

**JUNE 7, 1979**

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The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, June 7, 1979, at 7:30 p.m. in the Council Chamber in Idaho Falls, Idaho. There were present at said meeting: Mayor Tom Campbell; Councilmen Charles Clark, Mel Erickson, Jim Freeman, Paul Hovey, Sam Sakaguchi, and Ralph Wood. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney, and all other available Division Directors.

Minutes of the last Regular Meeting, held May 24<sup>th</sup>, 1979, were read and approved.

The Mayor acknowledged a group of Girls' State students and also a group of Boy Scouts, Troop No. 330 as being present in the Council Chamber. He thanked them for their presence and their interest in local government.

The Mayor asked that the following traffic recommendation be reviewed at this time:

TO: Honorable Mayor and City Council  
FROM: Traffic Safety Committee  
SUBJECT: TRAFFIC RECOMMENDATIONS

1. Suggest signing of South Skyline at Pancheri and West Broadway to designate "NO THROUGH TRUCK TRAFFIC". (Utah Avenue has been designed for Truck Traffic along with being improved to handle same. The construction of Skyline was not for heavy trucks and conflicts with the residents along South Skyline.)

s/ R. D. Pollock

Mr. P. R. Agren, 122 South Skyline, appeared before the Council to urge favorable consideration of this traffic restriction on the grounds that this portion of Skyline was not designed nor constructed for heavy truck traffic which creates noise adversely affecting the peace and quiet of the adjacent residents. Continuing, Agren pointed out that Utah Avenue was and still is signed for truck traffic and truck drivers have slowly moved over to Skyline only because there is no signing that prohibits it. Asked for comment, Police Chief Pollock appeared briefly to explain that truck traffic started deviating from Utah Avenue when it was badly in need of reconstruction. In answer to a question by Councilman Freeman, Pollock said he was referring primarily to gravel and concrete trucks. Freeman then asked City Attorney whether or not, in his opinion, such signing could be construed as precedent setting. Smith said that, on problems of this nature, each one should be studied and resolved on its own merit and according to the individual circumstances. Councilman Hovey drew attention to the fact that North Skyline was presently signed to prohibit truck traffic. It was moved by Councilman Clark, seconded by Freeman, that this recommendation be upheld and the NO TRUCK TRAFFIC signs be posted on the street as indicated. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor asked that this Resolution be presented and read aloud:

**RESOLUTION (Resolution No. 1979-11)**

A RESOLUTION AFFIRMING THE CITY OF IDAHO FALLS' INTENTION TO ACTIVELY SUPPORT AND WORK WITH THE IDAHO FALLS BICYCLE COMMITTEE TO FURTHER THE CONCEPT OF BICYCLE PATHS, LANES AND ROUTES WITHIN THE CITY OF IDAHO FALLS, IDAHO.

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WHEREAS, the City of Idaho Falls concurs with the stated goals of the Idaho Falls bicycles within the City of Idaho Falls and to establish short and long term plans for the construction of bicycle paths, lanes and routes throughout the City; and,

WHEREAS, the Bonneville County Planning Office is engaged in the process of instigating a Master Plan for bicycle paths, lanes and routes for the entire urbanized area of the County; and,

WHEREAS, the cooperation of all departments of the City with the Idaho Falls Bicycle Committee has been assured at several meetings,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The City of Idaho Falls agrees to give all reasonable cooperation possible to the planning, construction and maintenance of bicycle paths, lanes and routes within the City and to aid and abet and give general support to the Idaho Falls Bicycle Committee in its efforts to promote, educate, construct and fund all such possible facilities.

PASSED by the City Council of the City of Idaho Falls, Idaho this 7<sup>th</sup> day of June, 1979.

APPROVED by the Mayor of the City of Idaho Falls, Idaho, this 7<sup>th</sup> day of June, 1979.

APPROVED: s/ Thomas Campbell  
MAYOR

ATTEST: s/ Roy C. Barnes  
CITY CLERK

Asked for comment, the City Attorney said he assumed the Council was not desirous, at this time, for passage of a document that would bind the City for the expenditure of funds for bicycle paths, lanes, etc. Councilman Clark agreed that such was not the case but that a Resolution, duly adopted by the Council, was necessary for the applying of appropriate grants.

