

JUNE 7, 2001

The City Council of the City of Idaho Falls met in Special Council Meeting, Thursday, June 7, 2001, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Brad Eldredge
Councilmember Mike Lehto
Councilmember Bruce Rose
Councilmember Mary Klingler
Councilmember Ida Hardcastle

Absent was:

Councilmember Joe Groberg

Also present:

Shan Perry, Assistant City Attorney
Rosemarie Anderson, City Clerk
All available Division Directors

Mayor Milam announced that any City in the State of Idaho is required to publish a "Notice of Public Hearing" in a newspaper of general circulation for any public hearing. With regard to the public hearing for the increased electric rates, the City of Idaho Falls submitted the advertising for that public hearing to the Post Register. The Post Register published the first request for the "Notice of Public Hearing", but failed to publish the required second publication. The result of that is that the City cannot legally hold a public hearing for the increased electric rates. Mayor Milam stated that at the time the public hearing on the Agenda this evening would have been held, the Mayor and Council would take public comment to be included in the public hearing now scheduled for June 28, 2001.

The City Clerk read a summary of the minutes for the May 24, 2001 Regular Council Meeting. It was moved by Councilmember Klingler, seconded by Councilmember Lehto, that the minutes be approved as printed. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Rose

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

Mayor Milam requested Council confirmation for the appointment of Mary Lynn Boardman to serve on the Board of Trustees for the Library Board (Term to expire in April, 2002).

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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 several license applications, including BARTENDER PERMITS to Maria A. Blakely, Deana M. Brower, Elizabeth A. Burns, Eden Holm, Jacqueline J. Kolbet, Dixie L. MacKay, Judith C. Olf, and Sonny J. Porter, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on June 7, 2001.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
June 1, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: ADVERTISEMENT FOR BIDS

Municipal Services respectfully requests authorization to advertise and receive bids for City-owned vehicles and equipment that are surplus and no longer needed nor used by the City of Idaho Falls.

s/ S. Craig Lords

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

Aye: Councilmember Klingler
Councilmember Hardcastle
Councilmember Rose
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated May 1, 2001 through May 31, 2001, after having been audited by the Fiscal Committee and paid by the Controller:

FUND	TOTAL EXPENDITURE
General Fund	\$849,927.71
Street Fund	25,699.86
Recreation Fund	29,129.53

Library Fund	41,879.38
Municipal Equipment Replacement Fund	74,312.44
Electric Light Public Purpose Fund	38,585.64

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FUND	TOTAL EXPENDITURE
Municipal Capital Improvement Fund	8,141.02
Street Capital Improvement Fund	3,380.61
Airport Fund	208,435.45
Water and Sewer Fund	200,390.34
Sanitation Fund	4,325.38
Ambulance Fund	5,479.42
Electric Light Fund	4,532,402.25
Payroll Liability Fund	1,627,905.82
TOTALS	\$7,649,994.85

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to ratify the payment of Check No. 21780 in the amount of \$1,422.13 and Check No. 60563 in the amount of \$481.00 both made payable to the American Red Cross. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Klingler
Councilmember Hardcastle

Nay: None

Abstain: Councilmember Rose (As he is employed by the Red Cross)

Motion Carried.

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to ratify the payment of Check No. 60704 in the amount of \$565.00 and Check No. 60892 in the amount of \$220.00 both made payable to the University of Idaho. Roll call as follows:

Aye: Councilmember Klingler
Councilmember Hardcastle
Councilmember Rose
Councilmember Lehto

Nay: None

Abstain: Councilmember Eldredge (As he is employed by the University of Idaho)

Motion Carried.

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to ratify the payment of the remainder of the expenditures for the month of May, 2001. Roll call as follows:

Aye: Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle
Councilmember Eldredge

Councilmember Lehto

Nay: None

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Motion Carried.

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings Prior to Platting for Taylor Crossing On the River. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
May 18, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: TAYLOR CROSSING ON THE RIVER, ANNEXATION PRIOR TO PLATTING

Attached is the Annexation Agreement and Annexation Ordinance for Taylor Crossing On The River. The requested initial zoning is I & M-1, which is the existing zoning in Bonneville County. This property is located north and immediately adjacent to Pancheri Avenue and east of Utah Avenue. The Planning Commission considered this annexation request at its May 9, 2000 meeting and recommended approval of the annexation request. The Department concurs with this recommendation. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Preliminary Plat
Slide 4	Site Photo looking north across site
Slide 5	Site Photo looking north from Milligan Road
Exhibit 1	Planning Commission Minutes dated May 9, 2000
Exhibit 2	Staff Report for Planning Commission Meeting dated May 9, 2000

Loren Walker, 2130 South Boulevard, appeared as one of the developers for Taylor Crossing On The River. He appreciated the support from everyone on the City Council and staff. He stated that he did not expect any challenges that could not be overcome. Mr. Walker requested approval of the annexation.

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

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Annexation Agreement Prior to Platting for Taylor Crossing On The River and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle

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Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

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

ORDINANCE NO. 2417

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

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

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Rose

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Rose, seconded by Councilmember Eldredge, to establish the initial zoning of Taylor Crossing On The River as I & M-1 (Industrial and Manufacturing) as requested and, 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 Klingler
Councilmember Hardcastle
Councilmember Rose
Councilmember Eldredge

Councilmember Lehto

Nay: None

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Motion Carried.

