



CITY COUNCIL MEETING

Thursday, April 23, 2020

7:30 p.m.

CITY COUNCIL CHAMBERS

680 Park Avenue

Idaho Falls, ID 83402

Thank you for your interest in City Government. In response to the COVID-19 crisis, on March 19, 2020, Governor Brad Little issued a proclamation suspending the portion of Idaho Code 74-203(5) which requires government agencies to allow the public to attend public meetings in person. The Governor encouraged public agencies to provide other means for citizens to participate. Idaho Falls believes strongly in public participation and has identified at least four methods of participation in official city processes.

1. **Via Livestream on the Internet:** The public may view the meeting at www.idahofallsidaho.gov
2. **Email:** Public comments may be shared with the Mayor and members of the City Council via email at any time. Electronic addresses for elected officials are located at <https://www.idahofallsidaho.gov/398/City-Council>
3. **Written Public Hearing Testimony:** The public may provide written comments via postal mail or email sent to the City Clerk at KHampton@idahofallsidaho.gov to be distributed to the members of the Council and to become a part of the official public hearing record. Written testimony must be received no later than 4:00 p.m. on April 23rd.
4. **Live Public Hearing Testimony:** Members of the public wishing to participate in a public hearing that has been legally noticed for this agenda may do so remotely via the WebEx meeting platform with a phone or a computer. This platform will allow citizens to provide hearing testimony at the appropriate time. Those desiring public hearing access **MUST** send a valid and accurate email address to PAlexander@idahofallsidaho.gov no later than 4:00 p.m. on April 23rd so log-in information can be sent to you prior to the meeting. Please indicate for which public hearing you wish to offer testimony. Public testimony on agenda items will not be taken unless a public hearing is indicated.

Be aware that an amendment to this agenda may be made upon passage of a motion that states the reason for the amendment and the good faith reason that the agenda item was not included in the original agenda posting. Regularly-scheduled City Council Meetings are live streamed and then archived on the city website. If communication aids, services or other physical accommodations are needed to facilitate participation or access for this meeting, please contact City Clerk Kathy Hampton at 208-612-8414 or the ADA Coordinator Lisa Farris at 208-612-8323 as soon as possible so they can seek to accommodate your needs.

1. **Call to Order.**
2. **Pledge of Allegiance.**
3. **Public Comment.** *(Temporarily suspended—see above)*
4. **Coronavirus (COVID-19) Update.**
5. **Consent Agenda.** *Any item may be removed from the Consent Agenda at the request of any member of the Council for separate consideration.*
 - A. **Item from Public Works:**
 - 1) Bid Award – Seal Coats - 2020
 - B. **Items from Municipal Services:**
 - 1) Bid IF-20-16, Fiber Optic Cable Installation for Idaho Falls Power
 - 2) Quote 20-025, Construction of Fiber Huts for Idaho Falls Power
 - 3) Minutes from the April 3, 2020 Council Budget Workshop; April 6, 2020 Council Work Session and Executive Session; April 9, 2020 Council Meeting; and, April 16, 2020 Special Council Work Session
 - 4) License Applications, all carrying the required approvals

RECOMMENDED ACTION: Approve, accept, or receive all items on the Consent Agenda according to the recommendations presented (or take other action deemed appropriate).

6. **Regular Agenda.**

A. Public Works

1) Agreement for Professional Architectural Services with Architects Design Group, Incorporated for the Police Complex: For consideration is an agreement for professional architectural services to develop an initial total project cost estimate for the proposed Police Complex. The agreement includes required scoping activities.

RECOMMENDED ACTION: Approve the Professional Architectural Services with Architects Design Group, Incorporated and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

B. Community Development Services

1) Resolution Approving Community Development Block Grant (CDBG) Program Year (PY)2020 Allocations: For consideration is a resolution approving CDBG PY2020 allocations. The exhibit attached with the resolution reflects funding allocations from the April 20, 2020, Work Session and meets the Department of Housing and Urban Development (HUD) funding requirements.

RECOMMENDED ACTION: Approve the Resolution allocating CDBG PY2020 funds and give authorization for the Mayor and City Clerk to execute the necessary documents (or take other action deemed appropriate).

2) Public Hearing for the CDBG PY2019 Comprehensive Annual Performance and Evaluation Report (CAPER): Following the public hearing, a 15-day public comment period will begin. Following the public comment period, a resolution approving the report will be presented to the Council on May 14, 2020. The CAPER is an important document required by HUD in order for the City to continue to receive CDBG funding. It is a report on how funds were spent during the previous year.

RECOMMENDED ACTION: No action requested at this time.

3) Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Brookside Division No. 7: For consideration is the Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Brookside Division No. 7. The Planning and Zoning Commission considered this item at its March 3, 2020, meeting and recommended approval by unanimous vote with the condition that a multi-use pathway easement be added to the east side of the plat, adjacent to the Sandcreek Canal. A 20-foot-wide pathway and utility easement has been added to the plat as requested by the Commission. Staff concurs with the recommendation and recommends approval of the plat.

RECOMMENDED ACTIONS (in sequential order):

- a. Approve the Development Agreement for Brookside Subdivision, Division No. 7, and give authorization for the Mayor and City Clerk to execute the necessary documents.

- b. Accept the Final Plat for Brookside Subdivision, Division No. 7, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
- c. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Brookside Subdivision, Division No. 7 Subdivision, and give authorization for the Mayor to execute the necessary documents.

4) Public Hearing – Planned Unit Development and Reasoned Statement of Relevant Criteria and Standards, SRL Townhomes: For consideration is the application for a Planned Unit Development (PUD) and Reasoned Statement of Relevant Criteria and Standards for SRL Townhomes. The Council already considered and approved this development in October, 2019, but the applicant has made changes which the ordinance considers significant to require a new review and approval. The proposed changes include eliminating a building in the northwest corner and replacing it with a larger building located in the center of the development, as well as increasing open space and rearranging the parking in a different area than previously shown. Further detail is included in the staff report. The Planning and Zoning Commission considered the revised application at its March 3, 2020, meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

RECOMMENDED ACTIONS (in sequential order):

- a. Approve the Planned Unit Development for SRL Townhomes.
- b. Approve the Reasoned Statement of Relevant Criteria and Standards for the Planned Unit Development for SRL Townhomes, and give authorization for the Mayor to execute the necessary documents.

7. **Announcements.**

8. **Adjournment.**



MEMORANDUM

FROM: Chris H Fredericksen, Public Works Director
DATE: Tuesday, April 14, 2020
RE: Bid Award – Seal Coats - 2020

Council Action Desired

- Ordinance
- Resolution
- Public Hearing
- Other Action (Approval, Authorization, Ratification, etc)

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, HK Contractors, Inc., in an amount of \$719,844.84 and authorization for the Mayor and City Clerk to sign contract documents..

Description, Background Information & Purpose

On Tuesday April 14, 2020, bids were received and opened for the Seal Coats - 2020 project. A single bid was received and a tabulation of the results is attached. This year’s bid is a 20% reduction from the low bid received last year. The purpose of this project is to provide pavement maintenance in the form of seal coating on prioritized city streets.

Relevant PBB Results & Department Strategic Plan

							
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>					

This project supports the community-oriented result of reliable public infrastructure and transportation by investing in the long-term maintenance of our street network.

Interdepartmental Coordination

Project reviews have been conducted with all necessary city departments to ensure coordination of project activities.

Fiscal Impact

The cost allocation for this project will be provided by the Street Fund and sufficient funding and budget authority exist for completion of the proposed improvements.

Legal Review

Legal has reviewed the bid process and concurs the Council action desired is within State Statute.

City of Idaho Falls

Engineering Department Bid Tabulation

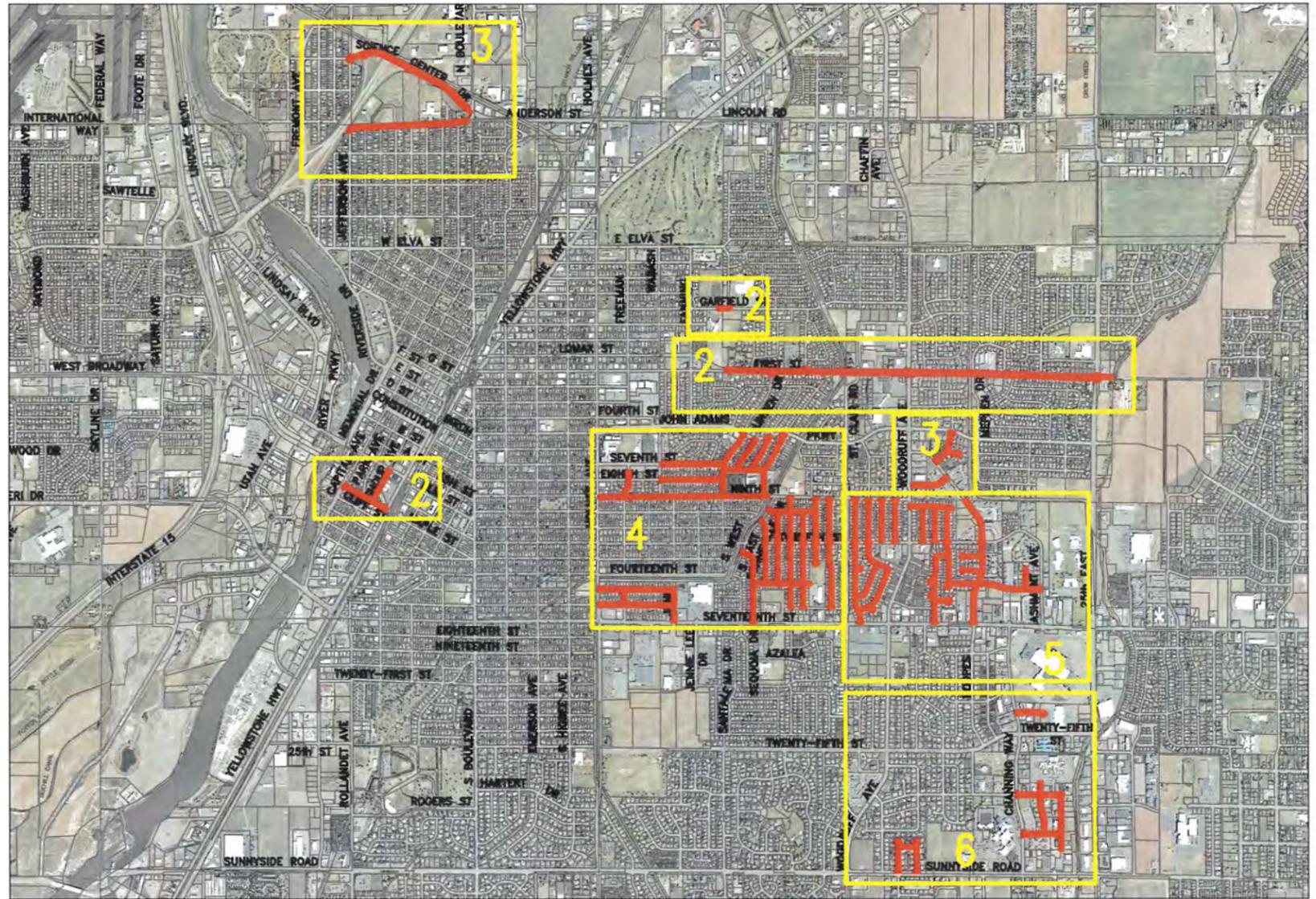
Project: SEAL COATS - 2020
Submitted: Kent J. Fugal, P.E., PTOE

Number: 0-00-00-0-STR-2020-03
Date: April 14, 2020

Item Number	Reference Number	Description	Estimated Quantity	Unit	Engineer's Estimate		HK Contractors, Inc.	
					Unit Price	Total Amount	Unit Price	Total Amount
DIVISION 800 - AGGREGATES & ASPHALT								
8.01	808.4.1.A.1	Seal Coat	303732	SY	\$2.80	\$850,449.60	\$2.37	\$719,844.84
TOTAL						\$850,449.60		\$719,844.84

SEAL COATS – 2020

PROJECT # 0-00-00-0-STR-2020-03



MAYOR
 REBECCA L. NOAH CASPER
CITY COUNCIL

MICHELLE ZIEL-DINGMAN	JIM FRANCIS
SHELLY SMEDE	JOHN B. RADFORD
THOMAS HALLY	JIM FREEMAN

ENGINEERING DIVISION

PUBLIC WORKS DIRECTOR
 CHRIS H FREDERICKSEN, P.E.

CITY ENGINEER
 KENT J. FUGAL, P.E., PTOE

2020

AS BUILT:			
SCALE SHOWN IS FOR SHEET 11 x 17 ONLY	IDAHO FALLS PUBLIC WORKS		
ENGINEERING DIVISION	SEAL COATS – 2020		
CHEK BY: K.J.F.	DES BY: Y.G.	DWN BY: Y.G.	
FILE NO. 0-00-00-0-STR-2020-03	DATE PLOTTED: 3/24/2020	SHEET NO. 1	OF 6



MEMORANDUM

FROM: Pam Alexander, Municipal Services Director
DATE: Wednesday, April 15, 2020
RE: IF-20-16, Fiber Optic Cable Installation for Idaho Falls Power

Council Action Desired

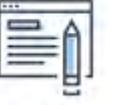
- Ordinance
- Resolution
- Public Hearing
- Other Action (Approval, Authorization, Ratification, etc)

Accept and approve the bid from the lowest responsive and responsible bidder, Wheeler Electric, Inc. for an estimated total contract amount of \$400,000 or take other action deemed appropriate.

Description, Background Information & Purpose

This contract will provide fiber optic cable installation services for residential fiber.

Relevant PBB Results & Department Strategic Plan

							
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The purchase of the fiber optic installation services supports the well-planned growth and development community-oriented result by expanding residential fiber services to the community.

Interdepartmental Coordination

Idaho Falls Power concurs with Municipal Services Department recommendation for award.

Fiscal Impact

Funds for the fiber optic installation services are budgeted within the 2019/20 Idaho Falls Power Fiber budget.

Legal Review

Legal has reviewed the bid process and concurs the Council action desired is within State Statute.



MEMORANDUM

FROM: Pam Alexander, Municipal Services Director
DATE: Thursday, April 16, 2020
RE: Quote 20-025, Construction of Fiber Huts for Idaho Falls Power

Council Action Desired

- Ordinance
- Resolution
- Public Hearing
- Other Action (Approval, Authorization, Ratification, etc)

Accept and approve the lowest quote received from DePatco for a total of \$125,177.35 or take other action deemed appropriate.

Description, Background Information & Purpose

This contract will provide construction for fiber huts to house residential fiber.

Relevant PBB Results & Department Strategic Plan

							
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The construction of fiber huts supports the well-planned growth and development community-oriented result by expanding residential fiber services to the community.

Interdepartmental Coordination

All quotes were solicited by Idaho Falls Power.

Fiscal Impact

Funds for the fiber optic installation services are budgeted within the 2019/20 Idaho Falls Power Fiber budget.

Legal Review

Legal has reviewed the bid process and concurs that the Council action desired is within State Statute.

Quote Tabulation

Contractor	DePatco		3H		HK		Knife River	
Hut Site 6-15th St. Substation	Sub Total	\$3,797.88	Sub Total	\$3,220.00	Sub Total	\$8,200.00	Sub Total	\$3,851.00
Hut Site 18-9th St. Well	Sub Total	\$5,576.71	Sub Total	\$5,545.00	Sub Total	\$10,640.00	Sub Total	\$5,465.10
Hut Site 4-Harrison Substation	Sub Total	\$21,173.63	Sub Total	\$22,728.00	Sub Total	\$21,707.50	Sub Total	\$19,837.80
Hut Site 13-Fire Station 6	Sub Total	\$49,054.50	Sub Total	\$61,653.30	Sub Total	\$91,981.75	Sub Total	\$104,183.30
Hut Site 12-Old Butte Road	Sub Total	\$45,574.63	Sub Total	\$53,628.25	Sub Total	\$63,139.75	Sub Total	\$54,823.45
	Total	\$125,177.35	Total	\$146,774.55	Total	\$195,669.00	Total	\$188,160.65

April 3, 2020 - Unapproved

The City Council of the City of Idaho Falls met in Council Budget Workshop, Friday, April 3, 2020, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 8:00 a.m.

Call to Order and Roll Call:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Michelle Ziel-Dingman (by WebEx)
Councilmember Thomas Hally (by WebEx)
Councilmember Jim Freeman (by WebEx)
Councilmember Jim Francis (by WebEx)
Councilmember Shelly Smede (by WebEx)
Councilmember John Radford (by WebEx)

Also present:

Pamela Alexander, Municipal Services Director
Mark Hagedorn, Controller
Josh Roos, Treasurer
Derek Wood, Information Technology
Bud Cranor, Public Information Officer (PIO)
Duane Nelson, Fire Chief (in person and by WebEx)
Rick Cloutier, Airport Director (by WebEx)
Ryan Tew, Human Resources Director (by WebEx)
Bryce Johnson, Police Chief (by WebEx)
Bear Prairie, Idaho Falls Power Director (by WebEx)
PJ Holm, Parks and Recreation Director (by WebEx)
Chris Fredericksen, Public Works Director (by WebEx)
Brad Cramer, Community Development Services Director (by WebEx)
Robert Wright, Library Director (by WebEx)
Carla Bruington, Mayor's Executive Assistant (by WebEx)
Randy Fife, City Attorney (by WebEx)
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 8:01 a.m. with the following items:

Coronavirus (COVID-19) Update:

Mayor Casper stated it is anticipated the State will extend the Stay Home Order to April 30. She also stated testing for COVID-19 is still an issue. Money will be available per the Coronavirus Aid, Relief, and, Economic Security (CARES) Act although distribution will only reimburse COVID-19 expenses (retroactive to March) and will not include lost revenue. The Governor's Office has set up a hotline for questions and reporting. Mayor Casper noted local law enforcement is practicing an 'educate and disperse' model (Chief Johnson confirmed a written warning system is not in place); cities are struggling with short-term rentals (the Local Land Use Planning Act (LLUPA) can assist with this if needed); and, several services are only available online. Discussion followed regarding opening the Library on a limited basis to allow computer uses for online services. Director Wright stated terminals could be placed in the lobby by controlled access. There were be no contact with Library staff although the equipment would need to be regularly sanitized. There was consensus to explore this option. Chief Nelson applauded wanting to provide Library services to the public, however, he expressed his concern for isolation fatigue. He believes a mixed signal may be sent for opening some City offices and he agreed that other options should be explored. Chief Nelson also believes the Stay Home Order will be extended. He stated community spread (unknown source of contracting COVID-19) across the State is problematic. He recommended maintaining the isolation order. He reviewed the testing procedures and data point tracking. He indicated the Governor is setting up a task force to work on modeling. He believes this may be a long event that may extend into summer. To the response of Councilmember Radford, Chief Nelson stated Idaho Falls Fire Department (IFFD) staff is following the Decision Tree. He also stated discussions are

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occurring with the IFFD Union. Director Alexander stated, per Chief Nelson's update, the financial team is working on current and future fiscal impacts.

In-service Exercise; "How to Work with Me":

To the request of Councilmember Smede, all Department Directors, all Councilmembers, Mayor Casper, Mr. Hagedorn, Mr. Roos, Mr. Fife, and, Ms. Bruington shared what 'works' and 'doesn't work' for them.

Strategy, Priorities and Vision Refresher:

Mayor Casper believes there is a nervousness when all finances are shared with Councilmembers, which is common with most cities. She also believes the City has a great foundation of trust with the directors. Mayor Casper reviewed the 2020 Budget Calendar. She noted Budget Watch scheduled for May will not occur due to COVID-19 limitations. Director Cramer believes Budget Watch was not a good way for public outreach. He stated Community Development Services will be purchasing Envision MindMixer which will allow public engagement and participation. He briefly reviewed the portal. Councilmembers Dingman and Francis believe public interaction/input is valuable. They expressed caution for this reliability. Councilmember Radford believes this may be a good option in lieu of Budget Watch. Councilmember Smede is in favor of live town-hall-type meetings. Councilmember Freeman believes specific projects may need narrowed down. Councilmember Hally is in favor of trying this option.

Director Alexander briefly reviewed the eight (8) Community-Oriented Results icons within Priority Based Budgeting (PBB). External Results include Safe and secure community; Access to a variety of life-long learning opportunities; Livable community; Environmental sustainability; Economic growth and vibrancy; Well-planned growth and development; and, Reliable public infrastructure and transportation. Internal Results include Good governance. There are a total of 1,452 programs within External Quartiles and a total of 152 programs within Internal Quartiles. Director Alexander stated Mr. Roos has been attending General Finance Officer Association (GFOA) conferences that could assist with PBB. Mr. Roos stated there should be adequate funds for reserves and, Capital Improvement Projects (CIP) should not be stopped. Councilmember Radford believes government is a base piece of the economy and projects that put people to work should continue. However, he also believes the tax projection will be important for projects. Mayor Casper noted the City cannot deficit-spend. Councilmember Freeman believes essential items need to be the focus and, this could be a good time for projects as costs may be reduced. Councilmember Hally stated this could create an expensive 'can down the road'. To the response of Councilmember Francis, Director Alexander stated each department has been encouraged to review the programs annually although this has not been a robust conversation. Councilmember Francis believes some of these priorities need to be changed. Mayor Casper believes the concept of PBB may be used although the expense of the platform may need to be re-directed. Director Alexander concurred. Councilmember Smede believes, per the One City One Team concept, there should be a common goal of City leaders moving forward.