Mr. Dick Foreman, representing those groups who have an avid interest in bike riding, appeared briefly to concur with the remarks of Councilman Clark, adding that Federal Funding must be applied for and submitted by and through the City and that this Resolution is the first step toward that end. It was moved by Councilman Clark, seconded by Freeman, that this Resolution be adopted and passed and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Mr. Dale Hoskins, representing Consolidated Freightways, Pocatello, Idaho, appeared before the Council to register a protest pertaining to the newly created downtown parking arrangement. Hoskins pointed out that, as a public carrier, his firm had always taken the position that they had a right and an obligation to park closely adjacent to the customer being served. He said his firm operated 40' units which have only minimum maneuverability. Continuing, Hoskins said that, although he was not in a position at this time to submit a proposal for the proper handling of large delivery vehicles, he felt that some consideration should be given to their problem. In answer to a question by Councilman Freeman, Hoskins said he had not, to date, been approached by the downtown merchants. Freeman said downtown merchants are anxious that this parking plan prove successful and, therefore, they are interested in discussing it with those who may have a problem. It was

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moved by Councilman Clark, seconded by Freeman, that this matter be referred to the Downtown Parking Committee for study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk drew attention to the fact that a legal notice had been published, in the interests of time, without Council approval, calling for a public hearing on June 21<sup>st</sup> to consider the initial zoning of an area to be known as Alice Dickson Estates, First Amended Plat. It was understood that said hearing would be conducted only in the event said area had been first duly annexed into the City. It was moved by Councilman Freeman, seconded by Clark, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Another matter requiring ratification, according to the City Clerk, was a legal notice published without Council approval, calling for a public hearing on June 21<sup>st</sup> to consider three rezoning petitions. It was moved by Councilman Freeman, seconded by Erickson, that this action also be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Finally, it was noted that, on May 30<sup>th</sup>, the City Clerk had been served a Summons pertaining to the Emil and Frank Ohme damage claim and that, on the same day, said Summons had been forwarded to the City's liability insurance carrier without Council approval. It was moved by Councilman Hovey, seconded by Erickson, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Bills for the month of May, 1979, having been properly audited by the Fiscal Committee, were presented. The City Clerk read aloud all fund totals for materials, services and payroll, as follows:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
SERV/MAT:	\$ 592,937.14	\$ 9,174.42	\$ 14,293.77	\$ 300,156.09
SALARY:	<u>353,402.52</u>	<u>18,174.41</u>	<u>6,128.01</u>	<u>40,127.74</u>
TOTAL:	\$ 946,339.66	\$ 27,325.83	\$ 20,421.78	\$ 340,283.83
	<u>ELECTRIC</u>	<u>RECREATION</u>	<u>MUN CAP IMPR</u>	<u>GEN LIBR</u>
SERV/MAT:	\$ 782,987.99	\$ 6,659.17	\$ 90,000.00	\$ 3,609.19
SALARY:	<u>65,639.80</u>	<u>4,839.80</u>	<u>.00</u>	<u>17,683.53</u>
TOTAL:	\$ 848,627.79	\$ 11,498.97	\$ 90,000.00	\$ 21,292.72
	<u>REG LIBR</u>	<u>BRDG/ART ST</u>	<u>REV SHAR</u>	<u>COMM DEV</u>
SERV/MAT:	\$ 190.35	\$ 30,382.38	\$ 1,818.34	\$ 138,921.64
SALARY:	<u>684.98</u>	<u>.00</u>	<u>.00</u>	<u>2,657.60</u>
TOTAL:	\$ 875.33	\$ 30,382.38	\$ 1,818.34	\$ 141,579.24
	<u>TOTALS</u>			
SERV/MAT:	\$1,971,130.48			
SALARY:	<u>509,315.39</u>			
TOTAL:	\$2,480,445.87			

Councilman Hovey explained all major expenditures. It was moved by Councilman Hovey, seconded by Erickson, that the bills be allowed and the City Controller be authorized to issue warrants or checks on the various funds for their payment. Roll call as follows: Ayes, 6; No, none; carried.

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Reports from Division and Department heads were presented for the month of May, 1979, and there being no questions nor objections, were accepted by the Mayor and ordered placed on file in the Office of the City Clerk.

