



## CITY COUNCIL MEETING

Thursday, April 9, 2020

7:30 p.m.

### CITY COUNCIL CHAMBERS

680 Park Avenue

Idaho Falls, ID 83402

*Thank you for your interest in City Government. In response to the COVID-19 crisis, on March 19, 2020, Governor Brad Little issued a proclamation suspending the portion of Idaho Code 74-203(5) which requires government agencies to allow the public to attend public meetings in person. The Governor encouraged public agencies to provide other means for citizens to participate. Idaho Falls believes strongly in public participation and has identified at least four methods of participation in official city processes.*

1. **Via Livestream on the Internet:** The public may view the meeting at [www.idahofallsidaho.gov](http://www.idahofallsidaho.gov)
2. **Email:** Public comments may be shared with the Mayor and members of the City Council via email at any time. Electronic addresses for elected officials are located at <https://www.idahofallsidaho.gov/398/City-Council>
3. **Written Public Hearing Testimony:** The public may provide written comments via postal mail or email sent to the City Clerk at [KHampton@idahofallsidaho.gov](mailto:KHampton@idahofallsidaho.gov) to be distributed to the members of the Council and to become a part of the official public hearing record.
4. **Live Public Hearing Testimony:** Members of the public wishing to participate in a public hearing that has been legally noticed for this agenda may do so remotely via the WebEx meeting platform with a phone or a computer. This platform will allow citizens to provide hearing testimony at the appropriate time. Those desiring public hearing access **MUST** send a valid and accurate email address to [PAlexander@idahofallsidaho.gov](mailto:PAlexander@idahofallsidaho.gov) no later than 5:00 p.m. on April 8 so log-in information can be sent to you prior to the meeting. Please indicate for which public hearing you wish to offer testimony. Public testimony on agenda items will not be taken unless a public 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 and then archived on the city website. If communication aids, services or other physical accommodations are needed to facilitate participation or access for this meeting, please contact City Clerk Kathy Hampton at 208-612-8414 or the ADA Coordinator Lisa Farris at 208-612-8323 as soon as possible so they can seek to accommodate your needs.*

1. **Call to Order.**
2. **Pledge of Allegiance.**
3. **Public Comment.** *(Temporarily suspended—see above)*
4. **Coronavirus (COVID-19) Update.**
5. **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) Minutes from the March 26, 2020 Idaho Falls Power Board Meeting
  - B. **Items from Public Works:**
    - 1) Agreement for Wastewater Biosolids Hauling Services
    - 2) Bid Award – Heritage Park Power Line Site Preparation
  - C. **Items from Municipal Services:**
    - 1) Bid IF-20-08, Purchase Triple Wall Sanite Pipe for Public Works
    - 2) Bid IF-20-15, Microduct Installation Services for Idaho Falls Power
    - 3) Bid IF-20-17, Purchase Traffic Safety Truck for Public Works

- 4) Bid IF-20-19, Purchase Water Line Materials for Public Works
- 5) Bid IF-20-20, Purchase of Electrical Conductor for Idaho Falls Power
- 6) Quote 20-021, Purchase Switch Gear for Idaho Falls Power
- 7) Treasurer's Report for February 2020
- 8) Minutes from the March 23, 2020 Council Work Session; and, March 26, 2020 Council Meeting
- 9) License Applications, all carrying the required approvals

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

## 6. Regular Agenda.

### A. Public Works

**1) Agreement for Professional Architectural Services for a shared Street and Sanitation Building:** For consideration is an agreement for professional architectural services for a shared Street and Sanitation building. The purpose of this agreement is to contract with NBW Architects to manage this project regarding design, production of construction documents, contractor bidding, and contract administration assistance.

RECOMMENDED ACTION: Approve the Professional Services Agreement with NBW Architects and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

### B. Idaho Falls Power

**1) Procurement and Construction Agreement for the 161 kV Transmission Line Project:** Through this Procurement and Construction Agreement, Idaho Falls Power and Rocky Mountain Power intend to proceed with the construction of the joint owned 161 kV transmission line connecting Sugarmill to the future Paine substation site, as identified in the initial Joint Development Agreement (JDA) executed in July 2018.

RECOMMENDED ACTION: Approve the Procurement and Construction Agreement for the construction of the Idaho Falls / Rocky Mountain Power owned 161 kV transmission line project and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

### C. Legal Services

**1) Rescission of City Code 5-4-9, Distracted Driving:** In order to preserve the safety of its citizens and visitors, on October 11, 2018, the Council passed the "Distracted Driving" Ordinance 3221 (Idaho Falls City Code (IFCC) 5-4-9), pursuant to authority granted to the City by Idaho Code 49-208(1)(t). Ordinance 3221 was a temporary regulation necessary to cover the special condition of driving while using a mobile electronic device in the absence of a State-wide regulation and was to be reviewed on or before October 1, 2021. Now that the State has amended Idaho Code 49-1401A, effective July 1, 2020, to address distracted driving State-wide, IFCC Section 5-4-9 is not needed after that date.

RECOMMENDED ACTION: Approve the Ordinance rescinding Idaho Falls City Code Section 5-4-9 under a suspension of the rules requiring three complete and separate readings and request 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) Public Hearing – Alcohol License Variance:** City Code §§ 4-3-7(A)-(B) and 4-4-7(A)-(B) prohibits alcohol licenses from issuing to any business which is within three hundred (300) feet of public schools, churches, and other places of worship. The applicant’s business falls within three hundred (300) feet of the Trinity Methodist Church and Alturas Academy. City Code §§ 4-3-7(D) and 4-4-7(D) permit an applicant to request a variance to the location restriction. The applicant in this case has so requested and Council is now required to hold a hearing to determine whether there is good cause to grant the variance.

RECOMMENDED ACTION: Upon conclusion of the hearing, the Council will be called upon to render a decision whether to grant the variance.

#### **D. Community Development Services**

**1) Public Hearing for Program Year (PY) 2020 CDBG Annual Action Plan:** Each year, Idaho Falls receives a funding allocation from the Department of Housing and Urban Development (HUD) for the local Community Development Block Grant (CDBG) program. As part of the requirements of administration of this program the City must submit an Annual Action Plan (AAP) to HUD outlining how that year’s funds will be spent. To determine how to spend the funds, each year applicants submit requests for grant funding which are considered by the City Council in a public hearing. Typically, the Annual Action Plan (AAP) is due to Housing and Urban Development (HUD) in August. The full schedule for completing and submitting the PY2020 CDBG AAP accounts for the reduced public comment period. The resolution approving allocations is expected to come before the Council on April 23, 2020.

RECOMMENDED ACTION: No action requested at this time.

7. **Announcements.**

8. **Adjournment.**