

MARCH 27, 2003

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, March 27, 2003, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Brad Eldredge
Councilmember Mike Lehto
Councilmember Robert Barnes
Councilmember Joe Groberg
Councilmember Bill Shurtleff
Councilmember Ida Hardcastle

Also present:

Dale Storer, City Attorney
Rosemarie Anderson, City Clerk
All available Division Directors

Mayor Milam requested Boy Scout Dustin Hatch to come forward and lead those present in the Pledge of Allegiance.

CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes for the March 13, 2003 Regular Council Meeting.

The City Clerk presented several license applications, including BARTENDER PERMITS to Vicki L. Beaven, Jess R. Brown, Bridget I. Fuller, Stephanie R. Ivey, Jennifer J. Nelson, Sharen Rasmussen, Robert L. Rish, Jr., Denise R. Rowe, Debbie L. Sloan, and Diala K. Trolinder, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on March 27, 2003.

The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls
March 24, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: AUTHORIZATION TO ADVERTISE TO RECEIVE BIDS FOR RELAY TEST SET

Idaho Falls Power respectfully requests authorization to advertise to receive bids for a Relay Test Set. This is a budgeted item.

s/ Mark Gendron

The Parks and Recreation Director submitted the following memo:

MARCH 27, 2003

City of Idaho Falls
March 24, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: PINECREST GOLF COURSE PARKING LOT – PHASE III
PROJECT NO. 2-38-17-2-PRK-2000-11

Respectfully request authorization to advertise to receive bids for the Pinecrest Golf Course Parking Lot – Phase III Project.

s/ David J. Christiansen

The Public Works Director submitted the following memo:

City of Idaho Falls
March 24, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SEWER ADMINISTRATION BUILDING – ARCHITECTURAL
SERVICES

Public Works requests authorization to solicit proposals for architectural services to design a Sewer Administration Building.

s/ Chad Stanger

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, that the Consent Agenda be approved in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Milam requested Councilmember Barnes to conduct Annexation Proceedings for a Metes and Bounds description located generally on the south one-half of right-of-way of Sunnyside Road between Stonebrook Addition, Division No. 3 and Sunnyside

MARCH 27, 2003

Heights. At the request of Councilmember Barnes, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
March 21, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION OF A PORTION OF THE SUNNYSIDE ROAD
RIGHT-OF-WAY

Attached is the Annexation Ordinance for one acre of Sunnyside Right-of-Way within Stonebrook Addition, Division No. 3. The requested initial zoning is RP-A. The Planning Commission recommended approval of this annexation request and initial zoning at its February 18, 2003 Meeting. This request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this annexation request:

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Aerial Photo
Exhibit 1 Planning Commission Minutes dated February 18, 2003
Exhibit 2 Staff Report dated February 18, 2003

There being no further discussion either in favor of or in opposition to this annexation request, Mayor Milam closed the public hearing.

At the request of Councilmember Barnes, the City Attorney read the following Ordinance by title only:

ORDINANCE NO. 2483

SOUTH HALF OF RIGHT-OF-WAY OF SUNNYSIDE
ROAD, BETWEEN STONEBROOK ADDITION,
DIVISION NO. 3 AND SUNNYSIDE HEIGHTS
ADDITION

AN ORDINANCE ANNEXING CERTAIN LANDS TO
THE CITY OF IDAHO FALLS; DESCRIBING THESE
LANDS, REQUIRING THE FILING OF THE
ORDINANCE AND AMENDED CITY MAP AND
AMENDED LEGAL DESCRIPTION OF THE CITY
WITH THE APPROPRIATE COUNTY AND STATE
AUTHORITIES; AND ESTABLISHING EFFECTIVE
DATE.

The foregoing Ordinance was presented by title only. Councilmember Barnes moved, and Councilmember Hardcastle seconded, that the provisions of Idaho Code Section 50-902

MARCH 27, 2003

requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to establish the initial zoning of a parcel of land in the North Quarter Corner of Section 31, Township 2 North, Range 38 East of the Boise Meridian, located generally as the South Half of Right-of-Way of Sunnyside Road, between Stonebrook Addition, Division No. 3 and Sunnyside Heights as RP-A (Single-Family Residential Park) Zoning as requested, 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. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Barnes
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Barnes to conduct a public hearing for consideration of land use change in the Planned Transition-2 (Commercial and High Density Residential) Zone for a retail development of an approximately 7,000 square foot, two-tenant building on property located generally on the north side of East 17th Street, west of Cranmer Avenue, south of 16th Street, legally described as Lot 42, Block 9, Martin's Addition, First Amended. At the request of Councilmember Barnes, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
March 24, 2003

MEMORANDUM

TO: Mayor and City Council

FROM: Renée R. Magee, Planning and Building Director
SUBJECT: SITE PLAN REVIEW – PT-2 ZONE – LOT 42, BLOCK 9, MARTIN
ADDITION

MARCH 27, 2003

Attached are the site plan, building elevations, and lighting plan for Lot 42, Block 9, Martin Addition. This parcel is located north and adjacent to 17th Street and west and adjacent to Cranmer Avenue. At its March 4, 2003 Meeting, the Idaho Falls Planning Commission recommended approval of the Site Plan with the condition the staff work with the applicant to develop a plan on the north side of the building which is consistent with the north side of Walgreen's. This application is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this Site Plan:

