

**DECEMBER 10, 2015**

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, December 10, 2015, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Mayor Rebecca Casper  
Councilmember Michael Lehto  
Councilmember Sharon Parry  
Councilmember Ed Marohn  
Councilmember David M. Smith  
Councilmember Thomas Hally  
Councilmember Barbara Ehardt

Also present:

Randy Fife, City Attorney  
Kathy Hampton, City Clerk  
All available Department Directors

Mayor Casper invited Spencer Benson, a student at Rocky Mountain Middle School and Boy Scout Troop #336, to come forward and lead those present in the Pledge of Allegiance.

Mayor Casper requested any public comments not related to items on the agenda. No one appeared.

**CONSENT AGENDA ITEMS:**

Community Development Services Department requested creation of a Planning Technician Position.

The City Clerk requested approval of Minutes from the November 9, 2015, Council Work Session; November 12, 2015, Idaho Falls Power Board Meeting; November 12, 2015, Regular Council Meeting; and November 30, 2015, Area of Impact Meeting.

The City Clerk requested approval of License Applications, all carrying the required approvals.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on December 10, 2015.

It was moved by Councilmember Marohn, seconded by Councilmember Parry, to approve all items on the Consent Agenda according to recommendations presented. Roll call as follows:

Aye:            Councilmember Smith  
                  Councilmember Hally  
                  Councilmember Lehto  
                  Councilmember Parry  
                  Councilmember Ehardt  
                  Councilmember Marohn

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Nay: None

Motion carried.

**REGULAR AGENDA ITEMS:**

The Legal Department submitted the following item for Council consideration:

MEMORANDUM

To: Mayor Casper  
From: Randy Fife, City Attorney  
Subject: Ordinance to Establish Salaries, Benefits, and other Compensation

Because it appears that City Code sections 1-7-2; 1-8-3; and 3-1-9 may be unclear or not in conformance with Council expectations, the City Attorney's office proposes changes to the City Code as they appear in the attached Ordinance. If the Ordinance is adopted, Council will continue to establish compensation of all employees, (including appointive officers) regarding salaries, benefits, and other compensation. The Mayor will continue to regulate, adjust, and administer salaries, benefits, and other compensations established by Council-approved ordinance (including the City's annual amended appropriation ordinance), by Council resolution, by Council-approved written collective bargaining agreement (where applicable), or by other Council-approved agreement. The proposed Ordinance recognizes and complies with statutory duties of the Council and Mayor and follows Idaho case law.

After brief discussion, it was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to approve the Salaries and Benefits Ordinance under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Smith  
Councilmember Marohn  
Councilmember Ehardt  
Councilmember Hally

Nay: Councilmember Parry

Motion carried.

At the request of the Mayor, the City Clerk read the ordinance by title only:

**ORDINANCE NO. 3041**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 1, CHAPTERS 7 AND 8, AND TITLE 3, CHAPTER 1, TO CLARIFY ACTIONS BY COUNCIL AND MAYOR RELATIVE TO SALARIES, BENEFITS, AND OTHER COMPENSATION FOR CITY EMPLOYEES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

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The Municipal Services Department submitted the following items for Council consideration:

MEMORANDUM

To: Honorable Mayor and City Council  
From: Pamela Alexander, Municipal Services Director  
Subject: Bid IF-16-F, Ammunition

It is the recommendation of the Police and the Municipal Services Departments to piggyback the State of Idaho Contract #SBP01390-02 with Salt Lake Wholesale Sports. The supplier will furnish the annual rifle and pistol ammunition for a lump sum amount of \$51,883.92. Last fiscal year the Police Department expended a total of \$58,949.66 for ammunition.

Councilmember Marohn stated the State of Idaho Contract is a standard contract which allows all municipalities to purchase ammunition. Chief Mark McBride stated although the amount of ammunition has decreased the department is maintaining adequate training for Police Department personnel.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to piggyback the State of Idaho Contract with Salt Lake Wholesale Sports to furnish the annual rifle and pistol ammunition for lump sum amount of \$51,883.92, and authorize the Mayor and City Clerk to sign any necessary documents. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Ehardt  
Councilmember Smith  
Councilmember Marohn  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion carried.

MEMORANDUM

To: Honorable Mayor and City Council  
From: Pamela Alexander, Municipal Services Director  
Subject: Bid IF-16-G, Storage System for Data Backup

It is the recommendation of the Municipal Services Department to piggyback the State of Idaho Contract #PADD16200012 with Advanced Systems Group to purchase hardware, licenses and support for additional data storage system for a lump sum amount of \$60,385.22. This purchase is recommended by the Information Technology Division to ensure there is sufficient storage system capacity for all city technology data.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to piggyback the State of Idaho Contract with Advanced Systems Group to purchase hardware, licenses and support for additional data storage system for a lump sum amount of \$60,385.22, and authorize the Mayor and City Clerk to sign any necessary documents. Roll call as follows:

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Aye: Councilmember Marohn  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Hally  
Councilmember Parry  
Councilmember Smith

Nay: None

Motion carried.

MEMORANDUM

To: Honorable Mayor and City Council  
From: Pamela Alexander, Municipal Services Director  
Subject: Bid IF-16-04, Pressure Digger Truck for IF Power

It is the recommendation of Idaho Falls Power and the Municipal Services Departments to piggyback the General Services Contract #GS-30F-1028G with Altec Industries, Inc. The supplier will furnish a Hydraulic Pressure Digger on a 2017 Freightliner Cab and Chassis for a lump sum amount of \$314,064.00. This is to replace City of Idaho Falls Unit #323, 1986 International Truck with a Digger Derrick Bed that has reached the end of its useful life. This vehicle is budgeted in the Municipal Equipment Replacement Fund (MERF).