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for St. Clair Estates, Division No. 8. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
June 4, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION AND INITIAL ZONING – ST. CLAIR ESTATES,
DIVISION NO. 8

Attached is the Annexation Agreement, Annexation Ordinance, and Final Plat for St. Clair Estates, Division No. 8. This four-lot Final Plat is located south of Sunnyside Road, west of George Washington Parkway, and straddles Martha Avenue extended. The initial requested zoning is PB and R-3 with a PUD overlay. The Planning Commission considered this request at its April 10, 2001 meeting and recommended approval with a 4 to 3 vote. The Department concurs with this recommendation. The annexation request is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Final Plat under consideration
Exhibit 1	Planning Commission Minutes dated April 10, 2001
Exhibit 2	Staff Report, Pages 10-13
Exhibit 3	Copy of Final Plat

Glen Levy, 989 West Sherwood, Boise, Idaho, appeared as the representative for the potential developer of Block 12. The proposed use for Block 12 is a 60-unit senior housing apartment complex. This complex conforms to the 2-story height limit. The design has been concentrated on the amount of open green space to benefit the tenants in the potential open use of this site. This site was selected due to the close proximity of the hospital and other professional businesses and shopping centers. Mr. Levy shared the following slides as an example of the type of work that has been done in Boise:

Slide 4	Proposed Elk Creek Site
Slide 5	Overall view of project
Slide 6	Floor Plan
Slide 7	One Bedroom Floor Plan
Slide 8	Entry Elevation

Slide 9	Main Entry
Slide 10	Secondary Entry
Slide 11	Example of one complex in Boise

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Slide 12	Performance Area
Slide 13	View looking back at its main building
Slide 14	Another view
Slide 15	Aerial view of court

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that he is representing the rest of the subdivision. This subdivision is in compliance with the Preliminary Plat.

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

Councilmember Lehto requested to know how R-3 Zoning fits into the Comprehensive Plan that was adopted in December, 2000. The Planning and Building Director explained that the R-3 Zoning is a higher density than was placed in that Comprehensive Plan, but complies with the repealed Sunnyside Corridor Study. The Sunnyside Corridor Study addressed residential south of Sunnyside Road, both single-family and multi-family. The December, 2000 Comprehensive Plan addresses professional offices adjacent to Sunnyside Road and then single-family residential. The Planning Commission discussed this issue extensively and felt that because it was an elderly housing project and would generate lower traffic and because it was adjacent to the hospital and shopping facilities, that this was a good use of the land. The Planning and Building Director further explained that the 2000 Comprehensive Plan recommends 7 units or less per acre, and the elderly housing is approximately 25 units per acre. Councilmember Lehto requested to know whether the emergency vehicle access was addressed with regard to this new development. The Planning and Building Director stated that this was addressed and has been reviewed by the Fire Department and the Police Department. She also gave a brief explanation of the street configuration for the area. The elderly housing is proposed at the intersection of two collector streets. For that reason, the Planning Commission felt that this was a good location for the elderly housing complex. Councilmember Lehto stated that the City Council would have one more opportunity to review the development of this area under the Planned Unit Development Overlay. The Planning and Building Director stated that, prior to issuing building permits on the lots, the Site Plans would be addressed by the Planning Commission and then by the City Council.

Glen Levy reappeared to state that, under the traffic management manuals, a Professional Business Zone generates approximately 30 trips per acre of development. A typical single-family residential application creates a little over one trip per hour, and using the density of 7 units per acre, would generate 7 trips per hour. A retirement community creates 7.2 trips per hour.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Annexation Agreement for St. Clair Estates, Division No. 8 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Rose
Councilmember Lehto
Councilmember Klingler
Councilmember Hardcastle
Councilmember Eldredge

Nay: None

Motion Carried.

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

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ORDINANCE NO. 2418

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

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

Aye: Councilmember Lehto
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for St. Clair Estates, Division No. 8 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Rose

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Rose, seconded by Councilmember Eldredge, to establish the initial zoning of R-3 (Single-Family, Multi-Family, Apartments) Zoning with PUD (Planned Unit Development) Overlay on Lot 1, Block 12; PB (Professional Business) with PUD (Planned Unit Development) Overlay on Lots 5 and 6, Block 11; PB (Professional Business) with PUD (Planned Unit Development) Overlay on Lot 1, Block 13 of St. Clair Estates, Division No. 8 as requested and, 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:

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Aye: Councilmember Klingler
Councilmember Hardcastle
Councilmember Rose
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for Brookside Addition, Division No. 1. At the request of Councilmember Rose, the City Clerk read the following letter from the Planning and Building Director:

City of Idaho Falls
June 5, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION AND INITIAL ZONING – BROOKSIDE ADDITION,
DIVISION NO. 1

Attached is the Annexation Agreement, Annexation Ordinance, and Final Plat for Brookside Addition, Division No. 1. This twenty-five single-family lot Final Plat is located north of Township Road, west of Hitt Road, and east of St. Clair Road. The initial requested zoning is R-1. The Planning Commission considered this request at its April 17, 2001 meeting and recommended approval. The Department concurs with this recommendation. The annexation request is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Final Plat under consideration
Slide 4	Preliminary Plat showing emergency access that will be provided immediately to the east of this Final Plat
Slide 5	Site Photo looking north from south end of Plat
Slide 6	Site Photo looking east from south end of Plat
Slide 7	Site Photo looking northeast from the Plat
Slide 8	Site Photo looking northwest from the Plat
Exhibit 1	Planning Commission Minutes dated April 17, 2001
Exhibit 2	Staff Report, Pages 1-3
Exhibit 3	Copy of Final Plat

Bob Utterbeck, 3351 Charleston Lane, appeared as one of the partners for this development. The subdivision will be very well done. The density for this project is very low.