- | | |
|-----------|--|
| Slide 1 | Vicinity Map showing surrounding zoning |
| Slide 2 | Land Use Map |
| Slide 3 | Aerial Photo |
| Slide 4 | Close up of area on Aerial Photo |
| Slide 5 | 1999 Approved Site Plan |
| Slide 6 | 1999 Approved Lighting Plan |
| Slide 7 | October 24, 2002 Approved Revised Site Plan |
| Slide 8 | Site Plan under consideration |
| Slide 9 | Lighting Plan under consideration |
| Slide 10 | Definitions of Building Mounted Luminaires |
| Slide 11 | Front and Rear Building Elevations |
| Slide 12 | Side Building Elevation |
| Slide 13 | Site Photo of Site under consideration |
| Slide 14 | Site Photo of Landscape Buffer between Site and single-family home north of alley |
| Slide 15 | Site Photo looking towards the single-family home east of site and proposed alignment of drive aisle |
| Slide 16 | Site Photo of rear of Walgreen's store |
| Exhibit 1 | Planning Commission Minutes dated March 4, 2003 |
| Exhibit 2 | Staff Report dated March 4, 2003 |
| Exhibit 3 | City Council Minutes dated October 24, 2002 |

Reed Caudle, 2711 East Sprague Avenue, Spokane, Washington, appeared to state that he represents Baker Construction and Development (contractors and owners of property under consideration). The building was reconfigured due to the Covenants restricting the building size to 6,500 square feet. He stated, further, that his company was very sensitive to the lighting of the area as it is in a PT-2 Zone. The pole lighting on the north side of the building was eliminated.

There being no further discussion either in favor of or in opposition to this Site Plan and Land Use Change, Mayor Milam closed the public hearing.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Site Plan and Land Use Change in the Planned Transition-2 (Commercial and High Density Residential) Zone for a retail development of an approximately 7,000 square foot, two-tenant building on property located generally on the north side of East 17th Street, west of Cranmer Avenue, south of 16th Street, legally described as Lot 42, Block 9, Martin's Addition, First Amended. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Barnes

MARCH 27, 2003

Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Barnes to conduct Annexation Proceedings for Southpoint Addition, Division No. 3. At the request of Councilmember Barnes, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
March 24, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING, AND FINAL PLAT FOR SOUTHPOINT ADDITION, DIVISION NO. 3

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for Southpoint Addition, Division No. 3. This Division is located south of Township Road and east of Park Road (5th West). The requested initial zoning is R-1 (Single-Family Residential). At its January 7, 2003 Meeting, the Idaho Falls Planning Commission recommended approval of the annexation, initial zoning of R-1, and the Final Plat with the modification that Spirit Cove, the street adjacent to Township Park Estates, be designed as a cul-de-sac similar to the east end of Tollgate Place with bollards at the end to allow emergency vehicles to pass through. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Comprehensive Plan of area under consideration
Slide 4	Preliminary Plat superimposed on Aerial Photo
Slide 5	Final Plat of Southpoint Addition, Division No. 3
Slide 6	Typical Bollard Section for Spirit Cove
Slide 7	Site Photo showing intersection of Mauna Lani Lane and Township Road looking east
Slide 8	Site Photo showing end of pavement on south end of Mauna Lani Lane

- Slide 9 Site Photo showing intersection of Mauna Lani Lane and Township Road looking north
- Slide 10 Site Photo showing intersection of Southpoint Boulevard and Township Road looking east

MARCH 27, 2003

Slide 11	Site Photo showing intersection of Southpoint Boulevard and Township Road looking north
Slide 12	Site Photo showing southern end of Southpoint Boulevard looking toward Southpoint Addition, Division No. 3
Exhibit 1	Planning Commission Minutes dated January 7, 2003
Exhibit 2	Staff Report dated January 7, 2003
Exhibit 3	Memorandum from Chris Fredericksen, City Engineer
Exhibit 4	Copy of Final Plat Review, Planning Department
Exhibit 5	Southpoint Subdivision Traffic Study
Exhibit 6	Planning Commission Minutes dated February 8, 2000
Exhibit 7	Affidavit of Legal Interest

The Planning and Building Director stated that staff has reviewed this Final Plat and found it to be in compliance with the Subdivision Ordinance, Comprehensive Plan, and Preliminary Plat.

The following letter was submitted from Township Park Estates:

Township Park Estates
February 27, 2003

Mayor Linda Milam
City of Idaho Falls
308 Constitution Way
P. O. Box 50220
Idaho Falls, Idaho 83405

SUBJECT: Final Plat of Southpoint, Division No. 3

Dear Mayor Milam:

Based on the review of the proposed final plat of Southpoint, Division No. 3, we encourage the Mayor and City Council to incorporate the recommendations of Commissioner Dixon dated January 7, 2003 to relieve vehicular and pedestrian safety issues and prevent any extraordinary hardship to the residents of Township Park Estates.