Director Flowers stated this particular equipment is not used on a daily basis but due to the age and frequent maintenance of the vehicle it has become necessary to replace this vehicle.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to piggyback the General Services Contract with Altec Industries, Inc. to furnish a Hydraulic Pressure Digger on a 2017 Freightliner Cab and Chassis for a lump sum amount of \$314,064.00, and authorize the Mayor and City Clerk to sign any necessary documents. Roll call as follows:

Aye: Councilmember Smith  
Councilmember Hally  
Councilmember Parry  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Marohn

Nay: None

Motion carried.

MEMORANDUM

To: Honorable Mayor and City Council  
From: Pamela Alexander, Municipal Services Director  
Subject: Waste Water Treatment Plant Farm Lease

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It is the recommendation of the Public Works and Municipal Services Department to approve the attached Farm Lease Agreement between the City of Idaho Falls and Todd Jenkins for City-owned property located at 4061 Glen Koster Lane, Idaho Falls, Idaho 83402. The term of the lease begins February 1, 2016 and ends on January 31, 2020. The total rental amount of the lease is \$45,000. Public Works and Municipal Services does not anticipate that the property will be needed for public purposes during the term of this agreement. The farm lease agreement has been reviewed by the City Attorney and Public Works.

Director Alexander stated there was only one proposal received following public notification for this lease.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to approve the Farm Lease Agreement between the City of Idaho Falls and Todd Jenkins which begins February 1, 2016, and ends on January 31, 2020, for a total rental amount of \$45,000, and authorize the Mayor and City Clerk to sign any necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Smith  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Marohn  
Councilmember Parry

Nay: None

Motion carried.

Idaho Falls Power submitted the following items for Council consideration:

MEMORANDUM

To: Honorable Mayor and City Council  
From: Jackie Flowers, General Manager  
Subject: Approve a Non-Disclosure Agreement with Elster Solutions LLC

Idaho Falls Power (IFP) has completed deployment of an upgrade to our meter system with Elster Solutions LLC. As part of the city-wide software conversion to Cayenta, IFP will be working with Elster Solutions LLC to integrate the two systems. In order to complete that integration, we are requiring an updated Non-Disclosure Agreement with Elster Solutions LLC.

Idaho Falls Power respectfully requests City Council approve the Non-Disclosure Agreement with Elster Solutions LLC and authorize Mayor Casper to execute the document.

It was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to approve the Non-Disclosure Agreement between Elster Solutions LLC and the City of Idaho Falls, and authorize the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Ehardt  
Councilmember Hally

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Councilmember Smith  
Councilmember Marohn  
Councilmember Lehto

Nay: None

Motion carried.

MEMORANDUM

To: Honorable Mayor and City Council  
From: Jackie Flowers, General Manager  
Subject: Approve Change Order #6 for the Old Lower Plant Upgrade and Rewind Project

On June 19, City Council awarded the Old Lower Plant general contractor bid to Hydro Consulting and Maintenance Services (HCMS) in the amount of \$4,858,776.46. This project is a subset of the Old Lower Plant Upgrade and Rewind Project in the Capital Improvement Plan and is in both FY15 and FY16 budgets.

In the award memo addressed to Council, staff noted that the bid included some potential deducts that were to be explored as construction progressed. Exploration of those deducts resulted in the initial purchase order to HCMS being issued for \$320,400.00 less than the HCMS bid and Council authorized award level.

The contractor has recommended an alternative excitation system to ensure we can achieve the full rating of the generator. We have selected Option 1 of Change Order #6 which will retain our standardization of Basler equipment. Our engineer, Mooney Consulting, concurs that the change order is needed and that Option 1 is acceptable. Change Order #6 in the amount of \$172,082.00 leads to a new contract price of \$4,892,341.41.

Idaho Falls Power respectfully requests City Council approve Change Order #6 based on Option 1 for \$172,082.00, and authorize the Mayor to execute the document.

Director Flowers stated not all change orders have been approved by the consulting firm. Change Order #6 is the third change order to be approved.

It was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to approve Change Order #6 based on Option 1 for \$172,082.00 for the Old Lower Plant Upgrade and Rewind Project, and authorize the Mayor to execute the documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Marohn  
Councilmember Parry  
Councilmember Lehto  
Councilmember Smith  
Councilmember Ehardt

Nay: None

Motion carried.

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MEMORANDUM

To: Honorable Mayor and City Council  
From: Jackie Flowers, General Manager  
Subject: Approve Change Order #8 for the Old Lower Plant Upgrade and Rewind Project

On June 19, City Council awarded the Old Lower Plant general contractor bid to Hydro Consulting and Maintenance Services (HCMS) in the amount of \$4,858,776.46. This project is a subset of the Old Lower Plant Upgrade and Rewind Project in the Capital Improvement Plan and is in both FY15 and FY16 budgets.

Change Order #8 provides for necessary rebuild of the turbine guide bearings for both units. Our engineer, Mooney Consulting, concurs that the change order is needed. Change Order #8 in the amount of \$73,944.00 leads to a new contract price of \$4,966,285.41.

Idaho Falls Power respectfully requests City Council approve Change Order #8 for \$73,944.00 and authorize the Mayor to execute the document.