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They have had conversations with property owners in the area regarding this development. Mr. Utterbeck and his partner will develop this area in a fashion that will make the existing property owners proud as well as the City of Idaho Falls. In the Annexation Agreement, a stipulation has been included to not issue building permits until the emergency access is provided for.

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

Councilmember Hardcastle requested to know whether this development was directly south of the George Washington Estates development. The Planning and Building Director stated that there is approximately ¼ mile between the two developments.

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to state that he believed that this area would be connected in the near future.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Annexation Agreement for Brookside Addition, Division No. 1 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle

Nay: None

Motion Carried.

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

ORDINANCE NO. 2419

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

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

Aye: Councilmember Rose
Councilmember Lehto

Councilmember Klingler
Councilmember Hardcastle
Councilmember Eldredge

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Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for Brookside Addition, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Rose, seconded by Councilmember Eldredge, to establish the initial zoning of Brookside Addition, Division No. 1 as R-1 (Single-Family Residential) as requested and, 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 Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Rose

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing for consideration of a rezoning from C-1 (Limited Commercial) to HC-1 (Highway Commercial) on property located generally to the north and south of Lincoln Road, west of Woodruff Avenue, and legally described as Chaffin Addition, Division Nos. 2, 3, 4, 5, 6, 7, and 8 and Lot 1, Block 1, Dunkley Addition, Division No. 1. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
June 4, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director

SUBJECT: REZONING REQUEST – C-1 TO HC-1 – WOODRUFF AVENUE

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Attached is the application for rezoning property approximately 250 feet north of Kearney Street, west of Woodruff Avenue, and south of Lincoln Road from C-1 to HC-1. The Planning Commission considered this request at its May 8, 2001 meeting and by a vote of 6 to 2, recommended approval of the rezoning request. The Department concurs with the Commission's recommendation. The rezoning application is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Land Use Plan
Slide 4	Site Photo looking at uses on Woodruff Avenue
Slide 5	Site Photo looking at uses on Woodruff Avenue
Slide 6	Site Photo looking at uses on Woodruff Avenue
Slide 7	Site Photo looking at uses on Chaffin Avenue
Slide 8	Site Photo looking at uses on Chaffin Avenue
Slide 9	Site Photo looking at uses north of site
Slide 10	Site Photo looking at uses west of site
Slide 11	Site Photo looking at uses northwest of site
Slide 12	Site Photo looking at uses northwest of site
Slide 13	Site Photo looking at uses southwest of site

The Planning and Building Director stated that this request is in accordance with the Comprehensive Plan.

Councilmember Rose requested to know whether the vacant property north of the new development was ever contemplated for residential development. The Planning and Building Director stated that residential development was contemplated to the west of this site as mobile homes or higher density residential.

Dean Mortimer, 7403 South First East, appeared to recommend that the zone be changed from C-1 to HC-1 as requested. As the property owner, he is in favor of the proposed zone change.

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

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the zone change from C-1 (Limited Commercial) to HC-1 (Highway Commercial) on Chaffin Addition, Division Nos. 2, 3, 4, 5, 6, 7, and 8 and Lot 1, Block 1, Dunkley Addition, Division No. 1 as requested and, and that the City Planner be instructed to reflect said zoning change and amendment to the Comprehensive Plan on the official zoning map located in the Planning Office. Roll call as follows:

Aye:	Councilmember Eldredge
	Councilmember Lehto
	Councilmember Rose
	Councilmember Klingler
	Councilmember Hardcastle

Nay: None

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Motion Carried.

Mayor Milam announced, again, that there is State Law that requires the notice public hearings to be published two times in a general circulation newspaper before a public hearing can be held. The time period for that publication is contained within the statute. The City of Idaho Falls submitted the "Notice of Public Hearing" for all of the public hearings that have been held this evening, along with a "Notice of Public Hearing" for the increase in electric rates. The first of those notices was published by The Post Register. The second "Notice of Public Hearing" for the proposed increase in electric rates was not published due to an error by The Post Register. Mayor Milam announced that, due to the fact that all publications were not met, the Mayor and City Council would take public comment on the proposed increase of electric rates at this time, with the public hearing to be held at the regularly scheduled Council Meeting of June 28, 2001. All comments from this evening will be considered at the June 28, 2001 Meeting.

