

SEPTEMBER 8, 1988

The City Council of the City of Idaho Falls, Bonneville County, Idaho, met in regular public session at the regular meeting place of the Council in the Council Chamber at the City Electric Building, 140 South Capital Avenue, in the City of Idaho Falls, Idaho, at 7:30 P.M., on September 8, 1988. The roll call was called and the following found to be present: Mayor Thomas V. Campbell; Councilmen Arthur R. Chandler, Jr., Melvin L. Erickson, Paul L. Hovey, Ralph M. Wood, Sam S. Sakaguchi, and Wesley W. Deist. There were also present: Velma Chandler, City Clerk; G. S. Harrison, Manager, Electric Light Division; Dale Storer, City Attorney. Absent: S. Craig Lords, Municipal Services Director.

The City Clerk read a summary of the minutes of the last Regular Council Meeting held August 18, 1988. The minutes were approved by the Council.

The Mayor declared open a public hearing, as legally advertised, to consider the proposed 1988-89 Fiscal Year Budget and called upon Councilman Chandler, Chairman of the Fiscal Committee to conduct the hearing. At the request of Councilman Chandler, the City Clerk read this memo from the Municipal Services Director:

City of Idaho Falls
September 8, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: ADOPTION OF 1988/1989 FISCAL YEAR BUDGET

Attached is a copy of the proposed Annual 1988-1989 Fiscal Year Budget that was tentatively approved on August 18, 1988 by the Mayor and City Council and has been advertised as required by the Idaho Code.

The Municipal Services Division respectfully requests the adoption of this 1988-1989 Fiscal Year Budget in the amount of \$60,127,234.00 and the attached Appropriation Ordinance appropriating and apportioning the monies to and among the various funds. Dale Storer, City Attorney, has reviewed the Appropriation Ordinance.

Respectfully submitted,
s/ S. Craig Lords

Councilman Chandler then requested that a series of slides be displayed which depicted the proposed revenues and expenditures as published in the following notice:

**NOTICE OF PUBLIC HEARING
BUDGET FOR 1988-1989 FISCAL YEAR
CITY OF IDAHO FALLS, IDAHO**

Notice is Hereby Given that the City Council of the City of Idaho Falls, Idaho, will hold a public hearing for consideration of the proposed budget for the fiscal period (October 1, 1988 - September 30, 1989) and the fiscal appropriation ordinance for said period, all pursuant to the provision of Section 50-1002 I.C. and Section 50-1003 I.C., said hearing to be held at the Council chambers in the Electric Building, 140 south Capital Avenue, Idaho Falls, Idaho at 7:30 P.M. on Thursday, September 8, 1988. At said hearing, all interested persons may appear and show cause, if any they have, why said

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proposed budget should not be adopted or why the fiscal appropriation ordinance should not be approved in accordance therewith:

The following is an estimate, set forth in said proposed budget, of the total proposed expenditures and accruing indebtedness of the City of Idaho Falls, Idaho for the fiscal period (October 1, 1988-September 30, 1989). Said amounts are set forth by fund and/or departments as follows:

<u>GENERAL FUND</u>	Proposed Gross <u>Expenditures</u>	Fed/State Grants	Proposed Net <u>Expenditures</u>
General and Administration	\$ 204,631.	\$ -	\$ 204,631.
Municipal Services	1,998,445.	-	1,998,445.
Police	3,651,525.	-	3,651,525.
Animal Regulations	166,680.	-	166,680.
Inspection, Planning, Zoning	555,937.	-	555,937.
Parks, Cemetery, Golf Courses	2,523,803.	(206,150)	2,317,653.
Public Works	572,307.	-	572,307.
Fire	3,283,168.	-	3,283,168.
Total General Fund	<u>\$12,956,496.</u>	<u>(206,150)</u>	<u>\$12,750,346.</u>
<u>SPECIAL REVENUE FUNDS:</u>			
<u>STREET FUND</u>	\$ 1,498,495.	-	\$ 1,498,495.
<u>RECREATION FUND</u>	600,632.	-	600,632.
<u>LIBRARY FUND</u>	925,079.	(60,000)	865,079.
<u>AMBULANCE FUND</u>	<u>862,731.</u>	-	<u>\$ 862,731.</u>
Total Special Revenue Funds	<u>\$ 3,886,937.</u>	<u>(60,000)</u>	<u>\$ 3,826,937.</u>
Sub-total Operation Funds	<u>\$16,843,433.</u>	<u>(266,000)</u>	<u>\$16,577,283.</u>
<u>ENTERPRISE FUNDS:</u>			
<u>AIRPORT FUND</u>	\$ 1,945,716.	(995,000)	\$ 950,716.
<u>WATER AND SEWER FUND</u>	6,363,641.	(1,272,750)	5,090,891.
<u>ELECTRIC FUND</u>	30,703,300.	-	30,703,300.
<u>SANITATION FUND</u>	<u>1,345,334.</u>	-	<u>1,345,334.</u>
Total Enterprise Funds	<u>\$40,357,991.</u>	<u>(2,267,750)</u>	<u>\$38,090,241.</u>
<u>CAPITAL PROJECT FUNDS:</u>			
<u>SANITARY CAP. IMPROVEMENT FUND</u>	\$ 150,000.	-	\$ 150,000.
<u>MUNICIPAL CAP. IMPROVEMENT FUND</u>	250,000.	-	250,000.
<u>BRIDGE & ARTERIAL STREET FUND</u>	175,000.	-	175,000.
<u>WATER CAP. IMPROVEMENT FUND</u>	170,000.	-	170,000.
<u>MUNICIPAL EQUIP. REPLACEMENT FUND</u>	\$ 1,139,500.	-	\$ 1,139,500.