2020-21 Fiscal Outlook:

Mayor Casper reviewed the 2020 Legislative Select Summary House Bills (HB) and Senate Bills (SB) and the fiscal impacts with general comments including:

- HB408, Sales Tax Revenue Sharing – less sales tax revenue over time
- HB409, Property Tax Freeze (amended) – defeated in Senate
- HB489, Annexation Bill – held by Senate Chair
- HB490, City Broadband – died in Committee
- HB587, Urban Renewal (excluding Highway Districts) – died in Committee
- HB614, Driving with Electronic Devices – signed but no impact
- SB1277, Homeowners' Exemption (amended by the House) – Senate did not concur
- SB1416, Homeowners' Exemption – sent back to Committee
- SB1417, Circuit Breaker – died in House

Mayor Casper believes sensitivity needs to be shown with political awareness by using data. Mr. Roos stated the COVID-19 will affect revenues and projects for the upcoming year. He also stated the pandemic hurts the economy in three (3) basic ways:

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- Investing – the stock market is not the economy - it is not *causing* the trouble although it's *reflecting* the trouble. Federal Fund Rate Expectations – rates have been dropped to 0-25 basis points, this is expected to last at least one (1) year.
- Unemployment – 6.6M Americans filed for unemployment in the previous week.
- America's Gross Domestic Product (GDP) – consumption typically makes up 70%; Investments typically makes up 20%; Arts, entertainment, recreation, and, restaurants typically makes up 4%; and, manufacturing typically makes up 11%. This will affect the impact on departments.

To the response of Councilmember Francis, Mr. Roos stated the lag time from the Federal Government to the banking industry is pretty immediate. He also stated an event-ridden recession typically does not last long. Mr. Hagedorn stated there are typically not short-term consequences. Councilmember Hally believes the real impact will be the consumer. Mr. Roos believes the consumer impact may occur in 3-4 months.

Mr. Roos reviewed 2020 City Revenues Forecast. He believes Sales Tax may be reduced by 12% or a \$360,000 loss in revenue. Donation revenues, Recreation revenues, Airport revenues, and, Investment revenues may also be reduced. Total budget = \$190,945,083, the adjusted forecast = \$187,554,942 (-\$3,390,141). This reduction may not affect Enterprise Funds. The forecast is difficult to project due to the unknown crisis.

Mr. Roos reviewed the difference between the anticipated revenue and forecasted amounts for the General Fund and Special Revenue Funds: General Fund = -\$1,550,263; Streets = -\$1,201,265; Recreation = -\$432,128; Library = -\$112,600, and, Golf = -\$93,885. To the response of Councilmember Freeman, Mayor Casper stated online sales tax has been allocated into a relief fund which has been used for COVID-19.

Budget Management Tools:

Mr. Hagedorn stated GFOA best practice standards are to use Performance Measures. These Performance Measures include analytics (embrace data); key indicators (gives operation changes over a 10-year period); and, benchmark or “target” measures (“benchmarking data provides tangible proof of the need to change”). Councilmember Francis believes there needs to be caution with the indicators. Mr. Hagedorn noted the data is to help make informed decisions.

Hot Topics: Inter-fund Transfers –

Mr. Hagedorn stated the City has used the Clearing House granting model (OMB A-87) for inter-fund transfers to allow allocation to the responsible parties. He briefly reviewed the Cost Pool (a group of costs that are undefined who should be responsible), Cost Driver, and, description. He stated these costs are difficult to allocate.

Hot Topics: Personnel Costs –

Mr. Hagedorn stated over the course of ten (10) years salaries and wages have increased 41.5%, benefits have increased 20.5%, and, regular employees have increased 12.3%. He also stated the payroll cost is outpacing the revenue cost. One of key indicators is that the increase of employees is comparable to inflation. The highest turnover rate of employees is year 1-5. Director Tew stated this is a very common trend. Mr. Hagedorn reviewed employees per age, employees per grade, and, employees per step. He stated the hiring of employees should match the revenue stream, the step and grade should be more predictable, and, the position count should be reviewed annually. The Full-time Employee (FTE) control will enhance budgetary reporting. Mayor Casper stated recommendations will be forthcoming. Director Tew stated the Compensation Committee has been meeting on a regular basis. He believes any recommendations may have to be delayed due to COVID-19. He also stated the Pay for Performance model did not fit the structure of the City. A hybrid of the current step and grade model is being considered, including a Market Study with other municipalities, and budgetary target benchmarks. Mayor Casper clarified this is only a proposal. Conversations will occur with the employees. General discussion and comments followed.

Hot Topics: Cyber/Information Technology (IT) Expenses –

Mr. Wood stated the IT Division is always trying to optimize/maximize hardware and equipment. He reviewed several Cyber expenses, operation costs, and, product developments. Mr. Hagedorn stated, per a GFOA conference class, Cyber attacks are very costly and, the government sectors have been a target. He believes IT is protecting the City's infrastructure from risk. Mayor Casper believes IT is a valuable cost for doing business.

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2020-21 City-wide Spending Priorities:

Mr. Hagedorn stated, per legislative requirement, the City must have a balanced budget. He also stated each fund is being reviewed, not just as a City but as a whole. He indicated the upcoming proposed budget will include annexation and new construction, it will not include the 3% statutory allowance. He also noted the Yellowstone Pancheri Urban Renewal District will close-out this year and, employee data will be used to drive budget decisions.

Mayor Casper stated the decision to not always take the 3% statutory allowance has deferred projects although these decisions helped the public cope with the recession(s) at that time. She noted during the Great Recession maintenance was deferred, trainings were cancelled, and, the Municipal Equipment Replacement Fund (MERF) was minimized. She believes the City has spent the previous six (6) years repairing, fixing, and, “buying time” for worn out facilities; investing in the workforce (still low turnover despite retirements); securing MERF; and, implementing best budget practices. She is hopeful to always take new construction; conduct maintenance; continue to train and invest in employees; fund MERF at appropriate levels needs; right-size fees; continue to plan for capital investment and long-term goals; forecast and plan outward (more than a year at a time); manage reserves; invest responsibly; and, manage FTE's, wages, and, benefits carefully and thoughtfully. Councilmember Freeman believes the 3% statutory allowance should still be considered. Councilmember Francis concurred due to the reduced levy rates. Mayor Casper clarified the proposed budget from staff will not include the 3% statutory allowance, the Council could decide to include this allowance for their priority projects. Additional budget discussions will be occurring in July.

Mr. Roos stated reserves are critical and there is preference for a 3-month reserve. Reserves can be used for events, such as the current COVID-19 crisis. Reserves can also be saved and used for larger projects. Mr. Roos indicated \$2-3M is spent from the General Fund on a monthly basis. He believes a consistent 25% should be allocated to reserves. Mr. Hagedorn believes this savings should not be delayed. Mayor Casper stated the proposed budget will have a ‘reserves’ item. Mr. Roos noted several cities have these specific funds which can only be used per a policy/criteria. Following brief discussion, there was consensus of the Council for this reserve fund. To the response of Councilmember Radford, Mr. Hagedorn does not recommend borrowing from designated special revenue funds as this could cause legal implications. Mr. Fife concurred.

Director Alexander stated there may be federal stimulus money to proceed with community-wide projects, however, due to the COVID-19 issues, some capital projects may need to be delayed. The Law Enforcement Complex project would be the largest capital project. Chief Johnson believes the cost estimate for the building is approximately three (3) months out and funding discussion would occur in the July timeframe. Mayor Casper noted this would be contingent on funding. Any decision will be postponed pending data. Councilmember Hally does not believe this project could proceed without the 3% statutory allowance. Councilmember Dingman believes this project should be a capital spending priority and the City should move forward. Councilmembers Freeman, Smede, and Francis concurred. Councilmember Radford is not in favor of this project without a bond and approval of the citizens. Director Prairie noted municipal bonds have increased since the COVID-19 crisis.

2020-21 General Fund Discussion:

Mayor Casper indicated there is currently a devastating impact with the COVID-19 crisis which will take budgetary strategies. She believes the General Fund budget may include social/emotional engagement (honesty and trust is foremost), political engagement (data driven decisions), and, professional and practical engagement (extend loyalty to citizens and taxpayers, consider needs versus wants, consider cutting services).

Mr. Roos reviewed General Fund 2020 Budget of \$48,972,711 versus the Forecast of \$47,422,448 which equals a difference of \$1,550,263. He indicated cuts need to occur in Charges for Services and Miscellaneous (Interest Income, Contributions) as there is a potential 3%-5% decrease in revenues. Mr. Hagedorn reviewed a summary of proposed cuts by departments which totals \$2,295,309. He noted there were no guidelines for these cuts. Mayor Casper highly commended the One City One Team players. She also believes the Mayor's Office and Councilmembers could reduce their budget as well. Department cuts were reviewed as follows:

Human Resources (HR)/Legal – Mr. Hagedorn stated the reduction is due to personnel training. Total of \$25,000 = 1.97% of budget.

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Community Development Services (CDS) – Director Cramer stated the majority of savings is due to employee positions, and, an earlier than anticipated retirement and, reduced cost in vehicles. Total of \$102,861 = 3.32% of budget.

Municipal Services (MS) – Director Alexander stated savings is due to reduction of seasonal employees, run-off elections, reassessment of supplies, and, reduction of travel/training. Total of \$183,650 = 3.65% of budget.

Public Works (PW) – Director Fredericksen stated savings is due to snow removal fund not being used and engineering-related items. Total of \$304,438 = 13% of budget.

Parks and Recreation (P&R) – Director Holm stated savings would be a reduction in force within the Parks Maintenance Division, reduction of seasonal programs, cancelation of War Bonnet Rodeo, closure of Noise Park, and, delay/eliminate the splash park. Total of \$980,000 = 10.6% of budget.

Idaho Falls Fire Department (IFFD) – Chief Nelson stated savings would be with dispatching hardware (due to COVID-19 any outside individuals are not allowed into the Stations for retrofit of hardware), generators, reduction of travel/training, and, reassessment of needed supplies. Total of \$399,360 = 3.3% of budget.

Idaho Falls Police Department (IFPD) – Chief Johnson stated savings would be due to various operational reassessments, equipment reductions, and, personnel savings. Total of \$300,000 = 1.8% of budget.

To the response of Councilmember Radford, Director Alexander stated the IFPD vehicles intended for replacement have already been paid for. Those vehicles will not be impacted by these proposed reductions. Chief Nelson stated one (1) IFFD replacement vehicle has already been paid for, the payment for the replacement of the ladder truck is not due until the following fiscal year. Councilmember Freeman noted the IFPD currently does not have enough vehicles for their department. Brief comments followed.

Mayor Casper stated two (2) potential areas of savings within Mayor/Council budget includes adjusting/right-sizing director pay (\$25,000), professional services for training (\$20,000), dues and subscriptions (\$8,000), PIO internship (\$8,000), travel for Council (Mayor Casper noted the Association of Idaho Cities (AIC) Annual Conference has been cancelled although a webinar may be held with some costs), Regional Economic Development for Eastern Idaho (REDI), public transportation (formerly Targhee Regional Public Transit Authority (TRPTA)), Sister Cities, and, community events (fund established for Air Shows, etc., \$15,000). Councilmember Dingman stated the Idaho Transportation Department (ITD) executed a contract with Community Transportation Association of America (CTAA) for public transportation. A plan will be presented to the former TRPTA Board although she believes the City TRPTA funds could be sacrificed. Mr. Hagedorn recommended all proposed items be removed from the budget. Any item could be added back to the budget pending the crisis. Councilmember Francis preferred to keep director pay, remove professional services for training, and, remove AIC travel. Councilmember Freeman prefers to keep the War Bonnet Rodeo at this time. Councilmember Radford concurred. Mr. Holm stated P&R has set May 15 as the internal date for any rodeo decision. Chief Nelson cautioned any planning too far out. He is hopeful for late summer events. Councilmember Hally is in favor of delaying the splash pad for a year. Councilmembers Freeman and Smede concurred. Councilmember Radford is in favor of delaying the splash pad but not cutting the funding. To the request of Mayor Casper, Director Holm will review the splash pad costs.

Mr. Roos reviewed General Fund 2020 Budget versus 2021 Budget. He stated taxes, grants, and, donations cuts will be similar to the current year. Mr. Hagedorn stated the value of new construction and annexation is unknown. The building market will have an effect as well. A decrease of \$1.6M is anticipated. Mr. Hagedorn does not believe the same services will be offered in the next budget year.

Department Strategies –

Chief Nelson stated IFFD continues to battle the shortfall of revenue in the Ambulance Fund. He also stated numerous individuals have been added to the IFFD budget in the previous five (5) years. He is trying to rebuild the staffing base to 125-126 versus 130. He believes he can reorganize staff and continue to find the balance between revenue and expenditures, although this would take multiple years. This can also be completed through attrition. Chief Nelson stated operational changes reduced overtime costs as well and he is anticipating retirements. He noted the reduced personnel changes may affect the Insurance Services Office (ISO) rating. Brief comments and discussion followed regarding the ISO rating and Medicaid.

April 3, 2020 - Unapproved

Director Alexander stated services are being consolidated with staff, other open positions are being reviewed, training is being considered versus travel, long-term agreements are being reviewed, and, internships are being eliminated in the IT and Finance Divisions. Brief discussion followed regarding internships.

Director Cramer stated future strategies are similar to current cuts including open positions and retirements.

Director Tew stated the training budget could be reduced. The 2020 City Picnic and Benefits Fair will be dependent on COVID-19. Brief discussion followed regarding the City picnic.

Mr. Fife stated travel could be reduced. Savings also include court costs.

Director Fredericksen stated the \$80,000 cut in the Engineering Budget will be difficult to maintain in the future. He believes there could be cost savings in the snow removal budget and he is hopeful to move the entire snow removal fund into expenditures, however, he does not believe snow removal services can be decreased below \$300,000. \$500,000 could also be moved to the Street Division although each dollar allocated to snow removal would decrease each dollar for street maintenance. To the response of Councilmember Francis, Mr. Hagedorn confirmed the \$1M snow removal balance is in the General Fund. This amount would also move to the Street Fund. The General Fund would then need to be used for snow removal in an epic snow year.

Chief Johnson stated cost savings would be in personnel, City-wide parking enforcement, dispatch staffing levels, previously added services would be reduced, and, reducing staffing requirements which would reduce overtime costs (this would be the last option).

Director Holm stated current cuts will be considered as permanent cuts. He indicated there will be a significant amount of lag of maintenance although P&R will continue with the maintenance plan. He also stated non-essential expenses, including travel, will also be cut. He prefers to work on maintaining current assets and he may eliminate other projects. He noted partnerships may be needed to continue with Heritage Park and, the canal trails (40 miles of canal bank) maintenance will need to be discussed. Director Holm stated he will propose a Recreation Levy in the budget and, a structural assessment will need to be performed at the Aquatic Center. He believes investment needs to occur to bring the Aquatic Center into safety standards.

Councilmember Smede believes these cuts are showing empathy with citizens going through similar personal issues.

Mayor Casper reminded the Councilmembers of the April 6 Council Work Session.

There being no further business, the meeting adjourned at 4:06 p.m.

CITY CLERK

MAYOR

April 6, 2020 - Unapproved

The City Council of the City of Idaho Falls met in Council Work Session, Monday, April 6, 2020, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 3:00 p.m.

Call to Order and Roll Call:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Michelle Ziel-Dingman (by WebEx)
Councilmember John Radford (by WebEx)
Councilmember Jim Freeman (by WebEx)
Councilmember Jim Francis (by WebEx)
Councilmember Shelly Smede (by WebEx)
Councilmember Thomas Hally (joined by WebEx at 3:25 p.m.)

Also present:

Pamela Alexander, Municipal Services Director
Oliver Lewis, Information Technology
Brad Cramer, Community Development Services Director (by WebEx)
Duane Nelson, Fire Chief (by WebEx)
Rick Cloutier, Airport Director (by WebEx)
Randy Fife, City Attorney (by WebEx)
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:00 p.m. with the following items:

Area of Impact (AOI) Discussion:

Mayor Casper stated the virtual meeting with the Bonneville County Commissioners could not be arranged due to miscommunication. This agenda item will be postponed to a future time.

Liaison Reports and Council Concerns:

Councilmember Dingman had no items to report.
Councilmember Freeman stated the Police Department responses have been reduced by approximately 1/3 due to the coronavirus (COVID-19) crisis. He noted some media reports have been inaccurate.
Councilmember Radford had no items to report.
Councilmember Smede commended the finance team for the April 3, 2020 Budget Workshop.
Councilmember Francis had no items to report.
Councilmember Hally had no items to report.

Mayor Casper had no calendar items to announce. She stated Council Work Sessions and Council Meetings, as well as other regularly-scheduled meetings, will not be cancelled at this point. She noted the majority of Boards, Commissions, and, Committees have cancelled their meetings. Mayor Casper reviewed the proposed language regarding public hearings and the COVID-19 issues for upcoming Council Meeting agendas. She also requested suspending public comment during the COVID-19 crisis as public comment has been tradition for the City although is not required by law. Following brief comments, there was consensus of the Council to suspend the public comment. Mayor Casper reviewed 'Crush the Curve' on-line COVID-19 testing process. She is hopeful this website will be launched in the near future. Mayor Casper stated the Community Development Block Grant (CDBG) funding has changed per the Coronavirus Aid, Relief, and Economic Security (CARES) Act, this will affect the dates for CDBG. She also stated the Centers for Disease Control and Prevention (CDC) has recommended the wearing of masks to prevent individuals from spreading the virus to other individuals. City employees not working from home will be required to wear masks in the near future. To the request of Mayor Casper, there was consensus of the Council to continue COVID-19 updates as a regular agenda item. Mayor Casper stated she will be participating in a regional Mayor's conference, discussion will include the possible extension of the Governor's stay-home order.

April 6, 2020 - Unapproved

Airport Improvement Program (AIP) Grants and Contracts Discussion:

Director Cloutier stated the airport will be receiving funding from the Federal Aviation Administration (FAA) in the near future. A portion of this funding will be for the grant terminal project. Due to the quick turn-around timeframe (typically five (5) days) of grant acceptance, Director Cloutier requested authorization for Legal staff to review and Mayor Casper to execute the documents with Council ratification to follow at the next available Council Meeting. He indicated the terminal project is anticipated to cost \$12,677,242. The airport would typically have a \$1.2M match, which has been included in the airport budget in anticipation of this grant. Due to the CARES Act, the federal portion of grants are being funded 100% with the exception of non-eligible portions of the project, including airport administration, storage rooms, etc. The non-eligible portions amount to approximately \$340,000. Per the request of Mayor Casper, there was consensus of the Council for this ratification. Director Cloutier also stated per the CARES Act, there is additional funding to be used for any legal use at the airport. It is anticipated the airport would receive \$1M-\$1.5M in federal funding. The funding will help with lost revenue. This grant funding also has a quick turn-around timeframe. Director Cloutier requested a similar authorization for Legal staff to review, Mayor Casper to execute the documents, and, Council ratification to follow at the next available Council Meeting. To the response of Mayor Casper, Director Cloutier stated this funding this will be sufficient to cover lost revenues.

Airport Revenue, Fee Waivers/Deferrals Discussion:

Director Cloutier stated the airport received approximately \$850,000 in revenue from March to June in the previous year. This includes airline, parking, and, car rental revenue. There is FAA guidance to clearly identify that grant assurances are fulfilled. Director Cloutier suggested other sources of revenue be evaluated to allow abatement and deferral to make the airport self-sufficient. He indicated daily flights are still being scheduled (although some flights are being canceled due to the lack of passengers) and vehicles are still being rented. He stated options being considered for the tenants are for reasonable concessions and possibly deferring payments to the end of the Fiscal year. To the response of Councilmember Freeman, Director Cloutier stated the airport restaurant is only selling to-go items. To the response of Councilmember Francis, Director Cloutier stated this funding is required to be used for any legal purposes at the airport within grant assurances. This would include items within the operating budget such as salaries or construction projects and, this offer does not expire at year end. Director Cloutier stated discussions are occurring for additional airport funding at the Congressional level. Mayor Casper questioned the budget authority for any additional revenue versus the projected revenue. Director Alexander stated additional revenue would be allowed. Director Cloutier stated projected expenditures will be decreased due to this funding. He also stated this funding will maintain the airport for 3-4 months. These funds would need to be reserve funds dedicated to the airport. Following additional comments, there was consensus of the Council to proceed with abatements and deferrals.

It was then moved by Councilmember Smede, seconded by Councilmember Freeman, to move into Executive Session. The Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(j) to consider labor contract matters authorized under section 74-206A(1)(a) and (b), Idaho Code. The Executive Session will be held in the City Annex Conference Room. At the conclusion of the Executive Session the Council will not reconvene into regular Work Session. Roll call as follows: Aye – Councilmembers Smede, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

The City Council of the City of Idaho Falls met in Executive Session, Monday, April 6, 2020 in the City Annex Conference Room in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 4:14 p.m.

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Michelle Ziel-Dingman (by WebEx)
Councilmember John Radford (by WebEx)
Councilmember Jim Freeman (by WebEx)
Councilmember Jim Francis (by WebEx)
Councilmember Shelly Smede (by WebEx)
Councilmember Thomas Hally (by WebEx)

April 6, 2020 - Unapproved

Also present:

Pamela Alexander, Municipal Services Director

Duane Nelson, Fire Chief (by WebEx)

Michael Kirkham, Assistant City Attorney (by WebEx)

Randy Fife, City Attorney (by WebEx)

The Executive Session was called pursuant to the provisions of Idaho Code Section 74-206(1)(j) to consider labor contract matters authorized under section 74-206A(1)(a) and (b), Idaho Code.

There being no further business, the meeting adjourned at 4:33 p.m.