The Idaho Falls Power Director appeared to state that Idaho Falls Power has proposed an increase to retail electric rates because the cost of purchasing wholesale power has dramatically increased. The proposal shows an average 56% increase to retail rates. An increase of that magnitude is necessary to pass through the cost of the projected wholesale increase that Idaho Falls Power will receive from the Bonneville Power Administration beginning October 1, 2001. He stated that it is important to note what is "not" a part of the proposed rate increase. No revenues from this proposal would be used relative to the repair of the bulb turbine generators. Those costs are covered through insurance and Bonneville Power Administration. No revenues from this proposed increase would be used to cover the cost of the potential reduced production from all generating facilities due to forecast of low water. Idaho Falls Power has recommended that the rate increase would begin with all bills rendered after August 1, 2001. The reason for that, in light of Bonneville Power Administration's increase being October 1, 2001, is that Idaho Falls Power has been purchasing approximately 20 megawatts on average for the past five years in the volatile wholesale market. Over the last year, in particular, the costs for purchasing power in the wholesale market have been extremely high. Idaho Falls Power has not been recovering those costs in the retail rates. Idaho Falls Power reserve levels, which have been established in a prudent fashion and which are not going in at the levels that have been targeted, have fallen through April, 2001, by \$5,000,000.00. Therefore, the level of the increase is designed to cover the increase from Bonneville Power Administration beginning October, 2001. By implementing this increase in advance, it will help to turn the reserve fund around and begin to charge the consumers the true costs that the City bears for wholesale power. Since the increase is primarily due to Bonneville Power Administration's increases, it is important to understand that Bonneville Power Administration has not given Idaho Falls Power final numbers. Bonneville Power Administration has given Idaho Falls Power a range of potential increases from 75% to 450%. Bonneville Power Administration has been in the process of engaging in an aggressive load reduction exercise where they have asked all of their customers to cut the commitment that Bonneville Power Administration made to them by 10%. At the last Council Meeting, the City Council authorized execution of an Agreement to do that. The City has committed to this Agreement, because the overall rate to consumers will be less if all customers reduce their load on Bonneville Power Administration. Bonneville Power Administration has made substantial progress towards getting firm commitments to reduce loads, of which Bonneville Power Administration will adjust rates based upon firm contracted commitments. Because Bonneville Power Administration is at 50% of their target, they have adjusted the bounds of their possible increase to 50% and 150%. The rate proposal before the City Council assumes an increase from Bonneville Power Administration

of 100%. A rate increase requires Idaho Falls Power to look at all classes of customers. Idaho Falls Power has two industrial classes of customers, a commercial class, and a residential class. A cost of service analysis assigns costs to each of the distinct classes of

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customers; therefore, the percentage increase to the individual customer classes is slightly different. The average increase proposed is 56%, with the increase to residential proposed to be 58%, to commercial 53%, and to industrial 58%. The rates as proposed include a 20% increase to the base rates and the balance of the average 56% to a surcharge. The surcharge has been designed to reflect the current wholesale market situation and it is the intention of Idaho Falls Power that the surcharge will be adjusted over time as the market conditions change, and as those market conditions change, Bonneville Power Administration rates will change and Idaho Falls Power's exposure to the market will change.

Mayor Milam stated that Bonneville Power Administration plans to make adjustments every six months.

The Idaho Falls Power Director stated that there is some encouraging news. There is a significant effort in the west and in the northwest to develop new generating resources. Idaho Falls Power is always exploring the possibility of other resource alternatives. The supply, which is short, combined with a transmission system in the west that is strained and has many constraints upon it, does not allow the most favorable use of generation in the United States. Improvements will be made to the transmission system, generation will be constructed and there will be a tough couple of years to be faced by all. Projections are that after that time frame, a downward adjustment will be seen in the wholesale rates. At that time, the same adjustment would be made to the retail rates.

Councilmember Rose stated that although it cannot be guaranteed that rate reductions would be made in the future, the surcharge does allow for that possibility.

The Idaho Falls Power Director stated that all rates could be adjusted to reflect a reduction in wholesale rates with or without a surcharge. The surcharge is intended to demonstrate within the rates system that there are two different components to the rate. Should Bonneville Power Administration adjust rates effective October 1, 2001, significantly above or below what Idaho Falls Power has estimated, Idaho Falls Power could quickly make an adjustment.

Mayor Milam stated that any adjustment would go through the same process with a public hearing.

Ted Milton, 482 Constitution Way, appeared to state that he has learned of an alarming bit of financial news. There appears to be an unnecessary drain on Idaho Falls Power's budget. Someone told him that they had heard that Idaho Falls Power was spending a number of dollars on an advertising campaign to make the citizens feel good about the power system that Idaho Falls is already locked into. He has worked freelance in the advertising industry since 1993. Mr. Milton called the Idaho Falls Power Director, who explained that the advertising agency was from Portland, Oregon, spending \$40,000.00 in 1998, \$60,000.00 in 1999, \$80,000.00 in 2000, and \$100,000.00 in 2001. Mr. Milton asked the Idaho Falls Power Director whether there was a contract for services and was told that there was not. He expressed his concern for the expense of changing the name from City Electric Division to Idaho Falls Power. He stated that it was also disclosed that an additional \$65,000.00 was spent for airtime. That means that \$300,000.00 was spent before airtime was purchased. That is an out-of-line expense. Mr. Milton stated that he called a few advertising agencies in Idaho Falls to estimate for him what it would cost to create a logo for a municipality and what it would cost to create four different 1-minute radio spots and two different 1-minute television spots. The entire cost of this project would be approximately \$20,000.00. Mr. Milton quoted the Idaho Falls Power Director from The Post Register, "we want to separate so that we can recover the costs of doing business and we need to stop the bleeding". Mr. Milton stated that the bleeding needs to be stopped right now because we are being bled by some advertising agency at an astronomical rate. This money should have

been spent on repairing generators, not trying to make the citizens of this City feel good about where the electricity supposedly comes from. It is almost false advertising because we do not create that much of the energy that we consume. He called for an immediate cease to