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<u>SURFACE DRAINAGE FUND</u>	55,000.	-	55,000.
Total Capital Project Funds	\$ 1,939,500.	-	\$ 1,939,500.

TRUST AND DEBT FUNDS:

OTHER FUNDS

General Obligation Refunding Bond			
Fund-Airport and Library	\$ 363,655.	-	\$ 363,655.
Swimming Pool G.O. Bond	170,005.	-	170,005.
MCS-Early Adoption	452,650.	(452,650)	-
Total Trust & Debt Service Funds	\$ 986,310.	(452,650)	\$ 533,660.

TOTAL PROPOSED EXPENDITURES \$60,127,234. \$(2,986,550) \$57,140,684.

ESTIMATED REVENUE

The estimated revenue of the City of Idaho Falls, Idaho for said fiscal year 1988-1989 based upon the receipts of the previous fiscal year, is as follows:

REVENUE FROM TAX LEVY

General Fund Levy	\$ 5,702,350.
Airport Fund, Special Levy	45,524.
Recreation Fund, Special Levy	132,724.
Capital Improvement Fund	190,704.
Library Fund, Special Levy	475,895.
Municipal Library Bond Fund, Special Levy	332,700.
Swimming Pool G. O. Bond	171,000.
Fire Retirement, Levy	535,103.
Liability Insurance, Levy	392,900.
Police Retirement, Levy	193,238.
TOTAL REVENUE FROM TAX LEVY	<u>\$ 8,172,138.</u>

REVENUE FROM OTHER SOURCES

Franchises and Penalties	\$ 243,800.
Licenses and Permits	249,500.
Revenue from Other Agencies	5,720,605.
*Grants	2,986,550.
Charges for Current Services	2,445,354.
Sale of Electrical Energy	26,715,800.
Water and Sewer System	4,420,000.
Solid Waste Collection	1,290,000.
Fines and Forfeitures	427,500.
Library Collections	29,600.
Use of Property and Money	1,129,200.
Other Miscellaneous Revenue	1,377,700.
TOTAL REVENUE FROM OTHER SOURCES	<u>\$47,035,609.</u>
TOTAL REVENUES	\$55,207,747.

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Fund Balance Reserves 4,919,487.

TOTAL REVENUE AND FUND BALANCE RESERVES \$60,127,234.

Less: *Grants Listed Above (2,986,550.)

NET REVENUE AND FUND BALANCE RESERVES \$57,140,684.

I, Velma Chandler, City Clerk of the City of Idaho Falls, do hereby certify that the above is a true and correct statement of the proposed expenditures by fund and the entire estimated revenue of the City of Idaho Falls, Idaho, for the fiscal year 1988-1989: all of which have been tentatively approved by the City Council on August 18, 1988 and entered at length in the Journal of Proceedings. Dated this 9th day of September, 1988.

Mr. Glen Hancock, 3061 South Boulevard, appeared briefly to ask why there was a difference in the proceeds from the sale of electrical energy and the anticipated expenditures of the Electrical Department. The Electric Department Manager explained that monies for the WPPSS Settlement are coming from reserve funds, therefore, the expenditures exceed the revenues.

Councilman Chandler then gave the following budget message:

BUDGET MESSAGE - 1988-1989

The 1988-1989 Budget totals \$60,127,234. The major increase in expenditures are: Reroof Tenth Street Well, \$65,000; new fire station, \$94,000; community hospital grant, \$100,000; FAA funded projects, \$871,000; new well and sludge storage project, \$2,136,000; WPPSS Settlement, \$2,728,000; Gem State Project, \$2,248,000 and a 4% salary increase for city employees. The majority of our budget are utilities, which consist of electrical, water sewer and sanitation. These utilities represent about 64% of the budget or \$38,412,275. The Electric Division maintains 35 miles of transmission lines and 260 miles of distribution lines that are supplied through twelve substations. The Electric Department operates three bulb turbines, which generate approximately 1/4 of the City's annual energy requirements.

The Gem State Project is due to be dedicated on October, 1988, and, as of this date, is on schedule and under budget. With the addition of the Gem State Project, the City will meet 1/2 of its annual energy requirements.

The Water Department, with sixteen full-time employees, and a budget of \$2,505,794, supplies the water needs for our City. They maintain 207 miles of watermains that distribute water from fifteen wells that have the total pumping capabilities of seventy-nine million gallons per day.

The Sanitation Department, comprised of twenty-five full-time and three part-time employees, collects all the refuse for the City. They make daily pickups where needed, with all residential areas being cleared away once a week. The budget for the Sanitation Department is \$1,345,334.

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The Sewer Department has a staff of thirty full-time employees, with a budget of \$3,857,847. They operate and maintain one hundred eighty miles of sanitary sewer lines and treat about three billion gallons of waste water in a twelve month period.

There will be no rate increases in the utilities this year. The utilities operated by the City provides the best service available at low costs to the citizens of our community.