CITY CLERK

MAYOR

April 9, 2020 - Unapproved

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, April 9, 2020, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

Call to Order:

There were present:

Mayor Rebecca L. Noah Casper
Councilmember Michelle Ziel-Dingman (by WebEx)
Councilmember John Radford (by WebEx)
Councilmember Thomas Hally (by WebEx)
Councilmember Jim Freeman (by WebEx)
Councilmember Jim Francis (by WebEx)
Councilmember Shelly Smede (by WebEx)

Also present:

All available Department Directors
Lisa Farris, Grants Administrator
Randy Fife, City Attorney (by WebEx)
Kathy Hampton, City Clerk

Pledge of Allegiance:

Mayor Casper led those present in the Pledge of Allegiance.

Public Comment:

Public Comment has been temporarily suspended due to coronavirus (COVID-19) concerns.

Coronavirus (COVID-19) Update:

Mayor Casper stated there are 1353 confirmed cases in the State of Idaho - 121 new cases as of April 9, 2020, and the death toll is at 24. She also stated there is no official word on whether the Idaho Stay-home order will be extended, which is due to expire April 15. Realizing the Stay-home order has immediate direct impacts on businesses, Mayor Casper believes the order may need to be extended in order to maintain the successes with and the low number of cases in the State. She noted there has been national media discussion with the University of Washington using a model. This model is predicting Idaho to peak with COVID-19 cases in the following week, however, the model is not as dire as some may believe. In addition, this model has the assumption that the Stay-home order and social distancing order will stay in effect until the end of May. Mayor Casper noted although Idaho has a smaller number of data points and a larger geography, the State has not officially identified a model and may not. She stated a special Council Meeting will be needed if the Stay-home order is extended to determine City employee pay.

Consent Agenda:

Idaho Falls Power requested approval of minutes from the March 26, 2020 Idaho Falls Power Board Meeting.

Public Works requested approval of Agreement for Wastewater Biosolids Hauling Services; and, Bid Award – Heritage Park Power Line Site Preparation.

Municipal Services requested approval of Bid IF-20-08, Purchase Triple Wall Sanite Pipe for Public Works; Bid IF-20-15, Microduct Installation Services for Idaho Falls Power; Bid IF-20-17, Purchase Traffic Safety Truck for Public Works; Bid IF-20-19, Purchase Water Line Materials for Public Works; Bid IF-20-20, Purchase of Electrical Conductor for Idaho Falls Power; Quote 20-021, Purchase Switch Gear for Idaho Falls Power; Treasurer's Report

April 9, 2020 - Unapproved

for February 2020; minutes from the March 23, 2020 Council Work Session and March 26, 2020 Council Meeting; and, license applications, all carrying the required approvals

It was moved by Councilmember Smede, seconded by Councilmember Dingman, to approve, accept, or receive all items on the Consent Agenda according to the recommendations presented. Roll call as follows: Aye – Councilmembers Freeman, Radford, Smede, Francis, Dingman, Hally. Nay – none. Motion carried.

Regular Agenda:

Public Works

Subject: Agreement for Professional Architectural Services for a shared Street and Sanitation Building

For consideration is an agreement for professional architectural services for a shared Street and Sanitation building. The purpose of this agreement is to contract with NBW Architects to manage this project regarding design, production of construction documents, contractor bidding, and contract administration assistance.

Councilmember Freeman stated there is currently inadequate storage for the Streets and Sanitation Divisions. He stated this is for design work only in the amount of \$60,000.

It was moved by Councilmember Freeman, seconded by Councilmember Radford, to approve the Professional Services Agreement with NBW Architects and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Radford, Francis, Dingman, Smede, Freeman. Nay – none. Motion carried.

Idaho Falls Power

Subject: Procurement and Construction Agreement for the 161 kV Transmission Line Project

Through this Procurement and Construction Agreement, Idaho Falls Power and Rocky Mountain Power intend to proceed with the construction of the joint owned 161 kV transmission line connecting Sugarmill to the future Paine substation site, as identified in the initial Joint Development Agreement (JDA) executed in July 2018.

Councilmember Freeman believes this important project is a long-time coming.

It was moved by Councilmember Radford, seconded by Councilmember Freeman, to approve the Procurement and Construction Agreement for the construction of the Idaho Falls/Rocky Mountain Power owned 161 kV transmission line project and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

Legal Services

Rescission of City Code 5-4-9, Distracted Driving

In order to preserve the safety of its citizens and visitors, on October 11, 2018, the Council passed the “Distracted Driving” Ordinance 3221 (Idaho Falls City Code (IFCC) 5-4-9), pursuant to authority granted to the City by Idaho Code 49-208(1)(t). Ordinance 3221 was a temporary regulation necessary to cover the special condition of driving while using a mobile electronic device in the absence of a State-wide regulation and was to be reviewed on or before October 1, 2021. Now that the State has amended Idaho Code 49-1401A, effective July 1, 2020, to address distracted driving State-wide, IFCC Section 5-4-9 is not needed after that date.

April 9, 2020 - Unapproved

Councilmember Freeman is pleased with the State-wide legislation. Councilmember Hally believes the State joined in through Councilmember Freeman's example.

It was moved by Councilmember Freeman, seconded by Councilmember Hally, to approve the Ordinance rescinding Idaho Falls City Code Section 5-4-9 under a suspension of the rules requiring three complete and separate readings and request that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Freeman, Francis, Hally, Radford, Smede, Dingman. Nay – none. Motion carried.

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

ORDINANCE NO. 3305

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, RESCINDING TITLE 4, CHAPTER 4, SECTION 9 IN ITS ENTIRETY ON JUNE 30, 2020, PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

Subject: Public Hearing – Alcohol License Variance

City Code §§ 4-3-7(A)-(B) and 4-4-7(A)-(B) prohibits alcohol licenses from issuing to any business which is within three hundred (300) feet of public schools, churches, and other places of worship. The applicant's business falls within three hundred (300) feet of the Trinity Methodist Church and Alturas Academy. City Code §§ 4-3-7(D) and 4-4-7(D) permit an applicant to request a variance to the location restriction. The applicant in this case has so requested and Council is now required to hold a hearing to determine whether there is good cause to grant the variance.

Mayor Casper noted provisions disallow the location of an establishment serving alcohol to be within 300 feet of a church or school unless approved by the governing body, which is the City Council.

Mayor Casper opened the public hearing and ordered all written items previously submitted be entered into the record. She noted there was no one participating to testify.

Mr. Fife reiterated Idaho Statute requirement as indicated by Mayor Casper. He stated, per the hearing packet, the school and the church have no objections to alcohol being served. Therefore, the Council needs to determine the good cause to give an alcohol license variance if that is their desire. Mayor Casper noted the written statements received have been signed by the pastor of the church and the principal of the school. She expressed her concern for the awkward wording in these statements as the statements do not specifically state they have no objection or they have waived their concern. Mr. Fife believes, per conversation that Ms. Hampton had with the applicant, the church and the school do not have any objections. He noted the City did not write the waivers therefore, the Council will have to consider the evidence as has been presented. Ms. Hampton stated when the owner of Franklin's Famous Cheesesteak wanted to apply for an alcohol license he was aware of the proximity of the church and the school so he contacted the Idaho State Police (ISP) as any alcohol license must begin on the State level. ISP Captain Chad Goody forwarded the two (2) documents to the Clerk which were considered as waivers. Ms. Hampton concurred that the owner did not believe there were concerns with the church or the school. To the response of Councilmember Francis, Councilmember Smede stated Alturas Academy is not connected to any school district. She believes Alturas Academy is an independent public charter school. Councilmember Francis questioned the board authority of the signatures for Alturas Academy. Mr. Fife stated the signature is dependent on the individual who has that authority. Councilmember Francis questioned the restaurant located in the same building as the school. Mr. Fife stated that topic is irrelevant. Concurring with Mr. Fife regarding the irrelevance, Ms. Hampton stated the restaurant located in the same building had an alcohol license prior to the school. Therefore, a variance was not needed.

Mayor Casper closed the public hearing.

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Councilmember Hally stated he is in favor of granting the variance as he believes one (1) establishment is already selling alcohol within the 300'. Councilmember Freeman noted Franklin's Cheesesteak used to be a grocery store where alcohol was sold for many years while in proximity to a Junior High School. He does not see any issue. Councilmember Francis expressed his concern with the document submitted by the church and the school. He also expressed his concern with the correct authority for the school. Assistant City Attorney Michael Kirkham stated the City ordinance does not require permission from an individual or a Board to grant the variance, the requirement is for the Council to find good cause to grant or not grant the variance. To the response of Mayor Casper, Mr. Kirkham stated he is unsure of a time frame for the variance although he does not recommend delaying the decision. Councilmember Dingman does not see any issue. She believes the applicant fulfilled the process the way the law is written. Councilmember Smede believes there are multiple safety components in place and is comfortable with the variance.

It was moved by Councilmember Hally, seconded by Councilmember Freeman, to grant the variance to allow the applicant to sell beer and wine at the location with the good cause that beer and wine are sold nearby and the facility was previously a grocery store. Roll call as follows: Aye – Councilmembers Dingman, Radford, Smede, Hally, Freeman. Nay – Francis. Motion carried.

Community Development Services

Subject: Public Hearing for Program Year (PY) 2020 CDBG Annual Action Plan

Each year, Idaho Falls receives a funding allocation from the Department of Housing and Urban Development (HUD) for the local Community Development Block Grant (CDBG) program. As part of the requirements of administration of this program the City must submit an Annual Action Plan (AAP) to HUD outlining how that year's funds will be spent. To determine how to spend the funds, each year applicants submit requests for grant funding which are considered by the City Council in a public hearing. Typically, the Annual Action Plan (AAP) is due to Housing and Urban Development (HUD) in August. The full schedule for completing and submitting the PY2020 CDBG AAP accounts for the reduced public comment period. The resolution approving allocations is expected to come before the Council on April 23, 2020.

Mayor Casper opened the public hearing and ordered all items presented be entered into the record.

Ms. Farris stated the announcement of HUD allocations was received on February 14 with the City expecting \$425,099. Since that time, HUD has made adjustments on allocations (although the City's amount was unchanged); the Governor issued a State-wide Stay-home order which changed some of the processes; and, United States President Donald Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Per the overview of the CARES Act applicable to the CDBG programs, \$5B has been allocated to prevent, prepare for, and respond to COVID-19.

Ms. Farris presented the following:

Slide 1 –

Provisions Related to the \$5B CDBG Allocation:

- Submission of FY19 and FY20 consolidated plans/annual action plans extended (due date August 16, 2021)
- Suspends 15% cap on public services, including FY19 and FY20 CDBG funds
- 5-day public comment period (versus the typical 30-day public comment period)
- Eliminates in-person public hearings (allows virtual hearings)
- Suspends in-person public hearings; allows grantees the option of holding virtual hearings
- Allows HUD to waive further program requirements (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment)

Slide 2 –

Distribution of Funds

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- \$2B to states/local governments. Regular formula (70% entitlement communities and 30% States). HUD must allocate funds within 30 days of enactment of bill. All grantees that received a CDBG allocation in FY20 will receive this funding.
- \$1B to states via new formula (public health needs, risk of transmission of COVID-19, number of COVID-19 cases compared to the national average, economic and housing market disruptions, and other factors determined by HUD). States allocate to entitlement/non-entitlement communities. HUD must allocate within 30 days of enactment of bill.
- \$2B direct to states/local governments via new formula to be developed by HUD (prioritizing risk of transmission of COVID-19, number of COVID-19 cases compared to the national average, and economic and housing market disruption resulting from COVID-19). Funds used to cover/reimburse allowable costs incurred by a state or locality regardless of the date on which the costs were incurred. Allocations will be made on a rolling basis.

Slide 3 –

CARES Act applicable to additional CDBG/HUD funded Programs. Ms. Farris noted several of these programs may not apply.

- Emergency Solutions Grant Program
- Housing Opportunities for Persons with AIDS (HOPWA)
- Tenant-Based Rental Assistance (TBRA)
- Project-Based Rental Assistance
- Public Housing
- Housing for the Elderly (Section 202) Program
- Housing for the Elderly (Section 811) Program
- Foreclosure/Eviction Moratorium/Forbearance on Federally Back Mortgages for Single-Family mortgage foreclosure moratorium and forbearance, and Multi-family mortgage foreclosure forbearance
- Temporary moratorium on eviction filings (HOME and HOPWA Projects included)

Slide 4 –

Draft PY2020 CDBG Annual Action Plan/5th year of the PY2016-2020 Five-Year Consolidated Plan:
Plan History

2004: City applied/approved by HUD as an Entitlement City

City applies directly to HUD for annual CDBG funds

Five-Year Plans

2004-2009/10: Initial Five-Year Plan

2011-2015: Second Five-Year Plan

2016-2020: Third Five-Year Plan

Slide 5 –

HUD/CDBG Funds - Draft PY2020 Annual Action Plan with Council approved activities/projects to be submitted directly to HUD for approval

2004 to 2020* - \$6,670,335 Total HUD/CDBG funds allocated to Idaho Falls between 2004 and 2020

2020 Application Status - 12 applications, totaling \$419,706

Slide 6 –

City/CDBG Benefits

Providing Opportunities

- Assists City in funding projects/programs not funded with General Funds
- Assists local service providers with filling a gap in service
- Assists City and local service providers in leveraging additional funds

PY2020 starts 17th year of participating in CDBG

PY2020 CDBG allocation expected \$425,099

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Slide 7 –

CDBG Program and HUD Criteria - All Projects/Activities

- Must meet 1 of 3 National Objectives (HUD)
 - Benefit Low/Moderate Income (LMI) clients
- FY 2020 - Bonneville County - Low 80% with income < \$56,400 (family of four (4))
 - Prevent/Eliminate conditions of Slum and Blight
 - Meet an Urgent Need
- Must be a HUD Eligible Activity
 - Construction of Public Infrastructure
 - Handicapped Access to Public Facilities
 - Housing Rehab, Social Services, Business Rehab
 - Acquisition, Clearance, and Disposition of property
 - Relocation costs, Economic Development, Job Creation or Training
- Additional Criteria
 - Projects must meet goals of City 2016-2020 CDBG 5-Year Consolidated Plan
 - Projects must be approved for the PY2020 CDBG Annual Action Plan

Slide 8 –

Map of LMI neighborhood (Census Tracts)

Slide 9 –

Projects/Activities must fit into one (1) of four (4) HUD Priorities

- Community Development Priority
 - Neighborhood revitalization activities that promote public health, safety and welfare
- Economic Development Priority
 - Improve economic conditions throughout the community for primarily LMI persons
 - Benefit a specific location designated as slum and blight by area
- Housing Development Priority
 - Encourage development of new, affordable single, multi-family, and special needs housing through private developers and non-profits
- Public Service Priority
 - Encourage partnerships with social service providers, faith-based groups, private businesses, school districts, non-profit agencies, and community leaders to meet the needs of families in poverty

Ms. Farris reviewed before and after pictures of a Community Development Priority Public Infrastructure Project; Economic Development Facade Improvement Project; Housing Priority Habitat for Humanity Single-Unit Housing Acquisition/Rehab, infrastructure improvements, and, Single-Unit Rehab.

Slide 10 –

Public Service Examples – Non-profit service provider agencies/organizations providing public service activities to low and moderate income individuals or families

- CLUB, Inc.
 - Homeless individuals assisted with case management, services, and resources
- Behavioral Health Crisis Center of Eastern Idaho
 - Case management and services to assist homelessness brought on by a mental health crisis, or alcohol or a substance abuse episode
- Idaho Legal Aid (Victims of Domestic Violence)
 - Assisting victims of domestic violence with legal aid assistance
- Idaho Legal Aid (Grandparents Raising Grandchildren)
 - Legal aid assistance for grandparents and other blood relatives who are raising their grandchildren or minor relatives
- College of Eastern Idaho (CEI) - Childcare assistance

April 9, 2020 - Unapproved

Child care vouchers to assist 10 LMI students with child care

- Community Food Bank of Idaho Falls/Soup Kitchen
Assist with cost of equipment
- Community Food Basket of Idaho Falls

Ms. Farris reviewed list of applicants and amounts as follows:

Applicant	Activity/Project Description	Amount
Idaho Legal Aid – Idaho Falls	Legal assistance for victims of domestic violence	\$12,000
CLUB, Inc.	Crisis intervention for homeless, supportive case management, and temporary housing at scattered locations	\$5,000
Behavioral Health Crisis (BHC) Center of Eastern Idaho	Case management/housing resources for homeless due to a mental health crisis, or drug or alcohol addiction	\$18,000
Idaho Falls Power	Utility bill payment assistance for LMI renters in US Census tracts 9707 and 9712	\$6,000
College of Eastern Idaho (CEI)	Child care vouchers to assist ten (10) LMI students	\$8,636
Eastern Idaho Community Action Partnership (EICAP) Grandparents Raising Grandchildren (GRG)	Legal assistance for grandparents/blood relatives who are raising their grandchildren/minor relatives	\$6,000
Community Food Basket of Idaho Falls	Semi-automatic stretch wrapper with ramp to transport food pallets	\$7,615
Idaho Falls Downtown Development Corporation (IFDDC)	Façade Improvement Program for downtown	\$55,000
City Public Works Department Curb/Gutter/Sidewalk Phase 2	LMI neighborhood - Highland Park Subdivision Gutter Improvements in Census Tract 9712	\$125,000
Idaho Falls Senior Citizen Center	Replace walk-in freezer box	\$16,445
Habitat 4 Humanity Idaho Falls Area (H4HIF)	New construction of 3-5 LMI homes at Elmore and Science Center in Census Tract 9712	\$75,000
Administration of CDBG Program	20% max based on 2020 allocation (\$425,099)	\$85,020
	Total	\$419,706

Mayor Casper requested any public comment.

April Chandelle, BHC, appeared by WebEx. Ms. Chandelle stated BHC provides contracts to manage staff at the Crisis Center. She stated over half of the 3469 individuals that visited the center in 2019 dealt with substance abuse issues and an increase in opioid abuse is expected. This funding will provide case management, recovery support services, and, treatment. Ms. Chandelle stated the Crisis Center has recently added recovery coaching and peer support, these recovery coaches will operate differently than case managers. This grant award will continue to fund programs and other services.

Julie McMurtrey, CEI, appeared by WebEx. Ms. McMurtrey stated CEI is funded under the Idaho State Statute. She stated 72 people were served in the previous year. \$8636 was used to help child care costs through the Idaho Child Care Program (ICCP) through the Department of Health and Welfare (H&W). This funding will help a significant number of individuals. Mike Walker, also appearing by WebEx, stated CEI child care vouchers are pursued from any available source. A supplemental grant, in the amount of approximately \$45,000, will also assist the unmet need for students as child care is significant. He stated approximately 32,000 individuals are in the low income. This funding is badly needed.

April 9, 2020 - Unapproved

Morgan Nield, EICAP GRG, appeared by WebEx. Ms. Nield stated EICAP has a current contract with Idaho Legal Aid. The requested \$6000 is to assist with Idaho Legal Aid for the GRG Program. Ms. Nield stated EICAP no longer qualifies for federal funding. She also stated EICAP has received \$49,500 in CDBG funding for this program. She expressed her appreciation for this funding as this has assisted 74 GRG. She believes this funding will provide 85 hours of legal assistance for GRG, these individuals would not receive legal assistance without this funding. Ms. Nield believes the need for this important role will continue.

Written comments received from IFDDC – IFDDC has requested \$55,000 from the allocation available. IFDDC has been grateful to have successfully leveraged the funds over the years the program has been in place to support our downtown property owners to make improvements to their facades, signs, and awnings. The results of these funds, IFDDC’s dedication to downtown and Ms. Farris’ hard work in her tenure is proof today with a thriving and vibrant downtown. The downtown core of our City is the heart of our community. To illustrate the effectiveness of these funds, numbers from the report are available on the City’s website page for this program. As of September 18, 2018 over 73 businesses were assisted, 103 projects completed, and, \$838,917 was spent from CDBG funds. As a reminder, the property owners matches with the grant at a 25% match. Thank you very much for the consideration of our request. Thank you, Catherine Smith, Executive Director – Idaho Falls Downtown Development.

Valisa Say, Executive Director of Idaho Falls Senior Citizen Center, appeared by WebEx. Ms. Say stated the walk-in freezer box needs replaced.

Karen Lansing, H4HIF, appeared by WebEx. Ms. Lansing stated H4HIF is working on a project at Elmore and Science Center although construction has been put on hold due to COVID-19. She is still hopeful this project will continue. She is also hopeful a shed-type garage can be accessed from alley. Ms. Lansing expressed her appreciation for the continued support of CDBG funds as she indicated H4H is the only contractor in the City addressing affordable housing. She also believes the need for H4H is growing and the continued support is needed. She realizes H4H only serves 3-4 families a year although she believes this dramatically change lives.

Jake Workman, Idaho Legal Aid, appeared by WebEx. Mr. Workman stated Idaho Legal Aid uses these funds to help families affected by domestic violence, civic protection cases, and, family law cases. He indicated a COVID-19 hotline has been established as there are concerns about the potential increase of domestic violence. The CDBG funds will address this issue as well.

Ms. Farris reviewed the schedule for PY2020 CDBG Annual Action Plan including 5-day public comment period, Council Work Session, Council Meeting to adopt resolution, AAP submitted to HUD, allocation made available to City by HUD, and, funding committed to approved applicants/projects. Ms. Farris and Mayor Casper expressed their gratitude for those who participated in the public hearing and provided comments.

Mayor Casper closed the hearing. There was no recommended action at this time.

Announcements:

Councilmember Hally announced all three (3) golf courses are open; protocol is being strictly followed. Mayor Casper stated this outdoor activity has been approved by State leaders. She also announced a meeting may be needed pending the Governor’s Stay-home order extension; the Board survey for Idaho Falls Power needs to be completed; and, she reminded the Council of the April 20 Council Work Session.

Adjournment:

There being no further business, the meeting adjourned at 8:59 p.m.