Recommend the following changes to be added to the proposed Final Plat of Southpoint, Division No. 3, west end of Spirit Cove:

1. Note 8 shall read – No access shall be permitted to Mauna Lani Lane by Spirit Cove, Lot 32, Block 1 and Lot 1, Block 6, except for emergency vehicles.
2. Bollards placed at the end of Spirit Cove to prevent vehicular traffic other than emergency vehicles.

It is our concern that Note 8 and bollards placed at the end of Spirit Cove to prevent vehicular traffic other than emergency vehicles has not been identified on the Final Plat, west end of Spirit Cove, Southpoint, Division No. 3, creating the express findings based upon the known record that are special circumstances and conditions that would clearly be impracticable and

MARCH 27, 2003

unreasonable resulting in extraordinary hardship, and appeals that will substantially preclude development of Southpoint.

Thank you,

Township Park Estates
"Affected Persons"

Gary Voigt, 1908 Jennie Lee Drive, appeared as the developer for this area. He stated that the proposal speaks for itself and requested to re-appear should there be any questions or concerns voiced during the public hearing.

Councilmember Barnes requested to know whether any street construction would take place at the end of Spirit Cove where the bollards are going to be placed, as Mauna Lani Lane is not constructed up to Spirit Cove. Mr. Voigt stated that it would be the responsibility of Township Park Estates residents to improve Mauna Lani Lane. That has been a point of contention all along. The bollards would be placed at the end of his development to allow for emergency access only.

Justin Seamons, 414 Shoup Avenue, appeared representing the Township Park Estates "Affected Persons". This is a residential subdivision comprised of 12 lots, all of which have been purchased and developed. This subdivision is located outside of the City limits. He stated that Township Park Estates is not opposed to the annexation or the initial zoning. He expressed his concern over the approval of the Final Plat for Southpoint Addition, Division No. 3. The Fieldings developed Township Park Estates in 1991. At the time of the development, Covenants, Conditions and Restrictions were also adopted. The Covenants, Conditions and Restrictions contained a number of items important to the homeowners. The lots in this development were to have a certain size and dimension; the boundaries of lots are to be in harmony with the general character of the overall subdivision; to have a beautiful and secluded residential area; regulation for distances between homes; and, setback requirements. The original plan for this subdivision would have continued to the east and back to Township Road. Since that time, the Fieldings sold the property to G. L. Voigt. Mr. Seamons reviewed for the Mayor and City Council the requests made in the letter above.

Councilmember Hardcastle questioned Mr. Seamons as to why the residents do not go back to Bonneville County to have this area replatted making Mauna Lani Lane a cul-de-sac. Mr. Seamons stated that would be an option for the homeowners.

Mayor Milam commented that the only way that Mauna Lani Lane would be extended would be for Bonneville County to approve that construction. The City of Idaho Falls would not be involved in that decision. Mr. Seamons explained that Bonneville County explained to him that they would require the City to require the Developer to construct the cul-de-sac on Mauna Lani Lane. He told Bonneville County that the City could not require the developer to construct a cul-de-sac on property that was not his.

Councilmember Shurtleff requested to know what the right-of-way was for Mauna Lani Lane. Mr. Seamons stated that the road right-of-way is 60 feet. Councilmember Shurtleff stated that the Final Plat was allowed with some notation as to why the cul-de-sac would be used until the roadway could be built. Mr. Seamons stated that he had a letter dated at the time of the development of Mauna Lani Lane from Bonneville County stating that the roadway end in a temporary cul-de-sac until such time as the remainder of Mauna Lani Lane was to be constructed back to Township Road.

Phil Pfeiffer, 5320 Mauna Lani Lane, appeared to state that he is appreciative of the Planning Department for their assistance in the past two years regarding this new

development. He expressed his concern over the amount of vehicles that would travel Mauna Lani Lane during peak hour. There has been talk by Bonneville County of extending Mauna Lani Lane under a Local Improvement District Tax. That would create a hardship. He

MARCH 27, 2003

explained that the bollards were proposed between Mauna Lani Lane and Spirit Cove to limit traffic flow going north out of this development. There was a concern that traffic from Mauna Lani Lane would put traffic through to Stonebrook Addition on Nathan Drive. At the present time, Mauna Lani Lane takes traffic to the west for approximately 200 yards and then turns the traffic north through Stonebrook Development. This increased traffic to the north is a valid concern. That is why the recommendation from the traffic study was to not increase traffic volumes to the north. The bollards were proposed as a result of the traffic study. He encouraged the City Council to take the traffic study into consideration, to limit Spirit Cove to emergency access only. He also wanted the City Council to take into consideration the increased traffic flow to the north on Nathan Drive.

Councilmember Hardcastle questioned why Mr. Pfeiffer did not use Park Taylor Road, instead of Nathan Drive, to get out of his subdivision. Mr. Pfeiffer stated that it is much easier to get to Holmes Avenue if he uses Nathan Drive rather than Park Taylor Road.

