

**DECEMBER 12, 2013**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, November 14, 2013, at 7:30 p.m. in the Council Chambers located in the City Annex Building at 680 Park Avenue in Idaho Falls, Idaho.

There were present:

Mayor Jared D. Fuhriman  
Councilmember Michael Lehto  
Councilmember Ken Taylor  
Councilmember Ida Hardcastle  
Councilmember Karen Cornwell  
Councilmember Thomas Hally  
Councilmember Sharon D. Parry

Also present:

Randy Fife, City Attorney  
Rosemarie Anderson, City Clerk  
All available Division Directors

Mayor Fuhriman requested Boy Scout Tanner Hiltbrand to lead those present in the Pledge of Allegiance.

Mayor Fuhriman requested those to come forward who had items for the City Council that were not otherwise on the Council Agenda.

Cal Ephrem, 912 Riverside Drive, appeared to express her concern for the Psychic Reading, Card Reading, and Palm Reading business located at 390 North Holmes Avenue. She stated that she believed that this business was just after money and was not legitimate.

Layne Allgood, Executive Director for the Partnership of Science and Technology, appeared to state that the Department of Energy is going to grant New Scale Power from Corvallis, Oregon, up to \$452,000,000.00 for the design, licensing, and development of a small modular reactor. This was a competition among several businesses. New Scale announced that if they won the competition, they would build the reactor in Idaho Falls at the INL. Further, he recognized Mayor Fuhriman for his support of the project. Mayor Fuhriman also recruited six other area Mayors for a letter of support for this project.

Farrah Marks appeared to express her concern for the Physic Reading, Carl Reading, and Palm Reading business located at 390 North Holmes Avenue. She stated that she did not believe that Idaho Falls should be taken advantage of.

Rick Klawitter, 793 Cleveland, appeared to state that he was opposed to the Physic Reading, Card Reading, and Palm Reading business located at 390 North Holmes Avenue. He had a reading this afternoon. He believed that the business was fraudulent.

Mayor Fuhriman and the City Councilmembers granted the following Grants for the Arts:

Idaho Falls Symphony	\$2,125.00
Art Museum of Eastern Idaho	\$1,000.00
Artitorium on Broadway	\$1,000.00
Idaho Falls Arts Council/Roaring Youth Jam	\$1,500.00
Idaho Falls Rotary Club No. 1041	\$1,500.00
Idaho Falls Youth Arts Centre	\$ 875.00
Sounds Summer Musical	\$2,000.00

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**CONSENT AGENDA ITEMS**

Mayor Fuhriman requested Council Confirmation for the Appointment of Todd DeVries to serve on the Accessibility Commission (Term to Expire on December 31, 2014); and, Matthew Queen to serve on the Accessibility Commission (Term to Expire on December 31, 2014).

The City Clerk requested approval of the Minutes from the November 26, 2013 Council Work Session, and the November 26, 2013 Regular Council Meeting.

The City Clerk presented monthly reports from various Division and Department Heads and requested that they be accepted and placed on file in the City Clerk's Office.

The City Clerk presented the following Expenditure Summary dated November 1, 2013 through November 30, 2013, after having been audited by the Fiscal Committee and paid by the Controller:

<b>FUND</b>	<b>TOTAL EXPENDITURE</b>
General Fund	\$ 1,695,609.60
Street Fund	134,114.15
Recreation Fund	42,392.90
Library Fund	37,846.47
Electric Light Public Purpose Fund	23,604.65
Golf Fund	57,025.33
Self-Insurance Fund	209,976.96
Sanitary Sewer Capital Improvement Fund	31,900.80
Municipal Capital Improvement Fund	187,504.58
Street Capital Improvement Fund	596,187.89
Water Capital Improvement Fund	39,816.95
Traffic Light Capital Improvement Fund	22,592.00
Airport Fund	348,441.83
Water and Sewer Fund	2,0017,786.67
Sanitation Fund	25,201.33
Ambulance Fund	10,226.75
Electric Light Fund	3,009,131.14
Payroll Liability Fund	2,997,647.45
<b>TOTALS</b>	<b>\$11,487,007.45</b>

The City Clerk requested approval of the Monthly Treasurer's Report for the month of November, 2013, as follows:

City of Idaho Falls  
October 2013

Dear Mayor and City Council Members:

Attached please find the City of Idaho Falls, Idaho, Monthly Treasurer's Report for the above referenced month, as required by Idaho Code Section 50-208.

This report was filed in the City Clerk's Office on or before the 10<sup>th</sup> day from the end of the month of the Report.



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Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

The Airport Director submitted the following memos:

City of Idaho Falls  
December 12, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Craig H. Davis, Airport Director  
SUBJECT: CONSENT TO ASSIGNMENT OF LEASE – AIRPORT HANGAR

Attached for your consideration is a Consent to Assignment of Lease between the City of Idaho Falls and BH Air, LLC for the Aircraft Hangar located at 2040 International Way.

Randy Fife, City Attorney, has reviewed and prepared said Consent.

The Airport Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said documents.

s/ Craig H. Davis

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to approve the Consent to Assignment of Airport Hangar Lease between the City of Idaho Falls and BH Air, LLC for the Aircraft Hangar located at 2040 International Way and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

Motion Carried.

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City of Idaho Falls  
December 12, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Craig H. Davis, Airport Director  
SUBJECT: CONSENT TO ASSIGNMENT OF LEASE – AIRPORT HANGAR

Attached for your consideration is a Consent to Assignment of Lease between the City of Idaho Falls and Vista Valley Aviation, LLC for the Aircraft Hangar located at 2030 International Way.

Randy Fife, City Attorney, has reviewed and prepared said Consent.

The Airport Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said documents.

s/ Craig H. Davis

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to approve the Consent to Assignment of Airport Hangar Lease between the City of Idaho Falls and Vista Valley Aviation, LLC for the Aircraft Hangar located at 2030 International Way and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Parry

Nay: None

Motion Carried.