CITY CLERK

MAYOR

April 16, 2020 - Unapproved

The City Council of the City of Idaho Falls met in Special Council Work Session, Thursday, April 16, 2020, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 a.m.

Call to Order and Roll Call:

There were present:

Mayor Rebecca L. Noah Casper (by WebEx)
Councilmember Michelle Ziel-Dingman (by WebEx)
Councilmember John Radford (by WebEx)
Councilmember Jim Freeman (by WebEx)
Councilmember Jim Francis (by WebEx)
Councilmember Shelly Smede (by WebEx)
Councilmember Thomas Hally (by WebEx)

Also present:

Pamela Alexander, Municipal Services Director
Ed Morgan, Civic Center for the Performing Arts Manager
Duane Nelson, Fire Chief (by WebEx)
Mark Hagedorn, Controller (by WebEx)
Ryan Tew, Human Resources Director (by WebEx)
Rick Cloutier, Airport Director (by WebEx)
Bear Prairie, Idaho Falls Power Director (by WebEx)
Randy Fife, City Attorney (by WebEx)
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 7:31 a.m. with the following items:

Coronavirus (COVID-19) Update:

Mayor Casper stated Governor Brad Little's Stay-home order has been revised and extended until April 30, 2020. She also stated a Financial Advisory Committee is collecting information and Garden City Mayor John Evans is confident there will be enough monies to reimburse for COVID-19 expenses. Mayor Evans is also reasonably confident most expenses will meet the eligibility threshold, although this criteria is still to be determined. Mayor Casper briefly reviewed expenses common to most cities. She stated lost revenue is not a reimbursable item, therefore the City has been cutting the budget. She also stated a White House call occurred on April 15 (a summary of this call will be forthcoming); back-to-work planning is occurring with Department Directors (she believes it is important to gradually roll this out); employee masking requirement is to be effective April 17 (paper masks have been distributed); and, employee newsletters have been distributed.

Unified Command (UC) report – Chief Nelson stated UC meetings are continuing to occur although these meetings will be less frequent in the coming week. He also stated an Eastern Idaho modeling is taking place by Eastern Idaho Regional Medical Center (EIRMC) with a regional approach of other hospitals. He is hopeful this information will give a better picture of COVID-19 in community. Emergency Room (ER) visits, admissions, and, Emergency Medical Services (EMS) data and responses are being used for the modeling. Chief Nelson stated Bonneville County has 15-16 COVID-19 cases with the majority of these cases contracted by community spread. The UC has been discussing how to prepare the community for the after-affects as this will have a rebound affect. Chief Nelson indicated Teton County has received a device for testing the community at large (this testing will occur in the near future) and the Idaho National Laboratory (INL) is working to have a decontamination process of Personal Protective Equipment (PPE). He also indicated data for schools and higher education is being reviewed in the event they decide to re-open and, public safety is seeing a slight uptick in calls (although Fire and EMS calls are seeing a downturn from the previous year). Mayor Casper noted Teton County will have 300 testing units in the following week and 1000 testing units available in the next two (2) months. She also noted Teton County is one of the top 6-7 counties of percentage of individuals affected by COVID-19. She also clarified sterilization of the PPE is coming from Battelle Energy Alliance for use at INL.

April 16, 2020 - Unapproved

Mayor Casper stated the Declaration of Local Disaster Emergency extension for the City will expire on April 17. She noted the City of Ammon may be extending and Bonneville County will be extending their declarations. She believes Federal reimbursement will fall under the County declaration. Mr. Fife believes the City declaration does not need extended due to the County and the State. Councilmember Freeman believes the extension should occur to show support of Governor Brad Little. It was moved by Councilmember Smede, seconded by Councilmember Freeman, to amend the agenda to include the extension of the Emergency Declaration with the good faith reason that the motion was not included on the agenda due to recent information from the Governor. Roll call as follows: Aye – Councilmembers Smede, Francis, Freeman, Hally, Radford, Dingman. Nay – none. Motion carried. It was then moved by Councilmember Francis, seconded by Councilmember Dingman, to extend the Emergency Declaration to match the Governor’s order. Roll call as follows: Aye – Councilmembers Francis, Dingman, Freeman, Hally, Radford, Smede. Nay – none. Motion carried.

Discussion regarding City Payroll:

Mayor Casper stated the Stay-home order pay, previously authorized by the Council, was approved through April 15. She reviewed alternative scenarios including enhanced unemployment, lay-off, and, furloughs. She also recommended May 4 be the re-start date for employees (as May 1 falls on a Friday). Director Alexander stated the finance team has reviewed all scenarios during the previous month. Mr. Hagedorn stated the majority of employees are working from home and/or rotating schedules to accommodate social distancing. Currently, there are 14 employees at home without pay. Two (2) employees are from the General Fund (Police), the remaining employees are from the Enterprise Fund (Library and Airport). Mr. Hagedorn stated the City pays 100% of unemployment, and per discussion with the Department of Labor, it is unknown who pays enhanced unemployment (additional information has been requested). A furlough would allow the unemployment benefit although the City is still paying the employee benefits. A layoff would cover the unemployment benefit, it would not cover City employee benefits although the employee could exercise their right to be paid out for vacation. Director Alexander stated work-from-home has been evolving and transitioning for several weeks from the Information Technology (IT) Division. She believes productivity continues to occur. To the request of Mayor Casper, Councilmember Smede reviewed the school board Stay-home order scenarios. Councilmember Francis believes the payroll options would be reduced if the City intends to re-open. Councilmember Hally believes due to the low numbers the employees should continue to be paid. Councilmember Dingman concurred. She believes there is no proof of a financial benefit as the City continues to pay some sort of benefit. Councilmember Freeman believes it is important to keep employees insured and is in favor of paying the employees. He commended the City as he also believes there have been no reduction in services. Director Cloutier noted extra employees were hired at the airport in anticipation of added flights, which has not occurred. He believes the better option at this time is a layoff as there is no determination date for those added flights. General comments followed. To the response of Councilmember Radford, Mr. Hagedorn stated for the most part individuals are continuing to pay their utility bills. Director Alexander concurred. Director Prairie stated Idaho Falls Power (IFP) is tracking payment patterns and creating metrics; Federal legislation is also being used; and, deferment and cash flow can be handled through the Rate Stabilization Fund. To the response of Councilmember Radford, Mayor Casper stated, per Library Director Robert Wright, the library employees will return to work per the Governor’s recent revised Stay-home order. It was then moved by Councilmember Radford, seconded by Councilmember Hally, to pay City employees through the Governor’s Stay-home order. Roll call as follows: Aye – Councilmembers Smede, Radford, Hally, Freeman, Dingman, Francis. Nay – none. Motion carried.

There being no further business, the meeting adjourned at 8:34 a.m.

CITY CLERK

MAYOR



MEMORANDUM

FROM: Chris H Fredericksen, Public Works Director
DATE: Wednesday, April 15, 2020
RE: Agreement for Professional Architectural Services with Architects Design Group, Incorporated for the Police Complex

Council Action Desired

- Ordinance
- Resolution
- Public Hearing
- Other Action (Approval, Authorization, Ratification, etc)

Approval of an Agreement for Mayor and City Clerk to sign the document.

Description, Background Information & Purpose

Attached for your consideration is an agreement for professional architectural services to develop an initial total project cost estimate for the proposed Police Complex. The agreement includes those scoping activities required to develop a reliable total project cost for the proposed Police Complex.

Relevant PBB Results & Department Strategic Plan

							
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This agreement supports the community-oriented results of safe and secure community and well-planned growth and development by providing the initial design work to establish an anticipated total project cost to design and construct a new Police Complex.

Interdepartmental Coordination

Project reviews will be conducted with all necessary city departments to ensure coordination of project activities.

Fiscal Impact

The total fixed-fee cost to supply design services for this agreement is \$71,560. Costs associated with this work will be paid out of the Police Department budget and sufficient funds have been identified to complete these design activities.

Legal Review

The Agreement has been prepared by the City Attorney.

**AGREEMENT FOR PROFESSIONAL SERVICES RELATED TO PHASE 1
DEVELOPMENT SERVICES FOR THE IDAHO FALLS POLICE COMPLEX**

THIS AGREEMENT FOR PROFESSIONAL SERVICES RELATED TO
PHASE 1 DEVELOPMENT SERVICES FOR THE IDAHO FALLS POLICE COMPLEX
(hereinafter "AGREEMENT"), is made and entered into this ____ day of _____,
2020, by and between the City of Idaho Falls, Idaho, a municipal corporation of the State of Idaho,
P.O. Box 50220, Idaho Falls, Idaho 83405 (hereinafter "CITY"), and Architects Design Group, Inc,
333 N. Knowles Ave Winter Park, Florida 32789 (hereinafter "ARCHITECT").

W I T N E S S E T H:

WHEREAS, CITY desires to build the Idaho Falls Police Complex (the "Project"); and

WHEREAS, CITY has selected ARCHITECT to design the facility; and

WHEREAS, the parties desire to enter in a short, initial agreement while ARCHITECT
completes the Initial Phase of the Project; and

WHEREAS, the parties anticipate that a more substantive agreement will be entered into by the
parties prior to beginning the Schematic Design Development, Contract Documents,
Construction, Closeout, and One Year Warranty Phases of the Project.

NOW, THEREFORE, be it agreed, for and in consideration of the mutual covenants and promises
between the parties hereto, as follows:

SECTION I: SCOPE OF WORK

A. ARCHITECT shall perform all services required for the Initial Phase of the Project, and
comply in all respects, as described herein for the consideration stipulated, and in compliance
with State and City Codes.

B. During the Initial Phase of the Project ARCHITECT shall provide a spatial needs assessment
update, Site Analysis, Master Planning, Conceptual Building Design, and Preliminary Cost
Estimate for CITY.

C. ARCHITECT shall complete services for the Initial as follows:

I-A: Detailed Spatial Needs Assessment Update to the established Police
Department building program and to include any additional City program space, as
determined by the City, to locate on the Police Department site. This report will
include a preliminary technology review including the security access control and
CCTV systems, audio-visual technology needs, and the coordination of the data
distribution network with the City's Information Technology Department
representatives. An updated Estimate of Probable Development Costs will be
included.

I-B: Site Analysis services to include the review of the existing aerial and underground utilities, roadways, ingress and egress locations for vehicular and pedestrian access, site features, trees, buffer zones, stormwater management requirements, etc., based upon a City-provided current boundary and topographic survey. These documents will also be used in the City Council presentation noted below.

I-C: Master Planning of the preferred site. All known building and site amenity features shall be identified. These documents will also be used in the City Council presentations noted below.

I-D: Conceptual Building Design: The A/E team will develop a conceptual building design approach incorporating the information developed in phases I-A through I-C, and will utilize these documents to prepare and present to the City Council the final report summarizing phases I-A through I-C.

I-E: Preliminary Low-Voltage Technology Report: The A/E team will contract with a specialty firm to provide a preliminary report assessing the Idaho Falls Police Department's needs as it pertains to security systems, audio-visual systems, and the data distribution systems to provide a preliminary budget for the low-voltage technology package.

I-F: Acoustical & Vibration Analysis Report: The A/E team will contract with a acoustical engineering firm to provide analysis of the noise and vibrations associated with adjacent railway system and Highway 26 noise conditions.

I-G: Preliminary Cost Estimate: The A/E team will develop a preliminary estimate of probable development costs for the City's use in budgeting for the project completion.

I-F: Virtual City Council Presentation: The A/E team will provide two (2) representatives to virtually present the Conceptual Building Design to the City Council. The documents produced in Phases I-A through I-G will be used during this meeting.

In addition to ARCHITECT's duties described above, ARCHITECT shall also, as part of the Initial Phase provide to CITY a final definition of the scope of services necessary to complete the Project after the completion of the Initial Phase. The Parties intend to enter into a more substantive agreement once the Parties are ready to proceed ahead with the Schematic Design Development Phase and the ensuing phases.

SECTION II: COMPENSATION

A. No Employee Relationship

The contracting parties warrant by their signature that no employer/employee relationship is established between ARCHITECT and CITY by the terms of this AGREEMENT. It is understood by the parties hereto that ARCHITECT is an independent agency and as such neither it nor its members and employees, if any, are employees of CITY for purposes of tax, retirement system, or social security (FICA) withholding.

B. Fees and Conditions for Professional Services

1. Payment for all services described in this Agreement is provided in accordance with Section II.B.2 of this Agreement.

2. CITY shall pay ARCHITECT on a time and materials basis with a not-to-exceed amount of eighty-six thousand sixty dollars (\$86,060) for services rendered in Initial Phase according effort estimated summary and Time and Materials rate schedule as described below:

Summary:

1.1.	I-A: Detailed Spatial Needs Assessment Update.....	\$ 12,800.00
1.2.	I-B: Site Analysis.....	\$ 14,420.00
1.3.	I-C: Master Planning.....	\$ 16,280.00
1.4.	I-D: Conceptual Building Design (includes renderings)	\$ 18,660.00
1.5.	I-E: Preliminary Cost Estimate	\$ 9,400.00
1.6.	I-F: Low Voltage Preliminary Technology Report.....	\$ 7,500.00
1.7.	I-G: Preliminary Acoustical & Rail Vibration Analysis.....	\$ 7,000.00
1.8.	Phase I: Total:	\$ 86,060.00



Rate Schedule 3/1/2020 through 2/28/2021

Principals.....	205.00/hr.
Studio Department Principals/Project Architects	182.00/hr.
Associates	152.00/hr.
Project Managers	145.00/hr.
Designers.....	87.00/hr.
Computer Draftsperson I.....	65.00/hr.
Computer Draftsperson II	65.00/hr.
Computer Supervisor	95.00/hr.
Threshold Inspector (Certified).....	83.00/hr.
Construction Administrators.....	102.00/hr.
Specification Writer.....	98.00/hr.
Senior Draftsperson	87.00/hr.
Draftsperson I.....	73.00/hr.
Draftsperson II	65.00/hr.
Accounting Services	83.00/hr.
Staff (Word Processor I).....	50.00/hr.
Graphic Designer	72.00/hr.
Interior Design Principal.....	105.00/hr.
Interior Design Designer.....	77.00/hr.
Interior Design Specification Writer.....	76.00/hr.
Interior Design Draftsperson I	66.00/hr.

3. ARCHITECT shall invoice CITY’s Public Works Department for all current amounts earned under this Agreement.

SECTION III: MODIFICATION OF AGREEMENT

A. Termination of Agreement

This AGREEMENT may be terminated by ARCHITECT upon thirty (30) days written notice, should CITY fail to substantially perform in accordance with its terms through no fault of ARCHITECT. CITY may terminate this AGREEMENT with thirty (30) days’ notice without cause and without further liability to ARCHITECT.

B. Extent of Agreement

This Agreement may be amended only by written instrument signed by both parties hereto.

C. Project Timeline

The Project is anticipated to begin on April 27, 2020, with a completion date of July 31, 2020.

D. Prorated Payment at Termination

If any portion of the services covered by this Agreement shall be suspended, abated, abandoned, or terminated, CITY shall pay ARCHITECT for the services rendered to the date of such suspended, abated, abandoned, or terminated work; the payment to be based, insofar as possible, on the amounts established in this AGREEMENT or, where the AGREEMENT cannot be applied, the payment shall be based upon a reasonable estimate as mutually agreed upon between the two (2) parties as to the percentage of the work completed.

E. Indemnification

ARCHITECT agrees, to the fullest extent permitted by law, to indemnify and hold harmless CITY against damages, liabilities and costs arising from the negligent acts of ARCHITECT in the performance of professional services under this AGREEMENT, to the extent that ARCHITECT is responsible for such damages, liabilities and costs on a comparative basis of fault and responsibility between ARCHITECT and CITY. ARCHITECT shall not be obligated to indemnify CITY for CITY's sole negligence.

F. Insurance

ARCHITECT shall provide for workman's compensation insurance for ARCHITECT's employees as required by law.

G. Limitation of Liability

To the fullest extent permitted by law, the Client agrees to limit the ARCHITECT's liability for the Client's damages to the sum of eighty-six thousand sixty dollars (\$86,060). This limitation shall apply regardless of the cause of action or legal theory pled or asserted.

H. Costs and Attorney Fees

In the event either party incurs legal expenses to enforce the terms and conditions of this AGREEMENT, the prevailing party is entitled to recover reasonable attorney's fees and other costs and expenses, whether the same are incurred with or without suit.

I. Jurisdiction and Venue

It is agreed that this AGREEMENT shall be construed under and governed by the laws of the State of Idaho. In the event of litigation concerning it, it is agreed that proper venue shall be

the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Bonneville.

J. Binding of Successors

CITY and ARCHITECT each bind themselves, their partners, successors, assigns, and legal representatives to the other parties to this AGREEMENT and to the partner, successors, assigns, and legal representatives of such other parties with respect to all covenants of this AGREEMENT.

K. Modification and Assignability of Agreement

This AGREEMENT contains the entire transaction between the parties concerning the professional services detailed herein, and no statements, promises, or inducements made by either party, or agents of either party, are valid or binding unless contained herein. This AGREEMENT may not be enlarged, modified, or altered except upon written agreement signed by the parties hereto, pursuant to section III, subsection B herein. ARCHITECT may not subcontract or assign its rights (including the right to compensation) or duties arising hereunder without the prior written consent and express authorization of CITY. Any such subcontractor or assignee shall be bound by all of the terms and conditions of this Agreement as if named specifically herein.

L. Ownership and Publication of Materials.

CITY and ARCHITECT agree that CITY, with this AGREEMENT, acquires the right to use all reports, information, data, and other materials prepared by ARCHITECT pursuant to this AGREEMENT and shall have the authority to release, publish, or otherwise use them, in whole or in part. Nothing in this section shall constrain ARCHITECT from using materials for other trainings or projects with other entities.

M. Non-discrimination.

CITY shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, creed, political ideals, sex, age, marital status, physical, or mental handicap, gender identity/expression, sexual orientation, or national origin.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date indicated above.

ATTEST:

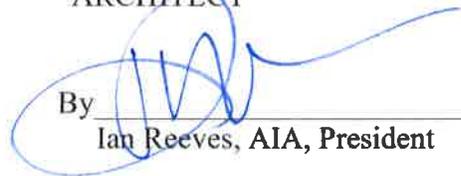
“CITY”
City of Idaho Falls, Idaho

By _____
Kathy Hampton, City Clerk

By _____
Rebecca L. Noah Casper, Mayor

“ARCHITECT”

By _____
Ian Reeves, AIA, President



STATE OF IDAHO)
) ss.
County of Bonneville)

On this _____ day of _____, 2020, before me, the undersigned, a notary public for Idaho, personally appeared Rebecca L. Noah Casper, known to me to be the Mayor of the City of Idaho Falls, Idaho, a municipal corporation that executed the foregoing document, and acknowledged to me that she is authorized to execute the same for and on behalf of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public of Idaho
Residing at: _____
My Commission Expires: _____

(Seal)

Florida
STATE OF ~~IDAHO~~)
) ss:
County of ~~Bonneville~~ Orange)

On this 21st day of April, 2020, before me, the undersigned, a notary public, in and for said State, personally appeared Ian A. Reeves, known or identified to me and whose name is subscribed to the instrument herein and acknowledged to me that he is authorized to execute the same for and on behalf of Architects Design Group Inc.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



(Seal)

Nicole M. Hevia

Notary Public of ~~Idaho~~ Florida
Residing at: 333 N. Knowles Ave. Winter Park, FL 32789
My Commission Expires: 01/01/2023



MEMORANDUM

FROM: Brad Cramer, Community Development Services Director
DATE: Friday, April 17, 2020
RE: Resolution Approving CDBG PY2020 Allocations

Council Action Desired

- Ordinance
- Resolution
- Public Hearing
- Other Action (Approval, Authorization, Ratification, etc)

Approve the Resolution allocating CDBG PY2020 funds and give authorization for the Mayor and City Clerk to execute the necessary documents.

Description, Background Information & Purpose

Attached is a resolution approving CDBG PY2020 allocations. The exhibit attached with the resolution reflects funding allocations from the April 20, 2020, work session and meets HUD funding requirements.

Relevant PBB Results & Department Strategic Plan

							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

CDBG funding and projects help achieve goals within a variety of Community-Oriented Results categories.

Interdepartmental Coordination

NA

Fiscal Impact

The grant totals \$425,099

Legal Review

Legal has prepared the resolution and reviewed the request pursuant to applicable law.

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO,
PROGRAM YEAR 2020 CDBG ANNUAL ACTION PLAN

WHEREAS, the City of Idaho Falls, Idaho has been designated as an entitlement city by the U.S. Department of Housing and Urban Development; and

WHEREAS, the City of Idaho Falls, Idaho, has prepared a One-Year CDBG Annual Action Plan for Program Year 2020 as part of the requirements of entitlement status; and

WHEREAS, the U.S. Department of Housing and Urban Development has approved the 2016-2020 Five Year CDBG Consolidated Plan and the Impediments to Fair Housing prepared by the City of Idaho Falls as part of the requirements of entitlement status; and

WHEREAS, the City of Idaho Falls, Idaho, held a public hearing on the PY2020 CDBG Annual Action Plan on April 9, 2020; and

WHEREAS, due to COVID-19 and the CARES act, HUD allowed jurisdictions to modify the normal thirty (30) day public comment period to a five (5) day public comment period; and

WHEREAS, the City of Idaho Falls, Idaho, had a five-day comment period until and through April 14th, 2020; and

WHEREAS, the City of Idaho Falls, Idaho, has considered comments received during the five-day comment period.

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Idaho Falls, Idaho, as follows:

1. The PY2020 CDBG Annual Action Plan, as prepared by the Community Development Services Department, Planning Division, a copy of which is attached hereto and by this reference made a part of hereof, is hereby approved.
2. The Mayor is hereby authorized to sign the document for Federal assistance.