It was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to approve Change Order #8 for \$73,944.00 for the Old Lower Plant Upgrade and Rewind Project, and authorize the Mayor to execute the documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Parry  
Councilmember Marohn  
Councilmember Smith  
Councilmember Hally  
Councilmember Ehardt

Nay: None

Motion carried.

MEMORANDUM

To: Honorable Mayor and City Council  
From: Jackie Flowers, General Manager  
Subject: Approve Asset Purchase Agreement between Rocky Mountain Power and City of Idaho Falls

Attached is an Asset Purchase Agreement between Rocky Mountain Power and the City of Idaho Falls related to customer exchange of electrical service and assets at Fielding Cemetery.

Fielding Cemetery, which is in the Idaho Falls City limits, has historically been served by Rocky Mountain Power. Approval of this agreement will authorize a customer and asset transfer to allow Idaho Falls Power to serve Fielding Cemetery. Rocky Mountain Power is preparing an application to the Public Utility Commission to seek approval, in accordance with Sections 4.02 and 12 of the agreement. The City Attorney has reviewed the agreement.

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In accordance with Idaho Falls City Code section 8-5-33, the Parks & Recreation Department will pay one-half of the total transfer fee which is \$49,321.61. The other one-half is paid by Idaho Falls Power.

Staff respectfully requests City Council approve the Asset Purchase Agreement and authorize the Mayor to execute the document.

It was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to approve the Asset Purchase Agreement between Rocky Mountain Power and the City of Idaho Falls and authorize the Mayor to execute the documents. Roll call as follows:

Aye:            Councilmember Ehardt  
                  Councilmember Marohn  
                  Councilmember Hally  
                  Councilmember Parry  
                  Councilmember Smith  
                  Councilmember Lehto

Nay:            None

Motion carried.

MEMORANDUM

To:             Honorable Mayor and City Council  
From:          Jackie Flowers, General Manager  
Subject:       Approve Joint Memorandum of Understanding with CenturyLink and Declare a Sole Source

Idaho Falls Power has a number of poles in our service territory that are joint use with CenturyLink, providing physical space for both Idaho Falls Power and CenturyLink. CenturyLink is performing an audit of their facilities and attachments within our service territory. Idaho Falls Power desires to update our pole attachment inventory in conjunction with their work as we prepare to enter into a formal joint use agreement.

Idaho Falls Power will be required to contribute its share of costs for the overall audit. The cost estimate for this work is \$35,000. Because Idaho Falls Power and CenturyLink occupy positions on the same power poles and CenturyLink has already engaged a company to conduct an audit of their facilities, it is highly impractical or impossible to separately bid each party's facilities attachments for audit. Additionally, Idaho Falls Power is not authorized to bid work on assets owned by CenturyLink. The City Attorney has reviewed this request and the associated Joint Memorandum of Understanding.

In recognition of these circumstances, staff requests City Council recognize CenturyLink as the sole source vendor for this work and that associated bidding requirements be waived and that Mayor Casper be authorized to execute the Joint Memorandum of Understanding with CenturyLink for an amount not to exceed \$35,000.

Director Flowers stated this is maximizing efficiency by combining the audit with CenturyLink.

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It was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to recognize CenturyLink as the sole source vendor for this work and the associated bidding requirements be waived and authorize the Mayor to execute the Joint Memorandum of Understanding with CenturyLink for an amount not to exceed \$35,000. Roll call as follows:

Aye: Councilmember Marohn  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Hally  
Councilmember Parry  
Councilmember Smith

Nay: None

Motion carried.

Public Works Department submitted the following items for Council consideration:

**MEMORANDUM**

To: Honorable Mayor and City Council  
From: Chris H Fredericksen, Public Works Director  
Subject: Cooperative Agreement for Sewage Treatment and Collection - Iona Bonneville Sewer District (IBSD)

Attached for your consideration is a Cooperative Agreement for Sewage Treatment and Collection with the Iona Bonneville Sewer District (IBSD). The agreement is for a period of five (5) years and replaces the previous agreement that expired in 2014. The sewer service agreement also addresses an increase to the IBSD sewer service area.

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

Councilmember Ehardt stated the previous agreement with IBSD was for a 40-year time frame and had been extended for one (1) year to allow thorough review prior to renewal.

It was moved by Councilmember Lehto, seconded by Councilmember Ehardt, to approve the Cooperative Agreement for Sewage Treatment and Collection with the Iona Bonneville Sewer District and give authorization for Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Smith  
Councilmember Hally  
Councilmember Lehto  
Councilmember Parry  
Councilmember Ehardt  
Councilmember Marohn

Nay: None

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Motion carried.

MEMORANDUM

To: Honorable Mayor and City Council  
From: Chris H Fredericksen, Public Works Director  
Subject: Easement Vacation – Westland Heights, Division 3

As earlier authorized, the City Attorney has prepared the attached documents to vacate a power easement that runs through the subject development on the northwest corner of Broadway and Skyline Drive.

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

It was moved by Councilmember Ehardt, seconded by Councilmember Lehto, to approve the easement vacation Ordinance for Westland Heights, Division 3, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Smith  
Councilmember Marohn  
Councilmember Ehardt  
Councilmember Hally  
Councilmember Parry

Nay: None

Motion carried.

