



CITY COUNCIL MEETING

Thursday, June 18, 2020

7:30 p.m.

CITY COUNCIL CHAMBERS

680 Park Avenue

Idaho Falls, ID 83402

Thank you for your interest in City Government. In compliance with the Idaho Rebounds Stage 4 guidelines, which discourage public gatherings, the City of Idaho Falls hereby provides reasonable means for citizens to participate in the above-noticed meeting. *Citizens are strongly encouraged to wear face masks for the protection of others.* The City believes strongly in public participation and has therefore identified the following ways to participate in this meeting:

General Meeting Participation.

1. Livestream on the Internet. The public may view the meeting at www.idahofallsidaho.gov. Meetings are also archived for later viewing on the City's website.
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>.

Official Public Hearing Participation. Members of the public wishing to participate in a public hearing noticed on this agenda may do so. Public testimony on an agenda item will be taken only for public hearings indicated on this agenda. Please note that not all meeting agenda items include a public hearing or the opportunity for public comment.

1. Written Public Hearing Testimony. The public may provide written comments via postal mail sent to City Hall or via email sent to the City Clerk at IFClerk@idahofallsidaho.gov. Comments will be distributed to the members of the Council and become a part of the official public hearing record. Written testimony must be received no later than 4:00 p.m. the date of the hearing.
2. Live Public Hearing Testimony. The public may provide live testimony 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 no later than 4:00 p.m. the day of the hearing so log-in information can be sent to you prior to the meeting. Please indicate for which public hearing you wish to offer testimony.
3. In-person Testimony. Live testimony will be received in the Council Chambers at the appropriate time throughout the meeting. To comply with the Centers for Disease Control and Prevention (CDC) social distancing guidelines, appropriate seating will be provided in the Council Chambers and in a nearby overflow room. Such seating is available on a first-come, first-served basis.

Please be aware that an amendment to this agenda may be made in the meeting upon passage of a motion that states the reason for the amendment and the good faith reason why the desired change was not included in the original agenda posting. All regularly scheduled City Council Meetings are live-streamed and then archived on the city website (barring electronic failure). 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.** *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. **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 May 14, 2020 Idaho Falls Power Board Meeting

B. Items from Public Works:

- 1) Bid Award – Street Overlays - 2020
- 2) Bid Award – Sewer Spot Repairs - 2020
- 3) Bid Award – Sewer Line Rehabilitation - 2020
- 4) Bid Award – Thermoplastic - 2020

C. Items from Municipal Services:

- 1) Quote 20-027, Purchase Steel Power Poles with Cross Arms for Idaho Falls Power
- 2) Moss Adams, LLC Financial Audit Services for Fiscal Year Ending September 30, 2020
- 3) Treasurer’s Report for April 2020
- 4) Minutes from the May 18, 2020 City Council Work Session; May 21, 2020 City Council Meeting; and, May 28, 2020 City Council Work Session
- 5) 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. Municipal Services

1) Sole Source Purchase for ZVent Portable Ventilator for Fire Department: This request is to purchase twelve portable ventilators for the Fire Department. The portable ventilator criteria for purchase was the equipment’s ability to filtrate exhaled air, ability to mix air and oxygen, and equipment resource availability. All three criteria are required elements to treat and transport patients with COVID-19 symptoms and/or compromised respiratory systems.

RECOMMENDED ACTION: Authorization to advertise the City’s intent to make a sole source procurement following a 14-day period, as per Idaho Code §67-2808, and then to issue a purchase order to ZOLL Medical Corporation for a total of \$195,779.60 (or take other action deemed appropriate).

2) IF-20-02, Two Roll-Off Container Tilt Frame, Cab and Chassis for Public Works: This request is to purchase two roll-off container tilt frame, cab and chassis. Unit 7006 is a 2006 Freightliner Tilt Frame scheduled for replacement next fiscal year. The second purchase is an addition to the fleet requested in the upcoming 2020/21 Public Works budget. Director Fredericksen is requesting the addition to the fleet to be included in the replacement purchase request to take advantage of purchase savings estimated at \$10,000 per unit and lead-in for build times by ordering two units.

RECOMMENDED ACTION: Accept and approve the bid from the lowest responsive and responsible bidder, Rush Truck Centers of Jerome, Idaho for a total of \$279,418.00 (or take other action deemed appropriate).

B. Human Resources

1) Vote to Amend City Personnel Manual: At the May 11, 2020 Council meeting, the Human Resources (HR) Department discussed with the Mayor and City Council proposed changes to Personnel Policy – XV – Shift Differential. HR then submitted the proposed changes to all employees for their feedback. After the required 30 days, no feedback was received requiring modifications to the proposed changes.

RECOMMENDED ACTION: Amend the City Personnel Manual (or take other action deemed appropriate).

C. Idaho Falls Power

1) Renewal of BPA Enabling Agreement, No. 20PM-16359: Renewal of the Enabling Agreement with the Bonneville Power Administration (BPA) enables Idaho Falls Power to continue to enter into wholesale short term energy transactions with BPA. The current agreement expires on July 17, 2020. This is a replacement agreement with all the same terms as the previous agreement including a three-year termination.