Rebecca L. Noah Casper, Mayor

ATTEST:

Date

Kathy Hampton, City Clerk

<i>PY 2020 CDBG Applicant</i>	<i>Activity/Project Description</i>	<i>Requested</i>	<i>Approved Allocation</i>
<i>Public Service</i>	<i>15% Max allowed</i>	<i>\$63,251</i>	
Idaho Legal Aid Idaho Falls Office	Legal Aid to victims of domestic violence.	\$12,000	\$12,000
CLUB, Inc. Crisis Intervention	Supportive Case Management for homeless at scattered site locations.	\$5,000	\$5,000
Behavioral Health Crisis Center of East Idaho	Case management services for housing resources.	\$18,000	\$18,000
Eastern ID. Community Action Partners	Legal aid - Grandparents Raising Grandchildren.	\$6,000	\$6,000
Community Food Basket (Formally the IF Community Food	Purchase a semi-automatic stretch wrapper with ramp to transport food pallets.	\$7,615	\$7,615
Idaho Falls Power	Utility bill payment assistance for LMI renters in US census tracts 9707, 9711, 9712.	\$6,000	\$6,000
College of East Idaho (CEU)	Child care vouchers to assist (10) LMI students.	\$8,636	\$8,636
<i>Slum/Blight by Area</i>	<i>30% Max allowed \$146,505</i>	<i>\$55,000</i>	
Idaho Falls Downtown Dev. Corp.	(IFDDC) Façade Improvement Program.	\$55,000	\$38,772.7
<i>LMI or Low Moderate Income</i>	<i>70% Min required \$238,055.3</i>	<i>\$216,455</i>	
City Public Works Department Phase 2 Curb/Gutter/Sidewalk	Properties in LMI neighborhoods/Highland Park Subdivision.	\$125,000	<i>\$141,227.3</i>
Idaho Falls Sr. Citizen Community Cntr	Replace walk in freezer box.	\$16,445	\$16,445
Habitat for Humanity ID Falls (H4HIF) Homeownership Opportunity	New construction of 3-5 LMI homes at Elmore and Science Center. CT 9712.	\$75,000	<i>\$80,383</i>
<i>Administration of CDBG Program</i>	<i>20% Max (20% of 2020 Allocation of \$425,099)</i>	<i>\$85,020</i>	<i>\$85,020</i>
	<i>Total Amount of Applications + Admin</i>	<i>\$419,716</i>	<i>\$425,099</i>



MEMORANDUM

FROM: Brad Cramer, Community Development Services Director
DATE: Friday, April 17, 2020
RE: Public Hearing for the CDBG PY2019 Comprehensive Annual Performance and Evaluation Report (CAPER)

Council Action Desired

- Ordinance
- Resolution
- Public Hearing
- Other Action (Approval, Authorization, Ratification, etc)

No vote requested at this time.

Description, Background Information & Purpose

A public hearing for the CDBG PY2019 Comprehensive Annual Performance and Evaluation Report (CAPER) is scheduled for April 23, 2020. Following the public hearing, a 15-day public comment period will begin. Following the public comment period, a resolution approving the report will be presented to the Council on May 14, 2020. The CAPER is an important document required by HUD in order for the City to continue to receive CDBG funding. It is a report on how funds were spent during the previous year.

Relevant PBB Results & Department Strategic Plan



CDBG funding and projects help achieve goals within a variety of Community Oriented Results categories.

Interdepartmental Coordination

NA

Fiscal Impact

Submitting the report on time allows the City to continue to receive CDBG funding.

Legal Review

Legal has reviewed the item pursuant to applicable law.



MEMORANDUM

FROM: Brad Cramer, Community Development Services Director
DATE: Friday, April 17, 2020
RE: Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards, Brookside Division No. 7

Council Action Desired

- Ordinance
 Resolution
 Public Hearing
 Other Action (Approval, Authorization, Ratification, etc)

1. Approve the Development Agreement for Brookside Subdivision, Division No. 7, and give authorization for the Mayor and City Clerk to execute the necessary documents.
2. Accept the Final Plat for Brookside Subdivision, Division No. 7, and give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat.
3. Approve the Reasoned Statement of Relevant Criteria and Standards for the Final Plat for Brookside Subdivision, Division No. 7 Subdivision, and give authorization for the Mayor to execute the necessary documents.

Description, Background Information & Purpose

Attached for consideration is the Final Plat, Development Agreement, and Reasoned Statement of Relevant Criteria and Standards for Brookside Division No. 7. The Planning and Zoning Commission considered this item at its March 3, 2020, meeting and recommended approval by unanimous vote with the condition that a multi-use pathway easement be added to the east side of the plat, adjacent to the Sandcreek Canal. A 20-foot-wide pathway and utility easement has been added to the plat as requested by the Commission. Staff concurs with the recommendation and recommends approval of the plat.

Relevant PBB Results & Department Strategic Plan

							
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

The Final Plat complies with the Subdivision Ordinance. The Subdivision Ordinance states that when a plat complies with the requirements, the Council shall approve the plat. Approval of the plat is consistent with Community Oriented goals for good governance, as well as numerous other categories.

Interdepartmental Coordination

Staff from Planning, Engineering, Survey, Streets, Sanitation, Fire Prevention, Sewer, Water, and Power have reviewed the Final Plat. Legal and Public Works have prepared the Development Agreement.

Fiscal Impact

NA

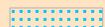
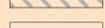
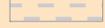
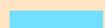
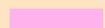
Legal Review

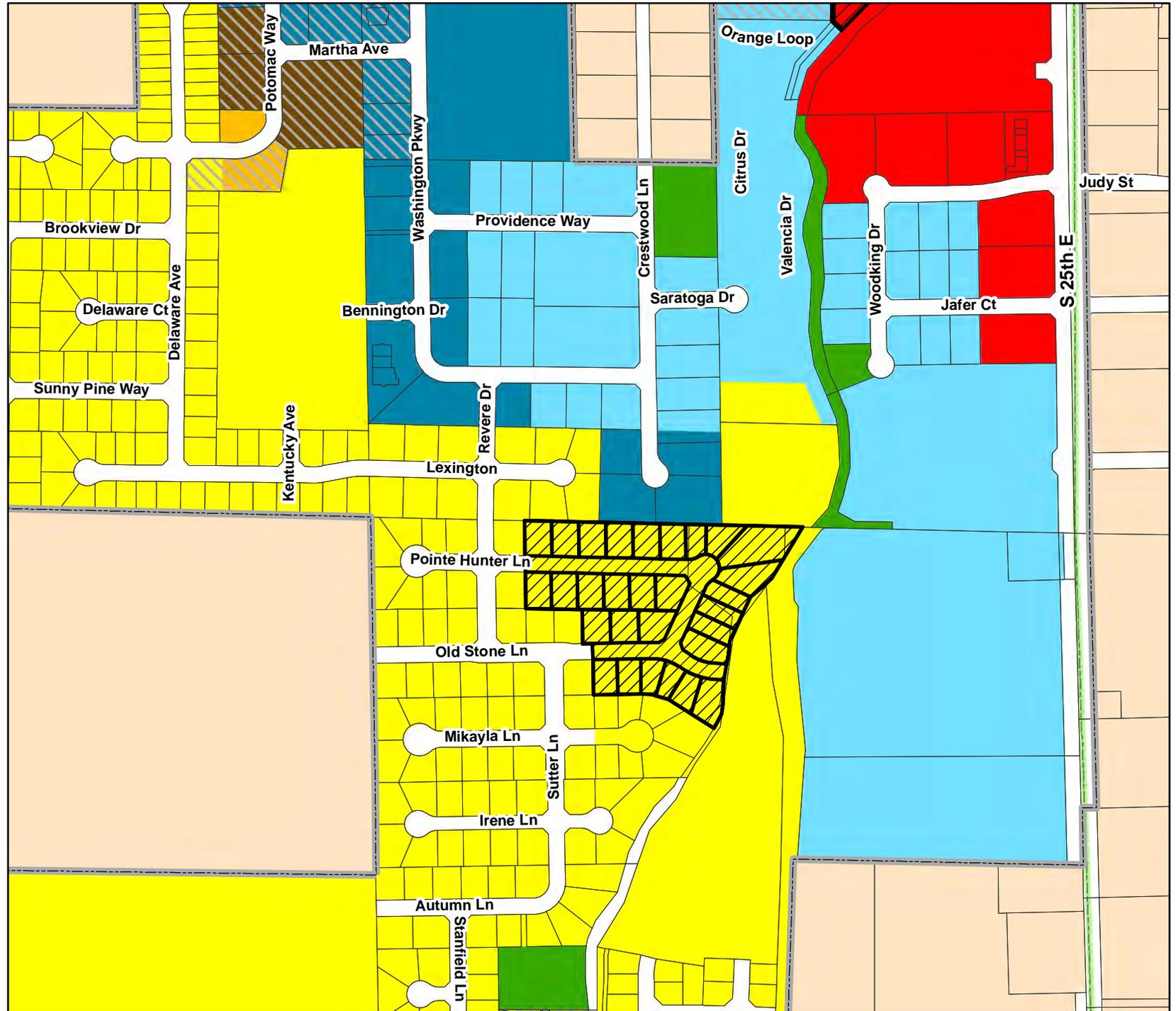
Legal has reviewed the Development Agreement and reviewed the item pursuant to applicable law.

Legend

-  Site
-  City Limits
-  Area of Impact

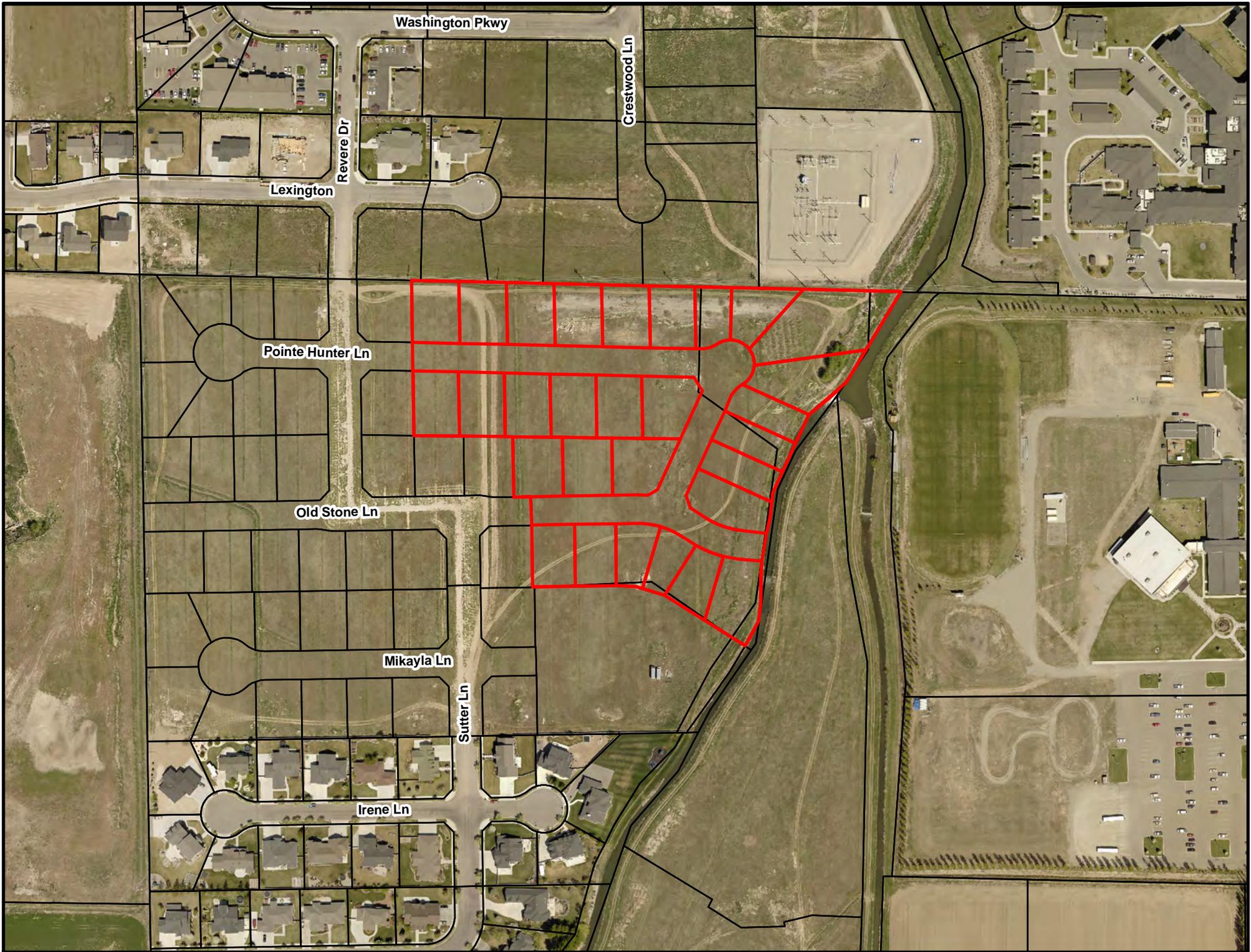
Overlays

-  PT
-  PT&T-1
-  PUD
-  T-1
-  T-2
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P



Planning Division
 City Annex Building
 680 Park Ave.
 Idaho Falls, ID 83402
 (208) 612-8276





Washington Pkwy

Crestwood Ln

Revere Dr

Lexington

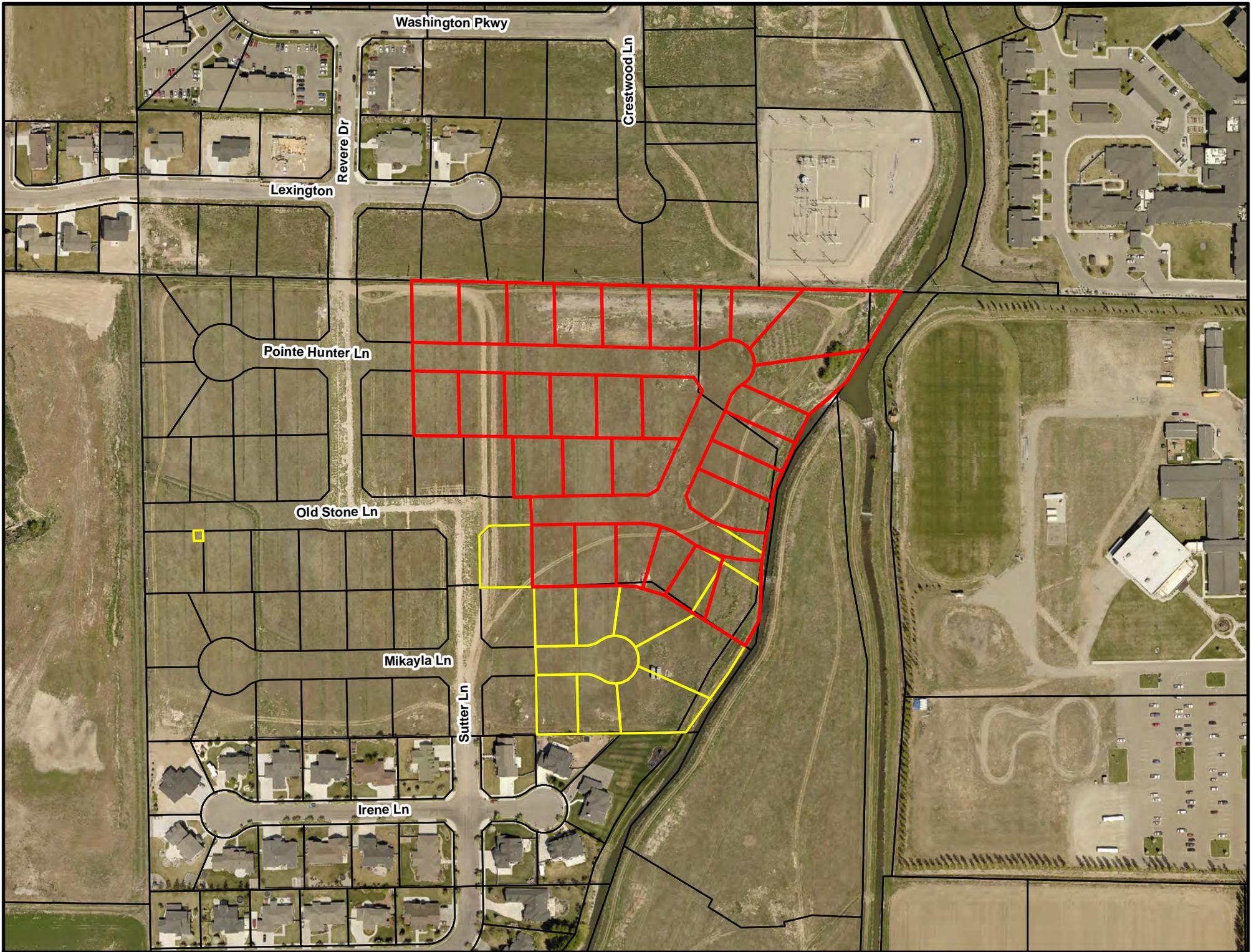
Pointe Hunter Ln

Old Stone Ln

Mikayla Ln

Sutter Ln

Irene Ln



Washington Pkwy

Crestwood Ln

Lexington

Revere Dr

Pointe Hunter Ln

Old Stone Ln

Mikayla Ln

Irene Ln

Sutter Ln

PLAN 174 CORNER SEC. 33
IND BRASS CAP ILLEGIBLE
&F. INSTRUMENT NO. 1580413
S. 15571

GEORGE WASHINGTON ESTATES
1ST AMENDED DIVISION NO. 4

GEORGE WASHINGTON ESTATES
DIVISION NO. 6

UNPLATTED



IDAHO FALLS PLANNING AND ZONING COMMISSION
STAFF REPORT
FINAL PLAT
Brookside Division 7
March 3, 2020



Applicant: HLE

Location: Generally south of E Sunnyside Rd., west of S 25th E, north of E 49th S and east of S 15th E

Size: 10.867 acres

Lots: 29

Average Lot Size: 11,412ft²

Net Density: 3.31 lots/acre

Existing Zoning:

Site: R1

North: PB

South: R1

East: R1

West: R1

Existing Land Uses:

Site: Vacant

North: Vacant

South: Residential

East: Vacant

West: Residential

Future Land Use Map: Low Density Residential

Attachments:

1. Subdivision and Zoning Ordinance Requirements
2. Maps and aerial photos
3. Preliminary Plat
4. Final Plat

Requested Action: To recommend approval of the final plat to the Mayor and City Council.

Staff Comments: The property is currently zoned R1 and is consistent with the Comprehensive Plan designation of Lower Density Residential. A preliminary plat was approved for this area in 2018. The final plat is consistent with the approved preliminary plat. The final plat includes 29 buildable lots. All the proposed lots meet the minimum requirements of the R1 Zone. All of the proposed rights-of-way within the subdivision will be classified as local streets.

The Connecting Our Community Plan shows a portion of Sand Creek canal as part of a series of canal trails in the area. The approved preliminary plat calls out a 30 foot public multi-use pathway easement along Sand Creek. This easement is not shown, but is necessary from the northeast corner of the property, south to Old Stone Lane. Here it will cross Sand Creek and connect with other pathway easement on the east side of the creek. Pathway easement south of Old Stone Lane is not necessary.

Staff Recommendation:

Staff has reviewed the final plat and recommends approval of the final plat for Brookside Division 7 with the addition of a public multi-use pathway easement on the east side of the plat adjacent to Sand Creek.

Transportation Plan:

The property will be part of the existing subdivision road network. Additional future connection will also be provided with a stub road connection across Sand Creek to the east.

Subdivision Ordinance: Boxes with an “X” indicated compliance with the ordinance

Section 10-1-9A

(9) If the final plat conforms to the provisions of this Chapter and all other applicable State or Federal laws, or local ordinances, the Council shall approve the final plat and authorize the Mayor and Clerk to sign the original plat.

REQUIREMENTS	Staff Review
Requirements listed in Section 10-1:	
Building envelopes sufficient to construct a building.	X
Lot dimensions conform to the minimum standards of Zoning Ordinance.	X
Lots have full frontage on, and access to, a dedicated street.	X
Residential lots do not have direct access to arterial streets.	X
Direct access to arterial streets from commercial or industrial lots shall be permitted only where it can be demonstrated that: 1) The direct access will not impede the flow of traffic on the arterial or otherwise create an unsafe condition; 2) There is no reasonable alternative for access to the arterial via a collector street; 3) There is sufficient sight distance along the arterial from the proposed point of access; 4) The proposed access is located so as not to interfere with the safe and efficient functioning of any intersection; and 5) The developer or owner agrees to provide all improvements, such as turning lanes or signals, necessitated for the safe and efficient uses of the proposed access.	N/A
Adequate provisions shall be made for soil preservation, drainage patterns, and debris and waste disposal and collection.	X
Sidelines of lots shall be at, or near, right angles or radial to the street lines. All corner lots shall have a minimum radius of twenty feet on the property line.	X
All property within the subdivision shall be included within a lot or area dedicated for public use.	X
All corner lots zoned RP through R-3, inclusive, shall be a minimum of ten percent larger in area than the average area of all similarly zoned lots in the plat or subdivision under consideration.	X
All major streets in subdivision must conform to the major street plan of the City, as set forth in Comprehensive Plan.	X
The alignment and width of previously platted streets shall be preserved unless topographical conditions or existing buildings or structures required otherwise.	X

Residential lots adjoining arterial streets shall comply with: 1) Such lots shall have reverse frontage on the arterial streets, 2) such lots shall be buffered from the arterial street by any effective combination of the following: lot depth, earth berms, vegetation, walls or fences, and structural soundproofing, 3) Minimum lot depth shall be 150 ft except where the use of berms, vegetation, and structures can be demonstrated to constitute an effective buffer, 4) Whenever practical, existing roadside trees shall be saved and used in the arterial buffer, 5) Parking areas shall be used as part of the arterial buffer for high density residential uses, 6) Annexation and development agreement shall include provisions for installation and continued maintenance of arterial buffers.	X
Planning Director to classify street on basis of zoning, traffic volume, function, growth, vehicular & pedestrian safety, and population density.	All classified as local streets.