All Utilities, with the exception of the Electric Division, are in the Public Works Division, which also includes the Engineering and Street Departments. Engineering is responsible for project design, inspection, and project management. Engineering maintains all regulatory signs in the City and does the striping of the City Streets.

The Street Department maintains all streets and alleys with twenty-one full-time employees. They are also responsible for snow removal, sealcoating, and sweeping of streets. They work hard at keeping our two hundred and two miles of streets in good repair.

Public Safety represents 13% or \$7,964,104.00 of the budget. We have the best police, fire, and ambulance service in the country. The Police Department, during the first nine months of 1988, have handled 18,658 complaints, arrested one hundred seventy-two people for driving under the influence, issued approximately 8,052 traffic citations, investigated approximately 13,567 traffic accidents and investigated 2,100 major offenses. This is accomplished with a force of ninety-three, including dispatch and animal control.

The Fire Department has a force of seventy-one, which represents sixty-three firefighters, three in fire protection, and three in administration and clerical. Fifteen firefighters are trained paramedics and all others are emergency medical technicians. During the past twelve months, the Fire Department answered 259 fire calls, 3,963 ambulance calls, and 786 ambulances assists and rescues. Because of the dedication of these public safety employees, the citizens of our community are well protected.

The property tax the City receives is \$8,172,138.00, which is 14% of our revenue. Besides public safety, the Library is part of the service that is provided from taxes. The Library is one of the best educational, cultural, and entertainment values in the City. Last year, we circulated 429,202 items. The Reference Department has been busy answering over 67,913 questions and pulling 29,330 magazines for patron use. We reserved 18,092 books for patrons and added 9,222 new books to our collection. These activities in the Library are handled by sixteen full-time and fourteen part-time employees, with a budget of \$925,079.00.

The Planning and Zoning Division, with a budget of \$555,937.00, is responsible to see that buildings are built according to code and meet zoning requirements. There have been 477 permits issued from January through August, 1988. There have been 118 new residences, 27 commercial buildings, and 7 new apartments, with a total value of \$27,715,460.00.

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The Parks and Recreation Division, with a budget of \$3,124,435.00, maintains 406 acres of parks, 8 picnic shelters, 17 tennis courts, 6 softball diamonds, and 12 little league ball diamonds. McDermott Field and the Multi-Purpose Shelter at Tautphaus Park are used for many activities, such as ice hockey, skating, picnics, political conventions, and professional baseball. Noise Park, west of the City, contains 450 acres and is used for stock car and motorcycle racing.

We have two fine 18-hole golf courses, Pinecrest and Sand Creek. They are both self-sufficient. At Sand Creek, there are rodeo grounds, which accommodates the War Bonnet Round-Up, cutter facilities, and other recreational activities, including a race track. Over twenty-seven different horse groups use these facilities.

The Idaho Falls Aquatic Center has been self-supporting since it's opening in January, 1987, and has served 117,449 people this year.

The Parks Department is also responsible for the zoo and all recreation programs within the City, as well as the cemeteries. The zoo has accommodated over 93,000 visitors this summer season.

The Airport, with a budget of \$1,945,716.00, provides a much needed service for the citizens of the entire valley. Passenger traffic using scheduled airlines was 180,180, which is up 26% over last year. Over one-half million people used the airport facilities during the past year.

The Municipal Services Division, with a budget of \$1,998,445.00 and 78 employees, includes General Services, Finance, Treasurer, City Clerk, and Personnel. Municipal Services is responsible for the budget of the City of Idaho Falls, which includes a payroll for 460 full-time employees and 160 part-time employees. This Division maintains the data processing system and is responsible for all financial records in the City. The Finance Department maintains all accounting systems as well as processing and paying all monthly bills. The Treasurer's Office also handles all investments. The City Clerk's Office keeps minutes and records, issues licenses, and maintains cemetery records.

The General Services Department issued 4,419 purchase orders and prepared 43 formal bids. General Services also is responsible for building maintenance and the management of 341 pieces of self-propelled equipment and 483 other large and small pieces of equipment, such as trailers, compressors, lawn mowers, and snow blowers. The City Garage maintains all equipment. They did 908 oil and lube jobs, 306 tune-ups, 439 tire repairs, replaced 471 tires, repaired 183 transmissions, and 278 mowers were sharpened and repaired. The City used about 283,000 gallons of fuel this past year.

It is the City employees that provide the services the citizens of Idaho Falls enjoy. Once again, I would like to thank the City employees for a job well done.

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ORDINANCE NO. 1914

AN ORDINANCE PROVIDING FOR THE FISCAL PERIOD APPROPRIATION OF THE CITY OF IDAHO FALLS, IDAHO, FOR THE PERIOD COMMENCING OCTOBER 1, 1988 AND ENDING SEPTEMBER 30, 1989; APPROPRIATING AND APPORTIONING THE MONIES OF SAID CITY TO AND AMONG THE SEVERAL FUNDS OF SAID CITY AND DESIGNATING THE PURPOSE FOR WHICH SAID MONIES MAY BE EXPENDED; SPECIFYING THE AMOUNT OF MONEY PAID BY PROPERTY TAX TO BE APPROPRIATED TO SAID FUNDS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE:

The foregoing ordinance was presented in title. It was moved by Councilman Chandler, seconded by Hovey, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. the question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, None; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson and Deist; No, none; carried.