Barbara Rovig, 5300 Mauna Lani Lane, appeared to share the following letter submitted by Brad and Luella Hendrickson, 5394 Mauna Lani Lane:

Brad and Luella
Hendrickson
5394 Mauna Lani Lane
Idaho Falls, Idaho 83404

Honored Members of the City Council:

We are writing this letter in lieu of attending this meeting, due to scheduling conflicts. Our apologies for not being there in person, but trust you to understand and consider this letter as our personal contribution to the meeting.

We recently purchased the above home on Mauna Lani Lane. It is still in the process of being refurbished before we move in. We chose that house because of the large, lovely lot and the quiet neighborhood. We realized when purchasing the home, that the adjoining property would probably eventually be developed.

We encourage responsible, well-thought out growth and completely understand why others would want to live in the same beautiful area that we do. However, it is our understanding that Mauna Lani Lane was never intended as a major thoroughfare, and is not constructed to carry significant traffic beyond that of the houses located there. In fact, a full study was conducted on the road and it was strongly recommended NOT to expand that road beyond those levels of traffic. We have also been told that our (future) neighbors on Mauna Lani Lane expressed those concerns to the Planning and Zoning Committee, and that the developer of the proposed site had not originally planned to put a connection from the new development through to Mauna Lani Lane.

Yet we now understand that the Planning and Zoning Committee recommended to the City Council as part of this annexation to put a full connection with the new area through to Mauna Lani Lane. Several possible reasons have been put to us for this recommendation, the predominant one being "emergency access".

From our perspective, at the very end of the road, emergency access can be adequately achieved without a permanent, ill-advised connection. An emergency-only connection, with temporary barriers could easily be installed,

MARCH 27, 2003

allowing full emergency access but preventing casual travel over a road not designed or equipped to handle it.

We appreciate this opportunity to express our thoughts on this matter, and your position as City Council Members to make these decisions. Thank you for your consideration on the matter of a connecting road to Mauna Lani Lane.

Sincerely,

s/ Brad Hendrickson
Brad Hendrickson

s/ Luella Hendrickson
Luella Hendrickson

Mrs. Rovig stated that from her perspective as a homeowner on Mauna Lani Lane and recognizing the amount of traffic on the road now, this roadway was not designed to carry any more traffic than it does right now. 49th South has not been developed with turn lanes at Mauna Lani Lane that would make travel through this area attractive.

Gary Voigt, re-appeared to state that he is sensitive to all of the issues presented at this public hearing. The traffic study was engaged by his firm, so that an issue was not made by not connecting to Mauna Lani Lane. If the stub for Spirit Cove was not shown at this location, the City would not have approved the Final Plat for Southpoint Addition, Division No. 3, due to emergency access concerns.

There being no further discussion either in favor of or in opposition to this annexation request, Mayor Milam closed the public hearing.

Councilmember Barnes stated that the City Council's jurisdiction goes to the subdivision line, and not any further. He also commented that if the homeowners along Mauna Lani Lane were to develop the end of Mauna Lani Lane into a true cul-de-sac, there would be no more problem.

Councilmember Eldredge stated that this is a case study for having Cooperative Agreements between the City and the County to proceed to develop in an orderly manner, so that this type of friction from one development built to one set of standards meshing with a development with a different set of standards does not occur. Now that an Area of Impact Agreement has been signed, many problems will be solved.

Councilmember Groberg complimented the people who wanted to have Mauna Lani Lane end where it is. That is a valid objective for replatting the end of that road. As Mr. Voigt stated, it is a condition of our planning that this emergency access be provided.

Councilmember Shurtleff stated that the Plat for Mauna Lani Lane was initially approved because the plan was to make Mauna Lani Lane a loop street. As Planners, the future needs to be considered. The cul-de-sac was considered to be temporary at the time of the original development. This is a County issue.

Mayor Milam stated that generally there are limits to the length of a single-access road. Bonneville County's limits are longer than the City's limits. Bonneville County was thinking in terms of looping, to allow for two accesses. The City is thinking in terms of connections, so that more than one access is available. By not having a connection with bollards, there would still be a Mauna Lani Lane with one access. It is up to Bonneville County whether Mauna Lani Lane is ever put through.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for Southpoint Addition, Division No. 3 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

MARCH 27, 2003

Aye: Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

At the request of Councilmember Barnes, the City Attorney read the following Ordinance by title:

ORDINANCE NO. 2484

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Barnes moved, and Councilmember Hardcastle seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Barnes
Councilmember Shurtleff

Nay: None

Motion Carried.

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to accept the Final Plat for Southpoint Addition, Division No. 3 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto

Councilmember Barnes
Councilmember Groberg

MARCH 27, 2003

Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to establish the initial zoning of Southpoint Addition, Division No. 3 as R-1 (Single-Family Residential) Zoning as requested, 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. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Barnes

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
March 21, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: GENERAL LIABILITY, PROPERTY, VEHICLE LIABILITY, E & O OF
PUBLIC OFFICIALS, POLICE PROFESSIONAL, FIDELITY, EXCESS
LIABILITY AND BOILER AND MACHINERY INSURANCE
COVERAGE PLACEMENT ON APRIL 1, 2003

Municipal Services respectfully requests placement of insurance contracts for the above coverage with ICRMP. The broker is The Hartwell Corporation. The contract begins on April 1, 2003. The price for this contract is \$286,707.00 for six months.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to approve the placement of insurance contracts with ICRMP as presented. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Barnes

MARCH 27, 2003

Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
March 24, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-03-14, FIBER OPTIC NETWORK EQUIPMENT

Attached for your consideration is the tabulation for Bid IF-03-14, Fiber Optic Network Equipment.

