

WHEREAS, all affected easement holders have agreed to the proposed vacation in writing pursuant to Idaho Code Section 50-1306A(5); and

WHEREAS, the petitioner has filed an application for a Final Plat to be recorded subsequent to the vacation of certain portions of the existing plats; and

WHEREAS, the Idaho Falls City Council conducted a duly noticed public hearing and passed a motion to approve the vacation of portions of existing plats.

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

**SECTION 1.** Vacation of Plat. A subdivision plat known as the Nauvoo Village Division No. 1 subdivision, to the City of Idaho Falls, Bonneville County, Idaho, Instrument No. 1122279, as recorded in the records of Bonneville County, Idaho, except for and excluding the Public Utility Easements along the Southern boundary of the plat, be and hereby is vacated. The real property which is the subject of said subdivision plat is more particularly described in Exhibit "A."

**SECTION 2.** Certification of County Treasurer. Upon certification of the Bonneville County Treasurer, as required by Idaho Code Section 50-1324, the City Clerk be and hereby is directed to cause said Ordinance to be recorded with the Bonneville County Recorder's Office.

**SECTION 3.** Recording Fees. Prior to and as a condition for the recording of such Plat, the Petitioners shall pay to the City Clerk all costs of publication and recording fees and an administration fee in the amount of \$50.00 to the City Clerk.

**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.** 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 6.** 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 7.** 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 \_\_\_\_\_, 2019.

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; VACATING A  
PORTION OF THE NAUVOO VILLAGE DIVISION NO. 1 SUBDIVISION,  
DESCRIBED HEREIN, WITHIN THE CITY OF IDAHO FALLS, IDAHO;  
PROVIDING FOR SEVERABILITY, PUBLICATION BY SUMMARY, AND  
ESTABLISHING EFFECTIVE DATE.”

---

KATHY HAMPTON, CITY CLERK

(SEAL)