At the request of the Mayor, the City Clerk read the ordinance by title only:

**ORDINANCE NO. 3042**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE VACATION OF A POWER LINE EASEMENT IN LOT 27 AND LOT 28 OF BLOCK 4 OF THE WESTLAND HEIGHTS, DIVISION 3 FIRST AMENDED SUBDIVISION OF THE CITY OF IDAHO FALLS, IDAHO, AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED POWER LINE EASEMENT SHALL VEST AS SPECIFIED IN SECTION 3 OF THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

The Parks and Recreation Department submitted the following item for Council consideration:

MEMORANDUM

To: Honorable Mayor and City Council  
From: Greg A. Weitzel, Director, Parks and Recreation Department

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Subject: Alcohol in the Parks Ordinance Changes

Attached for your consideration is a draft amended ordinance providing for the sale and consumption of beer and wine in park and recreation facilities during permitted events; establishing a permitting process for such permitted events and establishing requirements therefor, including insurance, catering license for alcohol vendors, site maps, restriction on sales and consumption, and provision of security. The changes have been reviewed and approved by the City Attorney.

The Department of Parks and Recreation respectfully requests the authorization and approval of said changes by City Council.

Councilmember Hally stated the Council's practice is to thoroughly discuss issues and concerns regarding any alcohol considerations within City limits. He briefly explained provisions of the proposed ordinance. Councilmember Ehardt stated she prefers distinct, closed-off locations and is not in favor of Tautphaus Park or Freeman Park as approved locations. Councilmember Lehto believes this ordinance is reasonable with regard to community requests and the required security and insurance provisions will maintain civility. He believes this ordinance is a good first step but may need updated in the future. Councilmember Parry stated she agrees with Councilmember Ehardt by excluding Tautphaus Park and Freeman Park as approved locations. Director Weitzel believes this is ordinance a good start to fulfill community requests and does not oppose excluding Tautphaus Park and Freeman Park.

It was moved by Councilmember Hally, seconded by Councilmember Marohn, to approve the Ordinance amending Title 8, Chapter 3, of the City Code with the recommendation that Tautphaus Park and Freeman Park be excluded, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Ehardt  
Councilmember Hally  
Councilmember Marohn  
Councilmember Lehto

Nay: Councilmember Smith

Motion carried.

At the request of the Mayor, the City Clerk read the ordinance by title only:

**ORDINANCE NO. 3044**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 8, CHAPTER 3, OF THE IDAHO FALLS CITY CODE; PROVIDING FOR THE SALE AND CONSUMPTION OF BEER AND WINE IN PARK AND RECREATION FACILITIES DURING PERMITTED EVENTS; ESTABLISHING A PERMITTING PROCESS FOR SUCH PERMITTED EVENTS AND ESTABLISHING REQUIREMENTS THEREFOR, INCLUDING INSURANCE, CATERING LICENSES FOR ALCOHOL VENDORS, SITE MAPS, RESTRICTION ON SALES AND

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CONSUMPTION, AND PROVISION OF SECURITY; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

The Community Development Services Department submitted the following items for Council consideration:

MEMORANDUM

To: Honorable Mayor and City Council  
From: Brad Cramer, Community Development Services Department  
Subject: Resolution to Modify Policy Regarding Work on Electrical Service Panels

Attached is a resolution adopting a policy to prevent work on energized electrical panels. In the past, the City has allowed work to be done on energized panels. However, to be more consistent with Occupational Safety Health Administration (OSHA) recommendations, to reduce City liability, and in recognition that homeowners are permitted by Idaho Code to perform electrical work without training or licensure, the proposed policy restricts the City and Idaho Falls Power from energizing electrical service panels until all conductors are terminated. This policy has been discussed and developed by staff from Community Development Services, Idaho Falls Power, and the Legal Department.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Resolution to modify policy regarding work on electrical service panels, and authorize the Mayor and City Clerk to execute said documents. Roll call as follows:

Aye: Councilmember Marohn  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Hally  
Councilmember Parry  
Councilmember Smith

Nay: None

Motion carried.

**RESOLUTION NO. 2015-32**

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING A POLICY TO NOT ENERGIZE ELECTRICAL SERVICE DISCONNECTS UNTIL ALL ELECTRICAL CONDUCTORS ARE TERMINATED, AND PROVIDING THAT THIS RESOLUTION WILL BE EFFECTIVE UPON ITS PASSAGE, APPROVAL, EFFECTIVE DATE, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, 29 CFR 1926.416(a)(1) requires that exposed energized electrical conductors and terminations be de-energized before an employee may work on or near them, in order to prevent electrical shocks or arc flash hazards; and,

WHEREAS, the goal of the Occupational Safety Health Administration (OSHA) standard is to protect the employee from dangerous and preventable hazards; and,



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s/ Kathy Hampton  
Kathy Hampton, City Clerk

(SEAL)

MEMORANDUM

To: Honorable Mayor and City Council  
From: Brad Cramer, Community Development Services Department  
Subject: FY 2016 CDBG Annual Action Plan and FY 2016-2020 CDBG 5-Year Consolidated Plan

The Community Development Block Grant (CDBG) Program funded through the Department of Housing and Urban Development (HUD) is required to hold a public hearing to consider the FY2016 Annual Action Plan and the FY2016-2020 CDBG Five Year Consolidated Plan.

The FY2015 CDBG allocation was \$342,928.00. Congress has not yet passed the HUD budget and the FY2016 allocation is not yet known. However, allocations tend to be similar from year to year. Attached is a list of projects and activities submitted for FY2016 funding. The total for all application requests is \$476,795.00.

Following the public hearing, a required 30-day public comment period will begin on December 11, 2015, and end on January 12, 2016.

Mayor Casper opened the public hearing and ordered all items presented by staff be entered into the record. She stated the public hearing was for requests only and there would be no action taken on behalf of the Council at this time.