License applications for FIREWORKS, Safe and Sane Fireworks, Assembly of God Church, Jaycees of Idaho Falls, Tracy Vachees, Newell Bradley, Skaggs Drug Center, Dale Madsen for Skyline Variety Store; CONTRACTOR, Asphalt Maintenance Company; GROCERY STORE, Murphy's Market transfer from Darel D. Olander to Ken Arbon; RESTAURANT, Ray F. Cook for A & W Family Restaurant on 17<sup>th</sup> Street; ELECTRICAL CONTRACTOR, Cee-Jay Co.; JOURNEYMAN ELECTRICIAN, Mike L. Henrie, Charles W. Bateman; APPRENTICE ELECTRICIAN, Todd Campbell with Curtis Electric; MASTER PLUMBER, Steve's Plumbing; Steve Kukula; CLASS B CONTRACTOR, GAS FITTING, WARM AIR, REFRIGERATION, Lyman D. Taylor for Taylor'd Air Service; CLASS B JOURNEYMAN, GAS FITTING, WARM AIR, REFRIGERATION, Lyman D. Taylor; CLASS D JOURNEYMAN, GAS FITTING, James J. Taylor; COMMERCIAL WATER CRAFT OPERATOR, John L. Hill for South Fork Expeditions; CAB DRIVER, Arthur V. Hamer, Dennis Glinski, Linda Kishiyama, BARTENDER, Wanda L. Ferguson, Barbara Harman, Saundras Mauro, Lucile R. Baker, Laurie Stafford, Lea Ann Beebe, Jacqueline A. Jacobs, Tamara Landon, Ester Thornock, Gregory H. Scholz, Sunny Harris, Catherine M. Shelton, Charlene Shugars, Pat Rainey, Ray E. Wilkerson, Florence Wilkerson, were presented. It was moved by Councilman Clark, seconded by Freeman, that these licenses be granted, subject to the approval of the appropriate Division Director or his authorized representative, where required. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the General Services Director was presented:

City of Idaho Falls  
June 7, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: BID NO. IF-79-18, TELESCOPIC BOOM TRUCK

It is the recommendation of the Electrical and General Services Divisions that the City Council accept the sole bid of Truck Equipment Company of Salt Lake City, Utah to furnish one (1) telescopic boom aerial device mounted on a truck cab and chassis without trade at \$35,995.00.

Thank you,  
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Sakaguchi, that the one bid of Truck Equipment Sales Company in the amount of \$35,995.00 be accepted for the equipment as indicated. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the General Services Director was submitted, as follows:

City of Idaho Falls  
June 6, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID - CITY GARAGE ADDITION

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Attached is a tabulation of bids for the construction of an addition to the City Garage. It is the recommendation of the General Services Division and the Architect that the City Council accept the low bid, less Alternate No. 1, of Cannon Builders, Inc., Blackfoot, Idaho, to provide this addition at \$79,888.00. It is requested that the Mayor be authorized to sign the Contract Documents.

This recommendation is based upon the Council's immediate acceptance of the attached negative change orders, reducing the contract amount by \$65,894.00, an amount compatible with the budget. The attached change orders have been signed by the Architect and Contractor and require authorization for the Mayor to sign.

Thank you,  
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Sakaguchi, that the bid of Cannon Builders in the amount of \$79,888.00 be accepted for the City Garage Addition; also, that the negative change orders as presented, be accepted, bringing the net contract price down to \$65,894.00; also, that the Mayor be authorized to sign said change orders. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the General Services Director, came this memo:

City of Idaho Falls  
June 6, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: BID NO. IF-79-17, CIRCUIT SWITCHES

It is the recommendation of the Electrical and General Services Divisions that the City Council reject the sole bid of Bid No. IF-79-17 and authorize the negotiated purchase of the circuit switcher equipment.

This recommendation is based upon the receipt of only one bid and the fact that these bid documents did not contain the appropriate bid security.

Thank you,  
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Sakaguchi, that the one bid received for circuit switcher equipment be rejected for the reason as stated and that the negotiated purchase of said equipment be authorized. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented a legal notice, calling for a public hearing on June 21<sup>st</sup> to consider an extension of a variance permitting continued placement of a mobile home at 900 Memorial Drive. It was moved by Councilman Freeman, seconded by Clark, that authorization be granted to publish this notice, as required by law. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Fire Chief was presented:

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City of Idaho Falls  
June 7, 1979

MEMORANDUM

TO: Mayor and City Council  
FROM: Douglas Call, Fire Chief  
SUBJECT: UNIFORM FIRE CODE

It is necessary that the City of Idaho Falls adopt the 1979 Edition of the Uniform Fire Code.