City of Idaho Falls  
December 12, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Craig H. Davis, Airport Director  
SUBJECT: STATE GRANT OFFER – IAAP NO. IDA-2013

Attached for your consideration is a State Grant Offer, IAAP No. IDA-2013 for the amount of \$25,000.00 and a City Resolution for the Terminal Expansion Project. This State Grant will be applied to the expenditures for the construction and construction administration portions of the Terminal Expansion Project.

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Randy Fife, City Attorney, has reviewed said documents.

The Airport Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said documents.

s/ Craig H. Davis

**RESOLUTION NO. 2013-21**

EXTRACT OF MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF CITY OF IDAHO FALLS, IDAHO HELD ON DECEMBER 12, 2013.

The following Resolution was introduced by Councilmember Sharon D. Parry, read in full, considered and adopted:

Resolution Number 2013-21 of City of Idaho Falls, Idaho accepting the Grant Offer of the State of Idaho through the Idaho Transportation Department, Division of Aeronautics, in the maximum amount of \$25,000.00 to be used under the Idaho Airport Aid Program, Program Number: LNS8IDA, Project Number: IDA-2013 AIP-037 in the development of the Idaho Falls Regional Airport; and,

Be it resolved by the Mayor and City Council of City of Idaho Falls, Idaho (herein referred to as the "City") as follows:

Section 1. That the Mayor shall accept the Grant Offer of the State of Idaho in the amount of \$25,000.00, for the purpose of obtaining State Aid under Program Number: LNS8IDA, Project Number: IDA-2013 AIP-037 in the development of the Idaho Falls Airport; and,

Section 2. That the Mayor of the City of Idaho Falls is hereby authorized and directed to sign the statement of Acceptance of said Grant Offer (entitled Acceptance) on behalf of the City. The city Clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the City on the aforesaid statement of Acceptance; and,

Section 3. A true copy of the Grant Agreement referred to herein be attached hereto and made a part thereof.

Passed by the City Council and Approved by the Mayor this 12<sup>th</sup> day of December, 2013.

s/ Jared D. Fuhriman  
Jared D. Fuhriman, Mayor

ATTEST:

s/ Rosemarie Anderson  
Rosemarie Anderson, City Clerk

(SEAL)

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CERTIFICATE

I, Rosemarie Anderson, City Clerk do hereby certify that the foregoing is a full, true, and correct copy of the Resolution No. 2013-21 adopted at a regular meeting of the City Council held on the 12<sup>th</sup> day of December, 2013, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the City, this 12<sup>th</sup> day of December, 2013.

s/ Rosemarie Anderson  
Rosemarie Anderson, City Clerk

(SEAL)

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to accept the State Grant Offer IAAP No. IDA-2013 in the amount of \$25,000.00, adopt the City Resolution for the Terminal Expansion Project as written waiving the reading in full and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Parry  
Councilmember Taylor

Nay: None

Motion Carried.

City of Idaho Falls  
December 12, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Craig H. Davis, Airport Director  
SUBJECT: AIRPORT TERMINAL EXPANSION PROJECT – CHANGE ORDER  
NO. 3

Attached is Change Order No. 3 for the Terminal Expansion Project. This Change Order is due to work items needed that was not addressed in the original contract and increases the project cost by \$74,150.25 for a revised contract total of \$2,360,810.67.

The FAA has reviewed and approved this Change Order as eligible for reimbursement at 93.75%.

The Airport Division respectfully requests City Council approval of this Change Order.

s/ Craig H. Davis

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The Airport Director appeared to state that the Terminal Expansion Project is on schedule. The estimated completion date is May, 2014. The proposed Change Order involves ticket counter finish revisions, flooring change in existing lobby, communications room and emergency generator, fire proofing at existing columns, and convenience outlets at apron area.

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to approve Change Order No. 3 to Barry Hayes Construction LLC for the Terminal Expansion Project in the amount of \$74,150.25, with the Federal Aviation Administration reimbursing at the rate of 93.75%. Roll call as follows:

Aye:            Councilmember Taylor  
                  Councilmember Hally  
                  Councilmember Lehto  
                  Councilmember Parry  
                  Councilmember Cornwell  
                  Councilmember Hardcastle

Nay:            None

Motion Carried.

Councilmember Lehto stated that he would be abstaining from any discussion or decision regarding the following item from the Idaho Falls Power Director, as he had a conflict of interest.

The Idaho Falls Power Director submitted the following memo:

City of Idaho Falls  
December 9, 2013

MEMORANDUM

TO:            Honorable Mayor and City Council  
FROM:        Jackie Flowers, Idaho Falls Power Director  
SUBJECT:    APPROVE CONTRACT WITH BATTELLE ENERGY ALLIANCE FOR  
                  DE-ENERGIZATION WORK AT BUILDINGS IN IDAHO FALLS

Battelle Energy Alliance (BEA) has requested support from Idaho Falls Power staff for isolation, de-energization and re-energization of high voltage components on facilities in Idaho Falls to facilitate work BEA will complete internal to their electric system. Idaho Falls Power staff is qualified to do this work and it is consistent with work that staff frequently completes in our system. The attached Contract has been negotiated to allow Idaho Falls Power to support BEA with this work. The City Attorney has reviewed this contract.

Idaho Falls Power respectfully requests City Council approve and authorize the Mayor to sign the contract.

s/ Jackie Flowers

It was moved by Councilmember Hally, seconded by Councilmember Hardcastle, to approve the Contract with Battelle Energy Alliance (BEA) for isolation, de-energization and re-energization of high voltage components on facilities in Idaho Falls to facilitate work BEA

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will complete internal to their electric system and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Hardcastle  
Councilmember Parry  
Councilmember Taylor  
Councilmember Cornwell

Nay: None

Abstain: Councilmember Lehto

Motion Carried.

