



**CITY COUNCIL CHAMBERS**  
**680 Park Avenue**  
**Idaho Falls, ID 83402**

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*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 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. Office of the Mayor:**

- 1) Appointments/Reappointments to City Boards, Commissions and Committees
  - Terri Gazdik – Idaho Falls Redevelopment Agency, Reappointment
  - Gene Hicks – Planning and Zoning Commission, Reappointment
  - Kim Smith – Historic Preservation Commission, Reappointment
  - David Novack – Idaho Falls Business Assistance Corporation, Reappointment
  - Matt Hill – Parks & Rec Commission, Reappointment
  - Brian McGiff – Golf Advisory Board, Reappointment
  - Matt Hill – Shade Tree Committee, Reappointment
  - Kim Johnson – Shade Tree Committee, Reappointment
  - Kerry Beutler – Shade Tree Committee, Reappointment

**B. Public Works:**

- 1) Bid Award – 18<sup>th</sup> and 19<sup>th</sup> Street Water Line between S Emerson Avenue to Higbee Avenue

**C. Items from Municipal Services:**

- 1) Treasurer’s Report for the month of August, 2018
- 2) Bid IF-19-A, Road Salt for Public Works
- 3) Quote: Replacement Dimming System for the Idaho Falls Civic Center for the Performing Arts

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

- 1) Expenditure Summary for the month of September, 2018
- 2) Minutes from the September 10, 2018 Council Work Session and Executive Session; and September 13, 2018 Council Meeting
- 3) 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. Office of the Mayor**

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

RECOMMENDED ACTION: To approve the Community Support Grant awards in the amount of \$121,000 (or take other action deemed appropriate).

**B. Municipal Services**

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

RECOMMENDED ACTION: To advertise the City's intent to make a sole source procurement, per I.C. § 67-2808, and then to issue a purchase order to purchase one (1) CALIBER T5 Robot from ICOR Technology, Inc. of Ottawa, Ontario for a total amount of \$161,647.70 (or take other action deemed appropriate).

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

RECOMMENDED ACTION: To purchase used Irwin performance auditorium seats for the Idaho Falls Civic Center for the Performing Arts for a total amount of \$107,598 (or take other action deemed appropriate).

**3) Bid IF-19-03, Mechanical Gala Lift System: Idaho Falls Civic Center for the Performing Arts:** Formal Bid IF-1903 for the mechanical Gala Lift System for the Idaho Falls Civic Center for the Performing Arts was advertised as required. The City did not receive any bid submissions. Therefore, the Municipal Services Department is requesting the authorization to seek prices on the open market in order to proceed with this project.

RECOMMENDED ACTION: To authorize to seek prices on the open market in order to proceed with this project (or take other action deemed appropriate).

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

RECOMMENDED ACTION: To write-off ambulance service accounts determined as uncollectible for the service dates of 2014, 2015, 2016 and 2017 for a total amount of \$4,397,679.80 (or take other action deemed appropriate).

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

RECOMMENDED ACTION: To write-off utility service accounts for calendar year 2013 determined as uncollectible for a total of \$349,319.40 (or take other action deemed appropriate).

### C. Public Works

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

RECOMMENDED ACTION: To approve the State/Local Agreement with the Idaho Transportation Department and accompanying Resolution for the Pavement Management System project, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

**2) Iona Bonneville Sewer District (IBSD) – Request for Sewer Service Area Reduction:** Public Works is in receipt of a request from the IBSD to decrease the District's Sewer Service Area boundary by 28.39 acres. The proposed area for reduction is adjacent Thunder Ridge High School.

RECOMMENDED ACTION: To approve the request from the IBSD and to authorize a decrease in the District's Sewer Service Area boundary by 28.39 acres (or take other action deemed appropriate).

**3) Iona Bonneville Sewer District (IBSD) – Request for Sewer Service Area Expansion for Teton Commercial Park:** Public Works is in receipt of a request from the IBSD to increase the District's Sewer Service Area boundary by 58.67 acres for Teton Commercial Park. The proposed expansion

area is for inclusion of the property located at the northeast corner of the intersection of 25<sup>th</sup> East (Hitt Road) and Lincoln Road.

RECOMMENDED ACTION: To approve the request from the IBSD and to authorize an increase to the District's Sewer Service Area boundary by 58.67 acres for Teton Commercial Park (or take other action deemed appropriate).

#### D. Idaho Falls Power

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

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

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

RECOMMENDED ACTION: To approve the Electric Line Extension Fee Waiver Resolution, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

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

RECOMMENDED ACTION: To approve the Joint Power Agreement with the City of Ammon for fiber connection, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

#### E. Community Development Services

**1) Annexation and Initial Zoning of R1, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, Portion of York Road:** For consideration is the application for Annexation and Initial Zoning of R1, Annexation and Zoning Ordinances, and Reasoned Statements of Relevant Criteria and Standards, for a portion of York Road. The Planning and Zoning Commission considered this item at its September 11, 2018 meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Ordinance annexing a portion of York Road, 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 a portion of York Road, and give authorization for the Mayor to execute the necessary documents.
- c. To assign a Comprehensive Plan Designation of “Low Density” and to approve the ordinance establishing the initial zoning for a portion of York Road as R1 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 R1 Zone for a portion of York Road, and give authorization for the Mayor to execute the necessary documents.

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

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Ordinance rezoning a portion of Lot 4, Block 2, Parkwood Addition, Division No. 4, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (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 rezoning a portion of Lot 4, Block 2, Parkwood Addition, Division No. 4, and give authorization for the Mayor to execute the necessary documents.

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

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Ordinance annexing Yellowstone and Poitevin Additions, 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 Yellowstone and Poitevin Additions, and give authorization for the Mayor to execute the necessary documents.
- c. To assign a Comprehensive Plan Designation of “Commercial and Higher and Lower Density Residential” and to approve the ordinance establishing the initial zoning for Yellowstone and Poitevin Additions as HC, LC, and R2 Zones, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary (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 HC, LC, and R2 Zones for Yellowstone and Poitevin Additions, and give authorization for the Mayor to execute the necessary documents.

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

RECOMMENDED ACTIONS (in sequential order):

- a. To approve the Ordinance rezoning a portion of Lots 1-2, Block 1, Hatch Division 1 and Lots 21-23, Block 1, Hatch Division 5 plus half of the adjacent ROW on Carol Avenue, 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 rezoning a portion of Lots 1-2, Block 1, Hatch Division 1 and Lots 21-23, Block 1, Hatch Division 5 plus half of the adjacent ROW on Carol Avenue, and give authorization for the Mayor to execute the necessary documents.

**F. Legal**

**1) Public Hearing – Updated Fee Schedule:** For consideration is a Resolution which will update Idaho Falls Power and Police Department fees. The proposed changes are necessary to address the cost of providing services.

RECOMMENDED ACTION: To approve the Resolution to update the noticed fees into the City’s fee schedule, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

**6. Announcements and Adjournment.**