Lisa Farris, Grant Administrator, appeared to explain the CDBG program with the following presentation:

Slide 1: *Idaho Falls 2016-2020 Community Development Block Grant (CDBG) Five Year Consolidated Plan:*

- Identifies the City's housing, community development, economic development, and public service priorities, goals, and strategies.
- Stipulates how funds will be allocated to address the needs.

Plan History

2004 City applies/approved by HUD as an Entitlement City  
Entitlement status allows the City to apply directly to HUD for annual CDBG funds.

Five Year Plans

2004-2009/10	Initial Five Year Plan
2011-2015	Second Five Year Plan
2016-2020	Third Five Year Plan

Slide 2: *Idaho Falls 2016-2020 CDBG Five Year Plan:*

Input for priorities provided by:

- City officials/Directors
- Service provider organizations/agencies
- Region 6 Housing Coalition members



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FY2013 CDBG allocation                   \$361,453  
FY2014 CDBG allocation                \$342,373  
FY2015 CDBG allocation                \$342,928  
Total CDBG funds from 2010 to 2015   \$2,171,382

FY2016 CDBG allocation to be determined - Plan year goes from April 1 to March 31st

Slide 6:        CDBG Program and HUD Criteria:

All Projects/Activities

Must meet 1 of 3 National Objectives (HUD)

- Benefit Low/Moderate Income clients (LMI)  
    2015 - Bonneville County LMI = family of 4 with income < \$48,250  
    FY2016 Income Limits not yet available
- Prevent/Eliminate conditions of Slum and Blight
- Meet an Urgent Need

Must be a HUD Eligible Activity

- Construction of Public Infrastructure
- Handicapped Access to Public Facilities
- Housing Rehab, Social Services, Business Rehab
- Acquisition, Clearance, and Disposition of property
- Relocation costs, Economic Development, Job Creation or Training

Additional Criteria

- Projects must meet the goals of City's 2016-2020 CDBG Five Year Consolidated Plan
- Projects must be approved for the FY2016 CDBG Annual Action Plan

Slide 7:        LMI Neighborhoods (Census Tracts)

Census Tract/LMI %

9707	66.53%
9711	59.86%
9712	65.26%

Slide 8:        CDBG Program and HUD Criteria:

Projects/Activities must fit into 1 of 4 HUD Priorities

*Community Development Priority*

Neighborhood revitalization activities that promote public health, safety and welfare.

*Economic Development Priority*

Improve economic conditions throughout the community for primarily Low to Moderate Income (LMI) persons.

*Housing Development Priority*

Encourage development of new, affordable single, multi-family, and special needs housing through private developers and non-profits.

*Public Service Priority*

Encourage partnerships with social service providers, faith-based groups, private businesses, school districts, non-profit agencies, and community leaders to meet the needs of families in poverty.

Slide 9:        Example - Construction of Public Infrastructure:

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Saturn Sidewalk Project Redirected FY2013 CDBG TRPTA Bus Match Funds  
(Saturn/Mountain View/Dodson Streets)  
Sidewalk linked, concrete pad added for bus bench with TRPTA Sign, ADA Intersection  
and Pedestrian Crosswalk added

Slide 10:

Bus Bench, TRPTA Sign and Pedestrian Sidewalk

Slide 11:

Code Enforcement in LMI Census Tract Neighborhoods

Slide 12:

Economic Development  
Assisting Downtown through Façade Improvement Projects  
Farmers Merchant Bank Building (Inkley's Bldg.)  
Phase 1 of 2 (replacement of 2<sup>nd</sup> floor windows)

Slide 13:

Housing Rehab LIFE, Inc. (Living Independently For Everyone)  
Disabled senior citizen's home made ADA Accessible

Slide 14:

Acquisition, clearance, and disposition of property  
Habitat for Humanity Idaho Falls – Acquisition Project

Slide 15:

<b>FY2016 CDBG Applicants</b>	<b>Amount Requested</b>	<b>Project/Activity Description</b>
<b>Partners for Prosperity (P4P)</b>	<b>10,000</b>	<b>Services to assist Idaho Falls clients with financial counseling, group financial classes and personal development training</b>
<b>Idaho Legal Aid Idaho Falls</b>	<b>10,000</b>	<b>Legal assistance for victims of domestic abuse</b>
<b>Bonneville Metropolitan Planning Org. (BMBO)</b>	<b>3670</b>	<b>Transportation Grant - Match requirement for \$50,000 Safe Routes to School (SR2S) grant to provide evaluation, encouragement, and incentives for LMA schools</b>
<b>CLUB, Inc.</b>	<b>18,000</b>	<b>Crisis Intervention (CIT) - Case Management support for crisis housing related services</b>
<b>East Idaho Community Action Partners (EICAP)</b>	<b>8,000</b>	<b>Legal aid assistance for Grandparents who are raising their grandchildren</b>
<b>Community Council of Idaho 1349 South Holmes Ave</b>	<b>10,400</b>	<b>Computer lab equipment upgrade: (1) Smart Board, (1) Portable Projector, (1) set of Bose Computer Speakers, (5) Surface Pro Computers, and Rosetta Stone Volumes 1-5</b>
<b>Idaho Falls Downtown Development Corp. (IFDDC)</b>	<b>60,000</b>	<b>Façade Improvements, Code Corrections, Awnings, and Signs to the Downtown area</b>

