

JULY 23, 2009

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, July 23, 2009, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Mayor ProTem Ida Hardcastle
Councilmember Thomas Hally
Councilmember Sharon D. Parry
Councilmember Michael Lehto
Councilmember Kenneth Taylor

Absent was:

Mayor Jared D. Fuhriman
Councilmember Karen Cornwell

Also present:

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

Mayor ProTem Hardcastle requested Boy Scout Jacob Anderson to lead those present in the Pledge of Allegiance.

Mayor ProTem Hardcastle requested those present who had issues for the City Council to come forward at this time.

Russell Swensen, Board Member for the Targhee Regional Public Transit Authority, 2660 Central Avenue, Ammon, appeared to share the following letter and petition with the Mayor ProTem and City Council:

TRPTA
Targhee Regional Public
Transportation Authority
1810 West Broadway, No. 7
Idaho Falls, Idaho 83402

July 23, 2009

The Honorable Jared Fuhriman
City of Idaho Falls
P. O. Box 50220
Idaho Falls, Idaho 83405-0220

RE: THANK YOU FOR SPEAKING OPPORTUNITY

Dear Mayor Fuhriman:

On behalf of the T. R. P. T. A. Board of Directors, I would like to thank you and the members of the City Council for the opportunity provided Mr. Burke Webster and myself to appear before you on June 7, 2009. We hope the information provided will assist both you and the Council in your

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understanding of the services provided by T. R. P. T. A. and will aid in the difficult process of allocating limited resources.

I would like to respond to Ms. Hardcastle's question regarding whether assisted living facilities needed T. R. P. T. A.'s services. Some of the facilities do not have vehicles and use us all the time. Most own a vehicle, but then rely on us when their vehicles are not available or to transport their wheelchair clients. If they provide rides, it is logical they would want to maintain that revenue stream at the lowest possible cost to themselves. Wheelchair trips represent 30% of T. R. P. T. A.'s monthly trips.

The Board appreciates the many years of support the Council has given to public transportation. The opportunity to use CDBG funds to replace the CART fleet has been a blessing and has kept the demand-response service going. Ten new urban vehicles will be delivered by September 1, 2009. The Board would like to have a full press release introducing the new vehicles to the public, and would like the Mayor and the City Council to participate in the release. It will be a great opportunity for a bus ride.

Sincerely,

s/ Lynn S. Seymour
Lynn Seymour
Executive Director

Also, following is a petition submitted by Mr. Swensen regarding support of funding to the Targhee Regional Public Transportation Authority:

TRPTA

TARGHEE REGIONAL PUBLIC TRANSPORTATION AUTHORITY
1810 WEST BROADWAY, NO. 7, IDAHO FALLS, ID 83402
Phone: (208) 535-0356 Fax: (208) 524-0216

T. R. P. T. A. is asking individuals to sign this petition in support of continued funding from the cities of Idaho Falls and Ammon, and Bonneville County. It is important the elected officials know the needs of the voters who rely on public transportation.

| Name | Reason I Need Public Transportation |
|-------------------|--|
| Darlene Tracy | Work |
| Shirley A. Cowell | Work |
| Phyllis DeGarlas | Work |
| Ruth Dean | Work |
| Kay Richins | Work, Other |
| Matthew Goldman | Other |
| Shawnda Mobley | Other |
| Linda B. | Other |
| Elaine Lenz | Other |
| Toi Young | Other |