The Municipal Services Director submitted the following memo:

City of Idaho Falls  
December 11, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: CITY HALL PLANNING ROOM REMODEL, CHANGE ORDER NO. 1

Attached for your consideration are documents related to Change Order No. 1.

The City Hall Planning Room Remodel Change Order No. 1 is in the amount of \$1,905.50 and will provide the following:

Windows	Fixed to sliding	\$1,285.00
Windows	Credit for windows	(\$ 642.50) CRSA is paying half due to their omission
Carpet	Credit for carpet tile	(\$2,500.00)
Doors	Hollow metal to wood	\$3,763.00
	TOTAL	\$1,905.50

Change Order No. 1 has been reviewed by CRSA Architects and General Services. The contract would be extended an additional 45 days to account for the door delivery. It is respectfully requested by Municipal Services that the Council approve Change Order No. 1 and authorize the Mayor to execute these documents.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Parry, to approve Change Order No. 1 to Vern Clark and Sons Construction Company in the amount of

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\$1,905.50 for the City Hall Planning Room Remodel and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Parry  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memos:

City of Idaho Falls  
December 10, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Greg A. Weitzel, Parks and Recreation Director  
SUBJECT: PROFESSIONAL SERVICES AGREEMENT

The Division of Parks and Recreation recommends approval of a proposal with Rock Solid Landscape Design and Construction in the amount of \$24,725.00 for the construction and engineering of the Memorial Falls Project.

s/ Greg A. Weitzel

Councilmember Hally stated that he appreciated the Parks and Recreation Director for holding a public information meeting regarding this project. He commented that this is a moderate price to pay for this water feature. The size of this water feature has been reduced by a third to mitigate concerns that have been raised.

Councilmember Taylor stated that this Agreement commits the City of Idaho Falls to the Memorial Drive location for this project. As a matter of disclosure, he has received several comments from the public. Some comments have been in support of the project and some have been opposed to the project. One suggestion was that if this memorial is a veterans' theme, it should be located at Freeman Park close to the Vietnam War Memorial is. Another comment was for the City to save the money and put it towards a large water park. Councilmember Taylor requested the Parks and Recreation Director to come forward to describe this proposal and how it was different from the initial proposal of a splash park.

The Parks and Recreation Director appeared to state that this proposal was for design and engineering, which would take several months to develop. Ultimately, this project, once designed, would be brought before the City Council to request authorization to advertise and receive bids. There has been a lot of public input taken through public forums, emails, and public meetings. Information will be placed on the website regarding this project. This project is taking recommendations from the Memorial Drive Master Plan,

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which called for two water features, a spray park and a water fountain. The response to the spray park was great, but concern was expressed for the location of that spray park. There were members of the community who understood that this spray park was a much larger water park. That was not proposed. The Parks and Recreation Division went back to the drawing board for a new concept. A larger water park would be considered at Tautphaus Park. In the new year, the Parks and Recreation Division will request the Mayor and City Council to move forward for Master Plan for Tautphaus Park, where a larger water park could be considered. He commented, further, that a water feature would still be something that would be appreciated by the community. They have taken the water fountain idea being along Memorial Drive, and came up with the concept of Memorial Falls. This project would be approximately 25 feet in diameter and would be a decorative art fountain. This fountain would be dedicated to Veterans. They have met with the leadership of the major Veteran Associations, as well as the Rotary Club Leadership, who gave overwhelming support for this idea. Rotary Club would provide the funding for this feature. This will be a great artistic feature to Memorial Drive when it is constructed. In the 1920's, a memorial fountain was located along Memorial Drive. That is how Memorial Drive got its name.

Councilmember Lehto questioned what the process for development of this project.

The Parks and Recreation Director stated that they discussed this project with the Parks and Recreation Commission. At this time, there is a concept for the water feature. As the project develops, more conversations will be held with the Parks and Recreation Commission for greater input.

Councilmember Parry stated that the artistic design is great and recognizing the Veterans is a wonderful concept. She stated, further, that there should not be a rush on this project. Councilmember Parry expressed her concern for the cost of this water feature and where it would come out of the budget. The City's Emergency Fund does not have the balances that it should have. She expressed her concern for the location for the proposed water feature. Children need to be safe. In June, 2013, a discussion was had with ICRMP regarding safety, risk, and liability for a spray park to be located along the river. According to Councilmember Parry, ICRMP is not very excited about locating a water feature or spray park on Memorial Drive along the Snake River. The ICRMP representative stated that they would cover a water feature or spray park, but they would rather not have it constructed at that location. Due to the safety concerns, Councilmember Parry stated that she would not vote in favor of this water feature. She stated, further, that it is for the next City Council to make that determination.

Councilmember Taylor stated that when ICRMP weighed in on this, it was for the large spray park that was planned.

Councilmember Parry stated that she was the only one to have the conversation regarding liability, safety, and risk with Jim McNall from ICRMP.

The Municipal Services Director attested to the fact that Councilmember Parry has been concerned about the location of the spray park. ICRMP will cover a spray park as it is their business. Mr. McNall indicated that if the design is right, ICRMP would insure a splash park.

Councilmember Hally stated that the proposed location for Memorial Falls is a safe location. There are more children that attend the Roaring Youth Jam, than the Memorial Falls will see. He stated, further, that every City that he has studied has amenities along the water fronts.

Councilmember Hardcastle stated that plans for Memorial Drive have been discussed for many years. A water feature was part of that plan. She stated, further, that she has been involved with the Duck Race. Hundreds of children attend that event. Thousands of children attend the fireworks on the 4<sup>th</sup> of July. She indicated that she would

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like to see this plan move forward. With the support of the military and other clubs within the area, she would like to have this water feature be designed and constructed. She was in favor of moving forward with that design and construction.

Councilmember Lehto stated that his only concern was that this City Council has not rushed to put anything on the river. He stated, further, that he appreciated all of the public comment that has been taken. As long as there is citizen involvement, he approved of this water feature moving forward.