I respectfully request that the Mayor and City Council instruct the City Attorney to prepare the necessary Ordinance.

s/ Douglas Call

It was moved by Councilman Sakaguchi, seconded by Wood, that the City Attorney be authorized and directed to prepare an appropriate Ordinance for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

From the Building Administrator the following was presented, to-wit:

City of Idaho Falls  
June 7, 1979

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: 1979 UNIFORM PLUMBING CODE AND REVISED FEE SCHEDULE FOR PLUMBING, HEATING AND COOLING PERMITS

The Building Inspection Department requests the City Council to take the necessary steps to adopt the 1979 Edition of the Uniform Plumbing Code. This Code has been revised by this Department and there are very few changes over the 1976 Edition, which is now in use by the City of Idaho Falls.

This Department would also like to incorporate into this Ordinance, a revised fee schedule for plumbing, heating and cooling inspection. We are now collecting \$5.00 per permit, plus \$2.00 per fixture. We propose to raise this in accordance with the following schedule which will be the same as the State of Idaho is now charging:

Residential: \$10.00/Permit + \$2.50/Fixture  
Commercial and Industrial: Permit fee of \$10.00 plus inspection fee based on cost of completed installation to be 1-1/2% of the value of the installation to and including \$20,000.00 plus 3/4 of 1% of the value of the installation in excess of \$20,000.00.

s/ Rod Gilchrist

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It was moved by Councilman Freeman, seconded by Clark, that the City Attorney be authorized and directed to prepare an appropriate Ordinance for Council consideration, incorporating in said Ordinance a revised fee schedule for plumbing, heating and cooling inspection as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Building Administrator was reviewed, to-wit:

City of Idaho Falls  
June 7, 1979

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: ABANDONMENT OF WALKWAY DESIGNATION – ALICE DICKSON ESTATES ADDITION, DIVISION NO. 4

The City of Idaho Falls has requested to abandon the walkway designation on the easement between Lots 9 and 10, Block 7, Alice Dickson Estates Addition, Division No. 4. The request for said easement was originally made to allow construction of a walkway to provide direct school access from the Margette Way Area; however, there was no provision made for the walkway in Division No. 3. Therefore, the walkway ends at the rear lot line of Division No. 4. Inasmuch as the developers no longer have interest in any of the Division No. 3 property and said Division No. 3 property is now fenced, it is not practical to try and continue the walkway. therefore, this request is made to allow the homeowners in division No. 4 the opportunity of placing their fence on the property line between Lots 9 & 10.

This Department recommends abandonment of the walkway designation as requested and the matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

After some discussion and for the reason as stated, it was moved by Councilman Freeman, seconded by Clark, that the walkway designation on the easement between Lots 9 and 10, Block 7, Alice Dickson Estates, Division No. 4 be duly abandoned and the affected homeowners be permitted to place their fence on the property line between Lots 9 and 10 as stated. Roll call as follows: Ayes, 6; No, none; carried.

By memo, the Public Works Director requested authorization to advertise for bids on a portion of the water main connecting Well #13 to the Pinecrest Golf Course, along Elva Street. It was moved by Councilman Sakaguchi, seconded by Hovey, that the City Clerk be authorized to publish advertisement for bids on the project as described. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Public Works Director was presented, as follows:

City of Idaho Falls  
June 7, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: WATER RATE ORDINANCE

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Earlier this year, a Water Rate Ordinance was amended to include water connection fees and adjust certain rates. We have inadvertently omitted two charge categories that will in no way affect the customer rates. We would recommend that the City Attorney be authorized to prepare an amendment for the Ordinance No. 1573.

Respectfully submitted,  
s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that the City Attorney be authorized and directed to prepare an amendatory water rate ordinance for Council consideration, as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Still another memo from the Public Works Director was presented, to-wit:

City of Idaho Falls  
June 7, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: SEWER SERVICE CONTRACT

We are attaching hereto a sewer service contract in favor of Marvin Olson for sewer service outside of the City. The owner has met all of the requirements for connection to the County LID #2. We are recommending that the Mayor and City Clerk be authorized to sign this contract.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that this outside-the-City sewer service contract in favor of Marvin Olson be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was submitted:

City of Idaho Falls  
June 7, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: FREMONT AVENUE RAILROAD CROSSING

We are attaching hereto three (3) copies of a Resolution and Agreement between the Idaho Department of Transportation and the City covering the construction of the Fremont Avenue Railroad Crossing and the Signal Installation. This Agreement requires local share of 10% or \$10,142.33. A portion of this amount, \$7,500.00 is budgeted and the balance will be taken from the City's Holding Account. This contract has been reviewed by the City Attorney and we are recommending that the Mayor and City Clerk be authorized to sign the City's approval.

