



CITY COUNCIL MEETING
Thursday, July 12, 2018
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, then archived on the city website. If you need communication aids or services or other physical accommodations to participate or access this meeting, please contact City Clerk Kathy Hampton at 612-8414 or the ADA Coordinator Lisa Farris at 612-8323 as soon as possible and they will accommodate your needs.*

1. **Call to Order.**
2. **Pledge of Allegiance.**
3. **Public Comment.** *Members of the public are invited to address the City Council regarding matters that are **not** on this agenda or already noticed for a public hearing. When you address the Council, please state your name and address for the record and please limit your remarks to three (3) minutes. Please note that matters currently pending before the Planning Commission or Board of Adjustment which may be the subject of a pending enforcement action, or which are relative to a City personnel matter are not suitable for public comment.*
4. **Consent Agenda.** *Any item may be removed from the Consent Agenda at the request of any member of the Council for separate consideration.*

A. Items from Municipal Services:

- 1) Quote 18-105, Fire Department Administration Vehicle Equipment Up-fit
- 2) Quote 18-106, Maeck Education Center Furniture
- 3) Bid Award IF-18-25, Decorative Street Light Poles and Luminaire

B. Items from the City Clerk:

- 1) Minutes from the June 14, 2018 Idaho Falls Power Board Meeting; June 25, 2108 Council Work Session; and, June 26, 2018 Annual Public Works Department Utility Meeting
- 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. Municipal Services

- 1) **Idaho Falls Civic Center for the Performing Arts Ordinance for Donations:** The Idaho Falls Civic Center for the Performing Arts Committee is recommending an ordinance to City Council. As part of the committee's role in the development of a long-term financial plan, the ordinance empowers the committee to seek outside funding and in-kind donations for Civic Center projects, which may include

programs and capital improvements. The development and acceptance of outside funding donations would be subject to approval by the City Council and in accordance with City budget procedures.

RECOMMENDED ACTION: To approve the Idaho Falls Civic Center for the Performing Arts Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).

B. Idaho Falls Power

1) Approve a Joint Development Agreement with PacifiCorp for 161 kV Sugarmill to Paine Transmission Project: Idaho Falls Power accepts delivery of its power supply at two points of delivery that are interconnected to PacifiCorp. Additionally, Idaho Falls Power and PacifiCorp, doing business as Rocky Mountain Power, collocate distribution and transmission circuits on common pole lines where possible in and around the City to minimize encumbrances on public right-of-way (known as joint use). At its December 21, 2017 meeting, the City Council approved a Memorandum of Understanding (MOU) to commit both parties to continue working towards Definitive Agreement(s) on the matters identified in the MOU. This Joint Development Agreement is the first such agreement.

RECOMMENDED ACTION: To approve the Joint Development Agreement with PacifiCorp for 161 kV Sugarmill to Paine Transmission Project, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

2) Approve the Asset Purchase Agreement with Rocky Mountain Power Along Holmes Avenue: For consideration is the Asset Purchase Agreement between the City of Idaho Falls and Rocky Mountain Power related to transfer of services to the Century Link and Cable One on Holmes Avenue south of 49th South. Rocky Mountain Power has requested this transfer to facilitate removal of their old alignment which is necessary to expand this section of Holmes Avenue. Rocky Mountain Power is proposing to waive the fees associated with the transfer.

RECOMMENDED ACTION: To approve the Asset Purchase Agreement with Rocky Mountain Power, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

3) Approve a Master Services Agreement with the Idaho Regional Optical Network: The Idaho Regional Optical Network (IRON) owns and operates fiber optic network infrastructure throughout Idaho for the purpose of transporting telecommunications traffic serving the state's unique education, research, health care and government needs. IRON has leased fiber from Idaho Falls Power since approximately 2012, using that pair to connect higher education facilities in Idaho Falls. As Idaho Falls Power has been finalizing plans to expand fiber service within our territory, we have identified IRON as a critical strategic partner in a variety of scenarios including expansion of services to the newly developed College of Eastern Idaho. The Master Services Agreement is the blanket agreement governing all work between IRON and the City of Idaho Falls dba Idaho Falls Power.

RECOMMENDED ACTION: To approve the Master Services Agreement with the Idaho Regional Optical Network, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

4) Permission to Contract with Mountain West Electric for Electric Upgrade at BEA Facilities: Battelle Energy Alliance (BEA) requested conversion of certain facilities from Small Industrial to Commercial service. As a part of the conversion, it was necessary to upgrade and replace certain facilities in order to be compliant with Idaho Falls Power (IFP) system requirements for reliability and safety. Informal bids were solicited from qualified electrical contractors. Staff respectfully requests City Council award the bid to the lowest responsive, responsible bidder Mountain West Electric in the amount of \$147,870.00.