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Planning Dept.	71,500	Full time Code Enforcement for LMI neighborhoods (within 3 US Census Tracts)
Public Works Dept.	50,000	Curb/gutter/sidewalk replacement in LMI neighborhoods
Public Works Dept.	10,000	Water line replacement for LMI clients in LMI neighborhoods
(LIFE, Inc.) Living Independently for Everyone	50,000	Improve (ADA) access for 7 homeowners with ramps and bathroom remodels
Idaho Falls Community Senior Citizen Center	24,640	Replace (2) AC units. Replace Accordion curtains
Idaho Falls Rescue Mission ADA Improvements to Ruth House and the ARK.	52,000	<u>Ruth House</u> - Install ADA restroom off kitchen area, make (2) residential units ADA compliant with bathroom modifications and exterior ramp. <u>ARK</u> - make ADA compliant with bathroom modifications.
Habitat for Humanity Idaho Falls (H4HIF)	30,000	Acquisition/rehab to purchase property in LMI area for homeownership for an LMI family
Administration (20% of 2015 allocation)	68,585	Administer CDBG Program: Includes salary, benefits, supplies, training, and resources
<b>Total Applications</b>	<b>\$476,795</b>	<i>2015 Allocation was \$342,928</i>

Slide 16: *Schedule for FY2016 CDBG Annual Action Plan and FY2016-2020 CDBG Consolidated Plan (Announcements, Council Work Sessions, Council Meetings, and Public Hearings):*

- Oct 18, 2015 - Invitation to Apply in *Post Register* (Sunday)
- Nov 2, 2015 - Applications due to Grant Administrator
- Dec 7, 2015 - Council Work Session 3:00 pm in Council Chambers  
Grant Administrator provides brief summary of potential projects/activities/schedule to Mayor and City Council
- Dec 10, 2015 - Council Meeting - Public Hearing 7:30 pm - Council Chambers  
Drafts: 2016 CDBG Annual Action Plan and FY2016-2020 CDBG Five Yr. Consolidated Plan  
Applicant invited to provide brief explanation of project/activity
- Dec 10, 2015 - 30-day public comment starts-Draft Plans on City website  
Draft FY2016 CDBG Annual Action Plan  
Draft FY2016-2020 CDBG Five Year Consolidated Plan  
30-Day Public Comment Period Starts Dec 10, 2015 thru Jan 11, 2016

Ms. Farris invited all applicants to appear before Council and describe their requests.

Shalyn Peirsol, Financial Program Manager, Partners for Prosperity, 625 West Pacific Suite 1 Blackfoot, ID 83221, appeared. Ms. Peirsol stated the focus of the grant application is to assist high school juniors and seniors as well as assisting with those who are chronically unemployed.

Joe Ernest, Attorney, Idaho Legal Aid, 482 Constitution Way Idaho Falls, ID 83402, appeared. Mr. Ernest is submitting a request for legal assistance for victims of domestic abuse.

Dena Skinner, Operations Manager, CLUB, Inc., 620 South Woodruff Idaho Falls, ID 83401, appeared. Ms. Skinner stated the CDBG funds assist with housing and services regarding homelessness.

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Nick Burrows, Senior and Family Services Director, Eastern Idaho Community Action Partnership (EICAP), PO Box 51098 Idaho Falls, ID 83405, appeared. Mr. Burrows is requesting funds for legal assistance for grandparents raising grandchildren and relative caregivers of minor children.

Laura Gramirez, Regional Employment and Training Specialist, Community Council of Idaho, appeared. Ms. Gramirez is requesting funds to update the computer lab. The lab is utilized for a variety of reasons to assist clients in the workforce as well as the general public.

Krisi Staten, Executive Director for Idaho Falls Downtown Development Corporation (IFDDC), 425 North Capital Idaho Falls, ID 83402, appeared. Ms. Staten is requesting funds to assist with the back log of downtown improvement applications.

Brad Cramer, Director, Community Development Services Department, appeared. Director Cramer is requesting funds to cover salary and benefits of Code Enforcement Officer. Director Cramer stated code enforcement is supported by HUD.

Chris Frederickson, Director, Public Works Division, appeared. Director Frederickson stated two (2) requests are being submitted: 1) funds for curb, gutter, and sidewalk replacement and 2) water line replacements in low to moderate income neighborhoods.

Valisa Say, Executive Director, Idaho Falls Senior Citizen Community Center, 535 W 21st Street Idaho Falls, ID 83402, appeared. Ms. Say is requesting funds for replacement of two (2) air conditioning units as well as replacement of curtains to allow separation of programs.

John Howze, Community Engagement Director, Idaho Falls Rescue Mission, 840 Park Ave Idaho Falls, ID 83402, appeared. Mr. Howze is requesting funds for ADA projects at the Ruth House and the ARK.

Ms. Farris described the CDBG schedule for FY2016 Annual Action Plan.

Slide 17:     *FY2016 CDBG Schedule After 30 day Comment Period:*

- Jan 25, 2016 - Council Work Session 3:00 pm in Council Chambers
  - If no comments; final table provided for consensus of projects/activities for Draft CDBG FY2016 Annual Action Plan AND Draft FY2016-2020 CDBG Five Year Consolidated Plan
- Jan 28, 2016 - Council Meeting/Resolution 7:30 pm in Council Chambers
  - Council adopts Draft FY2016 CDBG Annual Action Plan
  - Council adopts Draft FY2016-2020 CDBG Five Year Consolidated Plan
- Jan 28, 2016 - Draft FY2016 CDBG Annual Action Plan HUD via (eCon)
  - Draft FY2016-2020 CDBG Five Year Consolidated Plan to HUD via (eCon)
  - (Includes Forms 424 and Certifications)
- Mid-May, 2016 - Allocation made available to City by HUD provided:
  - Federal budget is reached;
  - HUD approves FY2016 CDBG Annual Action Plan;
  - HUD approves FY2016-2020 CDBG Five Year Consolidated Plan.
- May/June, 2016 - Funding committed to approved projects once the City completes:
  - Environmental review
  - Signed Agreement (with Scope of Work and regulatory requirements) between City and responsible entity

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*Note - Projects are not retroactive - Start date begins upon signed Agreement between City and responsible entity*

Mayor Casper expressed her appreciation to all applicants.

