

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

Thursday, June 26, 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. Re-Appointment of Claire Pace to serve on the Idaho Falls Public Library Board of Trustees (Term to Expire April, 2018); and, Re-Appointment of Mary Lund to serve on the Idaho Falls Public Library Board of Trustees (Term to Expire April, 2019).
  - b. Items from the City Clerk:
    1. Approval of Minutes from the June 9, 2014 Council Work Session, the June 10, 2014 Special Council Meeting, and the June 12, 2014 Regular Council Meeting.
    2. Approval of License Applications, all carrying the required approvals.
  - c. Items from the Idaho Falls Power Director:
    1. Request for authorization to prequalify potential bidders for work associated with the Generator Rehabilitation at the Old Lower Plant. The scope involves engineering, materials, and activities necessary to rewind and refurbish the two generators from the Old Lower Plant site. This project is a subset of the Old Lower Plant Upgrade and Rewind Project in the Capital Improvement Plan and in the Fiscal Year 2014 Budget.

2. Ratify 2014 Underground Reconductor Project Change Order No. 1: Change Order No. 1 is for the 2014 Underground Reconductor Project. City Council awarded the 2014 Underground Reconductor Project on March 20, 2014 to K/M Service Company in the amount of \$142,750.83. This Change Order increases the total project cost by \$4,200.00 to replace failed cable not originally included in the project. The additional work will take place in the Coachman Subdivision. The budget for this project is adequate to cover the additional cost. Idaho Falls Power Division respectfully requests City Council ratify this Change Order.

d. Items from the Public Works Director:

1. Request for authorization to advertise to receive bids for the Airport Improvements on Grandview Drive – 2014 Project.

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

5. **REGULAR AGENDA:**

A. **Planning and Building Division:**

1. **Final Plat and Reasoned Statement of Relevant Criteria and Standards – St. Clair Estates Addition, Division No. 13, 4<sup>th</sup> Amended:** This is the Final Plat and Reasoned Statement of Relevant Criteria and Standards for St. Clair Estates Addition, Division No. 13, 4<sup>th</sup> Amended. The Planning Commission considered this application at its June 3, 2014 Meeting and recommended approval with the condition that cross-access agreements between the lots be submitted to staff prior to issuance of any building permits. Staff concurs with this recommendation.

ACTION: The following recommendations in sequential order (or take other action deemed appropriate):

a. To approve the Final Plat for St. Clair Estates Addition, Division No. 13, 4<sup>th</sup> Amended and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.

b. To approve the Reasoned Statement of Relevant Criteria and Standards for St. Clair Estates Addition, Division No. 13, 4<sup>th</sup> Amended and give authorization for the Mayor to execute the necessary documents.

2. **Amendment to Title 4, Chapter 7 of the Idaho Falls City Code Regulating Contractor License Renewals:** This is an Ordinance amending Title 4, Chapter 7 of the Idaho Falls City Code. The Ordinance revises the renewal requirement for expired contractor licenses. Currently, if a license expires, the applicant must re-take the licensing exam which is based on current Building Code requirements. The proposed change will allow relicensing without taking the exam if the applicant can show all continuing education requirements have been completed and the City has not adopted a new edition of the Building Code.

**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).

**B. City Attorney Division:**

1. **Ordinance Re-Arranging Idaho Falls City Code Title 4:** The Idaho Falls City Code currently requires City licensing of gas fitters (IFCC Title 4, Chapter 9) and heating and cooling installers (IFCC Title 4, Chapter 10) even though the State preempted such City licensing. The City also requires photographers running a photography business to be licensed (IFCC Title 4, Chapter 18). The attached ordinance rescinds Chapter 9, 10, and 18 of Title 4 because such, in the opinion of staff, are no longer allowed (in the case of gas fitters and heating and cooling installers), or no longer effective or needed (in the case of photography businesses). Additionally, because these proposed rescissions, and previous rescissions in Title 4, have left gaps in the Chapters contained therein, the draft rearranges Title 4 to close those gaps by renumbering several Chapters. The City Attorney recommends consideration and adoption of the draft ordinance.

**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).

2. **Ordinance Amending Impoundment of Dogs:** In December, the former Mayor and Council considered a draft Ordinance that changed a number of provisions in the City's Dog Control Ordinance (IFCC Title 5, Chapter 6). After receiving citizen input, the draft was taken off of the agenda schedule to be reconsidered by Councilmembers and staff. Those considerations included kennel licensing, a possible change to limitations to the number of dogs and cats, and a possible appeal procedure relative to Animal Control. Because the City Attorney's Office is motivated to promote a change to the City's Dog Control Ordinance that brings it into compliance with current state and federal regulation for service animals, and because it appears that there is little or no opposition to the minor changes proposed in December, the proposal has been re-drafted. The City Attorney recommends adoption of the re-drafted version of the Ordinance at this time. Further recommended changes will be brought forth as soon as practicable.