It is the recommendation of Municipal Services to accept the low evaluated bid of Luminous Networks for an amount of \$259,351.00. The award is for all of Section I, Items 1 through 8.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Groberg, to accept the low evaluated bid from Luminous Networks to provide the Fiber Optic Network Equipment as presented. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Barnes

Nay: None

Motion Carried.

City of Idaho Falls
March 25, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: SPECIAL GENERAL OBLIGATION BOND ELECTION

Attached for your consideration is an Ordinance providing for a Special General Obligation Bond Election to be held on Tuesday, May 27, 2003 for the purpose

MARCH 27, 2003

of financing the design, acquisition and construction of a new Community Recreation Center.

s/ S. Craig Lords

Councilmember Eldredge requested Maureen Finnerty, Chairperson for the Community Recreation Center Committee, come forward to address the City Council.

Maureen Finnerty appeared to thank all members of the Committee for their hard work and dedication. The feasibility study has been completed, which included the final construction costs and operating costs for the facility. The Committee has come before the City Council with a request to go forward with a Special Election in May for the General Obligation Bonds in the amount of \$8,700,000, which would fund a major portion of this facility. The process for the development of the Community Recreation Center was started in 1995 and documented in the City's Master Plan in 1996. The Community Center would include two large gyms, a large water park and leisure park area, and an indoor walking/jogging path. There are also smaller areas set aside for a teen area, senior area, meeting room and classroom space. There is a small area set aside upstairs for the use of exercise equipment. This facility will be a great addition for this City. There will be a lot of activities for kids and families.

Councilmember Eldredge thanked Maureen Finnerty and her Committee for their hard work. This has been in progress for a long time. The Recreation Center is a replacement center and would double the size of what is available now.

Councilmember Groberg stated that he was unprepared to see included in this proposed ordinance that the City Council would allocate \$3,000,000 from the General Reserve Account for the construction of this facility. He assumed that the Council would have an opportunity to discuss that proposal. This is not a good idea. He stated that the public could decide whether to go forward with the Bond Election for the Community Recreation Center. Councilmember Groberg stated that he did not think it would be wise to allocate \$3,000,000 from the General Reserve Account, nor would he recommend that to the voters. He stated that the value of the existing Recreation Center should be kept in the Recreation Fund and used for that purpose. When \$3,000,000 are taken from the General Reserve Fund, the decision is being made over many other uses for that money. Councilmember Groberg stated that he is not certain that \$3,000,000 of the General Reserve Fund should be dedicated to Recreation. If the City Council determines that the money is available for Recreation, he would have to seriously look at other options. When the Master Plan was published in 1996, a new Recreation Center was No. 4 on the list of desirable projects from the public point of view. He thought there was careful thought given to the extension of the Greenbelt, pathways, bike trails, and neighborhood parks being fit into the overall plan. He stated that if he approved the new Recreation Center, no opportunity would be had to discuss other options for the money. He has been impressed with the work from the Recreation Center Committee.

Councilmember Lehto commented that he reviewed the Master Plan. He agreed with Councilmember Groberg that the Plan addresses improvements to the Greenbelt, constructing paths and bike paths, and more park space. In the past 6 years, there have been a lot of those developments taking place. With the frugality of the Council, sufficient funds are available to make this commitment. This is a good time for the new Recreation Center as the money is available.

Councilmember Hardcastle stated that the 5th item in the Master Plan was the Zoo Extension. That project is underway now. Four of the first five items on the Parks and Recreation Master Plan have been addressed. It is time for the Recreation Center.

Councilmember Eldredge stated that the development of bike paths and the Greenbelt have not been done just by the City of Idaho Falls. There has been extensive

MARCH 27, 2003

involvement from civic groups and private individuals that have allowed the City to complete these projects beyond what the City's own means would have allowed. The Rotary Club has committed \$300,000 over the next two years.

Mayor Milam stated that the Rotary Club commitments would include completing the pathway on the east side of the river down to South Tourist Park. It is also covering the cost of two additional restroom facilities, one at Sportman's Park and one on the east side of the river.

Councilmember Eldredge recognized the Civitan Club for their contributions to Parks with playground equipment. Many of the projects are underway, with substantial investments being made toward them. Many neighborhoods have small pocket parks, which also serve as storm drainage ponds. He explained that the reason that the new Recreation Center has taken so long in the planning stages is because it is such a big project. A big part of the project is a donation of land worth in excess of \$3,000,000 that is going to reduce the cost to the City. It behooves the City to move forward on this project and go to the public to ask them what they want.

