

**CITY OF IDAHO FALLS, IDAHO**  
**COUNCIL MEETING AGENDA**  
**REGULAR MEETING**

Thursday, January 23, 2014

7:30 p.m.

**COUNCIL CHAMBERS**  
**680 PARK AVENUE**

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The Mayor, City Council, and Staff welcome you to tonight's meeting. We appreciate and encourage public participation. For regular agenda items, an opportunity for public comment is sometimes provided following the staff report. However, the formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding if and when to allow public comment during the course of the proceedings and limitations may be placed on the time allowed for comments. Citizens wishing to comment on business that is not on the agenda will be provided the opportunity to do so as provided in Item Number 3. Please note that City of Idaho Falls Council Meetings are live streamed at [www.idahofallsidaho.gov](http://www.idahofallsidaho.gov) and archived. Thank you for your interest in City Government.

1. **Call to Order and Roll Call.**
2. **Pledge of Allegiance.**
3. **Public Comment and Mayor's Response Time (Limit 15 Minutes):** For members of the Public to speak to the Council regarding matters NOT on the Agenda, not currently pending before the Planning Commission or Board of Adjustment; not the subject of a pending enforcement action; and not relative to a City personnel matter. Please state your name and address for the record and please limit remarks to three (3) minutes. Mayor and/or staff will respond to comments from previous meeting.
4. **CONSENT AGENDA:** Any item will be removed from the Consent Agenda at the request of any member of the Council and that item will be considered separately later. Approval by roll call vote:
  - a. Items from the Mayor:
    1. Council Confirmation for Appointments/Re-Appointments to various Boards and Commissions.
  - b. Items from the City Clerk:
    1. Approval of Minutes from the January 9, 2014 Regular Council Meeting, the January 13, 2014 Executive Session, and the January 16, 2014 Council Work Session.
    2. Approval of License Applications, including BEER LICENSES to The Brickhouse LLC, Teton Peaks Investment Company LLC, and The Homestretch LLC, all carrying the required approvals.
    3. Request for Council ratification for the publication of legal notices calling for public hearings on January 23, 2014.

**ACTION:** To approve all items on the Consent Agenda according to the recommendations presented.

5. **REGULAR AGENDA:**

a. **City Attorney:**

1. **Ordinance Repealing Idaho Falls City Code Title 1, Chapter 14:**

This Ordinance would repeal the City's current Public Records Ordinance (Title 1, Chapter 14). The purpose of the repeal is to support and promote the existing Idaho Public Records Law (Idaho Code Sections 8-337 through 9-350) so that the public needs to follow one (1) process in order to obtain access to public records; to ensure that the City complies with the State's purpose and procedures; and to avoid misunderstandings, the duplication of activities, and potential discrepancies between the City Public Records Ordinance and Idaho Public Records Law.

**ACTION:** To approve the 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, or take such other action deemed appropriate.

b. **Idaho Falls Power Director:**

1. **Joint Operation and Management Agreement between the City of Idaho Falls and PacifiCorp and approve Sole Source Procurement to PacifiCorp for the Stanley Avenue/Holmes Avenue Extension:** Idaho Falls Power needs to extend its distribution system to serve a new customer on Holmes Avenue. The proposed route currently has a pole alignment owned and occupied by PacifiCorp (doing business as Rocky Mountain Power) to serve their customers in the area. Idaho Falls Power is requesting permission to joint use poles along this alignment. Idaho Falls Power is required to compensate PacifiCorp to accommodate the request. The cost estimate for this work is \$137,472.00. Because both PacifiCorp and Idaho Falls Power will occupy positions on the same power poles, it is highly impractical or impossible to separately bid, construct, and install each party's facilities and equipment on the other's lines or to separate the work into two separate construction contracts and mutually transfer ownership of such facilities once completed, to the other. Due to the need for compatibility and the uniqueness of the project, the parties believe certain efficiencies and economies of scale will be realized by consolidating the work into one project.