The Mayor declared open a public hearing to consider the re-zoning of property located at 1765 E. 17th Street, and called upon Councilman Wood to conduct this hearing. At the request of Councilman Wood, the City Clerk read the following explanatory memo from the City Planner:

City of Idaho Falls
September 6, 1988

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REZONING REQUEST, STROBEL ADDITION, LOT 1,
BLOCK 2, (1765 E. 17TH ST.)

Attached is a copy of a request for a rezoning of property located at 1765 E. 17th Street. The request is to rezone from R-3A to C-1. This property is currently occupied by a single-family residence and is adjacent to existing C-1 zoning on the west and existing professional office on the east and backs up to tennis courts and an office building.

This matter was recently considered by the Planning Commission. No one appeared to object to this request. After some discussion, the Planning Commission recommended approval. This Department concurs with that recommendation. It is now being submitted to the Mayor and Council for your consideration.

s/ S. Craig Lords

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The City Planner then located the subject property on a map on the wall and further explained the request.

Councilman Wood then invited anyone who wished to speak in opposition to this request to come forward and be heard at this time. No one appeared. Councilman Wood then invited anyone who wished to speak in favor of this re-zoning to be heard at this time.

Ms. Karen Hall, 17445 Parley Street, the requester, appeared briefly to explain the reasons that she feels this request should be granted.

City Attorney Storer asked if this re-zoning request is consistent, or in accordance with the comprehensive plan? City Planner Gilchrist answered "no", this is one of the items that needs to be addressed in this rezoning request. Attorney Storer asked if there has been any changes in the area that would warrant an amendment to the Comprehensive Plan? Gilchrist answered that the traffic flow has increased tremendously in the area and that P-T Zoning has been allowed in the immediate area. It was moved by Councilman Wood, seconded by Deist, that the comprehensive plan be amended, that the re-zoning be granted, and that the City Planner be instructed to reflect said amendment and zoning change on the comprehensive plan and official zoning map located in his office. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist: No, none; carried. Bills for the month of August, 1988, were presented after having been properly audited by the Fiscal Committee:

	<u>GENERAL</u>	<u>STREET</u>	<u>WATER/SEWER</u>	<u>ELECTRIC</u>
SERV/MAT:	\$ 435,407.51	\$ 25,196.63	\$ 107,360.00	\$2,142,658.89
SALARY:	<u>593,955.90</u>	<u>37,526.21</u>	<u>14,011.21</u>	<u>131,551.90</u>
TOTAL:	\$1,029,363.41	\$ 62,722.84	\$ 121,371.21	\$2,274,210.79
	<u>SANITATION</u>	<u>RECREATION</u>	<u>SAN/SEWER</u>	<u>LIBRARY</u>
SERV/MAT:	\$ 14,313.28	\$ 27,468.48	\$ 13,011.00	\$ 29,904.11
SALARY:	<u>38,243.08</u>	<u>30,527.90</u>	<u>.00</u>	<u>24,929.57</u>
TOTAL:	\$ 52,556.36	\$ 57,996.38	\$ 13,011.00	\$ 54,833.68
	<u>BRDG/ART</u>	<u>WATER CAP</u>	<u>AMBULANCE</u>	<u>MUN EQUIP</u>
SERV/MAT:	\$ 26,385.00	\$ 200.00	\$ 16,433.31	\$ 68,250.00
SALARY:	<u>.00</u>	<u>.00</u>	<u>24,380.42</u>	<u>.00</u>
TOTAL:	\$ 26,385.00	\$ 200.00	\$ 40,813.73	\$ 68,250.00
	<u>GEN OB BD</u>	<u>SURFACE DRAIN</u>	<u>MCS</u>	<u>TOTAL</u>
SERV/MAT:	\$ 61,138.75	\$ 894.46	\$ 65,850.00	\$3,164,297.28
SALARY:	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>975,249.99</u>
TOTAL:	\$ 61,138.75	\$ 894.46	\$ 65,850.00	\$3,139,547.27

There being no questions, it was moved by Councilman Chandler, seconded by Hovey, that the Controller be authorized to pay the bills as listed on the computerized printout. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

Monthly reports from Division and Department Heads were presented for August, 1988. There being no questions nor objections, these reports were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

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License applications for AMUSEMENT, Mr. Video; BARTENDER, Sharon A. McCoy, Una Lynn Davis, Sharron E. Lewis, Thomas B. Lints, Roberta Thomas Brewer, Sandie Leu Jacobs, Caroline Sue Rowland, Bonnie K. Hopkins, Lance Ray Mann, Shawna D. Scott, Thomas E. Brown, Karen Charboneau; PUBLIC RIGHTS OF WAY, Hampton Roofing, Inc; ELECTRICAL CONTRACTOR, Mark Robertson Electric; JOURNEYMAN ELECTRICIAN, Mark Robertson; APPRENTICE ELECTRICIAN, Kenneth Ray Fisher with B & J Electrical; HEATING & COOLING APPRENTICE, Michael Lee Mencke with Rocky Mountain Boiler, and a BUILDING CONTRACTOR, Wallace Reed Construction were presented, carrying all Department approvals. It was moved by Councilman Erickson, seconded by Wood, that these licenses be issued. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