RECOMMENDED ACTION: To award the electric upgrade bid to the lowest responsive, responsible bidder, Mountain West Electric, in the amount of \$147,870.00 (or take other action deemed appropriate).

C. Community Development Services

1) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Sandstone Estates Division No. 1: For consideration is the application for Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Sandstone Estates Division No. 1. The Planning and Zoning Commission considered this item at its May 1, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Development Agreement for Sandstone Estates Division No. 1, and give authorization for the Mayor and City Clerk to execute the necessary documents.
- b. To approve the Final Plat for Sandstone Estates Division No. 1, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
- c. To approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Sandstone Estates Division No. 1, and give authorization for the Mayor to execute the necessary documents.

2) Annexation and Initial Zoning of I&M, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E: For consideration is the application for Annexation and Initial Zoning of I&M, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E. The Planning and Zoning Commission considered this item at its June 5, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Ordinance annexing M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).
- b. To approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents.

- c. To assign a Comprehensive Plan Designation of Higher Education Centers and to approve the ordinance establishing the initial zoning for M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E, as I&M Zone, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance), that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning Office.
- d. To approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of I&M Zone for M&B 3.56 Acres, NE ¼ Section 7, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents.

3) Public Hearing - Annexation and Initial Zoning of RE, RP, R1, R2, and LC, Annexation and Zoning Ordinances, Annexation Plan, and Reasoned Statements of Relevant Criteria and Standards, M&B: Approximately 58.6 Acres, Sections 31 and 32, T 2N, R 38E: the application for Annexation and Initial Zoning of RE, RP, R1, R2, and LC, Annexation and Zoning Ordinances, Annexation Plan, and Reasoned Statements of Relevant Criteria and Standards, M&B: Approximately 58.6 Acres, Sections 31 and 32, T 2N, R 38E. This is a City-initiated annexation being processed as a Category B annexation. The Planning and Zoning Commission considered this item at its May 1, 2018, and June 5, 2018, meetings. In May, the Commission recommended the item be tabled so staff could provide additional information to clarify questions brought up during the hearing. In June, the Commission recommended approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Ordinance annexing M&B: Approximately 58.6 Acres, Sections 31 and 32, T 2N, R 38E, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).
- b. To approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for M&B: Approximately 58.6 Acres, Sections 31 and 32, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents.
- c. To assign a Comprehensive Plan Designation of Estate, Low Density Residential, and Planned Transition and to approve the ordinance establishing the initial zoning for M&B: Approximately 58.6 Acres, Sections 31 and 32, T 2N, R 38E, as RE, RP, R1, R2, and LC Zones, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance), that the City limits documents be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, amendment to the Comprehensive Plan, and initial zoning on the Comprehensive Plan and Zoning Maps located in the Planning Office.
- d. To approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of I&M Zone for M&B: Approximately 58.6 Acres, Sections 31 and 32, T 2N, R 38E, and give authorization for the Mayor to execute the necessary documents.

4) Public Hearing - Rezoning from R3A, R2, and RP to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Lots 1-2, Block 1, Hatch Division No. 1 and Lots 21-23, Block 1, Hatch Division No. 5: For consideration is the application for Rezoning from R3A, R2, and RP to LC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, Lots 1-2, Block 1, Hatch Division No. 1 and Lots 21-23, Block 1, Hatch Division No. 5. The Planning and Zoning Commission considered this item at its June 5, 2018 meeting and recommended denial by a 4-2. However, this vote is not indicative of the discussion and staff strongly recommends reviewing the minutes for this meeting. The staff report to the Planning and Zoning Commission recommended approval, but with the caveat that the Commission and now the Council carefully consider the policies of the Comprehensive Plan and the standards in the LC zone designed to reduce nuisances on adjacent properties. Staff supports the Commission recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the ordinance rezoning Lots 1-2, Block 1, Hatch Division No. 1 and Lots 21-23, Block 1, Hatch Division No. 5., from R3A, R2, and RP to LC, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (or consider the Ordinance on the first reading and that it be read by title, or reject the Ordinance).
- b. To approve the Reasoned Statement of Relevant Criteria and Standards for the rezoning of Lots 1-2, Block 1, Hatch Division No. 1 and Lots 21-23, Block 1, Hatch Division No. 5., and give authorization for the Mayor to execute the necessary documents.

6. **Announcements and Adjournment.**