Councilmember Cornwell stated that the Rotary Club will fund the construction of the water feature. The City may have to pay in advance, but the Rotary Club would reimburse the City for all expenses.

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell to approve the Professional Services Agreement with Rock Solid Landscape Design and Construction for the design and engineering for the Memorial Falls Project. Roll call as follows:

Aye:            Councilmember Taylor  
                  Councilmember Hally  
                  Councilmember Lehto  
                  Councilmember Cornwell  
                  Councilmember Hardcastle

Nay:            Councilmember Parry

Motion Carried.

City of Idaho Falls  
December 10, 2013

MEMORANDUM

TO:            Honorable Mayor and City Council  
FROM:        Greg A. Weitzel, Parks and Recreation Director  
SUBJECT:    CHANGE ORDER NO. 1 – WES DEIST AQUATIC CENTER  
                  RENOVATIONS

On November 14, 2013, a bid was awarded and opened for renovations of Wes Deist Aquatic Center. Vern Clark and Sons Construction was selected by Alderson, Karst, and Mitro Architects, P. A. after reviewing three (3) submitted bids.

Due to changes in the work to be performed, the Division of Parks and Recreation recommends an increase of the contract of \$2,475.00, bringing the original award of \$76,900.00 to a total of \$79,375.00, and requests authorization for the Mayor and City Clerk to sign the contract Change Order documents.

s/ Greg A. Weitzel

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve Change Order No. 1 in the amount of \$2,475.00 to Vern Clark and Sons

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Construction Company for the Wes Deist Aquatic Center Renovations and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Parry

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls  
December 3, 2013

MEMORANDUM

TO: Mayor and City Council  
FROM: Brad Cramer, Planning and Building Director  
SUBJECT: REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS - LOTS 20-24, BLOCK 23, CAPITOL HILL ADDITION

Attached is the Reasoned Statement of Relevant Criteria and Standards for the request for a Conditional Use Permit to allow RSC-1 uses in an R-3A Zone for Lots 20-24, Block 23, Capitol Hill Addition. These findings have been reviewed by the City Attorney's Office. The Division respectfully requests approval of this document.

s/ Brad Cramer

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the Reasoned Statement of Relevant Criteria and Standards for a Conditional Use Permit to allow RSC-1 uses in an R-3A Zone for Lots 20-24, Block 23, Capitol Hill Addition and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Parry  
Councilmember Taylor

Nay: None

Motion Carried.

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City of Idaho Falls  
December 3, 2013

MEMORANDUM

TO: Mayor and City Council  
FROM: Brad Cramer, Planning and Building Director  
SUBJECT: REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS – LOT 1, BLOCK 1, HARMAN ADDITION

Attached is the Reasoned Statement of Relevant Criteria and Standards for the request for rezoning for R-3A with a PT-2 Overlay to C-1 for Lot 1, Block 1, Harman Addition. These findings have been reviewed by the City Attorney's Office. The Division respectfully requests approval of this document.

s/ Brad Cramer

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to approve the Reasoned Statement of Relevant Criteria and Standards for rezoning for R-3A with a PT-2 Overlay to C-1 for Lot 1, Block 1, Harman Addition and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Hardcastle  
Councilmember Parry  
Councilmember Lehto  
Councilmember Taylor  
Councilmember Cornwell

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
December 9, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H Fredericksen, Public Works Director  
SUBJECT: IDAHO TRANSPORTATION DEPARTMENT STATE/LOCAL AGREEMENT – OLD BUTTE ROAD, PANCHERI DRIVE TO PIONEER ROAD

Attached is a State/Local Agreement with the Idaho Transportation Department and accompanying Resolution with respect to Old Butte Road, Pancheri Drive to Pioneer Road Project. This Agreement requires City financial contribution towards the entire project at a match rate of 7.34% and establishes an initial contribution of \$20,000.00. This Agreement has been reviewed by the City Attorney.

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

s/ Chris H Fredericksen

**RESOLUTION NO. 2013-22**

WHEREAS, the Idaho Transportation Department, hereafter called the State, has submitted an Agreement stating obligations of the State and the CITY OF IDAHO FALLS, hereafter called the CITY, for development of Old Butte Road Extension; Pancheri to Pioneer; and,

WHEREAS, the State is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction, and maintenance of improvements made to the Federal-Aid Highway System when there is federal participation in the costs; 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; and,

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Agreement for Federal Aid Project A013(584) is hereby approved.

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

Section 3. That duly certified copies of the Resolution shall be furnished to the Idaho Transportation Department.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, City of Idaho Falls, held on December 12, 2013.

s/ Rosemarie Anderson  
City Clerk

(SEAL)

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the State/Local Agreement with the Idaho Transportation Department and accompanying Resolution with respect to Old Butte Road, Pancheri Drive to Pioneer Road Project and,

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further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Parry  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

City of Idaho Falls  
December 9, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H Fredericksen, Public Works Director  
SUBJECT: ENGINEERING SERVICES AGREEMENT – TASK ORDER NO. 13-03, MURRAY SMITH AND ASSOCIATES, WASTEWATER RATE IMPACT ANALYSIS

Attached is proposed Task Order No. 13-03 to Engineering Services Agreement with Murray Smith and Associates in an amount of \$12,500.00. This Task Order provides for professional services for analysis of potential operational modifications at local industries that affects wastewater flows and loads to the Wastewater Treatment Plant.

Public Works recommends approval of this Task Order; and, authorization for Mayor and City Clerk to sign necessary documents.

s/ Chris H Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve Task Order No. 13-03 to Engineering Services Agreement with Murray Smith and Associates in the amount of \$12,500.00 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto

Nay: None

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Motion Carried.