Respectfully submitted,  
s/ Don

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The foregoing memo served to introduce this resolution:

**RESOLUTION (Resolution No. 1979-12)**

APPROVING THE COOPERATIVE AGREEMENT FOR FEDERAL-AID PROJECT RRP-RRS-7096 (002) BETWEEN THE IDAHO TRANSPORTATION DEPARTMENT, DIVISION OF HIGHWAYS, AND CITY OF IDAHO FALLS, IDAHO AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE COOPERATIVE AGREEMENT ON BEHALF OF THE CITY; PROVIDING THAT DULY CERTIFIED COPIES OF THE RESOLUTION BE FURNISHED THE IDAHO TRANSPORTATION DEPARTMENT, DIVISION OF HIGHWAYS.

WHEREAS, the Idaho Transportation Department, Division of Highways, herein after called "the State", has submitted a Cooperative Agreement stating obligations of the State and the City of Idaho Falls, Idaho, for the installment of cantilever type automatic flashing light railroad signals and structural foam railroad crossing surface under Federal-aid Project RRP-RRS-7096 (002); and

WHEREAS, the State is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance in improvements made under Title 23, U.S. Code; and

WHEREAS, it is intended that the project shall be developed and constructed so as to receive Federal participation in the amount of ninety percent (90%) of the cost.

NOW THEREFORE, BE IT RESOLVED:

1. That the Cooperative Agreement for Federal-Aid Project RRP-RRS-7096 (002) is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Cooperative Agreement on behalf of the City.
3. That duly certified copies of the Resolution shall be furnished the Idaho Transportation Department, Division of Highways.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 7<sup>TH</sup> DAY OF JUNE, 1979.

s/ Thomas Campbell  
MAYOR

ATTEST: s/ Roy C. Barnes  
CITY CLERK

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It was moved by Councilman Sakaguchi, seconded by Hovey, that this resolution be adopted and the Mayor and City Clerk be authorized to sign the resolution and the State Agreement for construction of the Fremont Avenue railroad crossing and the signal installation. Roll call as follows: Ayes, 6; No, none; carried.

Finally, this memo from the Public Works Director was submitted:

City of Idaho Falls  
June 7, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: AGREEMENT WITH THE IDAHO IRRIGATION DISTRICT FOR  
JUNE AVENUE LIFT STATION

We are attaching hereto two signed copies of an Agreement with the Idaho Irrigation District pertaining to the use of the June Avenue Lift Station. This Agreement allows the City to discharge water at a rate of 22 cfs into the Idaho Canal and requires an annual payment of \$1,100.00 per year. The City Attorney has prepared this agreement and we are recommending that the Mayor and City Clerk be authorized to sign the City's approval.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that this agreement with the Idaho Irrigation District be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

From the Idaho Falls Parking Committee, through the Police Chief, came this memo:

City of Idaho Falls  
June 7, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Idaho Falls Parking Committee  
SUBJECT: PROPOSED AMENDMENT TO IDAHO FALLS CITY ORDINANCE  
10-19-8

The Idaho Falls Parking Committee proposes an amendment to the Idaho Falls City Ordinance 10-9-8 wherein the penalty would be increased on long term parking within the downtown core area.

s/ R. D. Pollock

It was agreed that, for purposes of providing data for the ordinance, the Police Chief, working with the Parking Committee, should submit proposed penalties for parking violators, keeping in mind the need for increased penalties for repeat offenders. It was moved by Councilman Clark, seconded by Freeman, that this matter be referred to the City Attorney who, working with the Police Chief and the Police Committee, was authorized to prepare an appropriate ordinance for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

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From the Electrical Engineer came this memo:

City of Idaho Falls  
June 6, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Steve Harrison, Manager  
SUBJECT: DEMOLITION & CONSTRUCTION OF EAST DAM AT UPPER PLANT

The Electrical Division requests authorization to advertise for bids for the demolition and construction of the east dam at the upper plant. Bid opening is scheduled for July 31, 1979.

s/ G.S. Harrison

It was moved by Councilman Wood, seconded by Hovey, that authorization be granted to advertise for bids on this project as stated. Roll call as follows: Ayes, 6; No, none; carried.  
Another memo from the Electrical Engineer was presented, as follows:

Idaho Falls, Idaho  
June 1, 1979

MEMORANDUM

TO: Mayor and City Council  
FROM: Steve Harrison, Manager  
SUBJECT: LAND AT THE UPPER PLANT

Attached is a letter from the Bureau of Land Management and a map delineating 9.86 acres of land adjacent to east river road and the upper plant east dam.