Mayor Casper closed the public hearing.

**MEMORANDUM**

To: Honorable Mayor and City Council  
From: Brad Cramer, Community Development Services Department  
Subject: Request to Rezone from RSC-1 to R-3A, Zoning Ordinance, Reasoned Statement of Relevant Criteria and Standards, West 80' of Lots 19 and 20, Block 1, Lorin C. Anderson, 2<sup>nd</sup> Amended and the West 173.10 feet of Lot 11, Block 1, Lorin C. Anderson, 1<sup>st</sup> Amended

Attached is the application for rezoning from RSC-1 (Residential Shopping Center Zone) to R-3A (Residence Zone), Zoning Ordinance, Reasoned Statement of Relevant Criteria and Standards, West 80' of Lots 19 and 20, Block 1, Lorin C. Anderson, 2<sup>nd</sup> Amended and the West 173.10 feet of Lot 11, Block 1, Lorin C. Anderson, 1<sup>st</sup> Amended. The Planning and Zoning Commission considered this change at its November 3, 2015, meeting and recommended approval. Staff concurs with this recommendation.

Mayor Casper opened the public hearing and ordered all staff materials and presentation be entered into the record.

Director Cramer appeared with the following:

- Slide 1: Vicinity map
- Slide 2: Aerial photo of property under consideration
- Slide 3: Comprehensive Plan Future Land Use Map
- Slide 4: Photo looking east across property
- Slide 5: Photo looking south
- Slide 6: Photo looking north

Director Cramer stated typical concerns regarding re-zoning involve potential land use and this particular area would allow several uses. He indicated any development on the parcel would be expected to follow all requirements.

Mayor Casper invited any public comment.

Kim Leavitt, 985 N. Capital, Idaho Falls, appeared. Mr. Leavitt stated he was appearing on behalf of the owners who own portions of the parcel and are requesting all property be consistently zoned.

Rolonda Bjornson, 2015 St. Clair, Idaho Falls, appeared. Ms. Bjornson stated she is a long-time resident in that particular area. She is not opposed to the development but is not in favor of the re-zone until a specified use is determined.

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Ken Krivanek, 2185 St. Clair, Idaho Falls, appeared. Mr. Krivanek stated he is also a long-time resident in that particular area and would like the opportunity to provide input for any future development.

Paul Savidis, 2325 Craig Avenue, Idaho Falls, appeared. Mr. Savidis stated there is no access to St. Clair and therefore a previous project was not approved. He requested the traffic concerns be addressed.

Michelle Franck, 955 E. 21<sup>st</sup> Street, Idaho Falls, appeared. Ms. Franck believes re-zoning would allow for larger complexes. She stated the traffic is currently an issue and is against any further traffic increase.

Councilmember Parry expressed concern for St. Clair and the traffic signal. Director Cramer stated the re-zone request could possibly increase traffic during peak hours. He indicated any traffic studies would be performed once the land use is determined.

Mr. Leavitt reappeared and stated a traffic study would be required for any specific use.

Director Cramer stated any Planned Unit Development (PUD) will be enforced by ordinance requirements.

Mayor Casper closed the public hearing.

After further brief discussion, it was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Ordinance rezoning West 80' of Lots 19 and 20, Block 1, Lorin C. Anderson, 2<sup>nd</sup> Amended and the West 173.10 feet of Lot 11, Block 1, Lorin C. Anderson, 1<sup>st</sup> Amended, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows.

Aye: Councilmember Marohn  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Hally  
Councilmember Parry  
Councilmember Smith

Nay: None

Motion carried.

At the request of the Mayor, the City Clerk read the Ordinance by title only:

**ORDINANCE NO. 3045**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE REZONING OF WEST 80 FEET OF LOTS 19 AND 20, BLOCK 1, LORIN C. ANDERSON, 2<sup>ND</sup> AMENDED AND THE WEST 173.10 FEET OF LOT 11, BLOCK 1, LORIN C. ANDERSON, 1<sup>ST</sup> AMENDED AS DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM RSC-1 ZONE TO R-3A ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

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It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Reasoned Statement of Relevant Criteria and Standards for the rezoning West 80' of Lots 19 and 20, Block 1, Lorin C. Anderson, 2<sup>nd</sup> Amended and the West 173.10 feet of Lot 11, Block 1, Lorin C. Anderson, 1<sup>st</sup> Amended, and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Ehardt  
Councilmember Marohn  
Councilmember Hally  
Councilmember Parry  
Councilmember Smith  
Councilmember Lehto

Nay: None

Motion carried.