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the advertising campaign that Idaho Falls Power is using and bleeding the citizens of approximately \$500,000.00 of revenues that could have been wisely spent in other locations. While the bulb turbines have been down and it is necessary to conserve, the citizens have heard nothing from the City on conservation of electricity. The ads should be telling the citizens how to conserve. It was commented to The Post Register that the way to conserve was to raise the prices to force conservation. Mr. Milton stated that he did not like the bleeding going on and the City should not ask the citizens to pay 56% more until the City's house is in order. Since the City has entered into a contract guaranteeing a decrease of 10% usage of electricity, why have the citizens not been made aware of this. This needs to be made public, as the citizens of Idaho Falls would be happy to do their part. Again, he called for the advertising campaign to cease immediately.

Joe Shumate, 367 East 15th Street, appeared to agree with Mr. Milton's comments and that the advertising campaign needs to cease. It is like advertising the jail, we only have one. He explained that he has a choice where to purchase his telephone service, cable service, and gasoline. He does not have a choice where he purchases electricity. He trusts the Mayor and Council, working for the citizens, to make those decisions. Idaho Falls Power is asking the citizens to ride it out for a couple of years with the intent that the surcharge will lower. He has never seen prices decrease once they increase. He requested that the reverse be implemented; in that Idaho Falls Power should ride it out for a couple of years and then approach the citizens for some money. He understood that the increase is probably necessary, but 56% is stealing. He stated that he could not call the police when someone steals that much money from him legally.

Marlin Mallory, 156 Harvest Run, appeared to share the following quotes from the www.abcnews.com website:

“Look at North America from a satellite at night and it glows with billions of wasted energy dollars. Nobody meant this to happen. It is having a devastating effect on our health. It turns out that we need darkness to make our immune system work. Scientists have now discovered that only when it is really dark can our body produce a hormone called melatonin. Melatonin fights diseases, including breast and prostate cancer. There is another surprise. Police report that such darkness often is safer. That's partly because neighbors soon learn to alert police if they see any lights on in a building. There is even less graffiti because it is usually lighted walls that attract spray can vandals, not dark ones.”

From the U. S. Department of Justice:

“While there is no statistically significant evidence that street lighting impacts the level of crime, especially if crime displacement is taken into account, there is a strong indication that increased lighting, perhaps lighting uniformity decreases the fear of crime.”

Mr. Mallory stated further that, at this point in time, the public needs to be educated as to what is beneficial light outside and what is not. The public is willing to listen like no other time. Two-thirds of our street lighting could be doused within one week, and save significant energy, increase safety, and increase well-being in the City. This would go a great step towards meeting our goal of conserving energy in this town. This should be done right away. Street lighting is wasted at his house, as he does not want it.

Leo Martinson, 225 East 25th Street, appeared to state that he purchased his home one year ago. At that time he wanted to remodel this home. He talked with people at Idaho Falls Power regarding what the increase to electricity might be. They told him that the

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increase would be minimal. So he installed an electric furnace and enjoyed the heat from it. At the time of his remodel, the increase was estimated to be approximately 5% at the most for the next five years. The request for an increase is now 56% in just one year's time. He stated that what he has heard this night is "reaction", no one is taking action. Mr. Martinson stated that there is a general manager in Los Angeles, California that is selling his electricity all over southern California. He is not taking money from the people, but is actually making money for the City of Los Angeles and his County. Someone needs to take the bull by the horns and find another method of generating electricity.

Martha Mayes, 546 Maple Street, appeared to address the advertising campaign for Idaho Falls Power. A while ago, she received a telephone call from Idaho Falls Power requesting her to take part in a marketing survey being conducted at University Place. The advertising company was present with pictorial layouts and typed scripts for an advertising campaign. Her perception of the need for advertising was that in the future, should public utilities be able to compete for the local dollar, Idaho Falls Power would be prepared to compete. This campaign had nothing to do with conservation, but simply to make the citizens of Idaho Falls believe that this is where to get their power. She understood that Idaho Falls Power was laying a foundation for a future where power could be purchased on the open market.

Jim McFadden, 2255 Baltic Avenue, shared excerpts from the following letter:

2255 Baltic Avenue
Idaho Falls, Idaho 83404

June 7, 2001

Mayor Linda Milam
Idaho Falls City Hall
308 Constitution Way
Idaho Falls, Idaho 83402

Dear Mayor Milam:

This letter is written regarding the electric energy rate increase requested by Idaho Falls Power. Please include this letter in the hearing record.

I am opposed to the proposed rate increase. It is the wrong time to raise rates, and the rate structure requested by IF Power is not correct for our current situation.

The Wrong Time

The Bonneville Power Administration (BPA) is involved in discussions with utilities and large industrial consumers seeking to reduce the amount of energy these companies purchase from BPA. Some examples include:

- Pacific Power and Light has agreed not to buy energy from BPA for the next five years (Post Register, May 26, 2001).

- BPA and two aluminum smelters have agreed to reduced energy service (Post Register, June 3, 2001), and there are other direct-service industrial customers that might also agree to reduce their energy needs over the next few years.