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| Name | Reason I Need Public Transportation |
|----------------------------------|--|
| Mary Person | Other |
| Ashley Milton | Work |
| Shayla K. Estrada | Work |
| Arlene M. Hall | Work |
| Michael Nielsen | Work |
| Vincent J. Langvara | Work |
| Margaret Walton for Matthew Bohi | Other |
| Ron Russell | Medical, Shopping, Other |
| Brianne Jenkins | Other (Everything) |
| Cheryl Page | Medical, Shopping, Other |
| Robert A. Young | Medical, Shopping, Other (Everything) |
| Leola Parsons | |
| K. Leonardson | Medical, Shopping, Other |
| Tom Beckstead | |
| Dave Dobbins | Other |
| Kay Underwood | Medical, Shopping, Other |
| Reman Gonzalez | Work, Medical, Shopping, Other |
| Jessica Gonzalez | Work, Medical, Shopping, Other |
| Joshua Gonzalez | Work, Medical, Shopping, Other |
| Sonny Olivera | Shopping, Other |
| Mary Rasmussen | Work |
| Leonard W. Casella | Work |
| Connie Sloughton | Medical, Shopping, Other |
| Stasha Summers | Work |
| Trenna Glover | Medical, Shopping, Other |
| Casey Cox | Shopping, Other |
| David W. Olsen | |
| William M. Bressler | |
| Linda DeGraff | Work, Medical, Shopping, Other |
| Christy King | Other |
| Anonymous | Work, Medical, Shopping, Other |
| Laura Leavitt-Garriott | Work, Medical, Shopping, Other |
| Linda Jones | Work, Medical, Shopping, Other |
| Veronica Croom | Work, Medical, Shopping, Other |
| April Summers | Other |
| Myria Johnson | Other |
| Dolly Phillips | Other |
| Theresa G. Mikkola | |
| John Noel II | Work, Medical, Shopping, Other |
| Barb Bochel | Work, Medical, Shopping, Other |
| Jerry B. Stalker | Work, Medical, Shopping, Other |
| Walter Dannehl | Work, Medical, Shopping, Other |
| Karey Hunter Family (7 People) | Medical, Shopping, Other |
| Bejamin R. Wartz | Medical, Shopping, Other |
| Melanie Hanson | Work, Medical, Shopping, Other |
| Della Goody | Medical, Shopping, Other |
| Nick Mickelson | Work, Medical, Shopping, Other |
| Dakota Hunter | Medical, Shopping, Other |

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| Name | Reason I Need Public Transportation |
|------------------------|--|
| Bonita Avery | Work |
| Bonnie Ostler | Shopping |
| Ronald Orr | |
| Daniel Slusser | Work, Other |
| Amber Pierce | Work |
| Melissa Marler | Work, Medical |
| Robert Moulton | Medical |
| Kathline Lewis | Work, Medical |
| Herman Fuller | Medical |
| Kathryn L. Later | Work, Medical, Shopping, Other |
| Cindy Hanna | Work, Medical |
| Kevin S. | |
| Mike Menard | Work |
| Roberto Vera Rodriguez | Work |
| Rose Nebeker | Work, Medical, Shopping, Other |
| Gary Lee Hampton | Medical, Shopping, Other |
| Nicole Smith | Shopping, Other |
| Lester Egbert | Shopping, Other |
| (Illegible) | Shopping, Other |
| Bonnie Albert | Medical, Shopping |
| Japheth Eckles | Shopping |
| Celeste Anderson | Shopping |
| Richard Jerome | Medical, Shopping, Other |
| Christian Gray | Other |
| Esperenze Flores | Work, Shopping |
| Mario Velosco | Work, Medical, Shopping, Other |
| Patsy Cowley | Work, Medical, Shopping, Other |
| LaRene Marler | Work, Medical |
| Robert Moulton (Twice) | Work, Medical, Other |
| Melissa Marler (Twice) | Work, Medical, Other |
| Henrietta Miller | Work |
| Hildegard Cziep | Medical, Shopping, Other |
| Maria Juando by BA | Medical |
| Margene Hillman by BA | Medical |
| Ralph McMillan by BA | Medical |
| Jean McMillan by BA | Medical |
| Cleo Harker by Son | Medical |
| David Acker by BA | Medical |
| Arleen M. Sharp | Medical, Shopping, Other |
| Sierra Beattie | Medical, Shopping |
| Jane Hymas by BA | Work |
| Briana Hinkle by BA | |
| LaJean Dearden | Medical, Shopping |
| Kevin Sigler | Work, Medical, Shopping, Other |
| Ruth Irvine | Shopping, Other |
| S. A. Johnson | Work, Shopping, Other |
| Linda Williams | Work, Shopping, Other |
| Connie Edwards | Medical, Shopping, Other |

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| Name | Reason I Need Public Transportation |
|----------------|--|
| (Illegible) | Medical |
| (Illegible) | Medical, Shopping, Other |
| Barbi Witt | Work, Medical |
| Dorothy Riggs | Medical, Shopping, Other |
| Bradley J. Cox | Work, Medical, Shopping, School |

Mr. Swensen stated that he has a son with a disability and thanked the City Council for their financial support over the years to the Targhee Regional Public Transportation Authority.

CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes for the July 7, 2009 Council Work Session, the July 9, 2009 Regular Council Meeting, and the July 16, 2009 Executive Session.

The City Clerk presented several license applications, all carrying the required approvals, and requested authorization to issue those licenses.

The City Clerk requested Council confirmation for the publication of legal notices calling for public hearings on July 23, 2009.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
July 14, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-09-23, ONE (1) NEW 2009 OR NEWER INDUSTRIAL TYPE TRACTOR/LOADER WITH MECHANICAL FRONT WHEEL DRIVE

Attached for your consideration is the tabulation for the above subject bid.

It is the recommendation of Municipal Services to accept the low bid of Pioneer Equipment – Bid 2B to furnish a 2009 Case for an amount of \$45,866.00 with trade-in Unit No. 257.

s/ S. Craig Lords

City of Idaho Falls
July 20, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RESOLUTION TO CONDUCT FINANCIAL BUSINESS

Attached for your consideration is a Resolution to give the City Treasurer's Office authority to conduct financial business with the firm LPL Financial.

JULY 23, 2009

It is respectfully requested the Council approve said Resolution and authorize the Mayor to sign.

s/ S. Craig Lords

RESOLUTION NO. 2009-13

NON-CORPORATE ORGANIZATIONS AND ASSOCIATIONS

I, Rosemarie Anderson, do hereby certify that a meeting of the City Council of the City of Idaho Falls, on July 23, 2009, the following resolutions were adopted and are in full force and effect:

RESOLVED, that the organization open an account with LPL Financial, for the purpose of buying, selling and trading in, for the account and risk of the organization, and in its name, stocks, bonds and other securities and contracts for commodities or securities and put and call options for cash and on margin or otherwise, including short sales and in accordance with the terms and conditions required by LPL Financial;

RESOLVED, that any one of the following officers of the organization, viz.

CRAIG ROCKWOOD, CITY TREASURER

and their successors in such offices be, and hereby are, and each is authorized and empowered to enter orders for purchases of securities including, but not limited to, stocks, bonds and option contracts, and to enter orders for sales, assignments or transfers of stocks, bonds or in any other securities or option contracts now owned or hereafter acquired by the organization in its own right or in fiduciary capacity, and said officers and each of them is authorized and empowered to give instructions in every respect concerning said account with LPL Financial, and said firm is authorized and empowered to make payment of monies and deliveries of securities and contracts to said officers or otherwise as they and each of them may order and direct, and said officers and each of them is authorized and empowered to execute any and all agreements with said firm on behalf of the organization in connection with said account in order to conform with the rules and regulations of LPL Financial concerning any of the aforesaid transactions, and in all matters and things before mentioned said officers, and each of them alone, is authorized to act for the organization and on its behalf;

RESOLVED, that the authority vested in said officers will be a continuing one and will remain in full force and effect LPL Financial shall receive from the organization a written notice of the revocation of such authority; and the persons named (and their successors) shall be presumed to be continuously the holders of such offices until LPL Financial receives from the organization a written notice of the election of their successors, properly certified by the Secretary of the organization; and

RESOLVED, that the Secretary of the organization be, and hereby is authorized to certify to said firm the foregoing resolutions, and that the provisions thereof are in conformity with the laws of the organization.

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I do further certify that the present officers of the organization are as follows:

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

DATED this 24th day of July, 2009.

s/ Jared D. Fuhriman
Jared D. Fuhriman
Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

City of Idaho Falls
July 21, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: IDENTITY THEFT POLICY AND ADOPTING RESOLUTION

It is respectfully requested that Mayor and Council adopt the attached Identity Theft Policy and Resolution.

s/ S. Craig Lords

RESOLUTION NO. 2009-14

**IDENTITY THEFT POLICY AND ADOPTING ORDINANCE
The City of Idaho Falls**

A RESOLUTION ADOPTING AN IDENTITY THEFT POLICY

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an Amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection; and,

WHEREAS, those rules require municipal utilities and other departments to implement an identity theft program and policy; and,

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WHEREAS, the City of Idaho Falls has determined that the following policy is in the best interest of the City and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Idaho Falls, that the following policy is hereby adopted:

IDENTITY THEFT POLICY

I. PURPOSE.

A. The City adopts this Identity Theft Policy to help protect employees, customers, contractors and the City from damages related to the loss or misuse of sensitive information. The purpose of this policy is to place the City in compliance with the state and federal law regarding identity theft protection, and to reduce the risk from identity fraud and theft, and to minimize potential damage to the City from fraudulent new accounts. In particular, the policy is intended to:

1. Identify risks that signify potentially fraudulent activity within new or existing covered accounts;
2. Detect risks when they occur in covered accounts;
3. Respond to risks to determine if fraudulent activity has occurred and act if fraud has been attempted or committed; and,
4. Update the program periodically, including reviewing the accounts that are covered and the identified risks that are part of the program.