Presently the project boundary for the upper plant includes only a small portion of the 9.86 acres owned by the BLM. That area is shown cross hatched in green on the attached map.

BLM proposes that the City amend the FERC application to include the total 9.86 acres within the project. If FERC approved such amendment, the BLM will withdraw all claim to the property and leave administration to FERC. The 9.86 acres is outlined in yellow on the attached map.

The Electric Division requests authorization to submit a revised project boundary for the upper plant as proposed by the BLM. I understand the transfer of land will be done at no cost to the City.

s/ G. S. Harrison

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It was moved by Councilman Wood, seconded by Hovey, that the FERC application be amended as proposed by BLM and the Electrical Division be authorized to submit a revised project boundary for the upper plant, reflecting the 9.86 acres as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Continuing with memos from Electrical Engineer Harrison the following was submitted:

City of Idaho Falls  
June 6, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Steve Harrison, Manager  
SUBJECT: CHAPMAN AND CUTLER AGREEMENT ON BULB TURBINE PROJECT

Attached are copies of two (2) letters from the Chapman and Cutler Bond Attorney.

The August 12 letter essentially represents a contract or agreement between Chapman and Cutler and the City of Idaho Falls, for legal services related to the bulb turbine project. Their estimate was \$55,000 plus out-of-pocket expenses.

Because the scope of work expanded into water matters, etc., and because contract review and drafting took more time than normal, they are suggesting that we consider payment in the amount of \$75,000 plus out-of-pocket expenses of about \$9,000. Their May 21 letter is attached.

It may also be that the City should retain Chapman and Cutler for services until after the final construction contract is awarded next summer, and/or until legislative approval for the sale of power has been accomplished.

I would certainly recommend favorable consideration of Chapman and Cutler's request provided the Controller is furnished satisfactory evidence of those costs.

Council consideration of this proposal is requested.

s/ G. S. Harrison

Asked for comment, Harrison appeared briefly to endorse this increase fee on the grounds that there were many early problems involving the expertise of Chapman and Cutler that were unknown at the time the fee estimate was given. Also asked for comment, City Attorney Smith concurred with the remarks of Mr. Harrison and added that they offered and provided assistance beyond the call of duty as Bond Attorneys including several days attendance in San Francisco and Boise. Smith concluded his remarks by saying that the City was, at one time, on the verge of losing the bids on the bulb turbines due to a technicality and it was through the alertness of the Chapman and Cutler representatives that progress toward the eventual award of a contract was not permanently impeded. It was moved by Councilman Wood, seconded by Hovey, that the increased fee and out-of-pocket expenses to Chapman and Cutler be authorized and approved, subject to the proper evidence being provided the City Controller as justification for the extra costs. Roll call as follows: Ayes, 6; No, none; carried.

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Finally, from Electrical Engineer Harrison, this memo was presented:

City of Idaho Falls  
June 7, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Steve Harrison, Manager  
SUBJECT: FOURTH HYDRO SITE PROPOSAL

CH2M Hill proposes to furnish engineering services for the preparation of a preliminary FERC permit relative to a fourth Hydro Site near the Bingham-Bonneville County Line.

The estimated cost is \$6,000.00 and the work will be accomplished in about two (2) months.

The Electric Division budget contains \$20,000.00 for preliminary work at this site. Council consideration of the CH2M Hill proposal is requested.

s/ G. S. Harrison

Asked for comments as to what services would be provided, Harrison explained that there are nine exhibits, described as Exhibit A through I, that must be submitted for the preliminary permit and that CH2M Hill would be responsible for seven of these, as follows: Available data concerning the project; nature and estimated cost of work to be performed; nature and extent of ownership of water rights to be used by the project and plans to acquire such water rights; ownership of lands to be used by the project and plans to acquire such lands; financial ability of the applicant; general map showing location and principal features of the project; general map showing locations of all public lands which may be occupied by the project. It was moved by Councilman Wood, seconded by Hovey, that this proposal, as submitted by CH2M Hill be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Erickson, seconded by Hovey, that the meeting adjourn at 8:45 P.M., carried.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ Thomas Campbell  
MAYOR

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