The City Clerk asked for Council ratification of the issuance of BARTENDER permits to Marie A. Ward, David Noel Bates, Theresa M. Williams, Michael George Lyon, Stephen Edward Nelson, Monica S. Morgan, Dawn Michelle McCoy, Robert L. Adler, Billie J. Warner and a VEGETABLE STAND license to Coltman Second Ward. It was moved by Councilman Erickson, seconded by Wood, that the Council ratify these previous actions. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

The City Clerk presented a BARTENDER permit application in favor of William Hambric. It was noted that said application carried a recommendation from the Police Chief that it NOT be granted. Councilman Erickson asked the City Clerk to read the following memo from the Police Chief:

City of Idaho Falls
September 8, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Office of the Chief of Police
SUBJECT: RECOMMENDATION FOR DENIAL OF BARTENDER PERMIT

I am submitting the application of William Monroe "Bill" Hambric for a bartender permit with the recommendation that it NOT BE GRANTED, due to the fact that he completed his last sentence of a felony conviction on January 13, 1984, which is less than five (5) years required by law; Section 5-12-10, Subsection B of the Idaho Falls City Code.

Mr. Hambric was advised on September 6, 1988, by hand delivered letter that this application was being submitted to the Council with this recommendation and, if he so desired, he could appear at Council Meeting on September 8, 1988, and address the City Council.

Sincerely,
s/Monty G. Montague

Councilman Erickson then asked if there was anyone present who wished to speak concerning this recommendation. No one appeared. It was moved by Councilman Erickson, seconded by Wood, that the Council accept the recommendation of the Police Chief that this license NOT be granted. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

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The City Clerk asked for Council ratification of the publishing of a legal notice calling for the hearing held this night. It was moved by Councilman Wood, seconded by Deist, that the Council ratify the publishing of this legal notice. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

From the Parks and Recreation Director, came this memo:

City of Idaho Falls
September 6, 1988

MEMORANDUM

TO: Mayor and City Council
FROM: John Johnson, Director Parks & Recreation
SUBJECT: REQUEST OF AUTHORIZATION FOR BID

We respectfully request authorization to let bids, for material only, to construct the restrooms and concession area at the Tautphaus Park Ice Rink.

s/ John L. Johnson

It was moved by Councilman Deist, seconded by Erickson, that the Council authorize the Parks & Recreation Department to advertise for bids for these projects. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood: No, none; carried.

This memo from the Fire Chief was then read:

City of Idaho Falls
September 8, 1988

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Douglas C. Call, Fire Chief
SUBJECT: REQUEST OF A VARIANCE TO THE FIRE CODE

I am forwarding a request for a variance of the Fire Code. This request is asking for approval of the installation of above ground storage of flammable liquids.

The request has been reviewed carefully by the City Attorney and the Fire Department. The Fire Department finds that the installation will be in compliance with National Standards for the installation of above ground storage of flammable liquids. We further observed that the ground where the tanks are located is lava rock and would be very difficult to excavate and place the tanks under ground. It is of concern that in the future EPA may require that tanks of this nature be placed above ground.

Because of the above stated reasons, it is the recommendation of the Fire Department that the variance requested be granted.

s/ Douglas Call

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After questions from Councilman Deist, the Fire Marshall explained the types of materials contained in the storage tanks. He said the steps that will be taken provide for better and safer storage than those methods used in the past. It was moved by Councilman Erickson, seconded by Wood, that the Council approve this variance to the Fire Code. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

This memo from the Municipal Services Director was then read:

City of Idaho Falls
September 8, 1988

MEMORANDUM

TO: Honorable Mayor and Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: ESCROW RESTRUCTURE PROCEEDS

Attached for your consideration is the ordinance prepared by Chapman and Cutler relative to the designation of the proceeds of the Gem State Escrow restructuring accomplished in November, 1987.

It is respectfully requested that the Mayor and City Council adopt this ordinance which designates the Escrow Restructuring Proceeds as partial reimbursement of Gem State Project sunk costs. This ordinance had been reviewed by the City Attorney.

Respectfully submitted,
s/ S. Craig Lords

Thereupon, the City Attorney advised the Council that one purpose of the meeting was to consider the adoption of an ordinance designating the net proceeds realized by the City as a result of the restructuring of the escrow account for the City's \$48,000,000 General Obligation Electric Bonds, Series 1985 (the "Series 1985 Bonds"), as authorized by the City Council on November 12, 1987, as a partial reimbursement of Costs of Construction of the Gem State Hydroelectric Project expended by the City prior to the delivery of the Series 1985 Bonds.

Ordinance No. 1915 was thereupon introduced in written form by the City Attorney and was read by title:

ORDINANCE NO. 1915

AN ORDINANCE RELATING TO THE GEM STATE HYDROELECTRIC PROJECT, DESIGNATING CERTAIN NET PROCEEDS REALIZED BY THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO, AS A RESULT OF THE SALE AND REINVESTMENT OF CERTAIN SECURITIES HELD IN THE ESCROW ACCOUNT CREATED IN CONNECTION WITH THE REFUNDING OF \$48,000,000 GENERAL OBLIGATION ELECTRIC BONDS, SERIES 1985, AS A PARTIAL REIMBURSEMENT OF CERTAIN COSTS OF CONSTRUCTION OF THE GEM STATE HYDRO-ELECTRIC PROJECT INCURRED BY THE CITY

SEPTEMBER 8, 1988

PURSUANT TO SECTION 305 OF ORDINANCE NO. 1828, ADOPTED ON MAY 9, 1986, AND DIRECTING THE IDAHO FIRST NATIONAL BANK, AS TRUSTEE, TO VALUE THE INVESTMENTS HELD IN THE DEBT SERVICE RESERVE ACCOUNT IN THE BOND FUND ESTABLISHED UNDER SECTION 5,02(C) OF ORDINANCE NO. 1786, AS AMENDED, AT THE COST THEREOF.