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We are told the proposed rate increase assumes that BPA will raise rates to utilities such as IF Power by 100% in September. Why assume 100%? Why not 50% or 200%? The fact is that neither IF Power nor BPA know at this time how much the rate increase will be.

The BPA rate structure for the next year is supposed to be announced near the end of June. That is not too far in the future for IF Power to wait and see what they will be charged for energy purchased from the BPA. When this is known, IF Power can bring a requested rate change to the City Council and the utility customers that at least will be based in part on known information.

The Wrong Structure

According to the information provided by IF Power (e-mail from V. Ashton, June 5, 2001), the rate increase they propose has two components: a 20% increase from the current rates plus a surcharge, apparently to vary with each billing cycle and to be based on the cost of purchased energy. This proposed structure is wrong for several reasons.

First, the across-the-board increase does little to encourage energy conservation. One family can reduce their consumption while their neighbor might double their use, yet both will have to pay the same percentage increase.

Second, prices resulting from the requested rate increase will be even more unfair and discriminatory than they are now. From 1983 to 1996 (when IF Power rates were last changed), electric rates increased by 19% for residential customers and by 20% for commercial users, while rates in the industrial sector increased by only 10% (September 28, 2000 letter report written to the Mayor and the City Council from E. Robert Mooney, Mooney Consulting).

The proposed base rate change will increase residential rates for 0.8¢/kWh and commercial rates by 0.73¢/kWh, but those for large industrial customers will increase by only 0.5¢/kWh. The residential rate increase is more than fifty percent greater than the change for large industrial customers. The cost for IF Power to buy energy from BPA and others is going to be the same whether it is delivered to a home or an industrial customer. This should be reflected in the rate changes granted.

In evaluating any rate increase at this time, the City Council should seriously consider the way utility regulators in Idaho and surrounding states are dealing with the large rate increase requests they are receiving from electric utilities. Here are two examples.

PacifiCorp has agreed with the Oregon Public Utility Commission to offer two incentives to residential customers as a reward for conservation (Post Register, May 24, 2001). Customers who reduce their consumption by 10% compared to the previous year usage will receive a 10% credit on their utility bill. If they reduce consumption by 20%, the credit will be 20%. PacifiCorp has agreed to pursue a similar conservation reward program in Idaho, Washington, and Utah.

In Idaho, the Idaho Public Utilities Commission (PUC) took a slightly different approach for an Idaho Power rate increase, but the way the rate change is structured (Idaho PUC, Order No. 28722) rewards those who use less energy.

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The rates for nonresidential users were all increased by the same amount per kWh used, 1.34115¢/kWh. This resulted in the following percentage increases:

- irrigation – 31.3%,
- small commercial – 18.8%,
- large commercial – 32.9%, and
- industrial – 42.1%

In the residential sector, the overall rate increase approved was 23% but the pricing structure increases the price as the block usage increases. Rates for the first 800 kWh block used were increased by 14.4%, those in the second block (801 kWh to 2000 kWh) will increase 28.8%, and those for the third block (greater than 2000 kWh) go up by 62%. The PUC order states, “This rate design is specifically intended to provide rate incentives for customers to conserve electricity.”

The Rate Stabilization Fund

The City of Idaho Falls established an electric utility rate stabilization fund, supposedly for the purpose of providing some stability in the rates charged to IF Power customers resulting from unexpected increases in the cost of purchased power.

IF Power seems to be concerned about not having any money in this fund, saying that within the last year, the fund has gone from about \$20 Million to about \$15 Million now (Post Register, May 22, 2001). I note that current \$15 Million balance is an increase from \$13 Million (Post Register, December 18, 2000) in December, 2000.

The concept of a rate stabilization fund may be a good idea; I am not going to debate that issue here. However, if IF Power is going to put a surcharge on energy use based on the price of purchased power, they should simply do away with the rate stabilization fund and return those moneys to the utility customers who paid it in the first place. It defies logic to put money aside for a rainy day and then, when the rain does come and times get tough, increase charges to customers rather than use the savings that had been set aside.

Summary

The City Council is in a rather curious position regarding this matter. They are like the Board of Directors of a public utility while at the same time serving as a Regulatory Commission in reviewing the rate request of IF Power. I hope that the Councilmembers will give due consideration to their role as the regulator, and only grant a rate change that is fair, just, and reasonable.

As part of this process, I ask the City Council to take the following actions at the conclusion of these public hearings. The City Council should require IF Power to design a new rate change proposal that:

- (1) takes into account the actual rates that will be charged by BPA beginning the next fiscal year,

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- (2) is structured along the lines of the rate changes authorized by the Idaho PUC for Idaho Power, one that rewards users who conserve while requiring those who continue to use large and increasing amounts of electric energy to pay for the increased demand they cause, and
- (3) does something about the contradiction of the reserve fund and the concept of a continuing surcharge.

Thank you for considering these comments.

Sincerely,

s/ James McFadden
James McFadden

cc: Idaho Falls City Council
- Ms. Ida Hardcastle
- Mr. Brad Eldredge
- Mr. Joe Groberg
- Ms. Mary Klingler
- Mr. Mike Lehto
- Mr. Bruce Rose
Mr. Mark Gendron, Idaho Falls Power

Frank Dobby, 1093 Atlantic Street, appeared to share the following article from www.cbsnews.com Internet site:

CBS MARKET WATCH

Consumers lag on electric price curve
Just as wholesale costs drop, retail bills ready to rise

By Russ Britt, CBS.MarketWatch.com
Last Update: 6:27 PM ET June 6, 2001

LOS ANGELES (CBS.MW) – Up to now, many California electricity users have been opening their monthly bills and muttering to themselves: “What energy crisis?”