Mayor Milam commented regarding the use of General Fund monies. There was a period of time when this City did not have much in the way of reserves. Over the last nine years, the City has turned that around. That was, in part, due to some belt tightening at the urging of the City Council. Two expenditures have already been made and approved by the City Council using reserve funds. The Crow Creek Drainage problem was taken care of by separating the combined sanitary sewer and storm sewer lines. The City Council put aside \$1,000,000 each year for four years to pay for the City's portion of the construction of Sunnyside Road. A portion of that money is going to be used to construct pathways east and west from Sunnyside Road extended to Ryder Park and east to Hitt Road. That will connect Sunnyside Park, Community Park, Tautphaus Park, the Greenbelt, and Ryder Park with pathways. One of the major issues with last year's budget, was putting into the Parks and Recreation budget \$3,000,000 when the voters approved a bond to build the new Recreation Center.

Councilmember Groberg stated that the way that the Ordinance is drafted, the City Council is recommending to the voters that \$3,000,000 of the City's Reserve Funds would be used toward the construction of the new Recreation Center. He did not believe that the City Council should recommend that to the voters. That much money should not be allocated to this. The size of the Recreation Center should be reduced or the bond should be increased.

Mayor Milam stated that the voters would be able to tell the City Council whether they want the Recreation Center constructed.

Councilmember Hardcastle stated that the Bond market has never been better. There will be considerable money saved if the City can get in on the low rates at this time.

Councilmember Barnes stated that this decision is easy for him to make, in that the final decision rests in the hands of the voters. With a required 2/3 majority, it will require a great deal of community support to pass. At some point, maybe another project will have to be delayed or not be constructed. This is the budget process. Surveys have indicated that citizens have given strong support towards the Recreation Center project.

Councilmember Shurtleff stated that the City Council is entering into the private market in competition. That is the wrong thing for the government to be doing. He agreed with Councilmember Groberg with regard to the \$3,000,000 being used from the General Fund toward the construction of the new Community Recreation Center. Many people will not recognize that this money is coming from the General Fund when it is being billed as being "cheaper per house". The initial cost of the facility construction is the cheap

part. It is the operating costs that will be the expensive part. A black hole will be created for money to flow into for some time. It would be an excellent idea to leave this decision up to the voters, but this goes against what the voters of Idaho Falls put him on the City Council

MARCH 27, 2003

for, to vote his mind and what he thinks is right. That is why he will be voting against this Ordinance.

Maureen Finnerty re-appeared to state that he understood Councilmember Shurtleff's concerns. A jail was built with taxpayer's dollars. It is incumbent upon all members of the City Council to build a place where kids can go, where they would have focus before they have to be placed in a detention facility. As a Committee, this is the time to do things for kids. If the bond fails, the Committee would be committed to continue to raise money towards the Recreation Center. She did not know of anyone in private enterprise that would step up to the plate to build the type of facility that is needed for kids and families. Ms. Finnerty requested Bill Combo to come forward to share his comments regarding the Recreation Center.

Bill Combo, Chairman of the Parks and Recreation Commission, appeared to state that this was not a spur of the moment idea. The directive to study the needs for a Recreation Center came from the City Council. Countless hours have been put into the planning phase for this development. He began the process in 1994, conducting surveys with Councilmember Hardcastle. The Committee has looked at the concerns expressed by Councilmember Shurtleff and Councilmember Groberg. The Committee has weighed those concerns and balanced them. The City of Idaho Falls has always been a leader and in the forefront in Parks and Recreation. He would like to see that continue. The private sector has been considered. The experts have assured the Committee that there is a significant need that is not being met by the private sector. The majority of the Recreation Center is not in competition with the private sector, but there is a need in this community for what is being offered. He encouraged the City Council to move this issue forward and let the people vote on it. It is time that the City does something for the youth and families of our community. It is not every day that someone comes to the City with an offer of an equivalent of \$3,000,00 in the form of land.

Councilmember Groberg requested to know where bike paths are located in and around Idaho Falls. Councilmember Eldredge stated that 25th Street has a bike lane and several others are in the planning and construction stages at this time. Councilmember Groberg stated that if the Recreation Center bonding is approved at the election, it could be a focal point for developing additional bike paths and additional urban pathways. Councilmember Groberg stated that if he approves the \$3,000,000 at this time toward the construction of the Recreation Center, he would have no leverage to request additional pathways in the future.

Steven Frei, 4015 North 5th West, appeared to state that he was born and raised in Idaho Falls. Approximately 12 years ago, he moved to Nampa, Idaho for work. While living there, Nampa began and completed construction of a Recreation Center. When they returned to Idaho Falls, one of the major things that they missed was the use of a Recreation Center. This is a great asset to the family. This was a place where he could feel comfortable that his kids could go and be away from bad influences. They could meet their friends there and be engaged in healthy activities. The design of this facility is oriented toward families. The Recreation Center is not in competition with the private sector. The Recreation Center is specifically directed to youth and seniors. A Recreation Center would be extremely important to his family. By building the Recreation Center, future businesses and investors can see that the City of Idaho Falls is serious in investing in the future. This will be an incredible asset to the City of Idaho Falls.

The Mayor announced to the Council that one of the purposes of the meeting was to approve the adoption of Ordinance No. 2485 to call a special general obligation bond election on May 27, 2003, for the purpose of submitting to the qualified electors of the City

the proposition that the City issue its \$8,700,000 general obligation bonds to finance the acquisition and construction of a new community recreation center and to pay costs of issuance of the bonds.