Councilman Hovey moved, and Councilman Wood seconded, that the rule requiring the reading of the ordinance three different days and once in full be dispensed with and the motion was adopted by the vote of not less than one-half plus one on the members of the full Council, to-wit: Ayes, Councilmen Chandler, Deist, Erickson, Hovey, Sakaguchi, and Wood; No, none; carried.

Thereupon, pursuant to a motion made by Councilman Hovey, and seconded by Councilman Wood, Ordinance No. 1915 was adopted by the following vote: Ayes, Councilmen Chandler, Deist, Erickson, Hovey, Sakaguchi, and Wood; No, none; carried.

Also, the following seven memos were presented from the Municipal Services Director:

City of Idaho Falls
September 8, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS -
ROOF FOR PORTION OF AIRPORT TERMINAL BUILDING

Municipal Services and the Director of Aviation respectfully request authorization from the Mayor and City Council to advertise and receive bids for a new roof on a portion of the Airport Terminal Building.

Respectfully submitted,
s/ S. Craig Lords

There being no questions nor comment, it was moved by Councilman Chandler, seconded by Sakaguchi, that authorization be given to advertise for bids as requested. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

City of Idaho Falls
September 8, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS - ROOF FOR
TENTH STREET WELL BUILDING

SEPTEMBER 8, 1988

Municipal Services respectfully requests authorization from the Mayor and City Council to advertise and receive bids for a new roof on the Tenth Street Well Building.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that the Council authorize this advertisement for bids. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Sakaguchi, and Wood; No, Councilman Hovey; carried.

City of Idaho Falls
August 18, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID NO. IF-88-33, CRACK SEALANT - CITY STREETS

Attached is a Tabulation of Bids for Bid No. IF-88-33, Crack Sealant - City Streets. It is the recommendation of the Municipal Services Division, in concurrence with the Public Works Division, to accept the low bid of Asphalt Maintenance, Inc. of Idaho Falls, Idaho, to supply crack sealant manufactured by Crafcoc for a price of \$520.00 per ton.

Respectfully submitted,
s/ S. Craig Lords

There being no questions, it was moved by Councilman Chandler, seconded by Sakaguchi, that the Council approve the awarding of this bid as recommended. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls
September 8, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-88-35, ONE (1) NEW 1988 THREE CUBIC YARD FRONT-END LOADER

Attached is the tabulation for Bid IF-88-35, One (1) New 1988 Three Cubic Yard Front-end Loader. It is the recommendation of the Public Works Division and Municipal Services to accept the low bid meeting specifications of Cate Idaho Equipment of Pocatello, Idaho. The bid amount without trade-in for the Fiatallis Model FR-15B is \$83,883.00.

Respectfully submitted,
s/ S. Craig Lords

SEPTEMBER 8, 1988

It was moved by Councilman Chandler, seconded by Sakaguchi, that this bid be awarded as recommended. Roll call as follows: Ayes, Councilman Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

City of Idaho Falls
September 8, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-88-36, ONE (1) OR 1986 OR NEWER MODEL
TANDEM AXLE CAB & CHASSIS

Attached is the tabulation for Bid IF-88-36, One (1) 1986 or New Model Tandem Axle Cab & Chassis. It is the recommendation of the Public Works Division and Municipal Services to accept the low bid of Hirning Pontiac Cad GMC, Inc., of Pocatello, Idaho. The bid amount without trade-in for the 1988 GMC Model C7D064 Top Kick is \$37,996.00.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that the Council give authorization to award this bid also. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

City of Idaho Falls
September 8, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-88-34, MONOTUBE STEEL STREET LIGHT POLES
AND STREET LIGHT LUMINAIRES

Attached is the tabulation of Bid IF-88-34, Monotube Steel Street Light Poles and Street Light Luminaires. It is the recommendation of the Electric Division and Municipal Services to accept the low responsive bid of Electrical Wholesale Supply of Idaho Falls to supply fifty (50) Monotube Steel Street Light Poles for a total amount of \$19,302.50. It is also recommended that General Electric Supply Company of Idaho Falls supply one hundred (100) Luminaires for a total amount of \$8,487.00.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Hovey, that these bids be awarded as recommended. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

SEPTEMBER 8, 1988

City of Idaho Falls
September 8, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUTHORIZATION TO BID WALKWAYS - SNAKE RIVER
PARKWAY PROJECT

Municipal Services and the Planning and Zoning Director respectfully request authorization to advertise and receive bids for Walkways for Two Sections on the Snake River Parkway Project.