City of Idaho Falls  
December 9, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H Fredericksen, Public Works Director  
SUBJECT: CHANGE ORDERS 2-4 – 17<sup>TH</sup> STREET, PANCHERI DRIVE TO SOUTH BOULEVARD

Attached for consideration are proposed Change Orders 2-4 to the 17<sup>th</sup> Street, Pancheri Drive to South Boulevard Project. These Change Orders provide for additional costs associated with constructing an additional urban approach, removal of a luminaire foundation, inlet modification and additional traffic control.

The total contract increase due to the proposed changes amounts to \$70,792.32, bringing the total change order increases to date to \$77,974.32. The City's financial contribution will be 7.34% of this cost. The City Engineer and City Attorney have reviewed and approved these Change Orders.

Public Works recommends approval of these Change Orders; and, authorization for Mayor and City Clerk to sign the documents.

s/ Chris H Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve Change Order Nos. 2-4 to HK Contractors, Inc. for the 17<sup>th</sup> Street, Pancheri Drive to South Boulevard Project in the amount of \$70,792.32 (City's contribution 7.34% of that amount), and further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Parry  
Councilmember Taylor

Nay: None

Motion Carried.

City of Idaho Falls  
December 9, 2013

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chris H Fredericksen, Public Works Director  
SUBJECT: ENGINEERING SERVICES – WATER SYSTEM FACILITY PLAN

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As previously authorized, Public Works solicited and received proposals for providing engineering design services related to conducting a Water System Facility Plan. Responses to the proposal request were received and evaluated.

Based upon those evaluations, Public Works recommends selecting Murray Smith and Associates to perform the described services; and, authorize Public Works to negotiate a related fee structure.

s/ Chris H Fredericksen

It was moved by Councilmember Lehto, seconded by Councilmember Hally, to approve the proposal to provide engineering design services related to conducting a Water System Plan from Murray Smith and Associates and, further, give authorization for the Public Works Division to negotiate a related fee structure. Roll call as follows:

Aye: Councilmember Cornwell  
Councilmember Hardcastle  
Councilmember Hally  
Councilmember Parry  
Councilmember Taylor  
Councilmember Lehto

Nay: None

Motion Carried.

It was moved by Councilmember Lehto, seconded by Councilmember Hally, that the memo to vacate an alley in Westland Heights Addition, Division No. 3, Block 4, across Lots 11-16 be tabled to the December 19, 2013 Special Council Meeting. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Parry  
Councilmember Hardcastle  
Councilmember Taylor  
Councilmember Hally  
Councilmember Cornwell

Nay: None

Motion Carried.

Mayor Fuhrman requested Councilmember Hardcastle to conduct a public hearing for consideration of the initial zoning of HC-1 for 22.607 acres of the Sunnyside Road and I-15 Interchange. At the request of Councilmember Hardcastle, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
December 3, 2013

MEMORANDUM

TO: Mayor and Council  
FROM: Brad Cramer, Planning and Building Director  
SUBJECT: INITIAL ZONING OF HC-1, 22.607 ACRES, SUNNYSIDE ROAD  
AND I-15 INTERCHANGE

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Attached is Zoning Ordinance for initial zoning of HC-1 for 22.607 Acres of the Sunnyside Road and I-15 Interchange. The City Council approved the annexation of the property at its October 10, 2013 Meeting. At that time, no zoning designation was approved. The Planning Commission recommended HC-1 Zoning at its May 7, 2013 Meeting. Staff concurs with this recommendation. This request is now being submitted to the Mayor and City Council for consideration.

s/ Brad Cramer

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

- Slide 1 Vicinity Map showing surrounding zoning
- Slide 2 Aerial Photo
- Slide 3 (a) Procedures for Category A Annexations:  
Lands lying contiguous or adjacent to any city in the State of Idaho may be annexed by the City if the proposed annexation meets the requirements of Category A. Upon determining that a proposed annexation meets such requirements, **a city may initiate the planning and zoning procedures set forth in Chapter 65, Title 67, Idaho Code, to establish the comprehensive planning policies, where necessary, and zoning classification of the lands to be annexed.**
- Slide 4 67-6525. Plan and zoning ordinance changes upon annexation of unincorporated area. Prior to annexation of an unincorporated area, a City Council shall request and receive a recommendation from the Planning and Zoning Commission, or the Planning Commission and the Zoning Commission, on the proposed plan and zoning ordinance changes for the unincorporated area. Each commission and the City Council shall follow the notice and hearing procedures provided in Section 67-6509, Idaho Code. **Concurrently or immediately following the adoption of an ordinance of annexation, the City Council shall amend the plan and zoning ordinance.**

The Planning and Building Director explained, further, that the recommended zone is HC-1, which is consistent with what the Planning Commission recommended in May, 2013. The Planning and Building Director presented the following letter from Fabian, Attorneys at Law:

Fabian, Attorneys at Law  
Douglas B. Cannon  
December 5, 2013

Idaho Falls Planning Office  
c/o Brad Cramer, Director of the Planning and Building Division  
680 Park Avenue  
P. O. Box 50220  
Idaho Falls, ID 83405

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Planning Department  
City Hall Annex  
380 Constitution Way  
Idaho Falls, ID 83402

Dear Mr. Cramer:

This firm represents Ottley Land Company ("Ottley"). Ottley has been made aware of a Notice of Public Hearing scheduled for December 12, 2013 at 7:30 p.m. regarding Idaho Falls' proposed annexation of 22.607 acres located at Interstate-15 and Sunnyside Road (the "Proposed Annexation"). Ottley owns land adjacent to the Proposed Annexation and does not consent to the Proposed Annexation.

It is unfortunate that this Proposed Annexation is being considered because it forces Ottley to take a position at the present time on annexation to Idaho Falls City, and there is no apparent benefit to the City. Ottley wants to retain flexibility as to whether to remain in the County or voluntarily annex to the City. However, because Ottley's property is adjacent to the Proposed Annexation, it is now being forced to take a position to oppose annexation. In addition, the freeway area which is the subject of the Proposed Annexation does not provide any tax revenue to the City, but potentially creates additional burdens and potential liability for the City. There appears to be no benefits to the City by the Proposed Annexation at this time, but only burdens. For these reasons, the Ottley's view it would be better for the City to withdraw or not proceed with the Proposed Annexation and proceed later only if and when Ottley and other surrounding private property owners determine they wish to voluntarily annex to the City.