II. SCOPE.

A. This policy and protection program applies to employees, contractors, consultants, temporary workers and other workers employed at the City. This policy does not create a private cause of action against the City, or otherwise establish a duty on the part of the City. Rather, this is a policy for guidance, to limit damages to the City and customers from identity theft and fraud.

III. RED FLAG IDENTITY THEFT PREVENTION PROGRAM FOR COVERED ACCOUNTS.

A. Covered Accounts.

1. Covered Account includes any account that involves or is designed to permit multiple payments or transactions. Every new and existing customer account that meets the following criteria is covered by this program:

- a. Business, personal and household accounts for Utilities, including electric, sanitation, and water.

b. Business, personal and household accounts for which multiple payments or transactions may occur, such as library patronage, services provided by Parks and Recreation, use of City fiber optic lines, or any other Division of the City which accepts payments and maintains financial information.

B. Red Flags.

1. Red Flags are signs or indicia of a potential identity theft or identity fraud problem regarding a Covered Account. Some potential Red Flags are as follows:

a. Suspicious documents:

(1) Documents provided for identification that appear to have been altered or forged.

(2) The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.

(3) Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.

(4) Other information on the identification is not consistent with readily accessible information that is on file with the City, such as a signature card or a recent check.

(5) An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

b. Suspicious personal identifying information:

(1) Personal identifying information provided is inconsistent when compared against external information sources used by the City.

(2) Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer. For example, there is a lack of correlation between the SSN range and date of birth.

c. Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the City. For example, the address on an application is the same as the address provided on a fraudulent application.

d. Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the City. For example:

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(1) The address on an application is fictitious, a mail drop, or a prison; or

(2) The phone number is invalid or is associated with a pager or answering service.

e. The SSN provided is the same as that submitted by other persons opening an account or other customers.

f. The customer or the person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.

g. Personal identifying information provided is not consistent with personal identifying information that is on file with the City.

2. The following are Red Flags regarding unusual use of, or suspicious activity related to, the covered account:

a. A covered account is used in a manner that is not consistent with established patterns of activity on the account. There is, for example:

(1) Nonpayment when there is no history of late or missed payments;

(2) A material change in purchasing or usage patterns.

b. Mail sent to the customer is returned repeatedly as undeliverable although transactions continue to be conducted in connection with the customer's covered account;

c. The City is notified that the customer is not receiving paper account statements;

d. The City is notified of unauthorized charges or transactions in connection with a customer's covered account;

e. The City receives notice from customers, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts held by the City;

f. The City is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

IV. RESPONDING TO RED FLAGS.

A. If an employee detects a Red Flag which suggests potentially fraudulent activity, the employee must act quickly to protect customers and the City from damages and loss.

B. The Municipal Services Director shall appoint a City employee to be the designated authority for ensuring a compliance with the Identity Theft Policy.

C. Once potentially fraudulent activity is detected, the employee or contractor should gather all related documentation and write a description of the situation and present this information to the designated authority.

D. The designated authority will complete additional authentication to determine whether the attempted transaction was fraudulent or authentic.

E. If a transaction is determined to be fraudulent, appropriate actions must be taken immediately. Actions may include:

1. Cancelling the transaction;
2. Terminating a fraudulent account;
3. Notifying and cooperating with appropriate law enforcement;
4. Determining the extent of damages to the actual customer or City, if any; and,
5. Notifying the actual customer that fraud has been attempted.

V. PERIODIC UPDATES TO PLAN.

A. Annually, or as required by law, the program will be re-evaluated by the Municipal Services Division to determine whether all aspects of the program are up to date and applicable in the current services provided by the City and business practices of the City.

B. Periodic reviews will include an assessment of which accounts are covered by the program.

C. As part of the review, Red Flags may be revised, replaced, or eliminated. Defining new Red Flags, if any, is appropriate.

D. Actions to take in the event that fraudulent activity is discovered may also require revision to reduce damage to the City and its customers.