MARCH 27, 2003

At the request of Councilmember Eldredge, the City Attorney read the following Ordinance by title:

ORDINANCE NO. 2485

AN ORDINANCE CALLING A SPECIAL GENERAL OBLIGATION BOND ELECTION TO BE HELD FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF IDAHO FALLS, IDAHO, THE PROPOSITION OF THE ISSUANCE OF \$8,700,000 NEGOTIABLE GENERAL OBLIGATION BONDS FOR THE CITY OF IDAHO FALLS, IDAHO, AND IN PROVIDING FOR THE ISSUANCE OF SUCH BONDS, THE LEVY OF A TAX TO PAY SUCH BONDS.

The foregoing Ordinance was presented by title only. Councilmember Eldredge moved, and Councilmember Hardcastle seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto

Nay: Councilmember Shurtleff
Councilmember Groberg

Motion Carried.

City of Idaho Falls
March 25, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BOND AND DISCLOSURE COUNSEL FOR THE RECREATION CENTER

Attached for your consideration is the proposal from Hawley Troxell Ennis and Hawley to act as bond counsel and disclosure counsel with respect to the proposed issuance of general obligation bonds for the new community recreation center.

Municipal Services respectfully requests the approval to Hawley Troxell Ennis and Hawley to act as bond counsel and disclosure counsel.

s/ S. Craig Lords

MARCH 27, 2003

Councilmember Shurtleff questioned how he could know that this is an appropriate fee to be charged for bond counsel. The Municipal Services Director appeared to state that this is a difficult questions, in that the value is in the firm that you are hiring and in the opinion that they will be giving. The fee for this bond counsel is consistent with previous issues that have been completed by the City, and falls within the scope of reasonable fees. Councilmember Shurtleff questioned that if the bond does not pass, what will the \$5,000 pay for.

Nick Miller, Hawley Troxell Ennis and Hawley, appeared to state that a lot of work has been completed on this project up to this point. His form has come to Idaho Falls twice and met with Recreation Center Staff and Committee people in order to draft the Ordinance before Council this night. He also discussed what is often at issue with recreation centers, which is private use. If the Recreation Center were to be run in a certain way, tax exempt financing would not be possible. He felt that it was in the interest of the City to determine that now instead of after the election. Representative Gagner is very influential in the Idaho Municipal Bond Bank. Mr. Miller was asked to look at having an answer as to why the City of Idaho Falls was not going to use the Idaho Municipal Bond Bank. The \$5,000.00 figure was put in as a maximum amount. The City Attorney stated that the contract provides for billing on an hourly basis with an hourly cap. The City Attorney explained that the Contract provides that it will be billed on an hourly basis with a cap of \$5,000.00.

It was moved by Councilmember Eldredge, seconded by Councilmember Hardcastle, to approve the proposal from Hawley Troxell Ennis and Hawley to act as bond counsel and disclosure counsel with respect to the proposed issuance of general obligation bonds for the new community recreation center and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Barnes
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
March 27, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: COMMUNITY FORESTRY ORDINANCE REVISION

Attached for your consideration is a revised Community Forestry Ordinance. The noted changes and/or additions to the Ordinance are to sections dealing with certain standard tree practices, safety standards; public and private tree

plantings in public utilities, pruning standards and tree topping, and abatement of nuisances. The revision also allows for adoption of ANSI 300 and ANSI Z133.1 official code for the maintenance of trees, shrubs and woody

MARCH 27, 2003

plants. This proposed revised Ordinance has been reviewed by the Idaho Falls Tree Commission and the City Electric Light Division and the City Attorney. It is therefore submitted for your approval.

s/ David J. Christiansen

At the request of Councilmember Hardcastle, the City Attorney read the following Ordinance by title only:

ORDINANCE NO. 2486

AN ORDINANCE REPEALING AND RE-ENACTING CHAPTER 9, TITLE 8, TITLED "COMMUNITY FORESTRY," OF THE CITY CODE OF IDAHO FALLS, IDAHO; DEFINING CERTAIN TERMS, ESTABLISHING DUTIES AND RESPONSIBILITY OF THE COMMUNITY FORESTER, ESTABLISHING SHADE TREE COMMITTEE; PROVIDING REGULATIONS FOR PLANTING, CARE AND PRUNING OF PUBLIC AND PRIVATE TREES; ESTABLISHING PROCEDURES FOR ABATEMENT OF NUISANCES; PROVIDING FOR THE SEVERABILITY AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Eldredge seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
March 21, 2003

MEMORANDUM

TO: Mayor and City Council

FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT - PARKWOOD MEADOWS ADDITION, DIVISION
NO. 7

MARCH 27, 2003

Attached is the Final Plat for Parkwood Meadows Addition, Division No. 7, a one lot plat of 0.75 acres north of Hoopes Avenue. The parcel is within the City of Idaho Falls and is zoned RSC-1 and R3-A. The Planning Commission considered this request at its March 4, 2003 Meeting and recommended approval. This final plat is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this Final Plat:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Final Plat
Slide 4	Site Plan
Slide 5	Site Photo looking at site towards the north
Slide 6	Site Photo looking at residential properties east of site
Slide 7	Site Photo showing retail west of site
Slide 8	Site Photo south of site
Exhibit 1	Planning Commission Minutes dated March 4, 2003
Exhibit 2	Staff Report dated March 4, 2003

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to accept the Final Plat for Parkwood Meadows Addition, Division No. 7 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Barnes
Councilmember Shurtleff

Nay: None

Motion Carried.