Respectfully submitted,
s/ S. Craig Lords

There being no questions nor comment, it was moved by Councilman Chandler, seconded by Sakaguchi, that the Council authorize this advertising for bids. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.
The Public Works Director submitted the following four memos:

City of Idaho Falls
September 7, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID AWARD - 1988 WATER LINE REPLACEMENTS

The City received bid proposals for the 1988 Water Line Replacement as follows:

- 1) Hoffbuhr Excavating Company, Inc.
Burley, Idaho
\$94,171.70
- 2) H-K Contractors, Inc.
Idaho Falls, Idaho
\$68,693.00

It is the recommendation of Public Works that the City Council accept the low bid of H-K Contractors, Inc, for \$68,693.00 and authorize the Mayor to sign the proper documents.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the City Council accept the low bid of H-K Contractors in the amount of \$68,693.00 and authorize the Mayor to sign the proper documents. Roll call as follows: Ayes, Councilman Wood, Chandler, Erickson, Deist, Hovey and Sakaguchi; No, none; carried.

SEPTEMBER 8, 1988

City of Idaho Falls
September 7, 1988

MEMORANDUM

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: REQUEST FOR EASEMENT VACATION - AUSTAD SQUARE
ADDITION

The City is in receipt of a request to vacate an easement located in the Austad Square Addition. The developer is requesting the vacation of this easement and the dedication of another easement on this same lot to accommodate construction on the property and provide for the necessary utilities.

Public Works requests authorization for the City Attorney to prepare the documents necessary to vacate the existing easement and add a new easement for this property.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the Council authorize the City Attorney to prepare the documents necessary to vacate the existing easement and add a new easement for this property. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls
September 7, 1988

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: REQUEST TO VACATE UTILITY EASEMENT - LOT 1,
BLOCK 6, MILL RUN ADDITION, DIVISION #2

The City is in receipt of a request from the owners of Lot 1, Block 6, Mill Run Addition, Division #2, to vacate the eight (8) feet wide utility easement running through the subject lot and parallel with the west lot line.

No utilities are located within this easement and adequate utility easements are provided elsewhere on the lot.

Public Works requests the City Council to authorize the City Attorney to prepare the ordinance and documents necessary to allow for this vacation.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the Council authorize the City Attorney to prepare the ordinance and documents necessary to allow for this vacation. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

SEPTEMBER 8, 1988

City of Idaho Falls
September 6, 1988

MEMORANDUM

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: REQUEST TO VACATE A PORTION OF ALLEY RIGHT-OF-WAY, BLOCK 8, RAILROAD ADDITION

District #7 Health Department has requested the City vacate the east 94 feet of the alley right-of-way, Block 8, Railroad Addition. The Health Department owns the property on each side of the alley and is preparing to build as addition to their existing building which would encroach into the present alley right-of-way. This alley now dead ends at Yellowstone Avenue.

All utilities have been contacted regarding the proposed vacation and offer no opposition to same.

It is the recommendation of Public Works that the City Council authorize the Attorney to prepare the necessary ordinance and documents to allow for this vacation.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the City Council authorize the Attorney to prepare the necessary ordinance and documents to allow for this vacation. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

The following five memos were submitted by the Electrical Department Manager:

City of Idaho Falls
September 6, 1988

ATTENTION: Mayor and Council
FROM: Steve Harrison
SUBJECT: GEM STATE PROJECT START-UP

Attached are two proposed change orders relating to Gem State start-up services. One is a positive \$54,100 CH2M change order and one is a negative \$54,100 Mortenson change order.

The purpose of these changes is to allow CH2M to provide this work on behalf of Mortenson who is responsible for start-up. Further discussion of this arrangement is contained in the attached letters. The City Attorney has reviewed the proposals and the Electric Division recommends approval of these changes.

s/ G. S. Harrison

SEPTEMBER 8, 1988

Councilman Hovey explained these change orders. It was moved by Councilman Hovey, seconded by Chandler, that the Council approve the negative change order to the M. A. Mortenson contract in the amount of \$54,100 and the positive or plus change order to CH2M for \$54,100. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

City of Idaho Falls
September 6, 1988

MEMORANDUM

ATTENTION: Mayor & Council
FROM: Steve Harrison
SUBJECT: M. A. MORTENSON-PROPOSED CHANGE ORDER NO. 3

Attached, for your consideration, is proposed change order #3 to the M. A. Mortenson contract associated with the Gem State Project.

Also attached is CH2M's explanatory memo. CH2M and the Electric Division recommend approval of this change order in the amount of \$233,545.80.

s/ G. S. Harrison

Councilman Hovey explained that the Gem State Project is nearing its completion and this change order is necessary to aid in finalization of the project. It was moved by Councilman Hovey, seconded by Wood, that the M. A. Mortenson contract costs, as represented in change order #3, be approved by the Council. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

City of Idaho Falls
September 6, 1988

MEMORANDUM

ATTENTION: Mayor and Council
FROM: Steve Harrison
SUBJECT: GEM STATE COMPLETION CONTRACT-ADVERTISE FOR BIDS

The Electric Division requests Council approval to advertise for bids for the Gem State Completion Contract. Some of this work will be done this fall with final completion in the spring of '89. The engineers have not yet developed a final estimated cost for this contract.

s/ G. S. Harrison

Councilman Hovey explained that this would be "clean-up" or "phase-out" of the Gem State Project. It was moved by Councilman Hovey, seconded by Wood, that the Electrical Department be authorized to advertise for bids for the Gam State Completion Contract. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

SEPTEMBER 8, 1988

City of Idaho Falls
September 2, 1988

ATTENTION: Mayor & Council
FROM: Steve Harrison
SUBJECT: BID TABULATION, OLD LOWER PLANT REHABILITATION

Attached is the bid tabulation for certain rehabilitation work related to the old lower plant power house.