Zoning Ordinance:

11-3-4: STANDARDS FOR RESIDENTIAL ZONES.

Table 11-3-1: Standards for Residential Zones

	RE	RP	R1	R2	TN	R3	R3A	RMII
Lot Area								
Lot Area Minimum in ft ²	1 acre*	12,000	7,000	6,000*	3,000*	5,000*	5,000	5,000
Lot Area Maximum in ft ²			13,500*					
Site Width								
Site Width at Front Setback, Minimum in ft.	150	60	50	50	25	50	50	50
Setbacks, Minimum in ft.								
Front	40	30*	25*	20*	15*	15	15	30
Front Maximum in ft.					20*			
Side	20	7.5/10*	6	6	5	6	6	10
Rear	40	25	25	25	10	25*	25*	25*
Lot Coverage, Building Height, and Density								
Maximum Lot Coverage in %	30	40	40	80	50	80	80	40
Maximum Building Height in ft*	24	24	24	24	*			24
Maximum Density in net units/acre	1	4	6	17	15	35	35	8
*See explanations, exceptions and qualifications in Section 11-3-4A,B,C of this Zoning Code.								

Comprehensive Plan Policies:

Definition for the land use categories on the Map; Low density residential

Single family homes on individual lots at a density of 7 units or less per net acre. This area may include detached homes or homes which share a common wall, open space, or other common facilities.

Residential development should reflect the economic and social diversity of Idaho Falls. New and existing developments should foster inclusiveness and connectivity through mixed housing types and sizes and neighborhood connections through paths, parks, open spaces, and streets. (p. 40)

Bikeways should tie residential neighborhoods to schools, shopping, and employment. Bikeways offer an alternative to the automobile and provide transportation facilities for those unable to drive, primarily the youth of the City. (p.43)

March 3, 2020

7:00 p.m.

Planning Department

Council Chambers

MEMBERS PRESENT: Commissioners Joanne Denney, Lindsey Romankiw, Arnold Cantu, Natalie Black, Gene Hicks (5 present, 4 votes).

MEMBERS ABSENT: Margaret Wimborne, George Swaney, Brent Dixon, George Morrison,

ALSO PRESENT: Assistant Planning Directors Kerry Beutler; Brian Stephens, Naysha Foster and interested citizens.

CALL TO ORDER: Natalie Black called the meeting to order at 7:00 p.m.

CHANGES TO AGENDA: None.

MINUTES: Hicks' name needed to be added to the Members present. **Cantu moved to approve the February 4, 2020 minutes, Hicks seconded the motion and it passed unanimously.**

Public Hearing(s):

3. PLAT 20-004: FINAL PLAT. Brookside 7 Final Plat. Beutler presented the staff report, a part of the record. Black asked who is responsible for the bridge. Beutler stated that both property owners would be responsible for a portion. Beutler stated that Public Works is working with the developer and will outline that issue in the Development Agreement and there are a couple ways to manage the bridge, including having Brookside installing the bridge now and get reimbursement from the future developer, or have Brookside pay in lieu their proportionate share of the bridge and the City would put the money in an account until the future development is ready and then the bridge could be constructed. Beutler confirmed that the Bridge will not be an outstanding issue.

Hicks confirmed that this is the final phase of Brookside.

Applicant: No applicant was present.

Denney moved to recommend to the Mayor and City Council approval of the Final Plat for Brookside 7 with the addition of a public multi-use pathway easement on the east side of the plat adjacent to Sandcreek, Cantu seconded the motion and it passed unanimously.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

FINAL PLAT OF BROOKSIDE DIVISION NO. 7, LOCATED GENERALLY SOUTH OF E SUNNYSIDE RD., WEST OF S 25TH E, NORTH OF E 49TH S AND EAST OF S 15TH E

WHEREAS, the applicant filed an application for a final plat on January 30, 2020; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public meeting on March 3, 2020; and

WHEREAS, this matter came before the Idaho Falls City Council during a duly noticed public meeting on April 23, 2020 and

WHEREAS, having reviewed the application, including all exhibits entered and having considered the issues presented:

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 10.85 acre parcel located generally south of E Sunnyside Rd., west of S 25th E, north of E 49th S and east of S 15th E.
3. The plat includes 29 lots and complies with all requirements of the Subdivision Ordinance and Zoning Ordinance for the R1 Zone.
4. The Connecting Our Community Plan shows a portion of Sand Creek canal as part of a series of canal trails in the area. The approved preliminary plat calls out a 20-foot public multi-use pathway easement along Sand Creek.
5. The proposed development is consistent with the principles of the City's Comprehensive Plan.
6. The Planning and Zoning Commission recommended approval of the final plat with the recommendation of the public pathway easement on the east side of the plat.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Idaho Falls approved the Final Plat of Brookside Division 7.

PASSED BY THE CITY COUNCIL OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2020

Rebecca L. Noah Casper, Mayor

DEVELOPMENT AGREEMENT
BROOKSIDE, DIV. NO. 7

This DEVELOPMENT AGREEMENT BROOKSIDE, DIV. NO. 7 (hereinafter called "AGREEMENT"), made this _____ day of _____, 2020, by and between the CITY OF IDAHO FALLS, a municipal corporation of the State of Idaho, (hereinafter "CITY"), whose mailing address is P.O. Box 50220, Idaho Falls, Idaho 83405, and JTJ, LLC, an Idaho limited liability corporation (hereinafter "DEVELOPER"), whose mailing address is P.O. Box 2002, Idaho Falls, Idaho 83403.

WITNESSETH:

WHEREAS, DEVELOPER is the sole owner, in law or equity, of a certain tract of land in the County of Bonneville, State of Idaho, which land (hereafter referred to as "Subdivision"), is more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof; and,

WHEREAS, DEVELOPER desires to develop the Subdivision within CITY and has submitted a plat bearing the Subdivision name described in the caption of this AGREEMENT; and,

WHEREAS, City Engineer, and the Idaho Falls Planning and Zoning Commission, have recommended such development be allowed, subject to certain requirements and obligations on the part of DEVELOPER; and

WHEREAS, CITY is willing to allow the development of the Subdivision within City of Idaho Falls, Idaho, subject to the terms and conditions of this AGREEMENT and the Special Conditions attached hereto; and

WHEREAS, CITY has authority to approve Subdivision plats and the construction of streets, utility lines and other public improvements within the CITY; and

WHEREAS, DEVELOPER specifically waives DEVELOPER's right to protest development requirements described in this AGREEMENT, including DEVELOPER's right of judicial review contained in Chapter 52, Title 67, Idaho Code, and pursuant to the standards set forth in § 67-5279, Idaho Code; and,

WHEREAS, DEVELOPER understands that the public improvements required herein are standards required pursuant to Idaho Falls City Code, Title 10, Chapter 1, and are authorized by Idaho Code §§ 67-6513 and 67-6518; and,

WHEREAS, DEVELOPER and CITY believe that without the public improvements

required herein, CITY would not be able to otherwise provide for mitigation of the effects of the Subdivision development on the ability of CITY to deliver services without compromising quality of such service delivery to current CITY residents, or without imposing substantial additional costs upon current CITY residents to accommodate the proposed Subdivision; and,

WHEREAS, CITY desires to ensure that public improvements consisting of those described in this AGREEMENT, including Special Conditions for the Subdivision, are constructed; and,

WHEREAS, DEVELOPER understands that a waiver of public improvements is available pursuant to Idaho Falls City Code, but DEVELOPER specifically does not wish to request such a waiver and wishes to enter into this AGREEMENT; and,

WHEREAS, DEVELOPER enters into this AGREEMENT of DEVELOPER's own free will and accord, without coercion and without inducement and at DEVELOPER's request; and,

WHEREAS, DEVELOPER has read this AGREEMENT, has understood it, and has had the opportunity to avail itself of legal and other counsel prior to entering into this AGREEMENT and prior to signing it; and,

WHEREAS, DEVELOPER has submitted a preliminary plat bearing the Subdivision name described in the caption of this AGREEMENT; and,

WHEREAS, City Engineer and City Planning and Zoning Commission have recommended such Subdivision be approved subject to certain requirements and obligations on the part of DEVELOPER; and,

WHEREAS, CITY is willing to approve the Subdivision to CITY, subject to the terms and conditions of this AGREEMENT and the Special Conditions attached hereto;

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

1. Approval of Subdivision. CITY hereby approves the Subdivision plat as described in Exhibit "A" attached hereto and made a part to this AGREEMENT by reference, and agrees that upon DEVELOPER's full and complete performance of the terms and conditions hereto, it will accept and maintain all public facilities and improvements shown in the Improvement Plans for the Subdivision.

2. Improvement, Preliminary, and Final Improvement Plans. "Improvement Plans," used in this AGREEMENT, are engineer-designed plans showing all streets, sewer lines, water lines, storm drains, street signs, traffic control devices, barricades, other public utilities (telephone, gas, electricity, fiber optic and irrigation facilities) and other public improvements contemplated within the Subdivision. "Preliminary Improvement Plans" as used in this AGREEMENT, are

those Improvement Plans submitted and considered for the Subdivision development prior to the approval of City Engineer, and not yet approved for construction. "Final Improvement Plans" as used in this AGREEMENT, are those Improvement Plans submitted, considered and approved by City Engineer for the Subdivision development.

DEVELOPER anticipates that development of the entire Subdivision will occur in phases or divisions. DEVELOPER has filed, and City Engineer has approved, Improvement Plans for the public improvements to be constructed within public rights-of-way exterior to the Subdivision, (hereafter referred to as the "Exterior Improvement Plans") showing the width, location and alignment of all streets, sewer lines and water lines within the Subdivision and the size and materials specifications for such water and sewer lines. Prior to the commencement of any construction or development within any phase or division of the Subdivision, DEVELOPER shall also file with, and obtain the approval of, City Engineer Improvement Plans (hereafter the "Interior Improvement Plans") for all streets, sewer lines, water lines, storm drainage facilities, street signs, traffic control devices, barricades and other public improvements contemplated within such phase or division of the Subdivision. The filed Improvement Plans shall also show the proposed location of other public utilities (telephone, gas and electricity), and irrigation facilities affected by the development of such phase or division of the Subdivision. Preliminary Improvement Plans are incorporated herein by reference as though set out in full, and the Final Improvement Plans shall also, upon approval by City Engineer, be deemed to be incorporated herein by reference.

3. *Construction of Public Improvements.* Unless otherwise agreed in the Special Conditions, DEVELOPER shall, at its expense, design and construct all public improvements shown in the Exterior Improvement Plans and Interior Improvement Plans. Unless otherwise agreed in writing by City Engineer, DEVELOPER shall construct all required public improvements within such Improvement Plans in strict accordance with the approved Preliminary and Final Improvement Plans and CITY Standard Engineering Drawings and Specifications (hereafter referred to as the "Standard Specifications") in effect at the time the construction is accomplished. The Standard Specifications are incorporated herein by reference as though set out in full and compliance to the Standard Specifications is a condition of this AGREEMENT.

4. *Permits.* DEVELOPER shall obtain all right-of-way, excavation and/or other permits required by local ordinance and comply with all requirements therein with respect to the timely performance of the work governed by such permits.

5. *Inspection.* DEVELOPER shall retain a professional engineer (hereafter referred to as the "Project Engineer") licensed within the State of Idaho to supervise, inspect and test the construction of all public improvements within the Subdivision in order to ensure such improvements are constructed in accordance with this AGREEMENT, the Improvement Plans and the Standard Specifications. DEVELOPER shall not materially deviate from the Improvement Plans or Standard Specifications without the express written approval of the City Engineer.

6. Corrected Improvement Plans. Prior to acceptance of any phase or division of the Subdivision, DEVELOPER will file "As Constructed"/ "As Built" Improvement Plans (hereafter referred to as the "Corrected Improvement Plans") with City Engineer. Such Corrected Improvement Plans shall be prepared by the Project Engineer and shall show the actual constructed location of all public improvements within the Subdivision including the horizontal and vertical location of all water, sewer and storm drain lines, individual building service lines curb and gutter alignment and street grades. Such Corrected Improvement Plans shall also specifically show all changes between the Final Improvement Plans and the public improvements as actually constructed. The Project Engineer shall also certify upon the Corrected Improvement Plans that such Corrected Improvement Plans correctly show all public improvements as actually constructed and that such public improvements have been constructed in accordance with the Standard Specifications in effect at the time such construction was accomplished. The Project Engineer shall also deliver to City Engineer all compaction reports, daily construction logs, reports, written tests, analysis and other data as may be necessary to verify or support the certification of the Project Engineer.

7. Acceptance of Subdivision. Upon satisfactory completion of such public improvements and facilities, DEVELOPER's delivery of Corrected Improvement Plans and the filing and approval by CITY of a final plat, CITY will accept that portion of the Subdivision for which a final plat has been approved. Such acceptance shall not be valid unless expressly acknowledged in writing by City Engineer. Except as otherwise expressly provided in the Special Conditions, upon acceptance of any phase or division within the Subdivision, CITY shall assume ownership and control of all public facilities within any dedicated street or public utility right-of-way within the Subdivision and shall execute and record an instrument documenting such acceptance. Acceptance of the Subdivision Improvements and recording the acceptance instrument shall not be deemed as a waiver of DEVELOPER's agreement herein to fully and completely perform the terms and conditions of this AGREEMENT, or as a waiver or release of the warranty set forth below in this AGREEMENT.

8. Warranty. DEVELOPER warrants that the materials and workmanship employed in the construction of all public improvements within the Subdivision shall be good and sound, and shall conform to generally accepted standards within the construction industry. Such warranty shall extend for a period of one (1) year after acceptance of any phase or division of the Subdivision within which such improvements are located, by CITY, provided nothing herein shall limit the time within which CITY may bring an action against DEVELOPER on account of DEVELOPER's failure to construct such improvements in accordance with this AGREEMENT, the Improvement Plans or the Standard Specifications. DEVELOPER, and DEVELOPER's heirs, successors and assigns, shall and do hereby warrant and agree, to defend the quiet and peaceful possession of CITY in all easements, rights-of-way, street dedications or other estates conveyed pursuant to the terms of this AGREEMENT or pursuant to the subdivision plat which is the subject hereof, from and against all claims against DEVELOPER and DEVELOPER's successors or assigns and against

every person whomsoever who lawfully holds, or who later lawfully claims to have held, rights in the premises as of the date of this AGREEMENT.

9. *Water and Sewer Main Connection Charges.* DEVELOPER agrees to pay to CITY at the time any separate sanitary sewer service or culinary water service connection to CITY sanitary sewer system or culinary water system is requested, all connection fees, main connection charges, and main charges as set forth in the City Code in effect at the time such request for service is made.

10. *Failure to Pay Fees.* In the event DEVELOPER fails or refuses to pay any of the fees, charges or costs set forth herein, CITY may disannex any property owned by DEVELOPER within the Subdivision or declare the entire unpaid balance immediately due and payable and collect such sums in the manner provided by law, or may pursue any other remedy set forth herein or as may be available at law or in equity. All such remedies shall be cumulative and CITY may pursue the same separately or simultaneously as it deems necessary or appropriate. In the event of such acceleration, all sums due shall bear interest at the rate established by law for judgments entered in the State of Idaho.

11. *Participation by CITY.* The parties agree that those portions of the water main, the sanitary sewer line, storm drains and street section work (hereafter collectively referred to as the "Shared Work"), the cost of which CITY has expressly agreed to pay pursuant to the Special Conditions, including any water or sewer line or storm line extensions, increased line size or capacity and road width or thickness, are required because of future service needs originating from properties not owned by DEVELOPER and located within the vicinity of the Subdivision, and that sound planning requires construction thereof at the present time in order to accommodate future expansion and development. In recognition of the cost savings which can be accomplished by construction of such excess capacity and improvements concurrently with the facilities to be constructed for DEVELOPER's purposes, and the impracticality or impossibility of constructing such excess capacity and improvements separately or at a later time, DEVELOPER agrees to design and construct such facilities subject to CITY's agreement to reimburse DEVELOPER for a portion of such costs, all as set forth in the Special Conditions. Prior to the commencement of the Shared Work, DEVELOPER shall obtain and deliver to CITY three (3) independent bona fide bids for the performance of such work from qualified and responsible contractors. Such bids shall be solicited and itemized in a manner which allows clear and specific identification of that portion of the construction work for which CITY is responsible. CITY shall have no obligation to pay for any portion of the costs of the Shared work unless prior to the commencement of the work, the parties have expressly agreed in writing to a specific amount for which CITY will reimburse the DEVELOPER. Payment of such costs by CITY shall be due within thirty (30) days from acceptance of the Subdivision by CITY and delivery of an itemized statement to CITY setting forth in detail the total amount of the costs for which CITY is responsible.

12. *Special Conditions.* In recognition of the unique circumstances relative to this Subdivision the parties agree to the Special Conditions attached hereto as Exhibit "B" and by this

reference made a part hereof.

13. *Irrigation Facilities.* DEVELOPER shall relocate or reconstruct, at DEVELOPER's expense, all ditches, headgate structures, culverts, siphons, drywells or other similar appurtenant structures that will be impaired or otherwise disturbed by the construction of this Subdivision. DEVELOPER shall also obtain the consent of all persons or entities who have any water right or control over such structures. DEVELOPER shall also indemnify and hold CITY harmless from any action, claim, demand or cost of any kind, including attorney's fees and court costs, arising from the relocation or reconstruction of such facilities or DEVELOPER's failure to properly relocate or reconstruct such facilities.

14. *Relocation of Power Lines.* DEVELOPER shall relocate at its expense, all existing electric utility poles or other utility lines or fixtures necessary to construct the public improvements within this Subdivision as shown on the Improvement Drawings.

15. *Construction Schedule Change.* Any modification to the public improvements shown in the Improvement Drawings or to the construction phase limits shall be approved by City Engineer. Prior to said approval, revised Improvement Drawings shall be resubmitted to City Engineering Department showing the proposed changes.

16. *Taxes and Assessments.* DEVELOPER shall pay all real property taxes and assessments levied or assessed against any interest in real property which DEVELOPER has agreed to convey to CITY pursuant to this AGREEMENT. Such taxes and assessments shall be paid prior to the acceptance by CITY of the public improvements within any phase or division of the Subdivision.

17. *Occupancy.* No building or structure within the Subdivision shall be used or occupied for any purpose other than for the construction of such building or structure, unless a final plat has been filed and approved and all public improvements within the plat have been completed and accepted by City Engineer. CITY may withhold Certificates of Occupancy until all such work has been completed. Nothing herein shall prevent the use of a model building for the purpose of DEVELOPER's sales promotional efforts provided the building is not occupied for commercial or industrial purposes.

18. *Default.* In the event DEVELOPER fails to comply with the terms and conditions hereof in any material respect, CITY may, without further notice to DEVELOPER, exercise any or all of the following remedies:

- A. Withhold the issuance of any building permit or certificate of occupancy for any structure located within any phase or division of the Subdivision affected by such default;
- B. Withhold the connection of water, sewer or electric service to any property

located within any phase or division of the Subdivision affected by such default;

C. Refuse to accept public ownership and maintenance of public improvements within any phase or division of the Subdivision affected by such default and record a notice of such action with the Bonneville County Recorder's office;

D. Issue a stop work order for any building under construction within any phase or division of the Subdivision affected by such default;

E. Withhold reimbursement of Subdivision inspection fees collected pursuant to the Idaho Falls City Code; and

F. Bring an action for damages, injunctive relief, specific performance or any other remedy available at law or in equity.

19. *Notices.* Any notice required by this AGREEMENT shall be mailed to the receiving party at the address set forth above or such other address as may be delivered to the sending party in writing. Such notice shall be mailed by certified mail, return receipt requested, postage prepaid and addressed as set forth above and shall be deemed received upon its deposit in the United States mail in such manner.

20. *Recording Fees.* Prior to the execution and approval of this AGREEMENT, DEVELOPER shall pay to CITY all recording fees necessary to record this AGREEMENT with the Bonneville County Recorder's office. Prior to the approval of any final plat within the Subdivision, DEVELOPER shall pay to CITY all recording fees necessary to record such final plat with the Bonneville County Recorder's office.

21. *Irrigation District Release.* Prior to the approval of the Subdivision plat, DEVELOPER shall obtain a certification upon the plat signed by any irrigation district, canal company, ditch association or other similar water delivery entity who provides or delivers water to any property located within the Subdivision. This certification shall state that the water rights for all property within the Subdivision have been transferred from the property and that all liens and assessments of such water delivery entity have been released.

22. *Storm Water Discharge Certification.* Prior to the acceptance and approval of Final Improvement Plans for any division or phase of the Subdivision, DEVELOPER shall obtain the certification of any Irrigation District, canal company or other entity into which any storm water from such phase or division will be discharged. The certification shall state that such water delivery entity has reviewed and approved the Final Improvement Plans for such phase or division and that the discharge of storm waters from such area into their canal or ditch in the manner shown in the Final Improvement Plans is approved and accepted by such entity.

23. *Conflict With Standard Specifications.* In the event of any conflict between the

terms of this AGREEMENT or the Improvement Plans and the Stand Specifications, the terms of this AGREEMENT or the Improvement Plans shall prevail over any contrary provision of the Standard Specifications. In the event of any conflict between the terms of this AGREEMENT and the Improvement Plans, the terms of this AGREEMENT shall prevail.