Of course there have been periodic blackouts for some, and many utility customers have seen their bills rise. But a sizable number of consumers have not seen a big change in their electric bills.

That’s all about to change. And it’s just in time, because wholesale electricity prices are coming down but state-approved energy increases are taking effect.

“You’ll start to see it in this month’s bill,” said Tom Boyd, spokesman for Edison International Corporation.

Consumers have lagged in feeling the California energy crisis. It has taken some time for many residents to be zapped by the full effects of what's made California Governor Gray Davis and most other state officials scramble around the state for the past eight months.

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Now they will. Rates will vary, but the average bill may rise 10 to 20 percent or more, depending on consumption.

On top of that, the increase will be retroactive to March, meaning consumers will see an even larger increase through the summer months. Utilities are letting consumers pay off hikes for March through May between now and August.

But the signals may be confusing for many consumers. While consumers were told prices would rise, they didn't for many months. Now word is coming out that wholesale prices are falling – and relief from the energy crisis may be in sight – but their bills are about to go up.

It will take some time before the state is repaid for the electricity it has purchased, on behalf of Edison and bankrupt Pacific Gas and Electric, a unit of PGE Corporation, said Steve Maviglio, spokesman for Governor Gray Davis. Lower prices would have to be sustained for a lengthy period to have an effect on prices, he said.

“Four days of low prices is no reason to hold a parade,” he said.

Gary Ackerman, Executive Director of the Western Power Trading Forum, said the combination of a natural gas price drop, a larger-than-expected spring runoff that supplies hydroelectric power, cooler temperatures and increased conservation all have helped cut wholesale prices to a quarter of what they were a few weeks ago.

Prices were \$400 a megawatt-hour and now have gone below the \$100 level in many cases, Ackerman said.

“We haven't seen prices this low since April 2000,” Ackerman said. Energy producers, which Ackerman represents, are under fire from Davis and other officials who accuse the companies of price fixing.

“(Market) fundamentals are at work and they're bringing prices down,” Ackerman said. “These are not manipulated prices, or colluded prices or gouging of any kind.”

Ackerman cautioned that the prices could head up again, depending on the various market forces involved.

Maviglio added there still is a gap between what consumers are paying and the cost of electricity.

“They still will not be paying the full price of energy (after the increases),” Maviglio said. “There's still a wide gap there.”

Mr. Dobbe stated that he agreed with Mr. McFadden with regard to the Rate Stabilization Fund. If this fund is there for a crisis, which we are in now, then it should be used for that crisis. Since Bonneville Power Administration will not determine their rate increases until

later, the City should not consider an increase until September for the month of October, 2001. Mr. Dobbe explained that he has a daughter who is a single-mother struggling to raise three children. She is on the level pay plan and her bill has already increased by 30%. He

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did not understand that increase at all. She called the City Utility Department and was told that all level pay customers were increased by 30% in anticipation of the rate increase.

Ace Ballard, 985 Westchester Court, appeared to state that he is opposed to the rate increase. He stated that he would be for a rate increase if it were to provide better service and to keep our public utilities afloat. From what he has read in the newspaper and listened to on conservative talk radio, where there is a little more freedom of the press, it sounded like Idaho Falls Power has a slush fund that could be used. With insurance paying for the damaged bulb turbines, it does not sound like the City is in bad shape. He did not understand why an increase is necessary at this time. This increase is unjustified, especially with the advertising campaign that was not necessary with a captive market. The residents who need to conserve will and do conserve. He tries to do that at his home. Mr. Ballard stated that he has installed a wind generator at his home. He stated that he would be willing to assist others through commercial loans and venturing capital through the organizations that he deals with to put up a power plant in the area. He stated further that he could talk with President Bush and drill a couple of holes in the area for oil. This would bring the gas prices down. He is all for commercial development and development for energy. We need every resource of energy here. This will be good for our economy, for the City, builds growth, capital, jobs and income.

There being no further comment either in favor of or in opposition to the proposed electric rate increase, Mayor Milam stated that the public hearing would be held at the Regular Council Meeting scheduled for June 28, 2001 at the same time and place.

Following a brief recess, the Fire Chief submitted the following memo:

City of Idaho Falls
May 24, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Bob Drake, Fire Chief
SUBJECT: ANNUAL RENEWAL OF MUTUAL AID AGREEMENT WITH BLM

Attached for City Council consideration is a copy of an Annual Operating Plan for Mutual Fire Aid between the City of Idaho Falls Fire Department and the BLM, Caribou and Targhee National Forests. This is the annual renewal of an Agreement initially entered into in 1998. The Fire Department believes that the Agreement has benefited the citizens we protect.

The only modifications are updates to the Agency's equipment lists and updates to the Agency's contact information.