The Electric Division and the Engineer recommends award of the bid to the low bidder, Biggers Construction, Inc., in the amount of \$93,698.56.

The cost of this work is reimbursable by BPA under the terms of our Bulb Turbine Power Sales Contract.

s/ G.S. Harrison

There being no questions, it was moved by Councilman Hovey, seconded by Wood, that the Electrical Division be authorized to award the contract to the low bidder, Biggers Construction, Company, in the amount of \$93,698.56 for rehabilitation of the old lower plant power house. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls
September 2, 1988

ATTENTION: Mayor & Council
FROM: Steve Harrison
SUBJECT: GEM STATE MITIGATION PROPERTY

Attached is a copy of an Ordinance and Quitclaim Deed for the conveyance of approximately 46.5 acres of Gem State mitigation property to the Idaho Fish and Game Department.

The Electric Division recommends that the Council authorizes the Mayor and Clerk to sign the documents.

s/ G.S. Harrison

ORDINANCE NO. 1916

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY THE CITY OF IDAHO FALLS, IDAHO; AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A QUITCLAIM DEED TO SAID PROPERTY TO THE IDAHO STATE DEPARTMENT OF FISH AND GAME FOR USE AS A WILDLIFE RIPARIAN HABITAT MITIGATION AREA, AS REQUIRED BY THE TERMS AND CONDITIONS OF THE FERC LICENSE FOR THE GEM STATE HYDROELECTRIC PROJECT; ESTABLISHING EFFECTIVE DATE HEREOF.

SEPTEMBER 8, 1988

The foregoing ordinance was presented in title. It was moved by Councilman Hovey, seconded by Wood, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS AND THE MAYOR AND CITY CLERK BE AUTHORIZED TO SIGN THE ORDINANCE AND THE DEED AND DELIVER A COPY OF THE DEED TO THE IDAHO STATE FISH AND GAME DEPARTMENT?" Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

The City Attorney presented the following resolution covering the final settlement for the WPPSS litigation suits.

R E S O L U T I O N (Resolution No. 1988-04)

WHEREAS, Idaho Falls is a defendant in numerous, complex legal actions (hereafter "WPPSS Litigation") commenced against it as a result of or arising out of the default of the Washington Public Power system (hereafter "WPPSS") on bonds issued to finance the construction of WNP's 4 and 5 located in the State of Washington;

WHEREAS, the WPPSS Litigation has continued for a period of in excess of five years and it is anticipated that such litigation will continue for a like period, and whereas, it is further anticipated that the cost and expense of such continued litigation will be substantial and will have a continued and adverse effect upon the electrical rates and financial affairs of the City of Idaho Falls;

WHEREAS, on April 29, 1988, the law firm of Riddell, Williams, Bullitt & Walkinshaw, WPPSS Litigation legal counsel for the City, reached an agreement in principal to finally settle and resolve all claims asserted against the City in the WPPSS Litigation by the named plaintiffs therein;

WHEREAS, the terms and provisions of the preliminary settlement have been and are now embodied in a final Settle Agreement ("Settlement Agreement"), a true and correct copy of which is attached hereto as Exhibit "A";

WHEREAS, the WPPSS Litigation counsel of the City, as well as the City Attorney, recommend approval of the Settlement Agreement;

WHEREAS, logistics and time considerations require that the WPPSS Litigation counsel be authorized to execute the Settlement Agreement in behalf of the City of Idaho Falls;

NOW, THEREFORE, be it hereby resolved that Mr. John Lowery or Thomas W. Burt of the law firm of Riddell, Williams, Bullitt, and Walkinshaw, of Seattle, Washington, be and hereby are authorized to execute in behalf of the City of Idaho Falls the Settlement Agreement in substantially the same form attached hereto as Exhibit "A", and that such individuals, and the members of

SEPTEMBER 8, 1988

such law firm be and hereby are authorized to perform all necessary ministerial acts necessary to execute and effectuate the terms and conditions of such Settlement Agreement, including without limitation, the execution of all stipulations, documents, agreements, or other writings contemplated by and necessary to accomplish the purposes of such Settlement Agreement.

APPROVED by the City Council of the City of Idaho Falls on September 8, 1988, and executed this 9th day of September, 1988.

s/ Thomas Campbell
Mayor

ATTEST:
s/ Velma Chandler
City Clerk

I, Velma Chandler, City Clerk of the City of Idaho Falls, hereby certify that the above and foregoing is a true and correct copy of a Resolution of the City Council of the City of Idaho Falls, Idaho, adopted at the Regular City Council meeting on September 8, 1988.

s/ Velma Chandler
City Clerk

It was moved by Councilman Chandler, seconded by Hovey, that the Council authorize the execution of this resolution. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

There being no further business, it was moved by Councilman Hovey, seconded by Wood, that the meeting adjourn at 8:20 p.m.; carried.

s/ Velma Chandler
CITY CLERK

s/ Thomas Campbell
MAYOR