RECOMMENDED ACTION: Approve renewal of the Bonneville Power Association's (BPA) Enabling Agreement, No. 20PM-16359, and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

D. Legal Services

1) Day Care Licensing Amendments: The proposed amendments to the City's daycare licensing regulations are intended to clarify what past criminal acts will limit an individual's ability to receive a day care license. The amendments also mirror the State's approach to background checks and update the City's daycare licensing requirements to comply with 2020 House Bill No. 549, which was adopted in the most recent legislative session.

RECOMMENDED ACTION: Approve the Ordinance amending City's daycare licensing requirements in the City Code 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, reject the Ordinance, or take other action deemed appropriate).

E. Community Development Services

1) Amended development agreement for Belmont Estates Subdivision, Division No. 2: For consideration is an amended development agreement for Belmont Estates Subdivision, Division No. 2. The agreement was approved in 2017 with a special condition that a three-foot tall berm and six-foot opaque fence be built along the perimeter of the development. This is the type of condition the City no longer puts in development agreements, but in this case, it was consistent with the agreement for Division 1 and the original preliminary plat. Also, the berm was considered important because the adjacent County residents had flood irrigated their properties for many years and wished to continue to do so, but were worried the water would flood properties in the new subdivision. Most of the berm and fencing has been constructed. However, on some of the remaining lots the owners have requested to build a more transparent fence. Per the agreement, this is not possible. Therefore, the developer, in coordination with the lot owners and adjacent County residents have requested to

strike the word “opaque” from the agreement. Staff has reviewed the request and recommends approval.

RECOMMENDED ACTION: Approve the Second Amendment to Development Agreement for Belmont Estates Subdivision, Division No. 2 Subdivision, and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

2) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Sandstone Estates Division 2: For consideration is the application for the Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Sandstone Estates Division 2. This project was originally approved on January 8, 2019 but enough time has elapsed that the approval has expired. The Planning and Zoning Commission re-considered this item at its May 5, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. Approve the Development Agreement for Sandstone Estates Division 2 Subdivision, and give authorization for the Mayor and City Clerk to execute the necessary documents.
- b. Accept the Final Plat for Sandstone Estates Division 2 Subdivision, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
- c. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Sandstone Estates Division 2 Subdivision, and give authorization for the Mayor to execute the necessary documents.

3) Amendment to City Code 4-7-3 regarding licensing requirements: For consideration is an ordinance amending City Code 4-7-3, which amends licensing requirements for small, pre-manufactured storage buildings. This is specifically related to homeowners who purchase pre-manufactured buildings such as storage sheds. Structural specifications are provided by the manufacturer so the Building Division knows the buildings meet the code. However, the way the code is currently written, a homeowner is not allowed to install the pre-manufactured building. They must hire a licensed contractor to do so. Whereas the Building Division already requires the specifications to ensure code compliance and a site plan to ensure zoning compliance, staff does not believe there is a need for a licensed contractor to place the building. The proposed code change will rectify this issue by allowing a homeowner to installed pre-manufactured storage buildings without a licensed contractor. Staff respectfully requests approval of the ordinance.

RECOMMENDED ACTION: Approve the Ordinance amending City Code 4-7-3 to exempt licensing for placement or installation of small pre-manufactured structures where structures otherwise meet local International Building Code standards, 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, reject the Ordinance, or take other action deemed appropriate).

4) Public Hearing – Zoning Ordinance Amendments R2 height, and the Airport Overlay: For consideration is an Ordinance amending various sections of the Zoning Ordinance related to section 11-3-4 Standards for Residential Zones, Table 11-3-1: Standards for Residential Zones, maximum

building height in the R2 Zone, and Section 11-5-3, Airport Overlay Zone. Full details and reasoning of the changes are included in the attached staff report. The Planning and Zoning Commission considered this item at its April 21, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTION: Approve the Ordinance Amending the Zoning Ordinance modifying maximum height in the R2 zone and language in the Airport Overlay Zone 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, reject the Ordinance, or take other action deemed appropriate).

5) Public Hearing – Planned Unit Development (PUD) and Reasoned Statement of Relevant Criteria and Standards, Coachman Place: For consideration is the application for the PUD and Reasoned Statement of Relevant Criteria and Standards for Coachman Place. This project was originally approved in 2017 but the developer has revised the project and enough time has elapsed that the approval has expired. The Planning and Zoning Commission considered this item at its June 2, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. Approve the Planned Unit Development for Coachman Place as presented.
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the Planned Unit Development for Coachman Place, and give authorization for the Mayor to execute the necessary documents.

6) Public Hearing – Rezone from LC to HC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately 10 A NE1/4 NW1/4, SEC 16, T2N, R 38: For consideration is the application for Rezoning from LC to HC, Zoning Ordinance, and Reasoned Statement of Relevant Criteria and Standards, M&B: Approximately 10 A NE1/4 NW1/4, SEC 16, T2N, R 38. The Planning and Zoning Commission considered this item at its April 21, 2020 meeting and recommended approval by a unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. Approve the Ordinance Rezoning M&B: Approximately 10 A NE1/4 NW1/4, SEC 16, T2N, R 38 from LC to HC 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, reject the Ordinance, or take other action deemed appropriate).
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the Rezone from LC to HC of M&B: Approximately 10 A NE1/4 NW1/4, SEC 16, T2N, R 38, and give authorization for the Mayor to execute the necessary documents.

7. **Announcements.**

8. **Adjournment.**