24. *Covenants Appurtenant to the Land.* All covenants and conditions set forth herein shall be appurtenant to and run with the Subdivision and shall be binding upon DEVELOPER's heirs, successors or assigns.

25. *Governing Law.* This AGREEMENT shall be governed by the laws of the State of Idaho. The venue for any action arising out of this Agreement shall be exclusively in the District Court of the Seventh Judicial District of the State of Idaho, Bonneville County or in the United States District Court for the District of Idaho.

26. *Entire Agreement.* This writing evidences the final and complete agreement between the parties and no other prior statement, representation or understanding shall be binding upon the parties unless expressly set forth herein.

27. *Effective Date.* This AGREEMENT shall become valid and binding only upon its approval by CITY Council of CITY and upon its execution by the Mayor.

INWITNESS WHEREOF, the parties have hereunto set their hands and seals this day and year first above written.

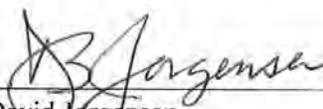
ATTEST:

CITY OF IDAHO FALLS, IDAHO

Kathy Hampton, City Clerk

By _____
Rebecca L. Noah Casper, Mayor

JTJ, LLC

By 

David Jorgensen

STATE OF IDAHO)

) ss.

County of Bonneville)

On this _____ day of _____, 2020, before me, the undersigned, a notary public for Idaho, personally appeared Rebecca L. Noah Casper, known to me to be the Mayor of the City of Idaho Falls, Idaho, the municipal corporation that executed the foregoing document, and acknowledged to me that she is authorized to execute the same for and on behalf of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public of Idaho
Residing at: _____
My Commission Expires: _____

(Seal)

STATE OF Utah)

) ss:

County of Washington

On this 9 day of April, 2020, before me, the undersigned, a notary public, in and for said State, personally appeared David Jorgensen, known or identified to me to be the authorized signator for JTJ, LLC, and whose name is subscribed to the within instrument and acknowledged to me that he is authorized to execute the same for and on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



(Seal)

Annie Stewart

Notary Public of Utah
Residing at: St. George
My Commission Expires: 7-15-2020

EXHIBIT "A"
PROPERTY

BROOKSIDE, DIVISION NO. 7

Legal Description

PART OF THE SE1/4 OF SECTION 33, TOWNSHIP 2 N., RANGE 38 EAST B.M., BONNEVILLE COUNTY, IDAHO DESCRIBED AS:

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 33; THENCE S 89°40'49" E 571.12 FEET ALONG THE EAST-WEST CENTER SECTION LINE TO THE POINT OF BEGINNING; THENCE S 88°40'49" E 1029.69 FEET ALONG THE SOUTHERLY BOUNDARIES OF GEORGE WASHINGTON ESTATES, DIVISION NO. 6 AND GEORGE WASHINGTON ESTATES, DIVISION NO. 4, 1ST AMENDED, TO THE WESTERLY BANK OF SAND CREEK; THENCE ALONG THE WESTERLY BANK THE FOLLOWING ELEVEN (11) COURSES; 1) THENCE S 30°57'04" W 180.17 FEET; 2) THENCE S 32°16'52" W 41.02 FEET; 3) THENCE S 46°41'59" W 49.09 FEET; 4) THENCE S 51°05'48" W 57.10 FEET; 5) THENCE S 24°36'21" W 179.43 FEET; 6) THENCE S 06°42'03" W 51.83 FEET; 7) THENCE S 11°33'47" W 119.71 FEET; 8) THENCE S 03°53'57" E 63.61 FEET; 9) THENCE S 06°56'43" W 37.08 FEET; 10) THENCE S 26°49'58" W 32.84 FEET; 11) THENCE S 31°06'33" W 26.64 FEET TO THE NORTHEAST CORNER OF BROOKSIDE SUBDIVISION, DIVISION NO. 6 RECORDED AS INSTRUMENT NO. 1627924; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID BROOKSIDE SUBDIVISION, DIVISION NO. 6 THE FOLLOWING FOUR (4) COURSES; 1) THENCE N 57°52'49" W 200.88 FEET; 2) THENCE N 74°10'31" W 62.19 FEET; 3) THENCE N 85°55'46" W 32.20 FEET; 4) THENCE S 89°03'10" W 183.86 FEET TO THE EAST BOUNDARY OF BROOKSIDE SUBDIVISION, DIVISION NO. 5, RECORDED AS INSTRUMENT NO. 1581708; THENCE ALONG THE EASTERLY BOUNDARY OF SAID BROOKSIDE SUBDIVISION, DIVISION NO. 5 THE FOLLOWING FIVE (5) COURSES; 1) THENCE N 00°57'12" W 190.00 FEET; 2) THENCE S 89°03'10" W 36.58 FEET; 3) THENCE N 00°56'44" W 125.99 FEET; 4) THENCE N 89°13'21" W 208.10 FEET; 5) THENCE N 00°56'44" W 325.58 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 10.867 ACRES, MORE OR LESS.

EXHIBIT "B"
SPECIAL CONDITIONS
BROOKSIDE DIVISION NO. 7

S-C 1.00 Arterial Street and Bridge Fees. The Bridge and Arterial Streets fee for this Subdivision is Five Thousand Eight Hundred Dollars (5,800) (Twenty-nine (29) lots zoned residential at two hundred dollars (\$200) per lot); payable as follows:

<u>Due Date</u>	<u>Payment Amount</u>
Upon execution of this Agreement	\$ 580.00
July 1, 2020	\$1,305.00
October 1, 2020	\$1,305.00
January 1, 2021	\$1,305.00
April 1, 2021	<u>\$1,305.00</u>
 TOTAL	 \$ 5,800.00

S-C 2.00 Surface Drainage Fee. The surface drainage fee for this Subdivision is Two Thousand Eight Hundred Fifty-eight Dollars and Ninety-Five Cents (\$2,858.95) (381,194 square feet net area at \$.0075 per square foot) payable as follows:

<u>Due Date</u>	<u>Payment Amount</u>
Upon execution of this Agreement	\$ 285.90
July 1 1, 2020	\$643.26
October 1, 2020	\$643.26
January 1, 2021	\$643.26
April 1, 2021	<u>\$643.27</u>
 TOTAL	 \$ 2,858.95

S-C 3.00 Storm Drainage. Storm Drainage will be designed and constructed to accommodate drainage of the lots within the Subdivision by DEVELOPER. The storm drainage system shall meet CITY Storm Drainage Policy.

S.C. 4.00 Existing Infrastructure. When it is necessary to move or remove existing infrastructure not belonging to CITY and not within CITY Right-of-Way, DEVELOPER will coordinate such activities with the applicable owner (e.g. poles owned by Pacificorp dba Rocky Mountain Power). Any existing electrical infrastructure owned by Pacificorp dba Rocky Mountain Power will require a buy-out from DEVELOPER prior to receipt of electrical service from CITY. Request for the buy-out is to be initiated by DEVELOPER after annexation.

S-C 5.00. Bridge Across Sand Creek at Old Stone Lane. This Subdivision is near a future connection of Old Stone Lane that crosses Sand Creek on the North side of the Subdivision. Recognizing that a portion of the future and current traffic on this street originates from properties outside the Subdivision, DEVELOPER will pay for one half (1/2) of the cost to design and construct the crossing of Sand Creek on Old Stone Lane. DEVELOPER's cost for this work is one hundred twenty-three thousand one hundred twenty dollars (\$123,120). DEVELOPER acknowledges that the construction of the structure will be completed at a future date when CITY determines that the connection is necessary. Payment for this work in lieu of installation will be as follows: Cost of bridge will be distributed across all the remaining lots in Brookside Division 7. Cost per lot will be three thousand four hundred twenty dollars (\$3,420). As this Subdivision includes twenty-nine (29) lots, the costs will be ninety-nine thousand one hundred eighty dollars (\$99,180).

<u>Due Date</u>	<u>Payment Amount</u>
Upon execution of this Agreement	\$9,918.00
July 1, 2020	\$22,315.50
October 1, 2020	\$22,315.50
January 1, 2021	\$22,315.50
April 1, 2021	\$22,315.50
TOTAL	\$ 99,180.00

S-C 6.00 Subdivision Seal Coat. In order to preserve the long-term effectiveness of required roadway seal coat in the Subdivision, Developer shall pay all seal coat costs associated with Subdivision improvements rather than applying the seal coat. In lieu of Developer seal coat application, Developer shall pay Fifteen Thousand Five Hundred Fifty Four Dollars and Four Cents (\$15,554.08; 6,422 square yards at \$2.42 per square yard). CITY shall use such payment to apply the required seal coat at a later date, when Subdivision building permits are completed and at CITY's sole discretion on timing. Calculation of this payment in lieu of seal coat application includes the seal coat quantities for Brookside Division 7 (5,228 square yards) and for Brookside Division 6 (1,194 SY).



MEMORANDUM

FROM: Brad Cramer, Community Development Services Director
DATE: Friday, April 17, 2020
RE: Planned Unit Development and Reasoned Statement of Relevant Criteria and Standards, SRL Townhomes

Council Action Desired

- Ordinance
- Resolution
- Public Hearing
- Other Action (Approval, Authorization, Ratification, etc)

1. Approve the Planned Unit Development for SRL Townhomes.
2. Approve the Reasoned Statement of Relevant Criteria and Standards for the Planned Unit Development for SRL Townhomes, and give authorization for the Mayor to execute the necessary documents.

Description, Background Information & Purpose

Attached for consideration is the application for a Planned Unit Development (PUD) and Reasoned Statement of Relevant Criteria and Standards for SRL Townhomes. The Council already considered and approved this development in October, 2019, but the applicant has made changes which the ordinance considers significant to require a new review and approval. The proposed changes include eliminating a building in the northwest corner and replacing it with a larger building located in the center of the development, as well as increasing open space and rearranging the parking in a different area than previously shown. Further detail is included in the staff report. The Planning and Zoning Commission considered the revised application at its March 3, 2020, meeting and recommended approval by unanimous vote. Staff concurs with this recommendation.

Relevant PBB Results & Department Strategic Plan

							
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Development applications that comply with the City's ordinances help achieve Community Oriented Results for growth, livability, and sustainability.

Interdepartmental Coordination

Staff from Planning, Engineering, Survey, Water, Sewer, Streets, Sanitation, Fire Prevention, and Power have reviewed the plans.

Fiscal Impact

NA

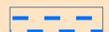
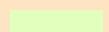
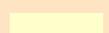
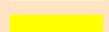
Legal Review

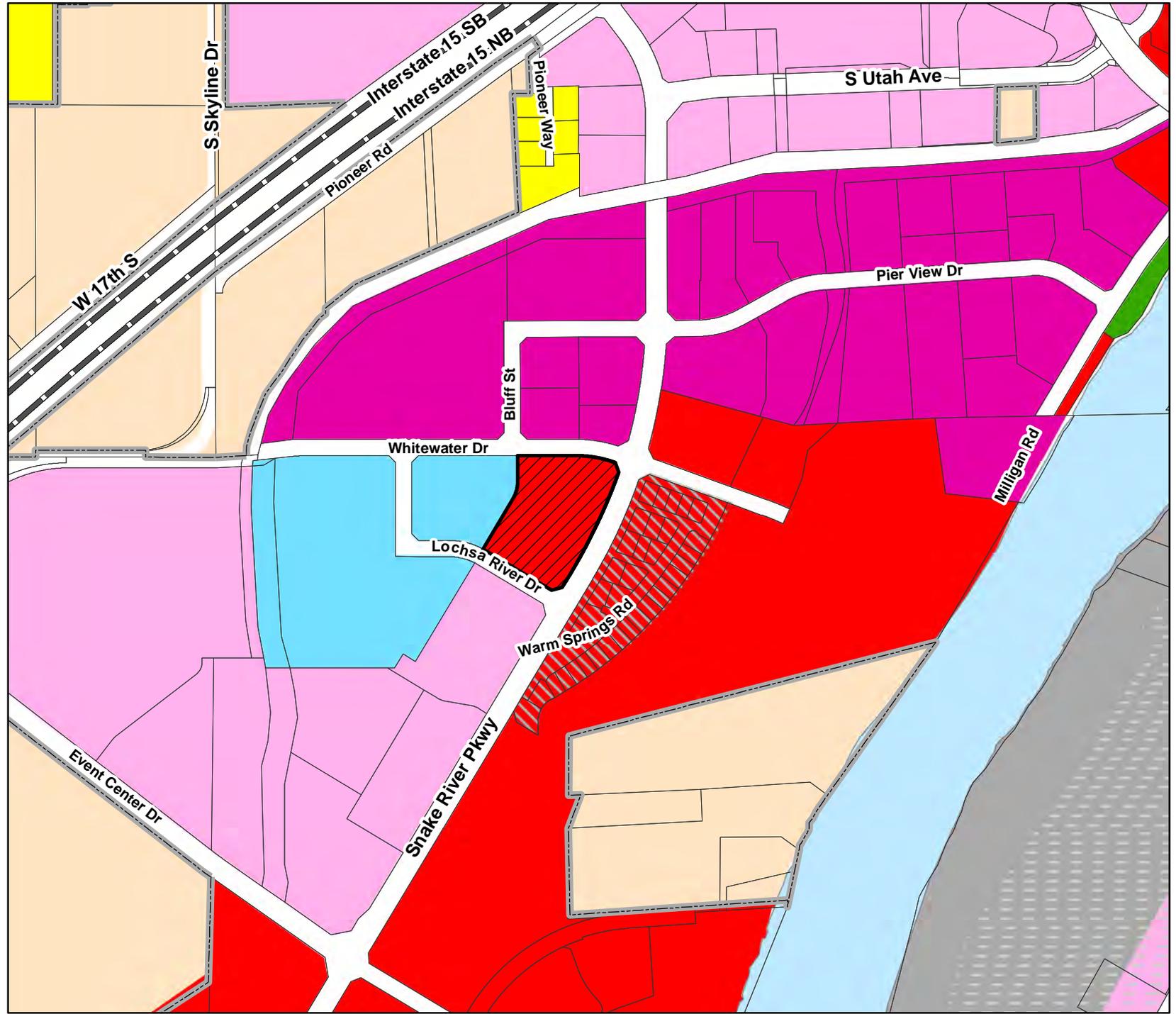
Legal has reviewed the item pursuant to applicable law.

Legend

-  Site
-  City Limits
-  Area of Impact

Overlays

-  PT
-  PT&T-1
-  PUD
-  T-1
-  T-2
-  RE
-  RP
-  R1
-  R2
-  TN
-  RMH
-  R3
-  R3A
-  PB
-  DT
-  CC
-  LC
-  HC
-  R&D
-  LM
-  I&M
-  P



Planning Division
 City Annex Building
 680 Park Ave.
 Idaho Falls, ID 83402
 (208) 612-8276





Pioneer Rd

Pier View Dr

Bluff St

Whitewater Dr

White Sand Creek Way

Saddleback Ridge Ct

Lochsa River Dr

Monarch Ridge Trl

Snake River Pkwy

Warm Springs Rd

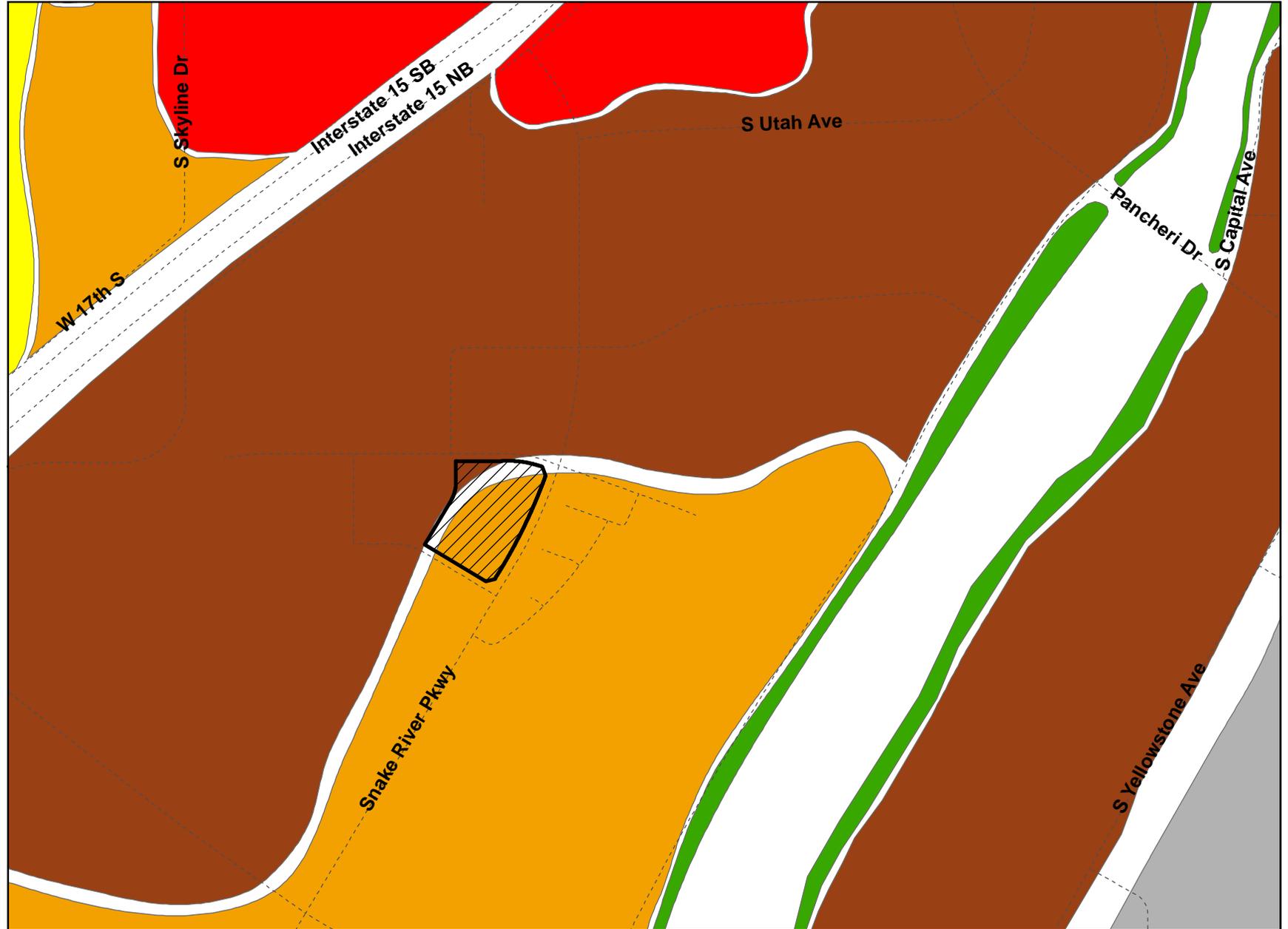
Milligan Rd

PUD

Snake River Townhomes

- | | | | | |
|---|--|---|--|---|
|  Estate |  Greenbelt Mixed Uses |  Commercial |  Higher Education Centers |  Railroad Related Industrial |
|  Low Density |  Parks, Recreation |  Employment Centers |  Planned Transition | |
|  Higher Density |  Public Facilities, Open Spaces |  Medical Services Center |  Highway Related Industrial | |

Comprehensive Plan



IDAHO FALLS

Planning Division
 City Annex Building
 680 Park Ave.
 Idaho Falls, ID 83402
 (208) 612-8276





RASPBERRY ICE CORAL BELLS
 WINTER GEM BOXWOOD
 PARDON ME DAYLILY
 MAY NIGHT SALVIA
 STELLA DE ORO DAYLILY

WINE & ROSES WEIGELA
 CHANTICLEER PEAR
 GOLDFLAME SPIREA

GREENSPIRE LINDEN

SHADEMASTER HONEYLOCUST

SPRING SNOW CRABAPPLE
 HIDCOTE ENGLISH LAVENDER
 DOUBLE KNOCKOUT ROSE

KARL FOERSTER GRASS

SUM AND SUBSTANCE HOSTA

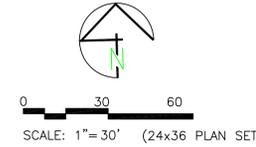
TALLHEDGE BUCKTHORN



SNAKE RIVER TOWNHOMES

PART OF THE NORTHWEST QUARTER OF SECTION 25,
TOWNSHIP 2 NORTH, RANGE 37 EAST, BOISE MERIDIAN
CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO

PRELIMINARY PLAT

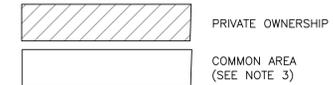


CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C10	70.23	128.73	31°15'26"	N15°22'27"E	69.36
C11	142.69	414.04	19°44'45"	N8°06'30"W	141.99
C12	391.99	1857.71	12°05'23"	N24°57'29"E	391.26
C13	8.90	251.50	2°01'40"	N6°00'40"W	8.90

NOTES/NARRATIVE

1. THE PURPOSE OF THIS SURVEY WAS TO CREATE A TOWNHOUSE CONDOMINIUM LOT 2, BLOCK 5 OF SNAKE RIVER LANDING DIVISION NO. 13.
2. THE BASIS OF BEARING IS N86°52'01"E BETWEEN THE NORTHWEST CORNER OF SECTION 25 MONUMENTED WITH A BRASS CAP AND THE NORTH QUARTER CORNER OF SECTION 25 MONUMENTED WITH AN ALUMINUM CAP.
3. ALL AREAS CONTAINED WITHIN THE PROJECT, BUT NOT SHOWN WITH DIAGONAL STRIPES OR PUBLIC STREETS ARE CONSIDERED COMMON AREA, INCLUDING PARKING, PRIVATE STREETS, OPEN SPACE, LANDSCAPING, STORM WATER DETENTION AND DRAINAGE EASEMENT AREA.
4. ALL COMMON AREAS ARE CONSIDERED TO BE AN EASEMENT FOR ALL UTILITY, IRRIGATION AND DRAINAGE PURPOSES. THIS INCLUDES THE INGRESS/EGRESS AREA.
5. STRUCTURES AND OTHER IMPROVEMENTS LOCATED WITHIN THE PROJECT INCLUDING THOSE LOCATED WITHIN UNITS AND COMMON AREAS ARE SUBJECT TO CC&R'S AFFECTING THIS PLAT.
6. THIS PLAT IS SUBJECT TO CERTAIN RIGHTS AND DUTIES AS SET FORTH IN SAID CC&R'S WHICH MAY BE AMENDED FROM TIME TO TIME.