**ACTION:** To recognize PacifiCorp as the sole source vendor for this work, that associated bidding requirements be waived, and that the Mayor be authorized to execute the Joint Operation and Management Agreement and the Customer Requested Work Agreement, or take other action deemed appropriate.

2. **Non-Disclosure Agreement with the Bureau of Reclamation:** Idaho Falls Power is named as a plan holder for Emergency Action Plans related to Grassy Lake and Island Park Dams. Bureau of Reclamation Directive SLE 02-01 requires that the City execute a Non-Disclosure Agreement in order to obtain copies of these plans. The Agreement has been reviewed by the City Attorney.

**ACTION:** To approve the Non-Disclosure Agreement with the Bureau of Reclamation and authorize the Mayor to execute the document, or take other action deemed appropriate.

c. **Public Works Director:**

1. **Easement Vacation Requests (2) – West Broadway Addition:** The City Attorney has prepared documents to vacate two (2) utility easements within the West Broadway Addition.

**ACTION:** To approve the 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, or take such other action deemed appropriate.

2. **Settlement Agreement – St. Clair Estates Subdivision:** This is a Settlement Agreement with SCE Partners, LLC; Ideal Heavy Haul, Inc.; and, the St. Clair Estates Homeowners Association. The Settlement Agreement sets a completion date for uncompleted public improvements associated with St. Clair Estates, Division No. 13, establishes that unpaid fees associated with St. Clair Estates, Division No. 12 will be paid no later than October 1, 2015, and various other provisions.

**ACTION:** To approve the Settlement Agreement and give authorization for the Mayor and City Clerk to sign the necessary documents, or take other action deemed appropriate.

d. **Municipal Services Director:**

1. **Purchase of Police Vehicles – State of Idaho Bid:** The Municipal Services Division and Police Department are requesting to accept the bids of Goode Motor Ford of Burley, Idaho, to furnish the required Police Vehicles per the State of Idaho, as follows:

Item/Quantity	Make and Model Bid	Bidder	Unit Price	Item Total
1) 1	2014 SUV, Ford Interceptor with Options	Goode Motor Ford State SBPO 1399-01	\$26,625.71	\$26,625.71
2) 1	2014 SUV, Ford Interceptor with Options	Goode Motor Ford State SBPO 1399-01	\$27,172.46	\$27,172.46
3) 5	2014 SUV, Ford Interceptor with Options	Goode Motor Ford State SBPO 1399-01	\$256,099.21	\$130,496.05
4) 3	2014 Sedan, Ford Taurus with Options	Goode Motor Ford State SBPO 1299-01	\$21,441.71	\$64,325.13

**ACTION:** To accept the bids of Goode Motor Ford of Burley, Idaho to furnish the required Police Vehicles per the State of Idaho Bid, or take other action deemed appropriate.

e. **Airport Director:**

1. **Grant Award and Agreement from the U. S. Department of Transportation under the Small Community Air Service Development Program:** This is a Grant Award and Agreement from the U. S. Department of Transportation under the Small Community Air Service Development Program in the amount of \$500,000.00. The intended use of this grant will be a Revenue Guarantee for an Airline willing to establish a new route from Idaho Falls to an east coast hub airport. The Airport has three (3) years to utilize this grant. This grant represents 90.90% of the costs, with the Idaho Falls Regional Airport paying the remaining amounts. The City Attorney has reviewed the documents.

**ACTION:** To approve the Grant Award and Agreement from the U. S. Department of Transportation under the Small Community Air Service Development Program in the amount of \$500,000.00 and, give authorization for the Mayor and City Clerk to execute the necessary documents, or take other action deemed appropriate.

**2. Consent to Assignment of Lease – Off-Airport Car Rental Agreement:** This is a Consent to Assignment of an Off-Airport Car Rental Agreement from Lewis Transportation Group, LLC, d/b/a Dollar and Thrifty Rent-A-Car to DTG Operations, Inc. The City Attorney has reviewed and prepared said Consent.