Ottley objects to the Proposed Annexation as it is in violation of Idaho Code Section 50-222 (the "Annexation Statute").

The specific grounds for Ottley's objection are that the Proposed Annexation is not within other property being annexed, and the Proposed Annexation is not *private* land. The Idaho Supreme Court has declared that a municipality "ha[s] the power to annex additional territory only under the conditions, restrictions and limitations which the legislature imposes." *Hendricks v. City of Nampa*, 456 P.2d 262, 265 (Idaho 1969). A municipality's power to annex property flows exclusively from the Annexation Statute. *Coeur D'Alene Indus. Park Prop. Owners Ass'n, Inc. v. City of Coeur D'Alene*, 702 P.2d 881, 883 (Idaho Ct. App. 1985).

Regarding annexation of roads and highways, the Annexation Statute states the following:

In any annexation proceeding, all portions of highways lying wholly or partially *within* an area to be annexed shall be included within the area annexed unless expressly agreed between the annexing City and the governing board of the highway agency providing road maintenance at the time of annexation.

I. D. 50-222(2) (emphasis added). Thus, the statute contemplates annexation of highways and roads only when the highways, and roads are “within” other properties being annexed. Again, there is no tax revenue going to the City in connection with the Proposed Annexation which is contrary to the implicit revenue requirement contemplated by the Annexation Statute<sup>1</sup>.

Here, the Proposed Annexation consists exclusively of highways and roads, and the highways and roads are not within other property being annexed and area admittedly owned by the State. Accordingly, the Proposed Annexation violates the Annexation Statute.

The statute contains additional language illustrating this limitation. Cities are permitted to annex a railroad right-of-way “[n]otwithstanding any other provision of this section.” (I. C. § 50-222(S)(b)(vii)). Thus, the Legislature knew how to empower cities to annex right-of-way not “within” other lands, and chose to grant this power only for railroad right-of-way. No similar annexation power for highway right-of-way is provided.

If the highway or road is not within other properties being annexed, the statute does not otherwise permit annexation under the statute’s broader provisions.

Under the Annexation Statute, there are three categories of annexation: A, B, and C. § 50-223(3). Due to the short notice of the hearing provided by Ottley, Ottley is not presently aware under which category the planning Department or Council is classifying the Proposed Annexation. However, an annexation under Category C applies to annexation of lands containing more than one hundred separate private ownerships. § 50-223(3)(c). The Proposed Annexation involves only one owner. Accordingly, the Proposed Annexation cannot fall under Category C.

Annexations under either Category A or B are permissible only when the following requirements are met:

Category A:

(i) All *private* landowners have consented to annexation. Annexation where all landowners have consented may extend beyond the City Area of Impact provided that the land is contiguous to the City and that the comprehensive plan includes the area of annexation;

(ii) Any *residential* enclaved lands of less than one hundred (100) *privately-owned* parcels, irrespective of surface area, which area surrounded on all sides by lands within a City and by the boundary of the City’s Area of Impact; or

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<sup>1</sup> Under the section “Legislative Intent”, the statute states that cities should be able to annex lands “in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services....” I. C. § 50-222(1).

(iii) The lands are those for which owner approval must be given pursuant to subsection (5)(b)(v) of this section.<sup>2</sup>

Category B:

(i) The subject lands contain less than one hundred (100) separate *private* ownerships and platted lots of record and where not all such landowners have consented to annexation; or

...

(iii) The lands are the subject of a development moratorium or a water or sewer connection restriction imposed by state or local health or environmental agencies; provided such lands shall not be counted for purposes of determining the number of separate private ownerships and platted lots of record aggregated to determine the appropriate category.<sup>3</sup>

The literal words<sup>4</sup> of the Annexation Statute indicate that annexation under either category must include property that is “private” or property that is “residential” and “privately-owned”. Idaho Courts have defined “private” as “not freely available to the public.”<sup>5</sup> Public property is limited to “[s]tate- or community-owned property not restricted to any one individual’s use or possession.” “[W]hat defines an area as private or public is...[based on] who has been granted general access to the property by the owner.”<sup>6</sup>

In this case, the Proposed Annexation does not meet the requirements of the Annexation Statute because all the property at issue is public property owned by the State of Idaho or the Idaho Transportation Department. These owners of this property have made the property freely available to the public. Because no private property is at issue, the Council cannot annex the land under a Category A or B annexation.

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<sup>2</sup> I. C. § 50-223(3)(a) (emphasis added). Lands identified in subsection (iii) include fairgrounds and property owned by non-governmental entities used to provide recreation in connection with certain planned unit developments. To Ottley’s knowledge, there is no such real property included in the Proposed Annexation.

<sup>3</sup> § 50-222(3)(b) (emphasis added). To Ottley’s knowledge, none of the lands in the Proposed Annexation are “lands are the subject of a development moratorium or a water or sewer connection restriction imposed by state or local health or environmental agencies”.

<sup>4</sup> In interpreting a statute, Idaho courts are required to begin “with the literal words of the statute, giving those words their plain, unusual, and ordinary meaning.” *Black Labrador Investing, LLC v. Kuna City Council*, 205 P.3d 1228, 1233 (Idaho 2009) (citing *McLean v Maverik Country Stores, Inc.* 135 P.3d 756, 759 (Idaho 2006)).

<sup>5</sup> *State v. Schmitt*, 171 P.3d 259, 262 (Idaho Ct. App. 2007).

<sup>6</sup> *Schmitt*, 171 P.3d at 263.

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Because the Proposed Annexation violates the Annexation Statute, the City Council and the Mayor should deny the annexation application. Please ensure that this objection is distributed to the members of the City Council and the Mayor.