**MEMORANDUM**

To: Honorable Mayor and City Council  
From: Brad Cramer, Community Development Services Department  
Subject: Annexation with Initial Zoning of R-1, Development Agreement, Annexation Ordinance, Zoning Ordinance, Final Plat, and Reasoned Statements of Relevant Criteria and Standards, Yorkside, Division No. 2:

Attached is the application for Annexation with Initial Zoning of R-1, Annexation Agreement, Annexation Ordinance, Zoning Ordinance, Final Plat, and Reasoned Statements, Yorkside, Division No. 2. The Planning and Zoning Commission considered this item at its October 6, 2015, meeting and recommended approval. Staff concurs with the recommendation. This item is now being submitted to the Mayor and City Council for consideration.

Mayor Casper opened the public hearing and ordered all staff materials and presentation be entered into the record.

Director Cramer appeared with the following:

- Slide 1: Vicinity map
- Slide 2: Aerial photo of property under consideration
- Slide 3: Plat overlay on top of recently approved Preliminary Plat
- Slide 4: Comprehensive Plan Future Land Use Map
- Slide 5: Final Plat
- Slide 6: Preliminary Plat which was recently approved
- Slide 7: Photo looking northeast and east from Casa Drive
- Slide 8: Photo looking southeast and south from Casa Drive

Mayor Casper requested any public comment. No one appeared.

Mayor Casper closed the public hearing.

**DECEMBER 10, 2015**

After brief discussion, it was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Development Agreement for Yorkside Division No. 2, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Parry  
Councilmember Marohn  
Councilmember Smith  
Councilmember Hally  
Councilmember Ehardt

Nay: None

Motion carried.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Ordinance annexing Yorkside Division No. 2, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows:

Aye: Councilmember Parry  
Councilmember Ehardt  
Councilmember Smith  
Councilmember Marohn  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion carried.

At the request of the Mayor, the City Clerk read the ordinance by title only:

**ORDINANCE NO. 3046**

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS LOCATED GENERALLY SOUTH OF TOWNSHIP ROAD, WEST OF HOLMES AVENUE, NORTH OF YORK ROAD, AND EAST OF PARK ROAD; AMENDING THE LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Reasoned Statement of Relevant Criteria and Standards for the annexation for Yorkside Division No. 2, and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hally  
Councilmember Smith  
Councilmember Lehto

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Councilmember Ehardt  
Councilmember Marohn  
Councilmember Parry

Nay: None

Motion carried.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Ordinance assigning a Comprehensive Plan Designation of Low Density and establishing the initial zoning for Yorkside Division No. 2 as R-1 Zone, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary, 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 Smith  
Councilmember Hally  
Councilmember Parry  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Marohn

Nay: None

Motion carried.

At the request of the Mayor, the City Clerk read the ordinance by title only:

**ORDINANCE NO. 3047**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE INITIAL ZONING OF APPROXIMATELY 1.127 ACRES DESCRIBED IN SECTION 1 OF THIS ORDINANCE AS R-1 ZONE; AND PROVIDING SEVERABILITY, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Reasoned Statement of Relevant Criteria and Standards for the Initial Zoning of R-1 for Yorkside Division No. 2, and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Smith  
Councilmember Marohn  
Councilmember Ehardt  
Councilmember Hally  
Councilmember Parry

Nay: None

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Motion carried.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to accept the Final Plat for Yorkside Division No. 2, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Marohn  
Councilmember Lehto  
Councilmember Ehardt  
Councilmember Hally  
Councilmember Parry  
Councilmember Smith

Nay: None

Motion carried.

It was moved by Councilmember Parry, seconded by Councilmember Lehto, to approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Yorkside Division No. 2, and give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Smith  
Councilmember Hally  
Councilmember Lehto  
Councilmember Parry  
Councilmember Ehardt  
Councilmember Marohn

Nay: None

Motion carried.

**MEMORANDUM**

To: Honorable Mayor and City Council  
From: Brad Cramer, Community Development Services Department  
Subject: Zoning Ordinance Modification to Reduce Required Parking for Dwelling Units in the CC-1 Zone

Attached is a proposed modification to the Zoning Ordinance to reduce the required number of parking stalls per dwelling unit in the CC-1 zone from two to one. This change was recommended by the downtown housing study completed by Leland Consulting. The request came from the Idaho Falls Redevelopment Agency and has also been discussed with the Idaho Falls Downtown Development Corporation. The Planning and Zoning Commission considered this change at its November 3, 2015, meeting and recommended approval. Staff concurs with the Commission and recommends approval of the ordinance.

Mayor Casper opened the public hearing.

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Director Cramer indicated he had no formal presentation to be entered into the record. He stated the original request applied to the downtown area only, however the ordinance was modified to include any CC-1 zone. The CC-1 zone is applicable to pedestrian travel. Brief discussion followed.

Mayor Casper closed the public hearing.

It was moved by Councilmember Parry, seconded by Councilmember Ehardt, to approve the modifications to the Zoning Ordinance amending Title 10, Chapter 3, Section 5 as presented, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows:

Aye: Councilmember Ehardt  
Councilmember Parry  
Councilmember Smith  
Councilmember Marohn  
Councilmember Lehto  
Councilmember Hally

Nay: None

Motion carried.

At the request of the Mayor, the City Clerk read the ordinance by title only:

**ORDINANCE NO. 3048**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, AMENDING TITLE 10, CHAPTER 3, SECTION 5, TO REDUCE PARKING REQUIREMENTS FOR DWELLING UNITS IN THE CC-1 ZONE; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

There being no further business, it was moved by Councilmember Hally, seconded by Councilmember Ehardt, to adjourn at 10:30 p.m. which motion passed by unanimous vote.

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CITY CLERK

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MAYOR