**ACTION:** To approve the Consent to Assignment of Lease from Lewis Transportation Group, LLC, d/b/a Dollar and Thrifty Rent-A-Car to DTG Operations, Inc. and give authorization for the Mayor and City Clerk to execute the necessary documents, or take other action deemed appropriate.

f. **Planning and Building Director:**

**1. Reasoned Statement of Relevant Criteria and Standards, Eagle Rock Center, Division No. 1, 1<sup>st</sup> Amended:** The Final Plat for this site was approved at the January 9, 2014 City Council Meeting, but a motion was not made to approve the findings.

**ACTION:** To approve the Reasoned Statement of Relevant Criteria and Standards, Eagle Rock Center, Division No.1, 1<sup>st</sup> Amended and, further give authorization for the Mayor to execute the documents or take other action deemed appropriate.

**6. Public Hearing – Annexation with Initial Zoning of R-1, Final Plat, and Reasoned Statement of Relevant Criteria and Standards – Bristol Heights Addition, Division No. 5:** This is a request for annexation with initial zoning of R-1 Single Family Residential and Final Plat for Bristol Heights Addition, Division No. 5. The Planning Commission considered this request at its December 10, 2013 Meeting and recommended approval with the condition that any completed right-of-way on the south end of Pocono Street be developed as landscaping.

**ACTION:** Conduct the public hearing for the annexation, with the following recommendations, in sequential order:

a. To approve the Annexation Agreement for Bristol Heights Addition, Division No. 5 and, further, give authorization for the Mayor and City Clerk to execute the documents.

b. To approve the 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, or take such other action deemed appropriate.

c. To establish the initial zoning for Bristol Heights Addition, Division No. 5 as R-1 Single Family Residential Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office.

d. To accept the Final Plat for Bristol Heights Addition, Division No. 5 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.

e. To approve the Reasoned Statement of Relevant Criteria and Standards for Bristol Heights Addition, Division No. 5 and give authorization for the Mayor to execute the necessary documents, or take other action deemed appropriate.

**7. Public Hearing - Annexation with Initial Zoning of R-1, and Reasoned Statement of Relevant Criteria and Standards - Metes and Bounds, 2.512 Acres of the Northeast Quarter, Section 36, Township 2 North, Range 37, East of the Boise Meridian:** This is a request for annexation with initial zoning of R-1 Single Family Residential of 2.512 Acres west of the Carriagegate subdivision. The Planning Commission considered this request at its December 10, 2013 Meeting and recommended approval.

**ACTION:** Conduct the public hearing for the annexation, with the following recommendations, in sequential order:

a. To approve the Annexation Agreement for the Metes and Bounds, 2.512 Acres in the Northeast Quarter, Section 36, Township 2 North, Range 37, East of the Boise Meridian and, further, give authorization for the Mayor and City Clerk to execute the documents.

b. To approve the 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, or take such other action deemed appropriate.

c. To establish the initial zoning for 2.512 Acres in the Northeast Quarter, Section 36, Township 2 North, Range 37, East of the Boise Meridian as R-1 Single Family Residential Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office.

d. To approve the Reasoned Statement of Relevant Criteria and Standards for Metes and Bounds Legal Description for 2.512 Acres of the Northeast Quarter, Section 36, Township 2 North, Range 37, East of the Boise Meridian and give authorization for the Mayor to execute the necessary documents, or take other action deemed appropriate.

**Motion to Adjourn.**

*If you need communication aids or services or other physical accommodations to participate or access this meeting or program of the City of Idaho Falls, you may contact City Clerk Rosemarie Anderson at Telephone Number 612-8414 or the ADA Coordinator Lisa Farris at Telephone Number 612-8323 as soon as possible and they will make every effort to adequately meet your needs.*