**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).

**C. Idaho Falls Power Division:**

1. **Tabulation and Award of Bid for Old Lower Plant Runner Project:** Attached for your consideration is the bid tabulation for the Old Lower Plant Runner Project. City Council accepted the bidder prequalification list on May 8, 2014, which resulted in two bidders being prequalified. Only one of the prequalified bidders responded to the bid. That bid has been reviewed by our Engineer, Mooney Consulting. It falls within the Engineer's Estimate and meets the bid requirements for the project. The project

involves fabrication of new runners and appurtenances at the Old Lower Plant as part of the refurbishment of that facility. Idaho Falls Power recommends that the City Council award the bid to CHEC in the amount of \$786,000.00.

**ACTION:** To accept the bid provided by CHEC in the amount of \$786,000.00 for the Old Lower Plant Runner Project and give authorization for the Mayor and City Clerk to execute the necessary contract documents (or take other action deemed appropriate).

2. **Bonneville Power Administration (BPA) Power Sales Agreement, Exhibit G, Revision 1:** This is Revision No. 1 of Exhibit G to the Idaho Falls Power's Power Sales Agreement with the Bonneville Power Administration. BPA revised Section 3.2 of Exhibit G to allow less than one-year notice, on a case-by-case basis, for customers acquiring or purchasing a non-federal resource to serve load. The revision affords Idaho Falls Power additional flexibility in timing for integrating potential new resources to load. This has been reviewed by the City Attorney. Idaho Falls Power respectfully requests City Council approve Exhibit G, Revision No. 1 of BPA Contract Number 09PB-13056 and authorize the Mayor to execute the document.

**ACTION:** To approve Revision No. 1 to Exhibit G of the Bonneville Power Administration Power Sales Agreement Contract Number 09PB-13056 and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

3. **Bonneville Power Administration (BPA) Enabling Agreement:** This is an Agreement to enable Idaho Falls Power to transact non-requirements federal power with the Bonneville Power Administration (BPA). This agreement will allow Idaho Falls Power to buy and sell wholesale electricity with BPA's surplus power trading group. These revisions have been reviewed by the City Attorney. Idaho Falls Power respectfully requests City Council approve the Enabling Agreement with BPA, Contract Number 14PM-12262 and authorize the Mayor to execute the documents.

**ACTION:** To approve the Bonneville Power Administration Enabling Agreement Contract Number 14PM-12262 and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

4. **Bonneville Power Administration (BPA) Power Sales Agreement, Exhibit M and N, Revisions No. 2:** These are two exhibit revisions to Idaho Falls Power's Power Sales Agreement with the Bonneville Power Administration. Exhibit M, Revision No. 2 updates Section 3.3.8 of the exhibit to align the contract with how the slice customers are actually using the slice computer application. Section 3.5.4.2 was revised to move performance tests to a calendar year as opposed to BPA fiscal year, to also align with current practices. Exhibit N, Revision No. 2 updates Section 6 to reflect how slice customers are implementing the slice computer application. Section 9 was updated to allow customers to receive the slice output forecast one month earlier than was previously in the agreement. These revisions have been reviewed by the City Attorney. Idaho Falls Power respectfully requests City Council approve Exhibit M and N, Revisions No. 2 of BPA Contract Number 09PB-13056 and authorize the Mayor to execute the documents.

**ACTION:** To approve Exhibit M and N, Revisions No. 2 to the Bonneville Power Administration Power Sales Agreement Contract No. 09PB-13056 and give authorization for the Mayor to execute the necessary documents (or take other action deemed appropriate).

D. **Public Works Division:**

1. **Tabulation and Award of Bid for Lee Avenue Storm Drain Construction from 2<sup>nd</sup> Street to 8<sup>th</sup> Street Project:** On June 17, 2014, bids were received and opened for Lee Avenue Storm Drain Construction from 2<sup>nd</sup> Street to 8<sup>th</sup> Street Project. Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, TMC Contractors, Inc., in an amount of \$136,304.80 and, authorization for the Mayor and City Clerk to sign contract documents.

**ACTION:** To approve the plans and specifications for the Lee Avenue Storm Drain Construction from 2<sup>nd</sup> Street to 8<sup>th</sup> Street Project; to accept the lowest responsive, responsible bid provided by TMC Contractors, Inc. in the amount of \$136,304.80; and, give authorization for the Mayor and City Clerk to execute the necessary contract documents (or take other action deemed appropriate).

2. **Professional Services Agreement with JUB Engineers Incorporated for South 25<sup>th</sup> East (Hitt Road) Improvements, East 49<sup>th</sup> South (Township Road) to Sunnyside Road:** On June 10, 2014, the City Council approved the selection of JUB Engineers Incorporated to provide design services for roadway improvements on South 25<sup>th</sup> East (Hitt Road) between Sunnyside Road and East 49<sup>th</sup> South (Township Road) and authorized negotiating terms of an agreement and associated fee. The Public Works Division has negotiated the attached agreement and fee in an amount not to exceed \$250,000.00. Public Works recommends approval of this agreement; and, authorization for Mayor and City Clerk to sign the necessary documents.

**ACTION:** To approve the Professional Services Agreement with JUB Engineers Incorporated for South 25<sup>th</sup> East (Hitt Road) Improvements, East 49<sup>th</sup> South (Township Road) to Sunnyside Road in the negotiated not-to-exceed fee amount of \$250,000.00 and give authorization for the Mayor and City Clerk 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.*