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VI. PROGRAM ADMINISTRATION.

A. The Identity Theft Prevention Program is the responsibility of the City Council.

B. Operational responsibility of the program is hereby delegated to the Municipal Services Division.

C. Municipal Services shall conduct staff training for all employees, officials and contractors for whom it is reasonably foreseeable that they may come into contact with covered accounts that may constitute a risk to the City or its customers.

This Resolution will take effect immediately upon its passage and execution by the Mayor.

APPROVED this 24th day of July, 2009.

s/ Jared D. Fuhriman
Mayor Jared Fuhriman

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

City of Idaho Falls
July 21, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RALPH ISOM FARM LEASE EXTENSION AGREEMENT

Attached for your consideration is the proposed Lease Agreement between the City of Idaho Falls and Ralph Isom, for City-owned property.

The City Attorney has reviewed and approved this Lease Agreement. The City does not anticipate using this property for public purposes during the term of the Lease.

It is respectfully requested that Council approve the Lease Agreement and authorize the Mayor to execute the document.

s/ S. Craig Lords

The Parks and Recreation Director submitted the following memo:

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City of Idaho Falls
July 23, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: WESTSIDE SOCCER COMPLEX – ERNEST DRIVE CHANGE
ORDER NO. 1

The Division of Parks and Recreation respectfully submits for your approval Change Order No. 1 in the amount of \$25,453.96 for the installation of sidewalk, repair of sprinkler system, installation of inlet box, and planting of trees. This additional scope of work being requested will fulfill the requirements as outlined in the purchase and development agreement. It is therefore submitted for your approval.

s/ David J. Christiansen

The Public Works Director submitted the following memos:

City of Idaho Falls
July 15, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – WATER MAIN REPLACEMENT 2009, ELEVATED
TANK TO CAPITAL AVENUE

On July 7, 2009, bids were received and opened for Water Main Replacement 2009 - Elevated Tank to Capital Avenue. A tabulation of the bid results is attached. Public Works recommends award to the low bidder, Knife River, in the amount of \$106,872.00; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

City of Idaho Falls
July 15, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: PROFESSIONAL SERVICES AGREEMENT – HDR ENGINEERING,
INC., “D” STREET UNDERPASS RECONSTRUCTION

Attached is a Professional Services Agreement with HDR Engineering, Inc., to provide design services for “D” Street Underpass Reconstruction. The cost to provide these services is \$401,841.04.

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

s/ Chad Stanger

City of Idaho Falls
July 15, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: PROFESSIONAL SERVICES AGREEMENT – FORSGREN AND ASSOCIATES – IDAHO CANAL BRIDGE AT GARFIELD STREET

Attached is a Professional Services Agreement between Forsgren and Associates, the City of Idaho Falls, and Idaho Transportation Department for design services related to replacing the Idaho Canal Bridge at Garfield Street. The cost to provide these services is not to exceed \$192,000.00, of which 92.34% will be reimbursed to the City.

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

s/ Chad Stanger

City of Idaho Falls
July 15, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: PROFESSIONAL SERVICES AGREEMENT – FORSGREN AND ASSOCIATES – IDAHO CANAL BRIDGE AT JOHN ADAMS PARKWAY

Attached is a Professional Services Agreement between Forsgren and Associates, the City of Idaho Falls, and Idaho Transportation Department for design services related to replacing the Idaho Canal Bridge at John Adams Parkway. The cost to provide these services is not to exceed \$194,500.00, of which 92.34% will be reimbursed to the City.

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

s/ Chad Stanger

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to approve the Consent Agenda in accordance with the recommendations presented. Roll call as follows:

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

Nay: None

Motion Carried.

REGULAR AGENDA

The Planning and Building Director submitted the following memo:

City of Idaho Falls
July 2, 2009

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: AMENDMENT TO SIGN ORDINANCE

Attached is an Ordinance amending the code for electronic message centers in the Sign Ordinance. These amendments reflect the comments of citizens and the recommendation of the Planning Commission. The Ordinance has been reviewed by the City Attorney. This Department respectfully requests consideration and passage of these amendments.

s/ Renee R. Magee

The Planning and Building Director appeared to explain the minor changes to this Sign Ordinance Amendment. The addition of the definition for "NIT" was added, as well as the addition of the following language to 7-9-42 (A) "seventy-five percent (75%) of the applicable total allowable sign or two hundred and fifty (250) square feet, whichever is less."