City of Idaho Falls
March 24, 2003

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: RSC-1 SITE PLAN REVIEW – PARKWOOD MEADOWS ADDITION,
DIVISION NO. 7

Attached is the Site Plan for Parkwood Meadows Addition, Division No. 7. The western portion of this site is zoned RSC-1, a commercial zone which requires Site Plan Review by the Planning Commission and City Council. This Site Plan for an office building was reviewed by the Planning Commission on March 4,

MARCH 27, 2003

2003. The Commission recommended approval. This Site Plan is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this Site Plan Review:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Final Plat
Slide 4	Site Plan
Slide 5	Site Photo looking at site towards the north
Slide 6	Site Photo looking at residential properties east of site
Slide 7	Site Photo showing retail west of site
Slide 8	Site Photo south of site
Exhibit 1	Planning Commission Minutes dated March 4, 2003
Exhibit 2	Staff Report dated March 4, 2003

It was moved by Councilmember Barnes, seconded by Councilmember Hardcastle, to approve the Site Plan for professional offices in Parkwood Meadows Addition, Division No. 7 as presented. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Barnes
Councilmember Groberg
Councilmember Shurtleff
Councilmember Hardcastle

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
March 24, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SEWER ADMINISTRATION BUILDING – CONTRACT OF SALE

On March 5, 2003, the City Clerk conducted a Public Auction for the purpose of selling the Sewer Administration Building located at 3916 South Yellowstone Highway. One bid was provided by Melaleuca, Inc. in the amount of \$1,075,000.00.

MARCH 27, 2003

Attached is a Contract of Sale between the City and Melaleuca, Inc. for the subject property. Public Works recommends approval of this Contract of Sale; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to approve the Contract of Sale between the City of Idaho Falls and Melaleuca, Inc. for the Sewer Administration Building located at 3916 South Yellowstone Highway and, further, give authorization for the Mayor and City Clerk to sign the necessary contract documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Shurtleff
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Barnes

Nay: None

Motion Carried.

City of Idaho Falls
March 24, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: PROFESSIONAL SERVICES AGREEMENT – SCHIESS AND ASSOCIATES

Attached is a proposed Professional Services Agreement between the City and Schiess and Associates for design of water and sewer main extensions to Grupo Modelo's malt plant on Jameston Road, in the amount of \$15,392.00.

Public Works recommends approval of this agreement; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to approve the Professional Services Agreement between the City of Idaho Falls and Schiess and Associates for design of water and sewer main extensions to Grupo Modelo's malt plant on Jameston Road as presented and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Barnes

Councilmember Shurtleff
Councilmember Hardcastle

MARCH 27, 2003

Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
March 24, 2003

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: IDAHO TRANSPORTATION DEPARTMENT (ITD) COOPERATIVE
AGREEMENT – NORTH HOLMES AVENUE PROJECT

Attached is a proposed Cooperative Agreement between the City and the Idaho Transportation Department with respect to construction and maintenance of street improvements located on Holmes Avenue between Anderson Street and Iona Road. The Agreement sets forth responsibilities for the State to construct certain improvements and the City to maintain those same improvements, primarily curb, gutter, sidewalk and storm sewer system.

Public Works recommends approval of this Agreement; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

RESOLUTION NO. 2003-4

WHEREAS, the Idaho Transportation Department, hereafter called the STATE, has submitted an Agreement stating obligations of the STATE and the CITY OF IDAHO FALLS, hereinafter called the CITY, for construction of Holmes Avenue/Anderson Street to Iona Road; and,

WHEREAS, certain functions to be performed by the STATE involve the expenditure of funds as set forth in the Agreement; and,

WHEREAS, the STATE can only pay for work associated with the State Highway system; and,

WHEREAS, the CITY is fully responsible for its share of project costs.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for State Highway Project ST-7316(601) is hereby approved.

2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the CITY.

MARCH 27, 2003

3. That duly certified copies of the Resolution shall be furnished to the STATE.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a regular, duly called meeting of the City Council, City of Idaho Falls, held on March 27, 2003.

s/ Rosemarie Anderson
City Clerk

(SEAL)

It was moved by Councilmember Shurtleff, seconded by Councilmember Barnes, to approve the Cooperative Agreement between the City of Idaho Falls and the Idaho Transportation Department with respect to construction and maintenance of street improvements located on North Holmes Avenue, between Anderson Street and Iona Road as presented and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Shurtleff
Councilmember Hardcastle
Councilmember Barnes
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Eldredge, seconded by Councilmember Shurtleff, that the meeting adjourn at 9:30 p.m.

CITY CLERK

MAYOR