LEGEND



BASIS OF BEARING:

Per the City of Idaho Falls 2004 coordinate system which coordinates with Idaho E-zone State Plane NAD 83 Central Meridian.

BENCHMARK: based on NAVD88

ELEV: 4678.04'
N: 661480.33'
E: 684760.39'
FOUND: REBAR

SITE INFORMATION

PARCEL ZONING: LC
PROJECT AREA: 3.558 ACRES
TOTAL UNITS: 53 (1.444 ACRES)
DENSITY: 14.89 UNITS PER ACRE
ASPHALT/DRIVEWAYS: 1.064 ACRES
PARKING STALLS: 123 (2.32 PER UNIT)
COVERED: 106 (2 GARAGE PER UNIT)
EXTERIOR: 17
LANDSCAPE: 1.05 ACRES (29.51%)

NOTES

1. The address shall be posted and maintained on every job site prior to and during construction. **NO ADDRESS = NO INSPECTION.**
2. A **Site Plan** including a completed City review block shall be on the job site at all times during construction.
3. Any changes to this site plan shall be submitted to the City of Idaho Falls Planning and Building Division for approval prior to construction.
4. Failure to comply with the requirements of this plan may result in the City withholding building permits, certificates of occupancy, water or electrical service.
5. Approval of the **City Engineer** is required for any proposed construction within a public right-of-way or easement and shall be in accordance with the **current City of Idaho Falls Standard Specifications and Drawings**.
6. A **City of Idaho Falls Public Works License** is required for any contractor working in a public right-of-way or easement.
7. A **Public Right-of-Way Use Permit** is required for any work in any public right-of-way or easement. The City Engineering Department shall be notified at least two (2) days prior to any excavation under this permit (208-612-8250).
8. **Placing Concrete** within the public right-of-way requires inspection and approval by the City Engineering Department. The department shall be notified at least four (4) hours prior to placing (208-612-8250).
9. All **Driveway Approaches** shall be concrete and meet the requirements of the current City of Idaho Falls Standard Specifications and Drawings. All driveways and parking areas shall be hard surface.
10. **Replace** all broken or poor quality curb, gutter, and sidewalk.
11. **Remove** all unused driveway approaches and replace with standard full height curb, gutter and sidewalk.
12. A Licensed Idaho Professional Engineer shall inspect, certify to City Standards, and prepare "As-built" drawings for all **Water, Sanitary Sewer and Storm Sewer Main Lines**.
13. All **Water Service Lines** less than four (4) inches and **Sanitary Service Lines** less than eight (8) inches shall be inspected by the City Sewer Department prior to backfilling (612-8108).
14. Pursuant to IDAPA 58.01.08, all new construction shall install provisions for a future water meter to capture domestic and landscape irrigation uses. Provisions shall be installed per City of Idaho Falls Standard Drawing 600-1or 600-3. Contact Water Supt. (208-612-8471) to determine if meter itself is required. Meters or meter idlers shall be on approved material list and may be purchased from Water Department warehouse (208-612-8474).
15. **Fire flow and access road requirements for commercial buildings** are based on building construction type, height, and total square footage of all floors. This information must be provided on the site plan.
16. **Private fire service water mains** shall be installed by, or under the supervision of, a city licensed fire sprinkler contractor. Fire service mains must be tested and approved by the Fire Marshal prior to backfilling.
17. All **Electrical Facilities**, including new services or the relocating of existing, shall be in accordance with the current Idaho Falls Power Service Policy. Service Policy available at I.F.P. office or I.F.P. website. The developer must submit two (2) copies of these plans directly to Idaho Falls Power for the design and/or approval of electric service. Contact Idaho Falls Power prior to construction of electrical facilities (612-8430).
18. All single-family attached dwellings shall have separate electrical, water, and sewer service lines without any common facilities.
19. Appropriate erosion and sediment control requirements associated with construction shall be shown on the Site Plan or a separate attached plan.
20. In compliance with Idaho Code § 55-1613 a field search and location survey has been conducted under the direction of a professional land surveyor prior to this project's construction.

VICINITY MAP



CITY OF IDAHO FALLS SITE PLAN APPROVAL

Revision 4/2016

Approved _____ Date _____
City of Idaho Falls

PROPERTY LEGAL DESCRIPTION

Lot 2 in Block 5 of Snake River Landing, Division No. 13 according to the official plat thereof, filed in records of Bonneville County, Idaho under recorder's Instrument No. 1594508.

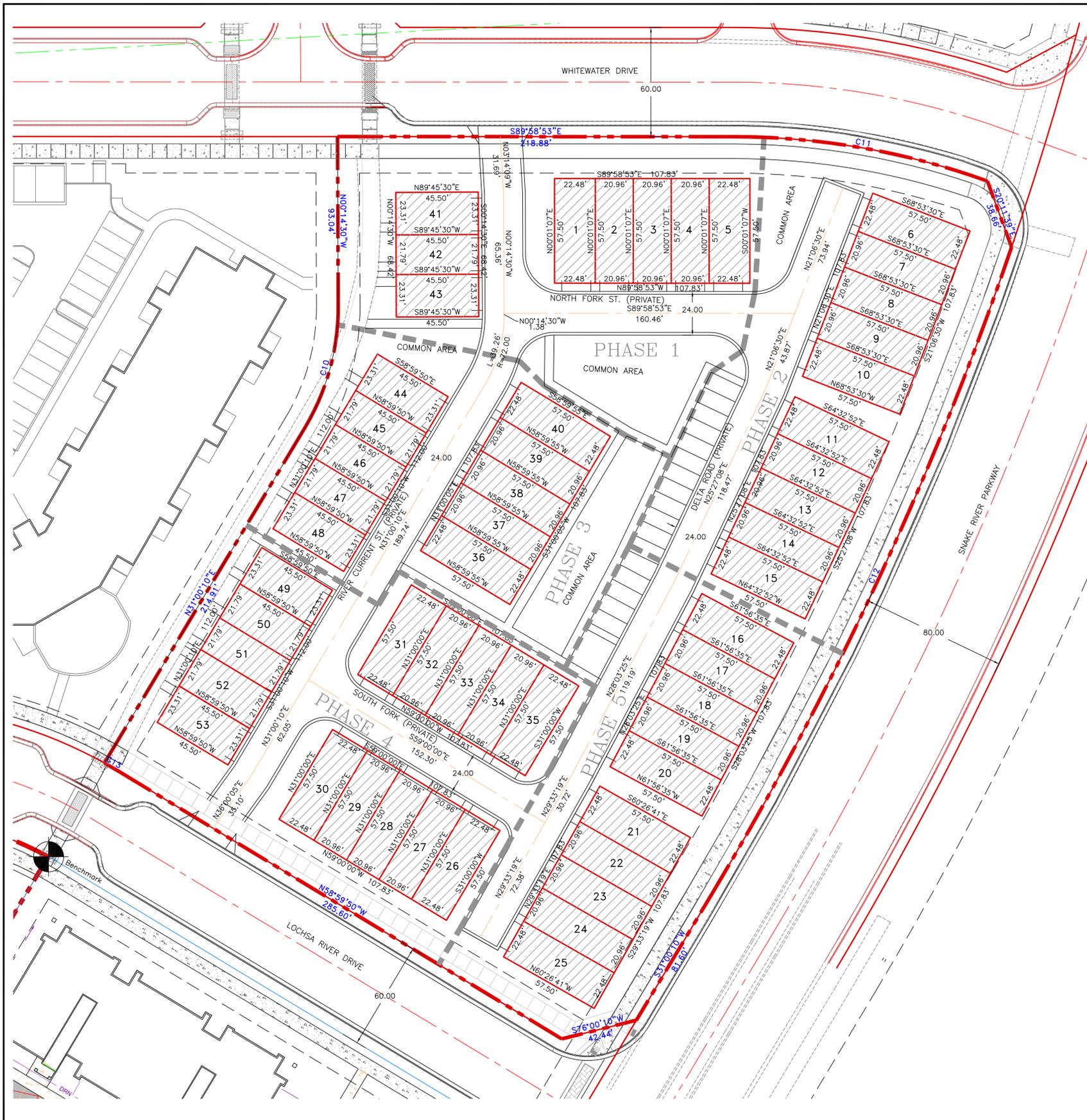
SITE PLAN CONTACT PERSON

NAME Kartchner Commercial-Cody Puzey
ADDRESS 859 South Yellowstone, Rexburg ZIP 83440
PHONE 208-709-6525

SITE PLAN NAME AND ADDRESS (See Note #1)

SNAKE RIVER TOWNHOMES

FILE NO. FALLSPHASE2V9.dwg	DRAWN BY: AVM	DATE PLOTTED:	SHEET NO. 1 of 2
SCALE:	CHECKED BY:	REVIEW NO.:	



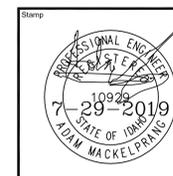
No.	REVISIONS/ SUBMISSIONS	DATE

ACE
ALLIANCE CONSULTING ENGINEERS
150 EAST 200 NORTH SUITE P
LOGAN, UTAH 84321
(435)755-5121
ALLIANCELOGAN@YAHOO.COM

IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION
I.S.P.W.C., 2015
CONSTRUCTION ON THIS PROJECT SHALL CONFORM TO THE I.S.P.W.C. STANDARDS AND CITY OF IDAHO FALLS STANDARDS (CITY STANDARD GOVERN FOR ALL PUBLIC IMPROVEMENTS)

DIG LINE
811
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKER OF THE UNDERGROUND MEMBER UTILITIES.

ENGINEERING DEPT.
SEWER FRONT FOOTAGE _____ FT.
WATER FRONT FOOTAGE _____ FT.



IDAHO FALLS PLANNING AND ZONING COMMISSION
STAFF REPORT
Planned Unit Development Amendment
Snake River Townhomes
March 3, 2020



Community
Development
Services

Applicant: Kartchner
Land Management

Project Manager:
Naysha Foster

Location: Generally
south of S Utah Ave.
extended, west of
Snake River Prkwy.,
north of Event Center
Dr., and east of I-15.

Size: Approx acres
3.558

Buildings: 11
Units: 55 Total

Existing Zoning:
Site: LC
North: CC
South: HC
East: LC
West: R3A

Existing Land Uses:
Site: Undeveloped
North: Undeveloped
South: Undeveloped
East: Residential
West: Residential

**Future Land Use
Map:**
Higher Density

Attachments:
1. Maps
2. Aerial photos
3. 2019 PUD Site
Plan
4. 2020 Amended
PUD Site Plan

Requested Action: To **recommend** to the Mayor and City Council approval of the amendment for Snake River Townhomes PUD.

History: The property was originally platted as Eagle Ridge in 2002. The property was annexed in 2004. A revised preliminary plat was completed in 2008 and then final platted in 2018. This area of Snake River Landing includes both commercial and mixed residential uses including single unit dwellings, senior housing, and multi-unit housing. The original PUD was approved October 10, 2019. The original PUD consisted of 53 townhome style units. All buildings would consist of five units with the exception of the building in the northwest corner which consisted of three units. In addition to the garage parking, 17 parking stalls are propose in the original plan.

Staff Comments: The amended PUD site plan proposes to eliminate the triplex in the northwest corner and adding a fiveplex to the center of the PUD in the common/parking area. The northwest corner would then be open space. The extra parking would be rearranged around the playground and increase to 19. The rest of the PUD would remain the same as the original site plan with the exterior town homes would face outward to the streets with a pathway system and garages facing the internal streets. The development will be constructed in 5 phases. The first phase would include the building facing Whitewater Dr. and the common areas, including the additional parking and playground as outlined in section 11-2-6 (W9) of the Zoning Ordinance. The development will still tie into the existing sidewalk and pathways. The developer is still also requesting a variance for the reduction of the 10' landscaping requirements along the private road system internal to the town homes, which will allow the development to maximize the useful open space for the residents. The reason the amended PUD must go back the Planning Commission as a public hearing is because the building in the northwest corner of the original plan moved more than 20% of the building width. This is considered a major change as required in section 11-2-6 (W9b) of the Zoning Ordinance.

Staff Recommendation: Staff recommends approval of the amended PUD as it meets the minimum requirements for development outlined in the Zoning Ordinance.

PUD Standard	Staff Comments
<p>General Objectives and Characters: The proposed PUD meets the objectives of permitting a PUD</p>	<p>Objectives met by proposed PUD include the following:</p> <ol style="list-style-type: none"> 1.) Promoting flexibility and innovation of design while permitting diversification of development types in order to encourage the most suitable use of a site; 2.) Achieving a compatible land use relationship with the surrounding area; 3.) Promoting redevelopment and reuse of previously developed property; 4.) Encouraging development of vacant land properties with developed areas; 5.) Provide useable and suitably located common space, recreation facilities or other public/common facilities; 6.) Facilitating functional and efficient systems of streets, pathways, utilities, and municipal services on and off site. 7.) Promoting efficient use of land with a more flexible arrangement of buildings and land uses; 8.) Providing for a master planned development that includes interconnected design elements between structures of phases, increased amounts of landscaping or natural features, connections to the surrounding neighborhood or public lands and unique architectural features; 9.) Ensuring appropriate phasing of development and amenities and <p>Providing for attractive streetscapes that are not dominated by parked vehicles or garage entrances.</p>
<p>Siting Requirements: Minimum site size shall be two (2) acres.</p>	<p>The PUD consists of 3.558 acres</p>
<p>Regulations and Uses: Function as an overlay zone, all regulations and uses shall be the same as the underlying zoning district unless modified as part of the PUD.</p>	<p>The proposed underlying district is LC. The LC use and standards shall govern the project.</p>
<p>Unified Control:</p>	<p>The PUD will include a Home Owners Association.</p>
<p>Density: The residential density in the LC Zone shall not exceed 35 units per acre.</p>	<p>The density equates to 15.5 units per acre.</p>
<p>Location of Buildings and Structures: The maximum structure height for a residential PUD shall be determined by the underlying base zone, except where a structure is set back from required setback lines by at least one foot (1') for each additional foot of building height</p>	<p>There is no minimum building height restrictions in the LC Zone.</p>
<p>Arrangement and Design: Residential buildings include a high quality of design and should be separated and arranged to provide for private space in</p>	

addition to common areas.	
Landscaping: All areas within the PUD not covered by buildings, parking spaces, sidewalks or driveways shall be landscaped and maintained.	All non-hard surfaced areas are proposed to be covered by landscaping.
Common Space: All PUDs shall provide common and landscaped areas. Not less than twenty five percent (25%) of the gross area of a PUD shall be designated and maintained as common space.	The proposed PUD exceeds the twenty five percent requirement.
Amenities: PUDs shall provide amenities in addition to the common space required by this Section. The number and size of the amenities should increase as overall acreage and scale of the development increases.	This development would be required to have one amenity. The developer is proposing a playground in one of the common areas. It will be constructed in the first phase as required
Pedestrian System: Walkways shall form a logical, safe, and convenient system for pedestrian access to all structures and amenities.	The PUD will provide sidewalks within the development that connect to the public sidewalks along
Phasing:	Phase 1: 1 Building, units 1-5, common area, playground, and additional parking. Phase 2: 2 Buildings in the center, south of the playground. Units 36-45 Phase 3: 2 Buildings in the north east area, east of the playground area. Units 6-15 Phase 4: 2 Buildings in the south east area. Units 16-25. Phase 5: 2 Buildings in the southern area. Units 26-35. Phase 6: 2 Buildings in the south west area. Units 46-55.

Comprehensive Plan Policies:

Residential development should reflect the economic and social diversity of Idaho Falls. New and existing developments should foster inclusiveness and connectivity through mixed housing types and sizes and neighborhood connections through parks, open spaces and streets. (p. 40)

Higher density housing should be located closer to service areas and those streets designed to move traffic, such as arterial streets and collectors, with access only to the collector street. Apartments and townhouses are located adjacent to arterial and collector streets for two reasons. Larger lots necessary for higher density housing offer opportunities for building layout, setbacks, and buffering with berms and fences to minimize the impact of street noise. If apartments and townhouses are located close to arterial streets, traffic from apartments will not

move through neighborhoods. However, higher density housing should still be clustered: it should not be used to line arterial streets. (p. 43)

Land in residential subdivisions should be dedicated for walkways and bikeways. If the City adopts park dedication requirements, in-lieu fees, or impact fees, an acceptable alternative for the developer is to dedicate the land adjacent to the canal system for bikeway development. The land must link to the proposed City-wide system and directly benefit the residents of the subdivision. (p.86)

Zoning:

11-6-3: APPLICATION PROCEDURES.

(I) Application Procedures for a Planned Unit Development (PUD).

(9) PUD amendments shall follow the following procedures for minor and major changes. Amendments shall be in keeping with previous phases or approved PUD development plans and shall meet the same objectives as the original PUD. If the proposed amendment is intended to alter the previously approved plans objectives the applicant will justify how the amendment fits within the whole of the development.

(b) Major changes to a PUD must follow the same review, public notice and hearing process required for approval of the initial PUD Planned Unit Development. Major changes shall include, but not be limited to the following:

- (i) A change in the character of the development.
- (ii) A change of greater than five percent (5%) in the approved number of residential dwelling units.
- (iii) A change of greater than five percent (5%) in the amount of commercial square footage within the development.
- (iv) A reduction in the approved common space and/or amenities provided.
- (v) A change in the location and placement of buildings greater than twenty percent (20%) of the building width.
- (vi) An increase in the number of lots above what was approved through the preliminary plan review.
- (vii) Any other change to the plan not defined herein as a minor change.

March 3, 2020

7:00 p.m.

Planning Department

Council Chambers

MEMBERS PRESENT: Commissioners Joanne Denney, Lindsey Romankiw, Arnold Cantu, Natalie Black, Gene Hicks (5 present, 4 votes).

MEMBERS ABSENT: Margaret Wimborne, George Swaney, Brent Dixon, George Morrison,

ALSO PRESENT: Assistant Planning Directors Kerry Beutler; Brian Stephens, Naysha Foster and interested citizens.

CALL TO ORDER: Natalie Black called the meeting to order at 7:00 p.m.

CHANGES TO AGENDA: None.

MINUTES: Hicks' name needed to be added to the Members present. **Cantu moved to approve the February 4, 2020 minutes, Hicks seconded the motion and it passed unanimously.**

Public Hearing(s):

2. PUD 19-002: AMENDED PLANNED UNIT DEVELOPMENT. Snake River Townhomes. Foster presented the staff report, a part of the record.

Black opened the public hearing.

Applicant: Applicant was present but had nothing to add.

No one appeared in support or opposition of the application.

Black closed the public hearing.

Black commended the developer for their landscaping on other projects and as such she is ok with the request for the variance of the 10' landscape requirements along the private road system to maximize the open space.

Hicks asked about the garages for the units.

Black re-opened the public hearing.

Applicant: Brett Stauffer, Kartchner Commercial, 2298 South Foothill Road, Ammon, Idaho. Stauffer confirmed that there are 2 spaces (2 car garage) for each unit, plus 19 additional parking spots throughout the development.

Black closed the public hearing.

Hicks moved to recommend to the Mayor and City Council approval of the Amended Planned Unit Development for Snake River Townhomes as presented, Denney seconded the motion and it passed unanimously.

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

PLANNED UNIT DEVELOPMENT OF SNAKE RIVER TOWNHOMES, LOCATED GENERALLY SOUTH OF S UTAH AVE. EXTENDED, WEST OF SNAKE RIVER PARKWAY, NORTH OF EVENT CENTER DR. AND EAST OF I-15.

WHEREAS, the applicant filed an application to amend the Planned Unit Development on January 22, 2020; and

WHEREAS, this matter came before the Idaho Falls Planning and Zoning Commission during a duly noticed public hearing on March 3, 2020; and

WHEREAS, this matter came before the City Council during a duly noticed public hearing on April 17, 2020; and

WHEREAS, having reviewed the application, including all exhibits entered and having considered the issues presented:

I. RELEVANT CRITERIA AND STANDARDS

1. The City Council considered the request pursuant to the City of Idaho Falls 2013 Comprehensive Plan, the City of Idaho Falls Zoning Ordinance, the City of Idaho Falls Subdivision Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The property is an approximate 3.558 acre parcel located generally south of S Utah Ave. extended, west of Snake River Parkway, north of Event Center Dr. and east of I-15.
3. The property is currently zoned LC with an approved Planned Unit Development overlay.
4. The Developer amended the PUD by moving a triplex from the North West corner and adding a five-plex to the center of the development. Moving the location of the building more than twenty percent (20%) of the width of the building is considered a major change therefore it was required to go back through the approval process
5. The proposed amendment includes a total 11 buildings of 55 townhome style units. The PUD will continue to have both common and private space for the residences as well as meet the minimum parking requirements.
6. The PUD complies with the requirements of the Zoning Ordinance of the City of Idaho Falls.

II. DECISION

Based on the above Reasoned Statement of Relevant Criteria and Standards, the City Council of the City of Idaho Falls approved the amendment to the PUD for Snake River Townhomes.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF IDAHO FALLS

THIS _____ DAY OF _____, 2020

Rebecca L. Noah Casper, Mayor