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

ORDINANCE NO. 2817

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO; AMENDING SECTIONS 7-9-12, 7-9-42, AND 7-9-49; REPEALING SECTION 7-9-48 OF THE CITY CODE; AND AMENDING TABLE 1, APPENDIX, BEING A PORTION OF THE SIGN CODE OF THE CITY; DECLARING ORDINANCE METHODOLOGY; PROVIDING FOR PRESERVATION OF PRIOR ORDINANCE; PROVIDING FOR SEVERABILITY AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Parry moved, and Councilmember Hally 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

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with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Police Chief submitted the following memos:

City of Idaho Falls
July 21, 2009

MEMORANDUM

TO: Mayor and Council
FROM: Steve Roos, Chief of Police
SUBJECT: CITY COUNCIL AGENDA ITEM

Attached is a copy of an Ordinance relating to the sale of beer and wine. Changes have been recommended to the hours of sale of beer and wine on Sundays.

s/ Steve Roos

Councilmember Hardcastle clarified that the change affects Sunday sales to be compliant with the remainder of the week. Retail beer and wine sales may begin at 7:00 a.m. every morning of the week.

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

ORDINANCE NO. 2818

AN ORDINANCE ENACTING SECTIONS 4-3-13 AND 4-4-14; REPEALING AND RE-ENACTING SECTIONS 4-3-14 AND 4-4-13; AND AMENDING SECTION 4-3-15 OF THE IDAHO FALLS CITY CODE RELATING TO THE HOURS OF SALE FOR RETAIL SALES OF BEER AND WINE AND ON-PREMISES SALE OF BEER AND WINE; PROVIDING FOR SEVERABILITY; ESTABLISHING METHODOLOGY; PROVIDING FOR PRESERVATION OF PRIOR ORDINANCE AND ESTABLISHING AN EFFECTIVE DATE.

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The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Taylor 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 execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

The memo from the Police Chief regarding the Revocation of a Second Hand Store License to Second Time Around was withdrawn by the Division Director.

The Police Chief submitted the following memo:

City of Idaho Falls
July 20, 2009

MEMORANDUM

TO: Mayor and Council
FROM: Steve Roos, Chief of Police
SUBJECT: CITY COUNCIL AGENDA ITEM

Attached is a copy of the Memorandum of Agreement between the City of Idaho Falls, Idaho and County of Bonneville, Idaho to establish and define a collaborative relationship regarding the Idaho Falls Regional Bomb Squad.

I respectfully request approval of this Agreement at the City Council Meeting of July 23, 2009.

s/ Steve Roos

Chief Roos appeared to state that the Police Department and Bonneville County Sheriff's Office work closely together. The Sheriff's Office indicated that they would like to join with the Police Department in this venture, as they have a great part of Eastern Idaho to be responsible for. The Police Department would like their assistance.

It was moved by Councilmember Hardcastle, seconded by Councilmember Taylor, to approve the Memorandum of Agreement with Bonneville County Sheriff's Office to establish and define a collaborative relationship regarding the Idaho Falls Regional Bomb Squad and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry
Councilmember Taylor
Councilmember Hardcastle

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Councilmember Lehto
Councilmember Hally

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls
July 15, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – 65TH SOUTH, BOOSTER PUMP STATION

On July 8, 2009, bids were received and opened for the 65th South, Booster Pump Station. A tabulation of bid results is attached. Subsequent to opening bids, a formal protest was received from a bidder, Agricultural Services, Inc., claiming the apparent low bidder had not properly named a licensed plumber in their bid documents. Public Works has reviewed this protest and related bid documents, concluding the project does not involve any work requiring a licensed plumber.

Public Works recommends award to the low bidder, Ovard Construction, Inc. in an amount of \$1,143,000.00; and, authorization for the Mayor and City Clerk to sign contract documents.

s/ Chad Stanger

Councilmember Lehto requested to know whether there was anyone present from Agricultural Services, Inc. No one appeared.

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to accept the low bid from Ovard Construction, Inc. in the amount of \$1,143,000.00 and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

JULY 23, 2009

There being no further business, it was moved by Councilmember Lehto, seconded by Councilmember Taylor, that the meeting adjourn at 7:45 p.m.

CITY CLERK

MAYOR