The Fire Department respectfully requests Council approval at the June 7, 2001 City Council Meeting to renew this Agreement, and authorization for the Fire Chief to sign.

s/ Bob Drake

It was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, to approve the renewal of the Annual Operating Plan for Mutual Fire Aid between the City of

Idaho Falls Fire Department and the Bureau of Land Management, Caribou and Targhee National Forests and, further, give authorization for the Fire Chief to execute the necessary documents. Roll call as follows:

JUNE 7, 2001

Aye: Councilmember Rose
Councilmember Lehto
Councilmember Klingler
Councilmember Hardcastle
Councilmember Eldredge

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls
June 4, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: IDAHO ENERGY AUTHORITY SERVICE SCHEDULE NO. 5

Attached for your consideration is a Service Schedule No. 5 – Conservation and Renewable Resources Project with Idaho Energy Authority (IDEA).

Idaho Falls Power respectfully requests Council approval of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Eldredge, seconded by Councilmember Klingler, to approve Service Schedule No. 5 – Conservation and Renewable Resources Project with Idaho Energy Authority (IDEA) and, further give authorization for the Mayor to sign the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

City of Idaho Falls
June 4, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director

SUBJECT: CONFIRMATION AGREEMENT WITH BONNEVILLE POWER
ADMINISTRATION

JUNE 7, 2001

Attached for your consideration is a Confirmation Agreement for the sale of 5MW power to Bonneville Power Administration from May 23 – 31st for \$100 MWh.

Idaho Falls Power respectfully requests ratification of this Agreement.

s/ Mark Gendron

It was moved by Councilmember Eldredge, seconded by Councilmember Klingler, to ratify the execution of the Confirmation Agreement with Bonneville Power Administration. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Rose

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memos:

City of Idaho Falls
June 7, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: REQUEST FOR BID – TOP DRESSER

The Division of Parks and Recreation respectfully requests authorization to receive bids on a top dresser to be used in the Division's Parks and Golf Course operations.

s/ David J. Christiansen

It was moved by Councilmember Hardcastle, seconded by Councilmember Rose, to give authorization to advertise to receive bids for a top dresser to be used in the Parks and Recreation Division and Golf Course operations. Roll call as follows:

Aye: Councilmember Klingler
Councilmember Hardcastle
Councilmember Rose
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

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City of Idaho Falls
June 7, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: US 20/FREMONT AVENUE LANDSCAPE PROJECT
SUPPLEMENTAL AGREEMENT – FINAL DESIGN

Attached for your consideration is a Supplemental Agreement between the City of Idaho Falls and W & H Pacific for final design of the U. S. 20/Fremont Avenue Landscape Project. The City Engineer has reviewed this Agreement. It is, therefore, submitted for your approval.

s/ David J. Christiansen

It was moved by Councilmember Hardcastle, seconded by Councilmember Rose, to approve the Supplemental Agreement between the City of Idaho Falls and W & H Pacific for final design of the US 20/Fremont Avenue Landscape Project and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
June 4, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT – TAYLOR CROSSING ON THE RIVER, DIVISION NO.
2

Attached is the Development Agreement and Final Plat for the above-described property. This two-lot Plat with the realignment of Utah Avenue and a landscaped circle is located north of Pancheri Drive, south of Utah Circle, and west of the Snake River. The Planning Commission considered this request at its February 13, 2001 Meeting and recommended approval with access onto Utah Avenue limited to a minimum of 240 feet from the intersection with

Pancheri Drive and the provision of an island lot within the traffic circle. Both conditions have since been addressed. The Department concurs with the

JUNE 7, 2001

Commission's recommendation. The Final Plat is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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

Slide 1	Vicinity Map indicating surrounding zoning
Slide 2	Aerial Photo
Slide 3	Final Plat under consideration
Slide 4	Preliminary Plat
Exhibit 1	Planning Commission Minutes dated February 13, 2001
Exhibit 2	Staff Report
Exhibit 3	Copy of Final Plat

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Development Agreement for Taylor Crossing On The River, Division No. 2 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for Taylor Crossing On The River, Division No. 2 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Rose

Nay: None

Motion Carried.

City of Idaho Falls
June 4, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director

SUBJECT: REQUEST FOR RULING OF SIMILAR USE – CITY OF REFUGE,
840 PARK AVENUE

JUNE 7, 2001

Attached is a letter from the City of Refuge describing their expansion plans into 380 E Street. The residential facility is presently located on the second floor of 840 Park Avenue with offices located on the first floor. The Department is requesting a ruling of similar use in the CC-1 Zone for the parcels at 840 Park Avenue and 380 E Street to permit the residential facilities to occupy lower floors at these addresses. The CC-1 Zone, among other uses, permits fraternal societies, motels, hotels, apartment houses, and one, two, and three-family dwellings above the first floor. Food facilities such as restaurants are permitted use in the CC-1 Zone. The City of Refuge provides temporary housing and is similar in land use effects to motels and hotels. The request for ruling of similar use is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, that the use of 840 Park Avenue and 380 E Street as a homeless shelter for men operated by the City of Refuge be ruled a similar use to other permitted uses within the CC-1 Zone. It is understood this ruling is limited to the applicant, City of Refuge, and the addresses stated in the motion. Roll call as follows:

Aye: Councilmember Rose
 Councilmember Lehto
 Councilmember Klingler
 Councilmember Hardcastle
 Councilmember Eldredge

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Klingler, seconded by Councilmember Hardcastle, that the meeting adjourn at 9:35 p.m.

CITY CLERK

MAYOR