Sincerely,

s/ Douglas B. Cannon  
Douglas B. Cannon

s/ Steven R. McMurray  
Steven R. McMurray

The Planning and Building Director wanted to clarify that the property is annexed. The request is simply to zone the property at this time. Further, he explained that the property just east of the interchange is the Ottley's property. The attorneys argue that if the Ottley's property becomes contiguous to the annexed property, then a forced annexation would have to take place. The Planning and Building Director stated that there is nothing in this action that forces the Ottley's to annex.

- Slide 5 "Contiguous" means being in actual contact or touching along a boundary or at a point, except no land shall be considered not contiguous solely by reason of a roadway or other right-of-way.
- Slide 6 Close Up of Vicinity Map showing Ottley's property.

Further, the Planning and Building Director explained that the Ottley's property has been contiguous across I-15 since that was annexed in 2006. Annexation and zoning of the Interstate changes nothing.

Following a brief discussion, it was determined that it was appropriate to annex this property. The City Council will now consider the initial zoning of HC-1.

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

**ORDINANCE NO. 2936**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ZONING OF APPROXIMATELY 22.607 ACRES DESCRIBED IN SECTION 1 OF THIS ORDINANCE AS HC-1 LIMITED BUSINESS ZONE; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Cornwell 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 waived, that the Ordinance be passed on all three readings and published by summary;

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and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Cornwell  
Councilmember Taylor  
Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion Carried.

It was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, to establish the initial zoning for 22.607 Acres of the Sunnyside Road and I-15 Interchange as HC-1 (Limited Business Zone) 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. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Lehto  
Councilmember Cornwell  
Councilmember Hally  
Councilmember Parry  
Councilmember Taylor

Nay: None

Motion Carried.

The Annexation Proceedings for Yellowstone RV Park has been withdrawn by the Division Director.

Mayor Fuhrman requested Councilmember Hardcastle to conduct a public hearing for the Annual Action Plan for Fiscal Year 2014 Community Development Block Grant Funds. At the request of Councilmember Hardcastle, the City Clerk read the following memo from the Grants Administrator:

City of Idaho Falls  
December 5, 2013

MEMORANDUM

TO: Mayor and Council  
FROM: Lisa Farris, Grant Administrator  
SUBJECT: FY2014 CDBG PROJECT AND ACTIVITIES APPLICATION

Attached is the list of projects and activities submitted by application for FY 2014 CDBG funding totaling \$537,702.35.

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The Housing and Urban Development (HUD) 2014 budget has been submitted to the U. S. Congress and awaits approval.

The December 12, 2013 public hearing will provide applicants the opportunity to provide a brief explanation of their projects. A 30-day public comment period will start on December 13, 2013 and end on January 15, 2014.

Questions may be directed to Lisa Farris at 612-8323.

s/ Lisa Farris

The Grant Administrator provided the following slides as an explanation of the CDBG Program Goals:

- Slide 1 City of Idaho Falls Community Development Block Grant (CDBG) Draft FY 2014 CDBG Annual Action Plan – Council Meeting and Public Hearing – December 12, 2013 7:30 p.m.
- Slide 2 Community Development Block Grant  
Development of viable urban communities that primarily benefit Low/Moderate Income (LMI) individuals.  
Program Goals:
  - Decent, affordable, safe and sanitary housing
  - Suitable living environment
  - Expand economic development opportunities
- Slide 3 CDBG Criteria  
Must meet 1 of 3 National Objectives (HUD):
  - Benefit Low and Moderate Income Individuals
  - Prevent or Eliminate conditions of Slum and Blight
  - Meet an Urgent NeedMust be a HUD Eligible Activity
  - Construction of Public Infrastructure
  - Handicapped Access to Public Facilities
  - Housing Rehab, Social Services, Business Rehab
  - Acquisition, Clearance/Disposition of Property
  - Relocation Costs, Economic Development, Job Creation or Training
- Slide 4 LMI Neighborhoods – Bonneville County (Map) (HUD FY2013 Income Limits Summary)  
2013 Income Limit for a 4 Person Household was \$46,550.00.
- Slide 5 Projects/Activities Must Also
  - Meet the Goals of the 2011-2015 CDBG Five Year Consolidated Plan
  - Be selected for the FY 2014 CDBG Annual Action Plan
- Slide 6 City/CDBG Involvement:  
Opportunity to fund projects and support programs not typically funded by general funds  
2013 Allocation was the 10<sup>th</sup> year participating in CDBG  
2014 Draft Plan starts our 11<sup>th</sup> year of participating in CDBG
  - FY2010 CDBG Allocation \$442,000
  - FY2011 CDBG Allocation \$369,546
  - FY2012 CDBG Allocation \$314,082
  - FY2013 CDBG Allocation \$361,453FY2014 allocation considers 2013 allocation and 2014 federal budget

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- Slide 7 Site Photo of Before and After Exterior Ramp was installed at a private residence
- Slide 8 Site Photos of Serenity Hall ADA Rehab
- Slide 9 Site Photo of West Broadway Façade Project aka Antique Gallery Before/After
- Slide 10 Site Photo of Gustafson House Before and After Rehab
- Slide 11 FY2014 CDBG Process:
  - October 20, 2013 Invitation to apply mailed to agencies/ organization – Advertised in Post Register and on City Website
  - November 4, 2013 Application deadline
  - December 2, 2013 Public hearing notices and schedule mailed to applicants
  - December 12, 2013 8:30 a.m. Council Work Session – Project Summary provided.
  - December 12, 2013, 7:30 p.m. Council Meeting and Public Hearing – City Annex Building Council Chambers
  - Draft Action Plan presented
  - Applicants opportunity to provide brief project explanation
  - December 13, 2013 30-day public comment period starts

The Grant Administrator presented the following list of requests for the Fiscal Year 2014 Community Development Block Grant Funds:

<b>Applicant</b>	<b>Description</b>	<b>Amount</b>
TRPTA Public Service	17% Match for (1) bus, licensing, security cameras, and bike rack	\$ 29,745
Gustafson House Public Service	New or slightly used transport van	27,000
CLUB, Inc. Public Service	Crisis Intervention (CIT) Support for crisis housing and related services	20,000
Idaho Falls Legal Aid Public Service	Legal aid assistance for domestic violence victims	10,000
BMPO/(SR2S) Public Service	7% match of Transportation Grant – Safe Routes to School Program	3,670
EICAP Public Service	Grandparents Raising Grandchildren legal aid assistance – IF Legal Aid	12,000
IFDDC Slum/Blight	Façade Improvements in Downtown Idaho Falls	60,000
City-Planning/Building LMI Activity	Full Time Code Enforcement in (3) Census Tract LMI neighborhoods	68,883
City-Public Works LMI Activity	Curb and Gutter for an LMI neighborhood	50,000
City-Public Works LMI Activity	Water line replacement for LMI clients	10,000
EICAP-Haven LMI Activity/Rehab	Replace bathroom windows to the Haven Shelter	5,404.35
Senior Center Rehab/LMI	Pipe replacement (\$5,500) electrical panel (\$4,500) Entry rehab (\$6,500)	16,500
LIFE, Inc. Rehab/LMI	Homeowner rehab – ADA ramps and restrooms	50,000
Bonneville County Veteran Commission Rehab/LMI Area	ADA Rehab to exterior, interior, and ADA unisex restroom	47,000
Habitat for Humanity LMI Activity	Acquisition for rehab of home for (1) LMI family	40,000
YMCA LMI Area Rehab	Roof replacement of YMCA	15,500
Administration	20% of allocation (estimate from 2013 allocation of \$361,453)	72,000
	<b>Total Request in Applications</b>	<b>\$537,702.35</b>

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Slide 12

After Tonight's Public Hearing:

- December 13, 2013 30-day public comment period begins
- January 15, 2013 30-day public comment period ends
- January 23, 2014 8:30 a.m. Council Work Session – Final table and comments from public comment period provided
- January 23, 2014 7:30 p.m. Council Meeting for Resolution. If no comments, Council adopts Draft 2014 CDBG Annual Action Plan
- Before February 13, 2014 Draft FY2014 CDBG Annual Action Plan to HUD
- Mid-May, 2014 Approval expected from HUD
- June-July, 2014 Allocation expected from HUD
- Comments or questions – Please contact Lisa Farris, Grant Administrator (208) 612-8323 – City Annex Building – 680 Park Avenue – Idaho Falls, Idaho 83402 – [lfarris@idahofallsidaho.gov](mailto:lfarris@idahofallsidaho.gov) [www.idahofallsidaho.gov](http://www.idahofallsidaho.gov)

The Grant Administrator explained that the application from TRPTA for 17% match for one bus, licensing, security and bike rack in the amount of \$29,745.00 has been withdrawn.

David Hoffman, Program Supervisor for Gustafson House, 2935 Rollandet Avenue, appeared to state that they were requesting funding for a transportation van. They are operating on two small mini-vans, one of which has become a maintenance problem and is a safety concern. They were hoping to purchase a larger capacity van.

Katie Peterson, 3934 East 49 North, Rigby, Idaho, appeared as a representative for CLUB, Inc. CLUB, Inc. serves the homeless population in Idaho Falls. They have served 120 men, women, and children in this community. The requested money from the grant pays for those that are homeless to stay in motels when necessary. Food and case management is available until more permanent solutions are available. This fund pays for bus tickets if someone is stranded here and can get to a home in another area. This fund is necessary to find permanent solutions for the people that visit CLUB, Inc. There is no other short-term funding available for this type of situation.

Joe Earnest, Idaho Legal Aid, 482 Constitution Way, Suite 101, appeared to state that Idaho Legal Aid is a non-profit law firm with offices throughout the State of Idaho. They provide legal services, free of charge, to low income individuals. They also provide a wide variety of legal services. Much of their time is spent in behalf of domestic violence victims and divorce and custody cases. They have received information that one of their major grants has not been funded. That is the reason for their application for the CDBG grant funding.

Russ Spain, Eastern Idaho Community Action Partnership, 935 Lincoln Road, appeared to state that they put in a \$12,000.00 request for Grandparents Raising Grandchildren. He gave a brief history of those that EICAP has served. Mr. Spain, further, stated that \$5,400.00 is requested for The Haven Shelter, where the windows in the bathrooms need to be replaced. This old motel shelters woman and families.

Public Works Director Chris Fredericksen appeared to state that there are needs to replace curb, gutter, and sidewalk within one of the City's LMI neighborhoods, Bel-Aire Addition. Funds are requested to assist with those replacement costs. Water line rejuvenation projects were discussed recently. At the curb stop on service lines, it becomes the property owner's responsibility to replace that service line from the curb stop to the home. There are those that are on limited income and the ability to replace the service lines. There have been times, when the service line is unable to be connected to the new water line because it is in such bad shape that the property owner is informed that the

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water service cannot be turned back on until the service line is replaced. The \$10,000.00 requested would assist those that have demonstrated that they cannot afford to replace their service lines on their own.

Mark Paulsen, 155 North Corner Avenue, appeared to state that he is Board Members at the Y.M.C.A. The Y.M.C.A. provides many services within the Low to Moderate Income areas of the community. He explained that their building is old and requires a new roof.

The Grant Administrator re-appeared to review the steps as shown on Slide 12 of this presentation.

Councilmember Lehto commented that there will be a new Mayor and three new Councilmembers as of January 9, 2013. He stated that it would be a good idea to hold another Council Work Session on the Community Development Block Grant for those new members of the City Government.

There being no further business, it was moved by Councilmember Hally, seconded by Councilmember Lehto, that the meeting adjourn at 9:25 p.m.

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CITY CLERK

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MAYOR

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